1-8-35

YUKON TERRITORIAL COUNCIL

SECOND SESSION 1963

Votes and Proceedings

Volume I.

I N D E X

VOTES and PROCEEDINGS - 1963 (Second Session)

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PLEASE QUOTE FILE

GOVERNMENT OF THE YUKON TERRITORY

1-8-35

November 1, 1963

for book.

MEMORANDUM TO ALL RECIPIENTS OF YUKON COUNCIL
VOTES AND PROCEEDINGS AND RELATED PAPERS.

Enclosed are copies of memoranda which were mailed to Members of Council subsequent to the closing of the previous Session. Please note these have been numbered Sessional Papers (1963-2nd Session) Nos. 1 to 10. Commissioner Cameron's opening address to Council will be number 11. All memoranda forwarded to Council during this Session will be numbered from 12 up.

Please note these copies are on prepunched paper as will be your daily reports of the Votes & Proceedings. We stress that these be kept in order. On the completion of the Session we will forward only covers, indices and screws and ask that you complete your own volumes. It is imperative that you keep the Votes & Proceedings as they are mailed to you as there will be no spare copies as replacements at the end of the Session.

Yours very truly,

H.J. Taylor

H.J. Taylor,
Clerk of Council.

VOTES AND PROCEEDINGS

OF THE

COUNCIL OF THE YUKON TERRITORY

Monday, November 4, 1963
10:00 o'clock A.M.

The second session of the Council for the year 1963, being the Eighth Session of the Nineteenth Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 10:00 o'clock A.M. on Monday, November 4, 1963.

The members present were:

Mr. John Livesey, Carmacks-Kluane
Mr. Kenneth McKinnon, Whitehorse North
Mr. Hubert E. Boyd, Whitehorse East
Mr. George O. Shaw, Dawson
Mr. Donald Taylor, Watson Lake
Mr. Raphael L. McKamey, Mayo
Mr. John Watt, Whitehorse West

There were no absentees.

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

The Commissioner, Mr. G.R. Cameron, was ushered into the Council Chambers by the Sergeant-at-Arms and gave his address. (Set out as Sessional Paper No. 11)

Sessional Paper No. 11

Mr. Speaker thanked Commissioner Cameron for his address.

Mr. Shaw moved, seconded by Mr. Boyd, that the Commissioner's address be taken into consideration on days following.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Watt, for leave to introduce Bill No. 3, An Ordinance to Amend the Corporation Securities Registration Ordinance.

Introducing Bill No. 3.

Motion Carried.

On motion Council adjourned until 2:00 o'clock P.M.

..../page 2.

2:00 o'clock
Monday, Nov. 4th, 1963

Mr. Speaker called Council to order.

Mr. Speaker stated this afternoon being part of the first day of the Fall Session there was need for organization of material. At hand are a number of sessional papers. Some of them are matters related to the Spring Session, which could be tabled this afternoon. He said he believed there was another set of papers covering matters relating to Labour Legislation which may possibly come up for discussion later. He would suggest that Council proceed by tabling the sessional papers before them. He asked Council how they wished to proceed.

Mr. Taylor suggested they table the sessional papers now before them.

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

	Sessional Papers No. 1
Re Workmen's Compensation Ordinance - Doherty Claim (set out as Sessional Paper no. 1)	1
Re Production of Papers no. 19 - R.C.M.Police (set out as Sessional Paper no. 2)	2
Re Motion no. 30, Escorting of Prisoners (set out as Sessional Paper no. 3)	3
Re Production of Papers no. 3, Haines Road (set out as Sessional Paper no. 4)	4
Re Motion no. 8, C.B.C. twenty-four hour service (set out as Sessional Paper no. 5)	5
Re Motion no. 24, Steam Boilers Ordinance (set out as Sessional Paper no. 6)	6
Re Appointment of Senior Legal Advisor (set out as Sessional Paper no. 7)	7
Re Motion no. 1, Watson Lake Sign Posts (set out as Sessional Paper no. 8)	8
Re Motion no. 7, Post office at Ross River (set out as Sessional Paper no. 9)	9
Re Tourist Traffic between Skagway, Alaska and Bennett, B.C. (set out as Sessional Paper no. 10)	10
Commissioner Cameron's opening address. (set out as Sessional Paper no. 11)	11
Re Corrections Program and Custodial Facilities (set out as Sessional Paper no.12)	12
Re Safety Belts in Motor Vehicles (set out as Sessional Paper no. 13)	13
Re Mayo Airport (set out as Sessional Paper no. 14)	14
Re Labour Legislation (set out as Sessional Paper no. 15)	15

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing sessional papers.

Mr. Speaker appointed Mr. Taylor as Chairman of Committee.

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Motion Carried.

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Discussion of S.P. #1.

In Committee of the Whole:

Discussion took place on Sessional Paper no. 1 regarding Workmen's Compensation Ordinance - Doherty Claim.

Mr. Watt asked if the Committee could be enlightened on the proceedings of this matter.

Mr. Taylor, Clerk-in-Council, answered that during a recent trip to Edmonton he had spoken to the Board and they agreed to give Mr. Doherty one more appeal but he did not know whether the appeal had gone through or not. He asked that this be deferred pending further information.

Discussion of S.P. #2.

Discussion followed on Sessional Paper no. 2

Mr. Boyd stated that the Sessional Paper mentioned that further information would be available in August and as it had not been supplied to Council yet there did not seem to be any point in further discussion. It was interesting to note however, that in our previous discussion of this matter the Yukon figures show a per capita rate of one member of the police for every 311 members of population.

Mr. Shaw stated that this was because we had no city police forces and it was obvious that in our large sparsely populated areas our rate would be much greater.

Committee proceeded to Sessional Paper No. 3.

Discussion of S.P. #3

Mr. Taylor (with Mr. Shaw in the chair) said that at the last session he raised the question respecting the escorting of prisoners from the Whitehorse Jail to the courtroom. The practice exercised here in Whitehorse is to bring those people who for one reason or another have been taken and confined in the evening or the night prior to a morning court case and then they are paraded in public view from the police barracks. All these people aren't guilty, there are in fact many of them who, upon arriving in the courtroom in the hall here have proved their innocence. He thought this was a deplorable situation and that the Legislative Council of the Yukon Territory at its last session clearly pointed out its views on the subject. He did not agree with the reply we have here from the Justice people and he would like to see witnesses on this subject if necessary. He found it extremely deplorable and it was a practice that he did not think you will find in many places in Canada and he certainly did not feel it should be allowed to continue here. He said we have what is more commonly known as a "paddy wagon" running around town and he believed this vehicle was designed to haul people who were in custody. He saw no reason why, in the mornings, these people cannot be loaded into this vehicle and taken to the rear door of the Federal Building. If they have had their day in court and they want to parade them up and down the street after they have been found guilty, this is fine. But he could not see a man being held a public rebuke until he has had his day in court. He was unaware that this would be before them this afternoon and would like to refer back to it at a later date at this session and possibly have Inspector Vachon or another member of the Justice Department come in and clear this matter up.

Mr. Livesey said he agreed with Mr. Taylor and felt that the reason we have set up the courts here in the Territory was to judge people. To parade them through the streets seems

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to attach a stigma to a person before he has been judged and this is quite contrary to the Constitution. He said he didn't believe this was a Canadian way of doing anything. This was the opposite to it, he believed Canadians are free people, free thinkers who believe in freedom and proper judgement. There should not be a case of prejudgement nor should there be any form of prejudgement or theatrical review along any street in Whitehorse just because someone may have been arrested on the basis of temporary presumption of guilt. Therefore he agreed with Mr. Taylor that this situation should be rectified as soon as possible.

Mr. McKinnon said that the answer given on Sessional Paper No. 2 was part of an answer it was noted that there were 19 active members of the RCMP stationed in the Whitehorse area. According to the Dominion Bureau of Statistics the Greater Whitehorse area had a population of approximately 5,000 at the last census; this would in rough figures be 4 police officers for every 1,000 in population which is much higher than any other urban area across the Dominion of Canada, and from Sessional Paper No. 3 not that the reason why they cannot transport prisoners by vehicle to the Federal Building is that they have not enough man power, it just seems to me that there is someone somewhere who doesn't want to end this practice of transporting the prisoners in public view. He remembered particularly one occasion where a friend of his happened to be in the lineup. This friend was later found innocent. The public ridicule that was given to him and to his family by being in this lineup just didn't hit home - it wasn't what we would expect in Canada or in the Yukon. He agreed with Mr. Taylor and Mr. Livesey that this should be looked into further. He thought that by the statistics the personnel seem to be here so prisoners could be transported over to the Federal Building in a more humane manner. He would like to have Inspector Vachon before Committee on this to see if some alternative could not be reached.

Mr. Shaw asked if Committee agreed to defer this till a later date.

Agreed.

Committee proceeded with Sessional Paper no. 4.

Mr. McKinnon thought it would not be necessary to have the paper read as it seems the matter has been resolved. Discussion of S.P. #4

Mr. Livesey said that although it had been mentioned that the Haines Road Cut-Off situation had been settled, he was not too sure whether it was or not. The Federal Government is doing something towards getting it open and he felt that the work being done will greatly benefit the whole Yukon Territory.

Mr. Taylor deferred discussion of this paper and proceeded to Sessional Paper no. 5.

Mr. Livesey said that you have probably heard me say many times that when he wanted to hear something about Canada he had to tune into Tokyo, Japan, for the answers. Discussion of S.P. #5

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This is not a lot of nonsense, this is a fact, and I understand that Beaver Creek of which he was the original pioneer resident is now going to get one of these outlets from the Canadian Broadcasting Corporation. Later on he was going to propose a question to the Administration on this, because he understood they have put in the footings for the towers.

Mr. McKinnon said that this motion had the unanimous consent of Council and he thought it was just another instance where the members from Whitehorse were bending over backwards to provide the outlying communities with the amenities of life that we in the city haven't even got ourselves.

There was no discussion on Sessional Paper no. 6 and Committee proceeded to Sessional Paper no. 7.

Discussion of S.P. #7

Mr. Shaw said that the present legal advisor was overworked before and now he also has the duties of the public administrator. We have the same story as what we had a year ago - we must train somebody at Ottawa. He could not quite see that particular point. We have a man in the Territory, for the Territory, and he has been here for a period of two years almost. He personally thought this man was very efficient - and had certainly learned a great deal about the administration of the Territory. He did not see why this person, who is living here, shouldn't have the opportunity of taking it over and getting a more junior type in as an assistant to look after the public administrator and the smaller legal matters that come up from time to time. This delay will go on for another two or three years unless we come up with some definite recommdendation. Now, whether these recommendations will be accepted of course is a different matter, but he thought that possibly this is the time to come forth something concrete which the Department of Justice or the Department of Northern Affairs could consider. We are asking for various ordinances, changes, appeals, amendments and so forth and we have to keep waiting and waiting from Ottawa - it takes a year and a half to get them through if we get them through at all, in fact sometimes it goes so long that you almost forget the original motion from which we started. He thought that a recommendation should be formed, more or less in the line with what he has suggested namely that the local person get some assistance and if possible at all, in view of the fact of the experience he has had in the Territory, that he be appointed Senior Legal Advisor. We will get an answer to that in one form or another, either yes or no. At least it's a proposal which should create some action.

Mr. McKamey said he agreed with Councillor Shaw in some respects. We had a terrific problem of getting legislation drafted in Ottawa, we have had complete revisions of ordinances, they have been kicked around for two years or more, pretty near three years and this is on one ordinance. He knew the Legislative Council had been criticized, in fact he heard it practically every day - "Why don't we do something about this ordinance, why don't we do something about that ordinance - it's antiquated, it's out of date". Council pass ordinances, they are not implemented, it appears to him that we have no enforcement at all, we can amend the Labour

Provisions Ordinance and Workmen's Compensation Ordinance, it doesn't make any difference - there is no branch to enforce these ordinances and I thought they are wasting a lot of taxpayers money and wasting a lot of their time sitting here, amending and revising these ordinances. Ottawa is dragging their feet on a lot of this. I know there are a lot of problems involved and one of the major problems is population and finance. They are looking at the dollars and cents and he thought they felt that it was not warranted. Yet there is a definite requirement for better legislation and bringing the old legislation up to date. He could see right here by this memorandum that this is just passing the buck - nothing more. Two years from now the next Council will probably get the same shot in the arm. He thought they really had to start demanding if they were going to move on this, because this thing is worsening, not improving and is becoming a financial burden throughout the Territory. The Yukon at the moment is real sick and due to lack of enforcement in law. The lawyers claim that the ordinances are weak but it doesn't seem to make any difference if we revise them or amend them, there is nobody to enforce them anyhow. It seemed to him that the Department of Justice is going to have to wake up. If Mr. Shaw wishes to make his recommendation into a motion he would be glad to second it.

Mr. Taylor (Mr. Boyd in the chair) said that he couldn't more heartily agree with the two honorable members. He did not really know what Ottawa was doing, or their thinking on this subject. He could recall proposing a motion to this Council respecting this in the latter part of March this year. There was no reply to this request from the Department of Justice in Ottawa until August 23, 1963, that was a six-month delay in just getting an answer as to just what is going on. In other matters, not necessarily in Justice, but pertaining to matters Financial and otherwise, the same thing occurs. He believed the only direct reply we ever did get out of Ottawa at this Council was when Ottawa requested some money for the Dawson Festival. He also recalled when this Council asked to send an observer to the Federal-Provincial Fiscal Conference the no came back something like a yoyo. This six months business leaves him wondering whether Ottawa has any intention of putting a senior legal advisor in the Territory. In the discussions of the inter-departmental 5-year agreement it was felt that this senior legal officer would be here to draft legislation. He concurred in that they need local drafting facilities or someone here to draft legislation. The present legal advisor has some experience at it, as he has handled the revisions, repeals and so forth and he could not understand this memo which states "Even if the Department of Justice decides to go ahead immediately, even should they decide, it would take some time to recruit a suitable officer and give him the necessary training in Ottawa before posting him to Whitehorse." He assumed that if you were looking for a man who is competent at drafting legislation he is a man who is of some experience, he could not see this training bit. He assumed that this refers to brainwashing rather than training. He thought that the proposal as outlined by Councillor Shaw is very, very sound and he would support it. He felt that they should even go a little further with this, that they should get some further information on this from Ottawa at this session and if possible sit down with some of the people concerned - possibly Justice Parker may be able to shed some light on this. Council should go into this justice matter in all its aspects at this session.

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Mr. McKamey asked if it was Mr. Shaw's intention to change the name of our Legal Advisor to Senior Legal Advisor and that would fill the bill for providing a Senior Legal Advisor to the Territory as called for in the 5-year agreement.

Mr. Shaw said he was not qualified to state what qualifications a person should have to be considered a senior legal advisor, but what he did know was that they were in the same situation as two years ago, and as stated before the work is increasing, not decreasing, so that we need more assistance. Apparently the standards are very high in what the Department of Justice or the Department of Northern Affairs consider a qualified person and it appears that they can't find that particular person. Right here in the Territory they have a person that has quite some qualifications and he suggested that he be considered the senior legal advisor. They could get in a junior legal advisor of which there should surely be more available than the executive type and we will then have two here which should facilitate and expedite much of the Territory's business. He would then be prepared to make a motion to the effect that the present legal advisor be considered the senior and that a person be appointed forthwith as a junior and asked that this be put on the orders of the day in the usual manner.

Committee proceeded to Sessional Paper no. 8.

Discussion of S.P. #8

Mr. Taylor (Mr. Boyd in the chair) said he would like the matter deferred until the Highway Signs Committee have made their report. He may, after discussion with the Highway Signs Committee, propose another motion respecting this for referral beyond the local administration to the National Sites and Monuments Committee.

Mr. McKamey asked Mr. Livesey if it would be possible to have the Highway Signs Committee make their report now respecting this sessional paper.

Mr. Livesey said he didn't feel this was the proper time as they had considerable work to do before bringing the report to the attention of the Council.

Mr. Shaw wished Mr. Taylor luck in his efforts with the National Historical Sites and Monuments Board - it took them ten years to realize that the Yukon gold rush was of National significance so we don't know how long it will take for them to realize the sign posts are of National significance.

Mr. Boyd suggested that in view of the change in status quo of the highway, the fact that it will not be under the Army control for very long, it might be wise to ask the Commissioner where we stand today, as perhaps we have no more authority to talk on these signs.

There was no discussion on Sessional Paper no. 9 and Committee proceeded to Sessional Paper no. 10

Discussion of S.P. #10

Mr. Livesey said that paragraph 6 of the paper could lead to misunderstanding. He said that not far from where he lives is a large hotel which he understands is now owned by Westours and that they have buses which stop

at this hotel which of course is in Canada and though the final destination of traffic may be to Alaska nevertheless a lot of this bus tour traffic does travel through Canada.

Mr. McKamey replied that he felt that the Westours Hotel, referred to by Mr. Livesey, was near the border and that the revenue gained goes south of the border. It's strictly 100% US and he wouldn't be surprised to see another one like that built at Haines Junction. This is great, but it's not great for Canada. Therefore he agrees with paragraph 6 exactly as it stands.

Mr. Boyd asked where we would be today without American investment - that 1016 is a nice place to build and progress can only be made by those who are willing to come in and spend their money. It is up to us to get into business or get Ottawa to spend some money and put up a hotel.

Mr. Livesey said we can't criticize people who want to put some investment into Canada - it is unfortunate that the hotel is not Canadian but who is going to stop American money coming in - this is up to the Federal Government not the Territorial Government.

Mr. McKinnon pointed out that the original intention of this motion was to determine how many tours there were from Skagway to Lake Bennett with stopovers of as much as twelve hours, and how much of it could possibly get to Whitehorse. Last year he understood there were roughly 38 tours to Lake Bennett - this is the figure I wanted verified by the Director of Publicity but he didn't seem to come up with this figure. The only figure I have to go on is the figure published in the Skagway News. He said he would like to bring this matter up again at the time when we go through the budget.

Mr. Boyd said the Liquor Committee might offer something to clarify the hotel situation.

It was agreed that Sessional Paper no. 10 be deferred.

Discussion of S.P. #12

Mr. McKinnon said he felt it would not sit too favourably with the people at Whitehorse to construct the jail at the back door of the hospital and expressed his personal opinion that he wasn't in favour of the location; however, in a thesis presented by the Federal Government sent out to the councillors the opinions of specialists of town planning were submitted and they recommend this. However, the Administration is going to check some other sites for this proposed jail and I would like to hear some comments from them.

Mr. Shaw suggested that perhaps Mr. Boyd could enlighten Council, as a member of that Committee, what has transpired.

Mr. Boyd said he would be glad to say a few words, but that the Committee might possibly prefer to have Commissioner Cameron present. When this was brought up it was intended to have it as a winter works project and to have it built this winter, which was not possible because of the architect travelling throughout the United States examining such establishments, and he only arrived here about ten days ago. He said he would prefer to have Commissioner Cameron comment on this to avoid saying anything that would not be quite clear.

Mr. Livesey stated that as to delegation of authority, this seems to be a rather strange procedure for Council to adopt. He felt it may have some advantages, but to delegate authority to a Committee that doesn't comprise of members of the Council although they have representation on it would seem to be more or less a side step from our usual thinking in these matters. The Council should assist the member on the Committee in every way, but when it comes to a final decision as to what type of building we are going to get and so forth I think that the wishes of the House should be made known to the Committee.

Mr. Shaw suggested that Committee accept Mr. Boyd's proposal that we have further discussion with the Commissioner on this matter at a later date.

The Chairman read Sessional Paper no. 13.

Discussion of S.P. #13

Mr. Livesey said he observed people sitting on their seat belts and if that's where they are going to be seems there is no use having them, but agreed with Dr. Buchan that seat belts are a good safety measure if people use them, but couldn't see how this was going to be put into regulation or ordinance. Legislation means nothing without enforcement and how are you going to enforce the use of seat belts. The best way to start out would be to increase the publicity, later on perhaps legislation could be instigated. In other words - education first.

Mr. Taylor (Mr. Boyd in the chair) said he agreed that many lives could be saved with the use of seat belts but he had seen many cases where people do not use their seat belts even though they are installed in the vehicle. Conversely he had seen many accidents where, if the person had been wearing a seat belt, they would have been killed and survived the ordeal only due to the fact that they were thrown from the vehicle. Therefore it is hard to say which is safest to have them or not. It would seem we should not impose regulation making them mandatory in the Yukon Territory at this time but should proceed with publicity. He understood that most manufacturers are going to install seat belts in the 1964 models as a part of the car and possibly in time the public will start using them.

Mr. Boyd said he heard over the air about ten days ago that the State of Alaska had turned down the idea of compulsory seat belts, he didn't know their reasons but thought they must have gone into it very thoroughly.

Mr. McKinnon stated he thought the idea of using seat belts was only a matter of personal choice and would hate to see government getting those into restrictive policies.

Mr. McKamey expressed his opinion that he thought seat belts were a terrific idea and would be in favour of the legislation that would make provision for seat belts in every car, in the front seats at least. What the owners do with these belts is their business, we would have done our duty. The price is not going to hurt anybody it's only the price of a couple of bottles of whiskey.

Mr. Shaw cited an illustration of a women who went up to Dawson, was involved in an accident and she was thrown

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out of the car, the car rolled and fell on top of her. The fatality could have been averted if seat belts had been mandatory, as she would most likely have used it. Another case a family had an accident, the car rolled over, and they were all wearing seat belts and none were injured. He was in favour of making them mandatory on new cars and then in another ten years all the old cars would have disappeared from the roads and everyone would have seat belts.

Mr. Boyd did not feel seat belts should be made compulsory because certain conditions do not make seat belts favourable.

Mr. McKamey said he did not suggest making them compulsory in use but making them compulsory in the car and disagreed with Mr. Shaw that they shouldn't be put in old wrecks as he would say this is the car to put seat belts in.

Mr. Shaw pointed out that it would be very difficult to put them on all the old cars because the seat belts are worth more than the cars in some instances. When we come to dump trucks etc. that might be a different situation as the seat belt might restrict him in changing gears etc.

Mr. Livesey felt that the use of seat belts was a man's prerogative, if you believed in them you would go out and buy them and if you didn't even if you had them in the car you wouldn't use them. Personally, he felt you could not dictate to an individual whether he wants to save his life or not. He felt the government and organizations in Whitehorse should get busy and publicize the use of seat belts and educate the people.

Mr. Shaw made the point that airplanes enforce the use of seat belts and if you don't use them you are ejected from the plane regardless of your feelings on the matter.

Mr. Livesey replied that the question of seat belts in aircraft is the fact that a company operating a commercial airline is carrying you in his vehicle - this is why he forces you to put it on. A personal vehicle is an entirely different matter.

Mr. McKamey said he personally thought that this aircraft parallel was a good one and could see no difference between aircraft and automobiles. He felt they should be installed in all cars and dump trucks whether they are used or not, because he knows you have better control of vehicles when wearing a seat belt.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor reported as follows:

Committee Report.

Committee convened at 2:15 p.m. to discuss sessional papers. Sessional papers numbers 1,3,4,7,8,9,10,12 and 13 were deferred for further consideration.

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M. Tuesday, November 5th, 1963.

SESSIONAL PAPER NO. 1 - 1963 (Second Session)

Whitehorse, Y. T.
23rd May, 1963.

Mr. Speaker

Members of Council

Workmen's Compensation Ordinance
- Doherty Claim

You will remember that, as reported on p. 371 of the Votes and Proceedings, Mr. Livesey asked for information regarding action taken regarding the Doherty case.

As stated by Mr. Hughes the files have been under review and he promised a more formal answer. This letter is intended as an interim comment for your present information.

Letters have been received from an Edmonton lawyer acting for Doherty and we have had correspondence with the Board of Referees in Edmonton. The view taken by the Referees on the basis of advice tendered to them is that the Doherty case is closed. We have had our attention drawn to a broadly similar case from the Northwest Territories where the decision was the same.

Normally this ruling by the Board must be regarded as conclusive but I have instructed the Territorial Secretary to confer with the Board and Doherty's lawyer while he is in Edmonton this month. Mr. Taylor has been instructed to explore all possible avenues to allow of reconsideration of the Doherty case. Upon Mr. Taylor's return I will give you a final report of how the matter has proceeded.

G. R. Cameron
Commissioner.

c.c. Mr. H. J. Taylor

SESSIONAL PAPER NO. 2 - 1963 (Second Session)

P.O. Box 2029,
Whitehorse, Y.T.,

17th June, 1963.

Mr. Speaker

Members of Council.

Re: Notice of Motion for Production of Papers No. 19 - 1963 (First Session)

In relation to Sessional PPaper #37-1963 (First Session) dated May 3rd, 1963, items 2 and 4 were left unanswered because the required information was not available. However, the Officer Commanding "G" Division, R.C.M. Police, has been good enough to furnish the following information in relation to the request for statistics relating to the number of policemen in urban areas per 1,000 population:-

Newfoundland	- 1.4
Prince Edward Island	- 2.4
Nova Scotia	- 1.3
New Brunswick	- 1.3
Quebec	- 1.7
Ontario	- 1.3
Manitoba	- 1.3
Saskatchewan	- 1.3
Alberta	- 1.4
British Columbia	- 1.3

N.B.:- The above ratio pertains to urban areas only, there being no statistics available in 1961 covering rural areas.

Regarding the crime rate in the various provinces and in the Territories, this may be found in the booklet published by the 'Dominion Bureau of Statistics' on Crime Statistics for 1961.

The Officer Commanding goes on to say that at the instigation of the Dominion Bureau of Statistics, all the major police forces in Canada agreed upon a "uniform method of compiling crime statistics". This new system was invoked commencing 1st January, 1962. The Bureau of Statistics is therefore currently preparing to publish a comprehensive breakdown of police and crime statistics on a national basis for 1962, including rural as well as urban areas. This information will be available during the month of August, 1963, from the Dominion Bureau of Statistics.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER NO. 3 - 1963 (Second Session)

WHITEHORSE, Y.T.,
June 24, 1963.

MR. SPEAKER

MEMBERS OF COUNCIL.

Motion: #30 - Escorting Prisoners from Whitehorse Detachment to the Courts

I have corresponded with Inspector Vachon on this subject and he in turn contacted his Headquarters, and the following reply is for your information:

"Very careful consideration has been given to the Motion of Territorial Council regarding the practice of escorting our prisoners from Whitehorse Detachment to the Court Room in public view.

"Any alternative methods of transporting prisoners to Court on a daily basis would require additional manpower and transportation and would pose a question of proper security. At the present time, we have insufficient manpower or transportation at Whitehorse Detachment to make any change in our method of daily escorts and, while it is agreed that the present situation is not an ideal one, there does not appear to be a suitable alternative under the circumstances.

"The method of escorting prisoners from Whitehorse Detachment to the Courts will be further reviewed and if a workable alternative can be arranged, it will be immediately implemented."

I would point out at this time that if no other way is found under the present jail set-up, upon construction and take-over of our new corrections institution and program, this problem will be solved as the distance involved will make transportation by vehicle an absolute necessity.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER NO. 4 - 1963 (Second Session) Whitehorse, Y.T.,
June 27, 1963.

Mr. Speaker,

Members of Council.

Motion for Production of Papers #3- Haines Cut-Off Road

I have corresponded with headquarters regarding the above Motion and following is their reply:-

"I am now able to reply to your memorandum of March 28, 1963 which included a Motion adopted by the Yukon Territorial Council requesting all pertinent information showing the progress, if any, which has been made toward establishing the Haines Cut-off Road as an all-weather highway.

In referring the motion to us, I am sure you realized that no unilateral course of action on the Haines road would be open to the Government of Canada. Several different jurisdictions have interests in the various matters which concern this particular road. Besides the federal government and your Council, the interest of the government of the Province of British Columbia has to be considered, as does that of the State of Alaska, and even more importantly, that of the Government of the United States.

At the Federal end, the whole question of transportation links in northwestern Canada and between Canada and Alaska has been and continues to be under constant general review. You know, of course, about the report made by the Battelle Memorial Institute of Columbus, Ohio, to the Alaska International Rail and Highway Commission, and about its contained recommendation for upgrading and resurfacing the Haines road. Federal officials have had to give careful consideration to the fact that this report was prepared by U.S. citizens, working under contract to a United States Commission. Considerable study has gone into analyzing the report, in an effort to measure the extent to which its views and recommendations coincide with Canada's best interests.

Following the publication of the report of the Alaska Rail and Highway Commission, which was based in large part on the Battelle Report, certain proposals were submitted to the United States Congress which were intended to provide for studies relating to a highway program for the State of Alaska. Included was a reference to "roads in Canada to connect with Alaska".

These proposals were incorporated by Congress into the Federal-Aid Highway Act of 1962, which was approved on October 23, 1962, but some significant changes to them had been made. One of these involved the language of the Bill which refers solely to "connecting Alaskan roads to Canadian roads at the international boundary"; that is, roads within Canada are not to be included in the proposed studies. Another change involved the question of timing. The United States Secretary of Commerce now has until May 15, 1964, or a year later than originally intended, to submit a report on the Alaska highway studies to Congress. Still another important change was the insertion of the qualification that the report of the Secretary of Commerce would not create any obligation in Congress to carry out recommendations put forward.

You will observe from the above that the question of improvement to roads connecting Canada and Alaska, including the Haines road, is at present largely in abeyance. Much will depend on what recommendations, if any, are made by the United States Secretary of Commerce to Congress, the subsequent U.S. legislative action taken, and the timing of such legislation.

The previous Canadian Government adopted the policy attitude that the United States Government should come forward with concrete proposals regarding cost sharing of possible improvements to the Haines road. It invited the U.S. to come forward with a proposal, at the same time indicating to the U.S. that Canada could take no further initiative on the matter until it did so. This is precisely where matters stand at present."

G.R. Cameron,
Commissioner.

Whitehorse, Y.T.,
July 4, 1963.

SESSIONAL PAPERS NO. 5 - 1963 (Second Session)

Mr. Speaker,

Members of Council.

Motion #8.

The above motion regarding possible implementing of a twenty-four hour C.B.C. radio service for the Yukon as a Civil Defence measure was referred to the Canadian Broadcasting Corporation through the usual channels and the under-noted, from the Chairman of C.B.C., dated June 18th, 1963, is a self-explanatory reply:-

"This is in reply to your letter of May 13, 1963. The Corporation has carefully considered, in consultation with the Emergency Measures Organization, the Motion passed by the Yukon Territorial Council requesting "24-hour CBC Radio Service for the Yukon as a Civil Defence Measure."

Present plans for a 24-hour broadcasting readiness capability, which have been developed in consultation with the Emergency Measures Organization, the Department of Transport and the Canadian Army, provide for a 24-hour broadcasting readiness condition at all times only for cities that are considered primary target areas. The cost of providing such a readiness condition for the entire country would be prohibitive.

However, CBC radio network service to the Yukon is to be put on 24-hour operation in approximately one month's time, when unattended low power radio transmitters at Watson Lake, Mayo, Elsa, Dawson and Haines Junction will be on the air and programmed continuously. 24-hour operation of our station CFWH Whitehorse would require additional staff and, as such, it falls into the same category as similar CBC and privately owned stations at Prince Rupert, Grande Prairie, Port Arthur and Sydney, to name only a few.

In the event of a North American emergency during the hours that CFWH is not normally on the air, our staff could reinstate operation of the station in 15 to 20 minutes, which is approximately the same as the minimum warning time. Furthermore, should international tension warrant an increased state of readiness, CBC stations such as CFWH would remain on 24-hour operation as part of the normal CBC national radio service."

G. R. Cameron.

G. R. Cameron,
Commissioner.

August 19th, 1963.

SESSIONAL PAPER NO. 6 - 1963 (Second Session)

Mr. Speaker and Members of Council

Re: Motion Number 24 of the
First Session 1963

At the Spring Session 1963, a motion was made by Mr. Watt, seconded by Mr. Livesey, that an amendment to the Steam Boilers Ordinance be prepared and submitted at the Fall Session. This amendment was to give the Commissioner certain powers of cancellation or suspension of certificates issued under the Ordinance.

During our Boiler Inspector's recent visit to the Yukon Territory, this matter was discussed with him and he stated that he was quite satisfied with the wording of the Ordinance as it now stands. In his opinion there was sufficient authority for cancellation or suspension of any certificate which had been issued under this Ordinance.

G.R. Cameron,
Commissioner.

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SESSIONAL PAPER NO. 7 - 1963 (Second Session)

August 23, 1963.

Mr. Speaker

Members of Council

Appointment of Senior Legal Advisor.

At the last session, it was moved by Mr. Taylor and seconded by Mr. Boyd that the Administration provide Council with details respecting progress on the appointment of a Senior Legal Advisor in the Territory, as outlined in the current Federal - Territorial fiscal agreement. The motion was carried, and the Administration tabled a memorandum quoting the recommendation of the Federal - Territorial Financial Committee to the effect that a Senior Legal Officer of the Crown be appointed to supervise the administration of justice in the Territory. The memorandum also stated that a competition had been advertised but that the Administration had not been informed of the outcome. Towards the end of the session, Mr. Taylor asked if it would be possible for the Administration to forward any further information that might become available to the members if the Council was prorogued when it arrived.

In a letter from the Deputy Minister dated August 16, 1963, we have now been informed that the Treasury Board has removed the restriction on the filling of senior positions such as those created for a Senior Legal Officer at Whitehorse, and the Department of Justice is now giving the matter its consideration. I am informed there is a possibility of further delay. Even if the Department of Justice decides to go ahead immediately, it will take sometime to recruit a suitable officer and give him the necessary training at Ottawa before posting him to Whitehorse. I have been assured that the Department of Northern Affairs and National Resources is pressing the Department of Justice for early action. As soon as any further information becomes available, I shall let you know.

G.R. Cameron,
Commissioner.

SESSIONAL PAPER NO. 8 - 1963 (Second Session)

WHITEHORSE, Y.T.
October 8, 1963

MR. SPEAKER
MEMBERS OF COUNCIL

Motion: #1 - Watson Lake Sign Posts
Spring Session, 1963, Yukon Territorial Council

It has now been ascertained that the Watson Lake sign posts could not qualify as a historic site. The proposal therefore does not warrant referral to the Historical Sites and Monuments Board. There are no funds specifically allocated to the Yukon Administration to provide for expenditures resulting from the designation of Historic Sites.

However, if the community of Watson Lake feel that this site warrants special care and attention as a tourist attraction the alternative is open to them of making this into a community project and applying to the Director of Travel and Publicity for a matching grant to assist them in the realization of their objective. This would involve relocation and maintenance of the sign posts which is the responsibility of the community of Watson Lake, to be handled by them in accordance with the aforementioned policy. It will be necessary to relocate the signs outside the right-of-way of the Alaska Highway, but the Administration would be pleased to assist the community in locating a suitable piece of Crown land.

G.R. Cameron,
Commissioner

SESSIONAL PAPER No. 9 - 1963 (Second Session)

Whitehorse, Y.T.,
11 October, 1963.

Mr. Speaker,

Members of Council.

Motion #7
First Session, 1963.

Members of Council will recall that on June 4th an interim reply was circulated to the effect that the Deputy Postmaster General was examining the question again of establishing a Post Office at Ross River.

A reply has now been received to the effect that it has been decided to do this although the date when action will become effective is not yet known. In the meantime the Post Office Department is taking steps to select a Postmaster for this location.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 10 - 1963 (Second Session)

October 23, 1963

Mr. Speaker
Members of Council

With respect to a request by Councillor Watt at the 1963 Spring Session of Council, this paper is submitted to outline the circumstances surrounding the volume of tourist traffic between Skagway, Alaska and Bennett, B.C. and the steps taken by the Department of Travel and Publicity to attract this tourist volume into the Yukon.

The travellers referred to are, almost exclusively, clients of three transportation companies: (1) Westours, Inc. of Seattle, operating two vessels: the "Glacier Queen" and the "Yukon Star", (2) Canadian Pacific Steamship Liner "Princess Patricia" and (3) Canadian National Steamship Liner "Prince George". The passengers travel on pre-sold, "packaged" tours with a tightly-scheduled itinerary. They do not have their own private vehicles and must adhere to the tour schedule purchased by them before leaving home.

The Canadian National Steamer "Prince George" has a lay-over time of approximately 12 hours at Skagway. This permits sufficient time for ship passengers to travel to Bennett, B.C. and return before embarking on the return voyage.

The Canadian Pacific Steamer "Princess Patricia" has a similar lay-over period in Skagway. It will be remembered that passengers from these Cruises at one time enjoyed a side-trip to Ben-My-Chree via the Sternwheeler "Tutshi" until the Steamship companies reduced their lay-over time in Skagway owing to rising costs. This revision in their schedules also permitted extra trips per season.

Contact has been established with both Canadian Pacific Steamship Lines and Canadian Pacific Airlines to discuss the development of "Circle Tours" within their Parent Organization, i.e. Steamship one way, Airlines one way. This would include the Yukon in a "Round-Trip". Interest has been aroused and further discussions might achieve the desired results.

A meeting was held in Seattle with Mr. Chuck West President of Westours Inc. in May of this year. Our attempts to have this company direct its flow of traffic into the Yukon received the reply that no consideration could be given to this suggestion until the Yukon could provide adequate and suitable accommodations for their clients. It is also obvious that this American company is more interested in directing its clients to the State of Alaska.

The completion of a highway from Skagway, together with an appropriate bus schedule, might attract some of the Cruise passengers to Carcross and Whitehorse during their limited lay-over period, but the required travel time for the 200-mile trip would reduce the value of this visit to the Yukon.

The opening of any new transportation artery, which would provide convenient access into the Territory, would assist in the development of the Travel Industry.

G.R. Cameron,
Commissioner

SESSIONAL PAPER No. 11 - 1963 (Second Session)

November 4, 1963

Opening Address by Commissioner G.R. Cameron

Mr. Speaker,

Members of Council:

Once again you have been called together to sit as an elected Council to legislate for the people of the Yukon Territory. As the legislative group you are entitled to, and shall receive the utmost in co-operation from this administration in order to achieve your aims of establishing satisfactory and up-to-date laws for the people you represent. Since the prorogation of the first Session of Council several significant developments have taken place which will have an effect on the economy of the Yukon in the near future; the most recent of these I would say is the announcement that the jurisdiction of the Canadian Army over the Alaska highway is to be handed over to the Department of Public Works. What influence this will have on the activities of the Territorial administration will not be realized until responsible officers concerned have examined in detail all the implications of this policy. Although the official hand-over date is not effective until next April, I am pleased to take this opportunity to express to the Canadian Army on behalf of the people of the Yukon, our sincere and heartfelt thanks for the valuable service rendered by the officers and men of the Canadian Army in keeping the Alaska Highway in good repair during their seventeen years of service and for the many improvements carried out during that time. To all Canadian Army personnel and their families I extend the Territory's best wishes for the future.

Another significant occurrence has been the decision to keep the Haines Road open during the winter months on a trial basis. The results of this experiment may well prove to be highly beneficial to the Yukon Territory. In September I had occasion to open in Whitehorse, as well as attend the meeting of the International Conference on Paving of the Alaska Highway sponsored by the Alaska State Chamber of Commerce and the Alberta Chamber of Commerce in co-operation with the Whitehorse Board of Trade. It had been hoped that during the same month the Alaska-B.C.-Yukon Conference might have taken place but due to elections being held in the Province of British Columbia it had to be postponed. It is now expected this Conference might be held in May, 1964. The member designated to represent the Yukon Territorial Council at this Conference is considered to be an official delegate of the Yukon along with the Commissioner. As such he will have an opportunity to participate actively in the deliberations of the Conference which will deal with matters relating to industrial and economic development including transportation, hydro electric power and the tourist industry.

Mining continues to be the major basic industry in the Yukon. The good weather this Fall has extended the season for many placer gold operations. Most individuals and companies are quite satisfied with their production. Lode mining continues in the Mayo mining district, with United Keno Hill Mining Limited carrying on underground production or exploration. The price increase in silver and a recent small increase in zinc prices has been encouraging to this operation. In order to extend the life of the operation, the company this summer undertook an extensive surface and underground exploration program. There were two fatal accidents in the mining industry, both occurring in the underground operations. We extend our sympathy to the families of the two men who lost their lives in these accidents.

Concern was expressed at the Spring Session of Council regarding the disposal and take-over by the Supervisor of Lands of lots in the Territorial sub-divisions. I am pleased to report that this transfer of the sub-division lots is now a fact and the take-over and day to day management is working satisfactorily. Finally, to complete this take-over

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of the sale of the sub-division lots from the office of the Area Development Officer to the office of the Supervisor of Lands all lots in the Mayo sub-division have recently been transferred. This means that all sub-division lots will be sold by the office of the Supervisor of Lands and the Land Agents at Dawson, Mayo and Watson Lake. This should be a great convenience for the public in these outlying areas. A modest increase in the number of surface leases and agreements of sale which have been issued by the Supervisor of Lands has been noted this summer. Likewise the backlog of land applications have now been processed and the Land office for the first time is able to cope with the normal amount of land applications received.

The current fiscal year is the second in the life of the Federal-Territorial Financial Relations Agreement and it would seem that our financial requirements will be satisfactorily met by the provisions of that Agreement. Revenues and expenditures continue in a rising trend indicating the expansion that is taking place in the Territory. The Territory's financial position may be regarded as satisfactory due in large measure to generous financial support from the Federal Government. A factor in the rise in Territorial expenditure is the increase and expansion in services provided. Instances are the Whitehorse Vocational Training school, the Yukon Regional Library, the Yukon Hospital Insurance Service, Travel and Publicity, Justice and Area Development. Also of course is the rapidly rising cost of education which is the major item in our expenditures. In 1962/63 education operating costs totalled $1,152,806.53. In 1961/62 the figure was $951,374.95 and in 1960/61 $768,797.72.

The schools at Haines Junction, Teslin and Watson Lake, after redesign and recall of tenders, are now to be constructed during this winter period in order to assist in winter employment. The redesign saved $60,000 without loss of structure convenience even when the additional cost of winter building was included.

The Motion of Council dealing with the Corrections Programme and Custodial facilities has been implemented and a progress report is a subject of a Sessional Paper to be tabled forthwith.

The Liquor Committee has been studying the briefs submitted to it as well as the revisions of liquor legislation. An iterim report will be made by the Liquor Committee which will be tabled during the course of the present session.

The Vocational Training School was officially opened in June and students were registered for courses during the summer. Enrollment for the term beginning in September was most encouraging and there is every indication that registrations for the term beginning in February, 1964, will be equally rewarding. There are presently 100 students in day school attendance with 28 of these being Indian status and 72 white. There are 41 students living in the dormitory quarters and 45 students on night school courses.

The tourist industry continues to show an overall increase. The establishment of the Alaska Marine Highway system has changed the tourist picture to some extent which is indicated mainly by the decline in repeat business in the southern part of the Territory and the very noticeable increase of tourists in the northern sections. The total tourists estimated for the 1963 season is 58,726 which does not include airport arrival nor people arriving from the south and just staying within the boundries of the Yukon.

During the course of the official visit to the Yukon in August of the Honourable Arthur Laing, Minister of Northern Affairs and National Resources, I had many discussions with them on matters relating to the affairs of the Yukon. The Minister's party also included the Commissioner of the Northwest Territories, Mr. B.G. Sivertz. I had the opportunity of travelling with them to the MacKenzie District, learning at firsthand some of the problems of that area, which is destined shortly to become a separate Territory.

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I have had the honour to accept an invitation from the President of the Privy Council to become a member of the First National Conference on Canada's Centennial held in Ottawa on the 15th and 16th October. I expect to attend a second meeting the 16th of December. The participation of the Territory in these celebrations is essential and arrangements in regard thereto will have to be the subject of an agreement between the Commissioner and the Government of Canada. A Paper will be presented to Council during the course of the present Session to explain the situation to date and to ask the members of Council for their suggestions and recommendations. It might be well to remind everyone that 1967 will mark the year when our neighbour, the State of Alaska, will also be observing their centennial. I have been asked by Governor Egan to consider the possibility of a joint observance where possible for the common good of both areas in order that we may receive the maximum in lasting benefits of both birthdays.

Your Financial Advisory Committee sat with the administration a few weeks ago and considerable thought, scrutiny and effort were put into the Supplementary Estimates by all concerned before presenting them to Ottawa for approval. Your Advisory Committee, at the request of the Director of Northern Affairs, did not go to Ottawa this Fall and have instead been asked to attend for Main Estimates this coming Spring. This came about mainly because Supplementary Estimates are in fact a collection of figures showing the additional monies required to complete the program agreed to in the Spring due to unforeseen costs not then anticipated, whereas the Main Estimates set up all money to be spent in the coming year and would, therefore, give the Financial Advisory Committee a much greater insight into the operation of the Federal Departments in Ottawa.

During this Session you will be asked to study numerous bills of legislation among which you will find two that were presented at the last session and not passed. It is hoped that the administration can now submit additional information requested by Council in order that you may see fit to give your blessing to these bills.

Mr. Speaker, Members of Council, you will be asked to consider the following items of legislation and such other matters as may be brought before you:

Bill No. 1 - An Ordinance Respecting the Taking and Recording of Evidence by Sound Recording Apparatus

Bill No. 2 --An Ordinance to Amend the Insurance Ordinance

Bill No. 3 - An Ordinance to Amend the Corporation Securities Registration Ordinance

Bill No. 4 - An Ordinance to Repeal an Ordinance to Incorporate the North Star Athletic Association Limited.

Bill No. 5 - An Ordinance to Amend the Medical Profession Ordinance

Bill No. 6 - An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Fifth Supp. Appropriation 62-63)

Bill No. 7 - An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (First Supplementary Appropriation 63-64)

Bill No. 8 - An Ordinance Respecting the Summary Recovery of Wages by Employees

Bill No. 9 - An Ordinance to Amend the Area Development Ordinance

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Bill No. 10 - An Ordinance to Prevent Discrimination in Regard to Accommodation and Employment and in Regard to Membership in Trade Unions by Reason of Race, Regligion, Religious Creed, Colour, Ancestry, or Ethnic or National Origin

Bill No. 11 - An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter into and Execute an Agreement with the Government of Canada Respecting the Seaplane Base at Mayo Airport.

Bill No. 12 - An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter into and Execute an Agreement with the Government of Canada Respecting the Services of the Royal Canadian Mounted Police.

Central Regi

Tuesday, November 5th, 1963
10:00 o'clock A.M.

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

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 1, An Ordinance Respecting the Taking and Recording of Evidence by Sound Recording Apparatus. — Introducing Bills No. 1

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKamey for leave to introduce Bill No. 2, An Ordinance to Amend the Insurance Ordinance. — No. 2

Motion Carried.

Mr. Boyd moved, seconded by Mr. Taylor, for leave to introduce Bill No. 4, An Ordinance to Repeal an Ordinance to Incorporate the North Star Athletic Association Limited. — No. 4

Motion Carried.

Mr. Boyd moved, seconded by Mr. Watt, for leave to introduce Bill No. 5, An Ordinance to Amend the Medical Profession Ordinance. — No. 5

Motion Carried.

Mr. Shaw moved, seconded by Mr. Boyd, for leave to introduce Bill No. 6, An Ordinance for Granting to the Commissioner Certain sums of Money to Defray the Expenses of the Public Service of the Territory (Fifth Supplementary Appropriation 1962-63) — No. 6

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, for leave to introduce Bill No. 7, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (First Supplementary Appropriation 63-64) — No. 7

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKamey for leave to introduce Bill No. 8, An Ordinance Respecting the Summary Recovery of Wages by Employees. — No. 8

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor, for leave to introduce Bill No. 9, An Ordinance to Amend the Area Development Ordinance. — No. 9

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 10, An Ordinance to Prevent Discrimination in Regard to Accommodation and Employment and in Regard to Membership in Trade Unions By Reason of Race, Religion, Religious Creed, Colour, Ancestry, or Ethnic or National Origin. — No. 10

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor, for leave to introduce Bill No. 11, An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter Into and Execute an Agreement with the Government of Canada Respecting the Seaplane Base at Mayo Airport. — No. 11

Motion Carried.

Mr. Boyd moved, seconded by Mr. Watt, for leave to introduce Bill No. 12, An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter Into and Execute an Agreement with the Government of Canada Respecting the Services of the Royal Canadian Mounted Police. — No. 12

Motion Carried.

Mr. McKinnon directed a question to the Administration as follows: It has been reported that a joint Committee of D.P.W. and D.N.D. officials will be in Whitehorse shortly to discuss the takeover of the Alaska Highway by the D.P.W. In view of the far reaching economic implications to the Yukon as a result of this — Question No. 1

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takeover, could Council meet with this Committee as soon as possible to discuss the application and effect of the transferring of jurisdiction of the Alaska Hwy to D.P.W.

Motion No. 1

Mr. Shaw gave notice of motion regarding Senior Legal Advisor.

Production of Papers

Mr. Taylor gave notice of motions for the Production of Papers as follows:

No. 1 (1) Regarding Federal Resource Revenues;
No. 2 (2) Regarding Territorial Revenues;
No. 3 (3) Regarding Hyland River Flight Strip;
No. 4 (4) Regarding N.W.T. University Students Assistance Programe.

First & Second Reading Bill #3.

First and Second Reading was given to Bill No. 3, An Ordinance to Amend the Corporation Securities Registration Ordinance.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss public Bills memoranda and sessional papers.

Motion Carried.

In Committee of the Whole:

Discussion of S.P.#13

A short discussion of Sessional Paper No. 13 took place.

Motion Re Seat-Belts.

Mr. McKinnon moved, seconded by Mr. Watt, that no legislation or regulations be introduced at this time to make seat-belts mandatory in the Yukon Territory.

Motion Carried.

Discussion of S.P.#14

Discussion took place on Sessional Paper No. 14.

Mr. Shaw stated that this matter is typical. The Dept. of Transport says that the volume of traffic does not justify the costs involved. We all were aware of the tremendous mineral deposits in the area and the importance of an adequate airport.

Mr. McKamey said the Act that governs the airports gives the requirements on the runway before a commercial airline can land. The Mayo airport is under the direction of the Department of Transport; it is short, I think, 300 feet. The D.O.T. are putting words in peoples mouths. They are putting statements here that are erroneous. They say the majority are satisfied with the existing facilities, this is erroneous. They put a price tag on the airport of $350,000.00 and an additional $150,000.00 for paving. This figure is out of a hat as they have had no one there to make a survey. The people here want a runway of regulation size. There are letters on file of submissions to Council. United Keno Hill Mines asked me to support them in requests to Ottawa for the construction of a new airport. Ottawa sent back excuses as to why they cannot supply one there. The people could probably build their own runways but there are laws prohibiting this and I realize you cannot build a runway without the "green light" from the D.O.T. We lost a lot of business this year because the shortness of the runway as Crest Explorations and another company planned on using the airport facilities but could not. Last winter due to the flooded conditions of the runway planes could take only half loads in order to comply with safety regulations. The Territorial road runs along the runway, the planes take off 50 feet from the road, any failure and they would land in the bush. Mayo is the logical place for an adequate runway. We are spending large amounts of money to maintain the

highways but for delivery of goods in Mayo the runway cannot be used. He felt that no doubt this paper expressed the thoughts of Directors from Ottawa and not Commissioner Cameron.

Mr. Boyd wondered if the airports in existence are far from adequate. It seemed to him that planes were getting on fine landing in their own area beyond Mayo.

Mr. McKamey said in Mayo a site for a new airport has been surveyed and a 17,000 foot strip could be put in. We are not asking for this but just want a regulation size airport. None asked for an airport to be constructed on the Cantung Road and he was surprised to see that airport. It is 60 miles from Cantung and 150 from Watson Lake and no one living between the two points. He stated he was told it was intended as an emergency strip. There are emergency strips between here and Dawson and now they can't be used because of trees. This is ridiculous and perfect Ottawa control in the Yukon Territory.

Mr. Shaw stated that these emergency strips were put in some years ago and now they would never do for a large plane. The facilities the D.O.T. have provided for in the past 20 years and the amount of money would not be a very large figure. I believe $1500.00 for maintenance. In Dawson they do not own the buildings, the existing buildings were put in by C.P.A. The D.C. 3 in Dawson is restricted from taking off with a full load. When airports in the north are restricted for a D.C. 3 how can you expand your air services? Everytime we ask for improvements on airports we get the same answer - just figures as to what it will cost. He further stated he did not think this airstrip will amount to anything and he feels they have an inactive attitude towards airports. To get an extension to the existing airports is important.

Mr. Taylor stated he has listened with interest and what it all means is we are all of the same opinion as far as the Department of Transport and regard to airports in the Territory. I defy anyone to land a plane on these emergency strips. During seven months of the year these strips are inactive because of snow. He felt the only way to break this down was to have a Senior Official come to the Territory and sit in Committee and discuss this problem. He stated this to be an important problem, important to his constituency and suggested something should be done about it.

Mr. Watt stated that it was quite a sum of money to pave Mayo runway but stated he has seen money used for a lot less worthwhile projects. He suggested there was probably a lack of communication between Ottawa and the Territory and as to how the money can be well spent. More communication with Ottawa should be applied.

Mr. McKamey thought this creates distaste and dissention. He stated the Financial Advisory Committee is going to Ottawa and he thought this could be brought up at that time.

Mr. Taylor (with Mr. Boyd in the Chair) suggested that a motion be made that a Senior Official of the D.O.T. attend Council to discuss these problems.

Mr. Watt suggested that Commissioner Cameron be asked to attend Committee to enlighten members on this discussion.

Commissioner Cameron attended Committee.

Mr. McKamey asked Commissioner Cameron if it were possible to have an official of the D.O.T. attend Committee to discuss these problems and asked if the Commissioner knew the reasons for

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building the air strip on the Cantung Road where no one lives.

Commissioner Cameron replied he would find out if a Senior Official could come and he had no idea why the strip was built on the Canada Tungsten Road. He would endeavour to find out more about this area.

Mr. Taylor stated he had seen the strip but no planes land on it that he knew of.

Mr. Shaw stated this facility was apparently constructed to help the Cantung Mine. He asked if the strip was constructed after the mine gave indication of closing down their operations.

Mr. Taylor replied that the strip was still in construction after the mine signified their intention to close but once started it had to be finished.

Mr. Watt expressed he would like to know the possibility of getting someone from D.O.T. to attend and discuss various airports so that D.O.T. will have a better idea of what Council feels and what is needed.

Mr. Livesey stated that since 1958 this problem about airports has been discussed and no action has been taken. He felt a D.O.T. official should be brought to Council and he should hear all Council's suggestions toward improvements. He felt if this official comes it will indicate they are being generous and co-operative. This will not produce an immediate decision but it is the first step. He further stated that to just eliminate suggestions from D.O.T. would be a premature way of going about this and suggested Council should listen to this official and then decide if his visit has been worthwhile.

Motion re D.O.T. Official

Mr. Boyd moved, seconded by Mr. Livesey, that a Senior Official from D.O.T. attend Council and discuss the problems of the airports in the Yukon.

Motion Carried.

Committee proceeded to Sessional Paper no. 15.

Discussion of S.P.#15

Mr. Watt stated that with the change over of the Alaska Hi way and the amount of labour used by the Territory and in the Territory, he felt a specialist should come to the Yukon to discuss labour legislation with the Council. There should be a suggested wage list as the Federal Government because contractors in the Territory have to hire at the rate of local wages in order to make a profit.

Motion re Labour Legislation

Mr. Watt moved, seconded by Mr. McKinnon that a specialist from the Department of Labour be requested to attend Council to discuss these problems.

Mr. Livesey stated that he could not agree more, the question of labour legislation is an involved item. Involved with a number of matters in relation to labour and it takes many hours of study to come up with proper results. He further stated that we must work with the people of the country. Proper legislation contributes to the economy of the Territory between those who do the work and those who supervise the operation. We must consider the attitude of Government operation and industry operation. In our approach toward a better position for Canada

we must do away with labour strife. He could not lay more emphasis on this.

Mr. Shaw stated that this is in line with Councils wishes and going through all of this, item by item, is the only way.

Motion Carried.

Mr. McKinnon said he was wondering how the Labour Provisions Officer was making out.

Clerk-in-Council (Labour Provisions Officer) stated to date they had had 150 complaints and these had been settled to the satisfaction of employer and employee.

Mr. McKamey stated that perhaps Council was wasting its efforts on dealing with Labour Legislation as no doubt a lot of new faces will appear in Council next fall and any efforts put forward may be wasted.

Mr. Watt did not agree. He stated that if something is urgent the matter should be attended to. He was not saying the whole Ordinance had to be changed but if there is something necessary to change before the following session there is nothing to stop this from being done.

Mr. Livesey stated that our Labour Code is spread over several Ordinances and this must be consolidated. Application and study is the only answer.

Committee adjourned until 2:00 o'clock p.m.

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Mr. Taylor, Chairman of Committees, called Committee to order and asked for further discussion on Labour Legislation which was being dealt with prior to adjournment from the morning session.

Mr. Shaw suggested further discussion be deferred pending the arrival of the person from the Department of Labour to appear before Committee, as pointed out in a motion this forenoon.

Agreed.

Committee proceeded to discuss Bill no. 3.

Mr. Shaw said this is a straight administrative matter - when a person is absent it is a case of appointing someone to act in his place. Discussion Bill #3

Mr. Boyd moved, seconded by Mr. Watt, that Bill no. 3 be reported out of committee without amendment.

Motion Carried.

Mr. Boyd suggested that Committee endeavor to have the Commissioner Cameron and the Legal Advisor to appear before Council to discuss Sessional Paper no. 12. Discussion of S.P. #12

Agreed.

Mr. Boyd said he requested yesterday that the Legal Advisor and Commissioner be with us before any more discussion. One of the questions brought out was that some members of Council seemed to think this Committee was appointed to gain the facts and so on and then report back to Council without proceeding in any way with the project; he said he had pointed out he thought Council's objective at that time was to get this thing under way and possibly make it a winter works project this year. He asked the Legal Advisor to clarify the motion which in his mind authorized the Committee to do as they have done.

The Legal Advisor read Motion no. 19 from the Proceedings of the last Session of Council and gave his interpretation of the various sections. He felt the keynote of the resolution is an emphasis on the fact that things have got to be done and it is in the light of the spirit of that preamble that one looks at the resolution. He felt it contains an interesting play upon words and the Committee had directions which lacked clarity. It shows evidence of having been prepared in great haste - the emphasis was on haste, speed, action - and this has colored his whole approach to any interpretation that he was called upon to give. He said there is no record of Committee being instructed to report back except in the normal way. That they should defer such action as they have taken, until the next session of Council, was never indicated. He said that although he had spoken at length he must conclude the point was raised as to whether they were executive in function and he had given it most serious consideration. He pointed out he did not base his consideration upon one narrow set of words, but went back to all reports he could find on this and then advised the Committee that his interpretation was that the Committee was conceived and instructed to act in a quasi-

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executive capacity. It is inescapable from the character that has been created and the words placed before it.

Mr. Livesey said he was amazed when he heard the Legal Advisor repeat this motion because it happened to be his and he assured members that nothing in relation to that motion was organized, created or drafted in haste. He had tried to cover every angle and aspect of the operation so that there would be no misunderstanding. If there has been a misunderstanding, and it appears there has been, it seemed to him that it is a rather unfortunate situation when one has to listen to an interpretation of something you have created yourself. The very fact that the Council in Committee agreed with these points in the resolution meant that they established themselves as going on record as being in favor of this type of operation, this type of change and move towards a better system of justice in the Territory. The mistaken idea that it was ever intended to delegate the authority of the house to any group not elected to this House is a wrong interpretation. He said he believed in the power of the House, that members are here to make decisions and to do their best to enact business in behalf of the people they represent.

Mr. Taylor (Mr. Shaw in the chair) pointed out that much time is being used which could be spent on other matters. He said much work had been done by the Committee who had engaged an expert, Mr. Duncan Clark, to study all aspects of this correctional institution program. Mr. Boyd had gone to Vancouver to study the situation there. It has been mentioned that no instructions were given in the resolution to report back to Council, this might be true, but he thought the resolution should be accepted as it stands. If Council has erred in its drafting, these points should be reconsidered.

Mr. Shaw asked Mr. Boyd whether Council could have a report as to what progress had been made on this prison rehabilitation program.

Mr. Boyd replied that they had carried on with the idea, as previously pointed out, where Council had explained what was wanted and that the Committee was instructed to go ahead and see that their wishes were carried out. He said things have gone ahead to the point of having a site chosen; several sites have been looked at; an architect had been up here and looked over the various sites and in short, Administration is ready to call for tenders to complete the prison in the spring, along the lines contained in the resolution. He suggested that perhaps Commissioner Cameron could clarify any questions in respect to the Committee.

Mr. McKamey agreed with Mr. Taylor regarding time spent by Council in preparing the resolution. He said as far as he is concerned the resolution has everything incorporated in it that was wanted, and it was not a resolution giving any Committee the power to go ahead and implement it. As he understands

it the Committee was to report back to this Council who would deal with it, but apparently this has not been done. He said he could not see where there is any misunderstanding on Mr. Boyd's behalf so he could certainly disagree with the interpretation of the resolution as Administration has put it. He mentioned a paper that had been sent out to Councillors by the Administration which had been submitted to the Federal Government as a thesis and was turned into a report and distributed to members of Council from the Deparmtent of Northern Affairs. It indicated in that paper very clearly that they have experts in town planning who should be consulted to avoid mistakes. He agreed that we should have specialists in the field advising where buildings of this kind should be built. But he said he had raised this point before in the Council Chamber that he did not think that establishing a jail on the door step of a hospital was a good thing and could not agree with the Health Department that this was a good place. He said it looked as if Ottawa was trying to say money by putting this institution beside the hospital so that the hospital's kitchen facilities could be used to feed the inmates. He said he would like to hear the views of the citizens of Whitehorse whether this should be established right in the centre of town. We are here to represent them and their views should be respected.

Legal Advisor Hughes commented further on his earlier remarks. He said Council have got to remember that this jail is in fact the responsibility of the Department of Justice under the 5-year Agreement - they are providing the money and consequently they can really indicate what they think the Territory should have. However, they did not do that; they consulted the Territory and asked for their opinion. So this formation of a Committee is not a Committee really to report back to convey the thinking locally of the Department of Justice or of the Federal Government. There is this difference - the Committee didn't undertake to spend money - that is the essential difference between this and the Committees normally established and this should be borne in mind in the present situation. That is all part of the considerations that were taken into view when trying to determine the proper function of this Committee.

Commissioner Cameron said he wasn't quite sure he understood the problem as he wasn't here when it was first discussed. He felt the Committee has only done what they have been asked to do. No money was spent in the erection of a building, surveys had been made and the situation studied. If Council wants a report in all probability the best report would be a copy of the minutes of the meeting. Referring to Mr. McKamey's comments as to location, this has not yet been made firm, because there is some dissen in the ranks about it, but said the area behind the hospital is completely out of sight of everyone and should not affect property values. He said the Committee had looked at a lot of other locations, studied costs, services etc., but locations such as those at McRae, Yukon River Banks, the Flats across the River, Microwave Road, etc. would necessarily put restrictions on future development. In reply to Mr. McKamey's suggestion that people should be given the opportunity to give their views, he said one of the local papers is drawing this to the public's attention and will suggest that any opposition to the proposed site be brought out.

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Mr. Taylor (Mr. Shaw in the chair) noted that in Sessional Paper no. 12 all that is asked for is guidance respecting the location of the new jail. This seems to be the only problem encountered so far. He asked whether there were any other problems.

Commissioner Cameron stated that he was down East at the time of the last meeting and possibly Mr. Boyd could recall it. He thought, as Mr. Hughes points out, that any recommendations or suggestions that come from this Council are what the Department of Justice are looking for. They have to have a jail. We are now going to have a correctional program, not just a prison, and are now at a point where we are looking for suggestions and ideas, and in this respect in his opinion the Committee has carried out its duties very well.

The Chairman referred the meeting to Sessional Paper no. 12 and the fact that it asked for guidance in relation to the actual structure itself.

Mr. McKamey said one of the major reasons he is concerned about the site of this jail is due to the fact that it is a small area in a horseshoe-shaped hollow behind the hospital. Terms of reference were laid down of what was wanted and if the Committee followed those terms he did not see how it would be possible to implement them in that restricted area. That is one of the reasons he had made arrangements with Duncan Clark to examine the facilities of the institution in the Chilliwack River Valley. If this correctional institution was implemented properly and put where it had some breathing space, we could set up gardening and reforestation programs which would be of value to the inmates as well as to the Community. You cannot do this in a sandhill such as is behind the hospital.

Mr. Livesey said regarding the resolution, that anyone reading it will see that it is very clear from a layman's point of view, it stipulates the case as plainly as possible and obviously shows what Council's needs and thinking happen to be.

Commissioner Cameron commented on Mr. McKamey's remarks regarding Duncan Clark. This corrections officer looked at the proposed site and felt it was quite satisfactory. Now there might be some misunderstanding as to what this unit would do. There is not the room or the ground required for large areas because the people that would be on the minimum security works program that you refer to down around the Vedder would not be practical here. We would need mobile units which could be moved to any area regardless whether it was reforestation or removal or cutting of trees or any other work project. Gardening is not realistic due to climatic conditions but there is room on the proposed site for hot houses which could be built. The other minimum security persons would be living in different parts of the Territory and this, as I say, was thought about by the Committee and Mr. Clark and these are the points I believe should be brought out in the report.

Mr. Watt said that as he understands it the Commissioner is asking for confirmation of the Council to give the

Committee power to carry on if it so wished. The Committee is comprised of some pretty level-headed people, namely,

Mr. Boyd, Member of Council
Officer Commanding the Yukon Sub-Division, RCMP
Zone Superintendent, Northern Health Services
Legal Advisor
Territorial Treasurer
Territorial Engineer
Director of Welfare
Executive Assistant to the Commissioner,

and it was proposed to extend an invitation to the Police Magistrate and the Director of the Vocation Training School. He thought the Committee was made up of a good cross section of the community and he would like to propose a vote of confidence in Mr. Boyd as a Territorial Representative of this Committee and asked him to carry on if he will as a member of this Committee and leave it up to them as to the location as they will be able to do a better job than Council.

Mr. Boyd commented that Mr. McKamey seems to be alarmed about the people's thoughts on the proposed location of the jail behind the hospital. Actually it is half a mile at least from the nearest residence. He said he had talked to many citizens of Whitehorse and he has only had one complaint and that from a person who lives in a Federal House but he had no objections from taxpayers. He said there would only be about 15 prisoners at one time, in for perhaps 15 days or less and then gone again.

Mr. Shaw expressed the view that if the people in Whitehorse have no objections to the proposed location of the jail, he had none.

Mr. Livesey added that he believed the CMHC had discussed plans for constructing a bridge on the other side of the river with the idea that that area will be developed. Another matter concerning employment for inmates, we have Chadburn Lake area which could become a Stanley Park for Whitehorse. However, if Council were to receive the report from the Committee, Council would have something to work with.

Mr. McKinnon said he could see no reason why this Committee should not continue as Mr. Watt has informed the House. They form an impressive list of some of the very knowledgeable people in corrections in town, and I do think that Council in this instance has given a very straight opinion and resolution as to what they want to see implemented and that the people who form this Committee will follow these resolutions. He said he had no qualms at all in delegating authority to the Committee to put the resolutions into effect.

Mr. McKinnon moved, seconded by Mr. Watt, that the Corrections Committee formed by Council be authorized to execute and give effect to the aims of Motion no. 19 passed at the First Session of the 1963 Council.

Motion re Correction Program

Mr. McKamey disagreed with Mr. Boyd's suggestion that in the future if the building is too small we build another one somewhere else and said he was very much against such duplication of facilities.

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Mr. Watt commented that as he took it Mr. McKamey's chief objection to the location of the correctional institution is its close proximity to Riverdale. The member of that area that represents more people than the other two members combined has said that he has not had any objections from taxpayers.

Mr. Boyd said with respect to build another building somewhere else this was expert advice. It is also applicable to schools - large schools are no longer tolerable, they can't handle pupils and give them individual attention. This is the same with correctional institutions, the objective is not to have them too large but to keep them small in order to provide this individual attention.

Mr. Livesey speaking on the motion wished to have it placed on record that he is 100% opposed to placing the authority of the House on the Corrections Committee. The proper function of the Committee is that they should advise us what to do, not us tell them they can do what they think is best. Even the press is giving the members of the House opposition. Surely Council as an elected body of people representing the people of all the Territory can make its own decisions, this is its job, in cooperation with the Administration. He felt the Committee in existence can do a very adequate job for Council and the more experts we have the better - let them advise us as to what they think is the right direction and then we will debate the situation here and make a decision and let the chips fall where they may.

Commissioner Cameron said he is still confused as to what is expected of the Committee, it is by no means an elected group.

Mr. Boyd mentioned Mr. Livesey talking about bringing this up at the Spring Session. If Council is not prepared to accept the recommendations of the Committee, it will be lucky if the institution is put up a year from now. Another thing that is surprising regarding delegation of authority is that it is a well known fact that a man who is afraid to delegate authority does not always show what is the best way to survive and progress. He said he could not see what is wanted as the Committee have gone as far as they can go without spending any money and show some results and he thought a little more faith should be put in the ability of the executive, if not then put down in black and white just how you want them to act, and pay them also for the time they are spending.

Mr. Hughes (Legal Advisor) said he wanted to make it clear that he had given advice to the Committee. If they have erred they have erred, he felt, on the advice he gave them. The advice given the Committee was that he perceived their function was a quasi-executive standard. You can disregard my advice or take another course and consider rewording the resolution on which I gave that advice - make it clear to the members of the Committee that they were to report back, but at the moment the resolution stands as a record of Council subject to the interpretation given. He offered to give Mr. Livesey assistance in drafting a resolution which he felt would more properly and accurately express the feelings made evident today and this could be voted on. He said he was here to assist Council but could not change his opinion on the interpretation he gave.

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Mr. McKinnon said he disagreed with Mr. Livesey's interpretation of his motion. As he understood it the resolution Council made, Motion no. 19 was one of the really good motions that Council did make at the last Session, it gave direction and it outlined the aims and principles Council had come to after much deliberation and was the basis for the correctional program in the Yukon Territory. Now the only effect of my motion is that it is the program that the elected representatives of the Yukon Territorial Government wants to see initiated. Now we are turning this program over to the experts to make sure that they follow these aims and resolutions that we have set down and any time the Committee does not abide by the resolutions we can ask them to resign, we can set up a new Committee or take over the job ourselves. This is the only idea behind the motion. It is not delegation of our elected authority one bit. We know we have laid down the principles and the aims of the correctional program in the Yukon Territory.

Mr. McKamey said that before any motion is passed, he agreed to what Mr. McKinnon has just stated and felt we deserve a report on the progress made by this Committee and the motion should be tabled till we get the report from which we can draw our conclusions and make decisions.

Mr. Livesey said that is exactly what he has been trying to ask for during the past hours, what has the Committee being doing - what are the answers to the 14 resolutions so that Council can make their decisions.

The Chairman said it was obviously agreed we need a report from the Corrections Committee and therefore as the motion may be somewhat immature at this time suggested withdrawal of the motion by Mr. McKinnon till Council receives the report.

Mc. McKinnon refused to withdraw the motion but advocated tabling it to be voted on after receipt of the report of the Corrections Committee.

Mr. Taylor (Mr. Shaw in the chair) said it occurred to him that this has boiled down to the one desire to have a full report on the Committee's activities since we appointed such Committee at Spring Session.

Mr. Shaw thought the motion should be left open.

Mr. Shaw moved, seconded by Mr. McKamey, that the question be not put until we have further information on this matter.

Motion Carried.

Chairman asked what direction Committee desired to give to the Chairman of the Corrections Committee.

Mr. Livesey replied that they should submit a report based on the 14 items of the resolution on page 289 of the Votes and Proceedings of the Spring Session 1963.

The Chairman suggested that in order to acquire this report in deference to the House having a member on that Committee that Mr. Boyd be delegated to obtain this for the Committee, as soon as possible and was so directed.

Mr. Hughes (Legal Advisor) was excused.

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Discussion of S.P. #4

Council proceeded with Sessional Paper no. 4.

Mr. Livesey stated that as part of this road was in his constituency he would certainly like to ask specific questions of the Administration with regard to maintenance. Perhaps they could give more information and actual facts. He said he would like to see the road maintained year round as it gives an outlet to cheap water transportation and would provide a front door open to the Yukon. There is no doubt, or should be, correspondence on file between the Federal Government and the Territory, with regard to Haines Road and the Alaska Highway and felt Administration should be able to assist greatly in discussing this question which will be on agenda tomorrow.

Mr. Body moved, seconded by Mr. McKamey, that Mr. Speaker resume the Chair and hear the report of the Chairman of the Committees.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor reported as follows:

Committee Report.

Committee convened at 10:20 this morning to discuss bills, memoranda and sessional papers. Mr. McKinnon moved, seconded by Mr. Watt, that no legislation or regulation be introduced at this time to make seat belts mandatory in the Yukon Territory. The motion was carried. Mr. Taylor moved, seconded by Mr. Livesey, that a senior official of the Department of Transport attend Council at the Session now assembled to discuss problems related to airports in the Yukon Territory. The motion was carried. Mr. Watt moved, seconded by Mr. McKinnon that a labour specialist from the Department of Labour come to the Yukon to discuss proposed labour legislation with the Council at the earliest possible date. The motion was carried. Sessional Paper no. 3 was deferred to a later date. Mr. Boyd moved, seconded by Mr. Watt, that Bill No. 3 be reported out of Committee without amendment. The motion was carried. Commissioner Cameron and Mr. Hughes attended Committee to discuss Sessional Paper no. 12 relating to corrections and custodial facilities. Mr. McKinnon moved, seconded by Mr. Watt that the Corrections Committee formed by Council be authorized to execute and give effect to the aims of Motion No. 19 passed at the First Session of the 1963 Council.
Mr. Shaw moved, seconded by Mr. McKamey, that the question be not put until further information is obtained on the matter. This motion was carried. Mr. Boyd was delegated to obtain a report from the Corrections Committee for presentation to Council on a day following.

Council accepted the report of the Committee and adjourned until 10:00 o'clock a.m. Wednesday, November 6th, 1963.

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Wednesday, November 6th, 1963
10:00 o'clock AM.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding the Centennial. (Set out as Sessional Paper no.16) — Sessional Paper #16.

Mr. Taylor gave notice of motion for Production of Papers regarding interdiction of Nazar Zinchuk. — Production of Papers No. 5

Mr. Taylor moved, seconded by Mr. Livesey, that the Administration be respectfully requested to provide Council with a breakdown of resource revenues acrueing to the Federal Government from administration of natural resources in the Yukon Territory for the fiscal years 1960,1961 and 1962. — Production of Papers # 1

Motion Carried.

Mr. Taylor moved, seconded by Mr. Livesey, that the Administration be respectfully requested to provide Council with the total revenues received during the 1962-63 Fiscal year from the following sources: — Production of Papers # 2

(a) liquor profits; (b) fuel tax; (c) taxation of real property; (d) federal grants; (e) licence revenue; and (f) sale of land (government and subdivision)

Motion Carried.

Mr. Taylor moved, seconded by Mr. Livesey, that the Administration be respectfully requested to provide Council with the following information related to the newly constructed flight strip located on the Canada Tungsten access road north of the Hyland River bridge crossing: — Production of Papers #3

(a) the full dimensions of the flight strip;
(b) the total cost of the project; and
(c) the reason for constructing this flight strip in detail.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKinnon, that the Administration be respectfully requested to provide Council with full details of the N.W.T. University students assistance programe at the session now assembled if possible. — Production of Papers #4.

Motion Carried.

Mr. Taylor asked if in view of the new land policy respecting Watson Lake, has the Adminsistration proceeded to give title to lot owners in other Territorial Sub-Divisions upon purchase of such lots and if not would the Administration please explain why not. — Question # 2.

FIRST and SECOND readings were given to the following bills: — First & Second Readings

Bill No. 1, An Ordinance Respecting the Taking and Recording of Evidence by Sound Recording Apparatus. — Bill #1

Bill No. 2, An Ordinance to Amend the Insurance Ordinance. — Bill #2

Bill No. 4, An Ordinance to Repeal an Ordinance to Incorporate the North Star Athletic Association Limited. — Bill #4

Bill No. 5, An Ordinance to Amend the Medical Profession Ordinance. — Bill #5

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First & Second Readings:

Bill #6. Bill No. 6, An Ordinance for Granting to the Commissioner Certain sums of Money to Defray the Expenses of the Public Service of the Territory (Fifth Supplementary Appropriation Ordinance 62-63)

Bill #7. Bill No. 7, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (First Supplementary Appropriation Ordinance 63-64)

Bill #8. An Ordinance Respecting the Summary Recovery of Wages By Employees.

Bill #9. An Ordinance to Amend the Area Development Ordinance.

Bill #10. An Ordinance to Prevent Discrimination in Regard to Accommodation and Employment and in Regard to Membership in Trade Unions By Reason of Race, Religion, Religious Creed, Colour, Ancestry, or Ethnic or National Origin.

Bill #11. An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter Into and Execute an Agreement with the Government of Canada Respecting the Seaplane Base at Mayo Airport.

Bill #12. An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter Into and Execute an Agreement with the Government of Canada Respecting the Services of the Royal Canadian Mounted Police.

Mr. Shaw moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss Bills, Sessional Papers and Memornada.

Motion Carried.

In Committee of the Whole:

Mr. MacKinnon requested that Mr. Hughes be asked to attend Committee for the discussion of Bills.

Mr. McKamey thought certain members of the Justice Department should be asked to attend Committee for the discussion of Bill No. 1.

Discussion of Bill #1. While waiting for Mr. Hughes, Committee discussed Bill No. 1, An Ordinance Respecting the Taking and Recording of Evidence by Sound Recording Apparatus.

Mr. Boyd stated that this was the second time this bill had been before Council. He suggested that perhaps Mr. Wylie should be asked to attend in order to give his views on the matter.

Mr. Livesey expressed that if the Administration want this they should look into some type of apparatus and if a piece of equipment satisfies all, then Committee would be prepared to entertain the matter once again. He further stated that he had not heard of a piece of satisfactory equipment.

Mr. McKamey stated that there was a piece of equipment available now but it is very expensive. He thought if Mr. Wylie was going to be asked to attend then Mr. Enderton should also attend as he was involved in a case where they had a failure of apparatus.

Mr. Boyd asked if they had been using this equipment without authority and it had been a failure.

Mr. McKamey replied that he understood this was the case.

Mr. Shaw stated that a stenographer had been present at the same time as far as he understood and that the Legal Advisor could advise who the appropriate person or persons would be to attend this discussion. He felt

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that if one lawyer was attending the opportunity should be extended to them all.

Further discussion was deferred until the Legal Advisor could attend and Committee proceeded to discussion of Bill no. 4. Discussion of Bill #4.

Mr. McKamey said he imagined this organization was formed in the Dawson area and perhaps the Dawson member could enlighten Committee.

Mr. Shaw replied that he had never heard of the organization.

Mr. Shaw moved, seconded by Mr. McKamey that Bill no. 4 be reported out of Committee without amendment.

Mr. McKamey asked Clerk-in-Council if he had any knowledge with respect to the matter of Bill #4.

Mr. Clerk replied that the explanatory notes was the only knowledge he had but he knew this to be an old organization.

Mr. McKamey thought the Clerk-in-Council must have more knowledge of this and that he understood this organization was responsible for the construction of the Arena.

Mr. Clerk replied that he had no such information.

Mr. Taylor said that the only man who seems to know anything about the organization was the Legal Advisor. He suggested that this bill and all bills be deferred until such time as the Legal Advisor attends Committee.

Mr. Shaw doubted if this matter could be clarified further as it came from the Legal Advisor and he would probably just read the explanatory notes. That is why he felt confident in forwarding his motion.

Mr. Boyd stated that he did not know how the North Star Athletic Association got into the hands of the City. He had heard rumours that another group are endeavouring to operate under the North Star Athletic Association.

Mr. Shaw with Mr. McKamey's approval withdrew his motion.

Mr. Hughes, Legal Advisor, attended Committee.

Mr. Boyd said the Civic Centre arena was built and negotiations were carried on under the name of North Star Athletic Association. He asked if this has been transmitted to the City and if so is the City the sole owner.

Mr. Hughes stated that he would have to inform himself as to ownership of the building. But he thought the City owned the property. He stated he would provide Committee with an answer either later that day or the next.

Mr. Boyd stated that the property always did belong to the City and it was only the building he was wondering about.

Mr. Hughes said that the building being a fixture would come with the realty and therefore the City would be the owners of the buildings.

Mr. Shaw moved, seconded by Mr. Livesey, that Bill No. 4 be reported out of Committee without amendment.

Motion Carried.

Discussion followed on Bill No. 1 Discussion of Bill #1.

Mr. Taylor asked Mr. Hughes who would be available for discussion on this bill and when would they be available.

Mr. Hughes replied that he was hoping to get Justice Parker and Magistrate Trainor and Mr. Enderton and a member from Wylie and Collins firm and King and King firm to attend Committee. He would try to have these people present for that afternoon session.

Committee adjourned at 11:45 until 2:00 o'clock p.m.

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Wednesday, Nov 6th, 1963
2:00 o'clock P.M.

Mr. Taylor, Chairman of Committees, called Committee to order and Committee proceeded to discuss Bill no. 1 with Judge Parker, Messrs. S. Enderton, V. Wylie and J. King in attendance. Discussion of Bill #1

Mr. Boyd said he would like to have Mr. Wylie's comments on this Bill.

Mr. Wylie said his firm had made their views known to the Administration last year and that Mr. Enderton and himself consented to the use of a recording device with more or less disastrous results. Consequently they found themselves in a very embarrassing position in not being able to provide full transcript of the evidence. This means the appeal is being held up. Adoption of a recording device in the present form cannot be recommended.

Mr. Boyd invited Mr. Parker's views.

Mr. Parker pointed out he does not speak for the Department and said he is not satisfied with the machine they have. We have had three breakdowns with it and at the moment it needs servicing. We are not using it for court work and would not be content to use this machine for another trial because, although it might begin the trial perfectly there is no assurance that it won't go out at any time. However, there are machines that are thoroughly reliable. This little one we have will record for only two hours but there is one being used in Alaska which will record for thirty hours on heavy tape; those machines cost more than three times as much as this one costs - somewhere between $2500 and $5000. They are also used by the United States Navy. They use nothing else in Alaska and they say so far they have saved a quarter of a million dollars by using these machines in court. He suggested that he should go to Alaska and see how they get on with these. Another difficulty in his Department is that there is only one machine, they should have either another court reporter or a reliable recorder. Court reporters are hard to get, hard to keep and outside they are making from $10-18,000 a year. The men here are not getting as much as that and there is the constant attraction from outside. Another court reporter would cost the Administration about $12,000 a year including housing and northern allowance, fares in and out etc., and we are not justified in spending this because there isn't that much work. A machine sitting there doesn't have to be fed and would supplement the court reporter providing it was of satisfactory quality. He said he thought good machines can serve a useful purpose but is not prepared to argue in their favour.

Mr. Boyd said we are trying to pass something and don't know whether it is good or not. He suggested that a maker might be asked to put one in on trail. Would this sound sensible?

Mr. Parker said he could appreciate that viewpoint. If your reaction is "assure us that you can get a satisfactory machine and we are interested in passing the legislation, but until we have this assurance we won't pass it" then he would be prepared to argue the toss on that with Justice.

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Mr. Enderton said while the assurance that none of the courts would use a machine that they are not satisfied with, speaking for myself and my own firm, the profession might be willing to go along with this.

Mr. Shaw directed the following question to Judge Parker: "In having a machine in a court, presuming the ordinance was passed permitting this, would not the Judge have complete authority to use this particular machine or reject this particular machine?"

Judge Parker replied they should put it in the Ordinance. Justice will never tell them what they can do, they tell them nothing, but if you wish, put it in subject to approval.

Mr. Livesey asked what is happening if we prepare the legislation and then experiment with the machine. Maybe we will not be experimenting so much with the machine as we will be with the witness or the defendant. As pointed out in his motion last spring experimenting on the machine comes first and when Justice has found a satisfactory machine the position would be different. Experimentation should be on a mechanical device rather than on the witness or on the defendant, that is my objection to the Bill in that light. The simple solution would be to find the machine first and if we are satisfied with it then legislation could come second. Enabling legislation will be something which will facilitate the finding of this mechanical device we now know is reasonably accurate.

Mr. Shaw felt the problem was that some persons embar ed on the project with equipment not designed for the purpose to which it was put. It appears that the Department of Justice would hesitate to conduct a survey, possibly in Alaska, or purchase $4,000 or $5,000 worth of equipment and have it installed without some assurance that this thing will be utilized. The fact that the equipment used has not been satisfactory does not say that the right type of equipment would not prove satisfactory. It would seem that the Judge in his wisdom is the person who should know whether equipment is satisfactory and whether it will protect the interests of the persons involved.

Mr. Watt asked Mr. Parker if it would be possible for the Judge to purchase apparatus he thought would be suitable without this enabling legislation right now and if it did prove satisfactory we could meet again.

Mr. Parker said no, Justice wouldn't okay his going to Alaska to have a look at the machines without the legislation to permit use. At present the matter is completely stalled.

Mr. Boyd asked Mr. Parker whether Alaska is the only place they have adopted these machines.

Mr. Parker said he thought they were being used in the United States but did not actually have definite information on this.

Mr. Taylor (Mr. Boyd in the chair) asked whether we were not actually dealing with a piece of ultra vires

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legislation as the Criminal Code reads Section 543 (1) (2) "When the accused is before a Justice holding a preliminary inquiry, the Justice shall, in a province where sound recording apparatus is authorized by or under the provincial legislation for use in civil cases, by the type of apparatus so authorized and in accordance with the requirements of the provincial legislation." It goes on into subclause 6 and it says "where in accordance with this Act a record is taken in any proceedings under this Act by a sound recording apparatus, the records so taken shall be dealt with and transcribed and the transcriptions certified and used in accordance with the provincial legislation mentioned is subsection 1." There is a note which says "the amendments to this section widen the provisions that was contained in Section 555 now repealed and substituted, a recording device if authorized by the province for use in civil cases may now be used to take the evidence of a witness at a preliminary inquiry." This would seem to provide for only a preliminary inquiry and nothing else. We wonder if in effect we are not still dealing with ultra vires legislation in this regard. Would Mr. Legal Advisor care to comment on this.

Mr. Hughes (Legal Advisor) replied that nothing ultra vires can be found in it though it's an interesting point.

Mr. Watt said he was not getting any clearer. At the last Session the Bill was defeated but the sound equipment was used anyway, with disastrous results. This discussion had not made it any clearer whether we should pass the legislation or not but if in any way the administering of justice in the Territory would be assisted by this Bill, he would be happy to vote for it.

Mr. Wylie said they were afraid that if Council pass this legislation, inferior machines might be foisted off on the court and they don't want to be in a position where they have to use a machine even though we may know it to be inferior.

Mr. King agreed with Mr. Wylie. Quite frankly, we are in the same position as Council. We don't know whether equipment can be found which would be able to take evidence in court. He said he would like to go along with the suggestion of Mr. Enderton that enabling legislation be provided. In this way probably the Federal Crown would grant the money for the proper equipment. The coming into force of the Bill should, by the Ordinance, be put off until the next Session of Council and in this manner we would have a period of time in which we could all become acquainted with the equipment that we have. Council would then be in a better position to either accept or reject.

Mr. Taylor asked whether this could be dealt with by resolution or motion, is it necessary to go into experimental legislation? He could not agree on a situation whereby we provide a Bill, the Bill clears Committee and in effect passes the House and we have this held over our heads by the Commissioner as to whether or when the Bill will be assented to.

Mr. Shaw replied that legislation has to be passed.

Mr. Watt said in his estimate Mr. King's suggestion was the general opinion of most of the witnesses.

Mr. King said the reason why he adopted Mr. Enderton's method of proceeding with the legislation was to give the

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Department of Justice an indication that such legislation will be passed. This would indicate to the Department of Justice that you are willing to along with the legislation providing they themselves will take the step to get the equipment in here which we can assume will be adequate. This would show your intention and possibly would be sufficient for the Department of Justice to act upon.

Mr. Livesey felt that this is precisely what was said in the resolution last spring, it says here that "Bill no. 1 should not be dealt with at this time in order to allow the Department of Justice to justify the experiments by experimentation of quality and reliability of various and sundry tape or other recording machines with a view to obtaining a later selection of reliable equipment which would be acceptable as a recording device in court, at which time enabling legislation could be considered by Council." He suggested that this is exactly what Council did six months ago and it is recorded on page 295 of the Proceedings of the Spring Session of Council this year. He also submitted that the legislation as so contained on page 2, Bill 1, states under Section 6 "If we pass this legislation the sound recorded upon a record may be reproduced in a court by any appropriate machine or device and the reproduction shall be received by the court to the same extent and with the same effect as a typewritten copy" and I contend that if we pass this legislation, we are defeating our own motion which was passed at the Spring Session.

Mr. Hughes informed the Council that he got as additional witnesses Magistrate Trainor and a Court Reported Mr. A. Godolphin who are presently in the gallery. He reported on investigation of equipment used in Edmonton and read a letter received from Mr. Bennett who is in charge of the Court House there outlining their experience with these machines over several years. He said he didn't favour the six months delay, but if the parties had to be asked whether or not they consented then you might have the solution.

Mr. Parker said he is not enthused about having the parties consent as there is too much room for maneuver. The Judge should make the decision and counsel should have to go along with his decision.

Mr. Parker was excused.

Mr. Taylor said he couldnot vote in favour of this because of the element of experimentation and a number of other reasons. He noted in the submissions of the various provinces that in all cases they have stated the inability of a microphone to record the voices and make similar voices distinguishable from one another, also in the heat of cross examination the loss of one word spoken might mean the difference in the result of a case. Another item is transcripts. Section 6 of the Bill, as has been pointed out, states "That the sounds recorded upon a record may be reproduced in the court by any appropriate machine or device and the reproduction shall be received by the court to the same extent and with the same effect as a typewritten copy". He said he didn't know of any place in Canada where this is done.

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He went along with Mr. Livesey's suggestion on the enabling motion in order to experiment with a qualified stenographer in the proceedings, rather than just going in cold with a tape recorder such as has been done in this Territory since we last sat in session. Apparently we have embarked on a situation where a tape recorder was used with no stenographer on an experimentation basis.

Mr. Wylie said he thought most everyone was in agreement with Mr. Hughes's suggested amendment to the Bill, which points up just what counsel feels that we don't want to be subject to having to use machines that we know may not work.

Mr. King stated, with respect to Mr. Parker's remarks as to counsel taking advantage of using tactics which would have the effect of overcoming this Bill. This could be overcome by amending the Territorial Court rules and the Police Magistrate's rules.

Mr. Shaw asked what would be the position of a person who likes to conduct a sort of a circus in the courtroom?

Mr. King replied one lawyer or law firm may say we refuse to consent to any trials with the use of this machinery. This isn't our main consideration, our main consideration should be to get the Department of Justice to spend $5,000 or $6,000 on the machine. One or two law firms or maybe all law firms will refuse to utilize this machine, but certainly if that machine is here, both the magistrate and the judge would use it in conjunction with a court reporter. By the next Session of this Council you can bring forward witnesses again. You will hear these witnesses and you will be able to make up your minds. If at that time you decide on the evidence that it is a workable process, all you have to do is to amend the Ordinance and remove "with the consent of counsel" and we are away.

Mr. Taylor asked if it is to be understood that we have to purchase a $5,000 machine in order to have it tested here. Couldn't a firm put one in on trial to prove whether it is going to work?

Mr. King, Mr. Enderton and Mr. Wylie were excused and Committee continued discussions with Magistrate Trainor in attendance.

Mr. Shaw asked Magistrate Trainor if he has had experience with recording devices.

Magistrate Trainor said he could not be of too much assistance but could say there is a sound machine used in the police courts in Vancouver and as far as he knew it works satisfactory. It isn't set up to do the recording of the evidence without someone there to watch over it and make sure that it is working. The person who watches over the machine is a fully qualified shorthand reporter. It is all taken down on the machine and then transcribed. The difficulty is that if something goes wrong with the machine then there would be no record of the procedure but if the reporter is sitting there monitoring the machine then if something goes wrong he can easily take over and take it down in shorthand. This is the only court I know of where the machine is used in that way. In some

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of the other courts in the Province of British Columbia the tape recorder is used by the reporter, but it isn't used under any authority. He simply brings it into the court and sets it up as an aid to notes and the official transcript would be what he actually took down in shorthand.

Mr. Shaw said he understands a court reporter is a special breed of shorthand reporter who must be more efficient than the average shorthand reporter. If an average shorthand reporter. However, he wondered if an average shorthand reporter were in charge of the machine, could he supplement the machine so that you could get an accurate transcription of the proceedings.

Magistrate Trainor said he thought it would. These instances where the reporter might have to take something down would be where something happened in the courtroom which the machine wouldn't ordinarily record. It often happens in court that someone moves in a certain way and counsel have to be on their toes to watch for this. The court must see that this is recorded. A person who is ordinarily competent in taking down shorthand would certainly be qualified to do this sort of thing as well as to indicate the time at which the proceedings commenced, the time they adjourned and reconvened. A machine, of course, can't do this sort of thing.

Mr. Watt asked if Magistrate Trainor feels the amendment to Section 3 would cause any hardship?

Magistrate Trainor said he didn't know that it would cause any difficulty, it simply means that the parties have the choice, whether or not to use this apparatus. If either one or both of the parties in litigation said no, then it couldn't be used. The judge would certainly have no right to direct it unless he got consent. What the section means with the amendment, is that once the consent of the parties is obtained, the judge may then make up his mind as to whether or not the machine should be used.

Mr. Taylor asked if Magistrate Trainor would care to comment on Section 6? Was this amendment contingent upon tossing Section 6 out of the proposed ordinance?

Magistrate Trainor said he understands that if what is said in a courtroom is recorded, it could be reproduced and have the same effect as a transcript taken by a shorthand reporter.

Mr. Taylor wondered if it would go further than that. Could any person record what takes place in a court room and could that tape be played as evidence and no transcript be necessary?

Magistrate Trainor replied in the affirmative and added that it says an appropriate machine or device. What that means he didn't know. Are you getting at the point that possibly someone could walk into a courtroom and with their own tape recorder record something and then want to play it back and say this shall be accepted as evidence?

Magistrate Trainor was excused.

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Mr. McKinnon commented that this seems to be another afternoon where we have had a lengthy argument and don't seem to be getting any further. Judge Parker intimated that he would like to see this Bill passed. Then he would be able to go to Justice and get permission to journey to Alaska to see the equipment first-hand. However, he did not agree with the amendment the Legal Advisor proposed to the Bill. Two motions were before the House where all these different factions could be cleared up to the protection of all, and to the benefit of all. I would propose a motion at this time, and it would follow with another motion. I would read both the motions so you would understand the thinking, how one follows in with the other, and then propose the first one to the House only. The first motion would be "That the amendment that the Legal Advisor has drafted be added as a subsection 2 to Section 3 that before making such direction the judge shall secure the consent of all counsel or parties to the proceedings". The second motion would be that the rules with the Territorial Court be amended to provide that counsel consents or rejects to the taking and recording of evidence by sound recording apparatus at the time when the trial date is set and that the decision taken at this time will determine whether or not recording apparatus is used during the trial. This would allow the judge to secure the money from Justice to provide the machine for the Territorial Court, the machine that he thinks would be capable of doing the job properly and also it would serve to stop the maneuvering.

Mr. McKinnon put the first motion before the House, seconded by Mr. Boyd. Motion re Bill #1

Mr. Taylor said he couldn't agree with the Bill. The only thing that he could see that might improve it would be to cite out at the end of the section that it is only to corroborate the stenographic notes. Judge Parker shouldn't require a Bill of legislation to enable him to go up to Alaska and have a look at these things.

Mr. Livesey said we stated the case on page 295 as read previously this afternoon. Council wanted Department of Justice to come up with some experimentation. So far they have done nothing to fulfil the request of Council. They haven't followed our suggestion. This is plain enough. In other words, before you're going to build a bridge across the Yukon River you get some engineers and architects to find out if it's feasible. In my opinion that's exactly what we should be doing here - finding out whether equipment is available that will be satisfactory to the court. If they can give us this information there is no problem with the legislation. He said he would be quite willing to move a private members bill if it would help them out.

Mr. McKinnon said he could not see any harm in the passing of this Bill whatsoever because certainly counsel would have double protection by the two motions presented by me.

Mr. Boyd said there is adequate protection and all we are doing is allowing them to try to get a satisfactory machine. We are not changing anything, it is still in the hands of Justice.

Mr. McKamey asked the Legal Advisor if there is any provision in this Ordinance that would indicate it is required that there be a competent operator in charge if this type of equipment were used.

Mr. Hughes replied that there is no provision in set terms.

Mr. Taylor said that in view of Section 9, you have to spell everything out because in Section 9 it says "The Commissioner may make regulations to carry out the purpose of this Ordinance", and if in effect it comes down to the situation where you can place four or five different interpretations on any section of the Ordinance, where are we.

Mr. McKamey felt the use of tapes would facilitate the administering of justice in the outlying districts where there are no court reporters and no record or report is kept. No appeals can be made because there are no transcripts. He felt Mr. McKinnon's motion had a great deal of merit and he would support that motion, but would like the legal advisor to see if he could not incorporate some provision in this Ordinance stipulating that a competent operator capable of taking shorthand be in charge at all times.

Mr. Shaw said he was in favour of Mr. McKamey's suggestion that with these machines we have an operator who is normally qualified to take shorthand. If these machines are utilized in Alaska and to a certain extent in Edmonton and elsewhere, there is not reason why they can't be utilized to advantage here. He felt his constituents would be only too happy to have such a device, which would be better than no method at all.

Mr. Livesey suggested we conclude discussions but commented on Mr. Shaw's statement saying that nothing is sometimes better than something if something is no good. Section 6, which states that the recording is going to be received as evidence, clearly points up the disadvantage of such legislation to constituents.

Mr. McKamey moved, seconded by Mr. Boyd that Mr. McKinnon's motion be deferred till the next day.

Mr. Godolphin (Court Stenographer) attended Committee.

Mr. Godolphin said that when he was reporting in the City of Vancouver's Police Courts, they installed sound scriber machines, first in the Traffic Courts and then in the Criminal Courts. They have been using them for two years now and they will not admit to the fact that they are a satisfactory machine as yet. They had an appeal that went from the Police Court to the Appeal Courts and though the Criminal Code calls for a transcript of the evidence to be signed by the reporter, the recording was accepted and the appeal was won. On the other hand, in a case where the recorder picked up voices from the gallery which appeared in the taped transcript, that transcript was returned. This shows that the recorders do pick up sounds that render the voices inaudible and make the taped transcripts unacceptable.

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Mr. Shaw asked Mr. Godolphin if a stenographer with average qualifications were monitoring and taking notes down and had the power to stop the court at any time, would this function sufficiently accurate?

Mr. Godolphin replied that there would be no way for a monitor on the machine to be absolutely certain whether outside interference was blocking out voices on the tape. If they did realize it some time would have elapsed before they started to take the shorthand notes and that portion of the evidence would have been lost.

Mr. Shaw asked if court reporters, in Mr. Godolphin's opinion, were always accurate in what they put down.

Mr. Godolphin said they would be as accurate as machines.

Mr. Boyd asked whether the machines they use in the police hearings in Vancouver were optional, or do they actually use them without the defendent having any say.

Mr. Godolphin replied they use them without the defendent having any say. This is at the police court level but not in the higher courts.

Mr. Watt asked Mr. Godolphin if, in his opinion, there would be a need of recording devices in the courts in outlying areas of the Territory.

Mr. Godolphin replied that under the present setup, with one magistrate, he as court reporter attends all cases wherever they might be held.

Mr. Shaw asked if during Mr. Godolphin's experience in the Police Courts in Vancouver he had ever heard any serious objections form judges or counsels in the utilization of this equipment.

Mr. Godolphin replied that most of them do not favour the machines.

Mr. McKamey said he believed Mr. Godolphin would belong to a profession in which it is well known, there is a definite requirement for that type of person and would like to ask him it it is really true that it is so impossible to get good court reporters.

Mr. Godolphin said this is true. The main reason is that there are no schools in Canada where you can take up reporting. There are schools in the States but they are few. The difficulty of having someone come into the Yukon is that the Federal Government does not allow transcript fees which are paid in the provinces.

Mr. McKinnon said he thought Judge Parker informed us this afternoon that they had done away entirely with court reporters in Alaska and it was all done by machine now.

Mr. Godolphin said that last year in the higher courts, they were using reporters, in the lower courts sound recorders.

Mr. Godolphin, Magistrate Trainor and Mr. Hughes were excused.

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Mr. Boyd moved, seconded by Mr. McKamey, that Mr. Speaker resume the chair and hear the report of the Chairman of Committee.

Motion Carried.

Committee Report

When Mr. Speaker resumed the Chair Mr. Taylor Chairman of Committee reported as follows:

Committee convened at 10:00 a.m. to discuss Bills, Memoranda and Sessional Papers. Mr. Shaw moved, seconded by Mr. Livesey, that Bill No. 4 be reported out of Committee without amendment. This motion was carried. Committee adjourned at 11:40 a.m. and reconvened at 2:00 p.m. this afternoon with the following present to discuss Bill No. 1: Mr. Justice Parker, Magistrate Trainor, Mr. Godolphon, Mr. Wylie, Mr. Enderton and Mr. King. Mr. McKinnon moved, seconded by Mr. Boyd, that a subsection be added to section 3 stating "Before making such direction the Judge shall secure the consent of all counsel or parties to the proceedings". This motion was deferred to the following day.

Council accepted the report of Committee and adjourned until 10:00 o'clock A.M. Thursday, November 7th, 1963.

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Thursday, November 7th, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron with further information on the Doherty Claim, Workmen's Compensation. (Set out as Sessional Paper No. 17) — Sessional Paper # 17

Mr. Taylor moved, seconded by Mr. Boyd, that in view of the fact that Mr. Nazar Zinchuk of Watson Lake was wrongfully placed on the list of interdicted persons on April 30th, 1963, and in view of the failure of the Administration to issue a notice of revocation, could the Administration advise Council as to when such notice of revocation will be issued, and the reason as to when such notice of revocation will be issued, and the reason for placing this man on the interdiction list when not in fact interdicted by the court. — Production of Papers #5

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, the following:

Whereas the Interdepartmental Five Year Fiscal Agreement calls for the creation of the post of Senior Legal Advisor for the Yukon, and — Motion No. 1

Whereas almost two years have elapsed with no action in this matter and,

Whereas the possibility of action being implemented in the near future appear extremely vague and,

Whereas it is necessary that action be taken as very soon as possible in overhauling many ancient Ordinances of the Yukon and,

Whereas it is important to the residents of the Yukon to have a person who has had actual experience and knowledge of Yukon administration and legislation and of living in the Yukon to adequately fulfill the office of Senior Legal Advisor and more particularly to draft and expedite new Ordinances as well as to re-examine and bring up to date old laws now outdated.

Be it resolved that it is the opinion of Council that the Department of Northern Affairs give earnest consideration to the appointment of the present Territorial Legal Advisor to the status of Senior Legal Advisor and that a Junior Legal Advisor be appointed to handle such routine matters as Registrar of Titles, Public Administrator, etc. etc.

Speaking on the motion Mr. Shaw said that the object of coming forth with this motion is that Council has been asking for more prompt attention to Ordinances and other matters. For example, many times we can't get bills done, it takes years, and whether the Department will go for this proposition he did not know. To date we have had no action on this matter. The office of the Legal Advisor has also another duty to perform, namely that of Public Administrator. We need more assistance so that we can do preliminary drafting of bills right here in the Territory and in that way expedite many of the laws that don't seem to work at the present time.

Mr. McKamey agreed with Mr. Shaw. He felt this was a step in the right direction, and said this parallels a lot of recommendations that have been presented through comments, speeches and replies to the Speech from the Throne for more autonomy. In Ottawa they have headaches of their own without looking after the problems of the Yukon Territory. The result of this is we always come last, which is not good for the development of the Yukon. The Yukon Act has been amended and this provision was made some years ago

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but it has never been implemented and unless we exert pressure on the Department responsible it never will be implemented.

Mr. Taylor said he would laud this resolution as a step forward if the Department of Justice in Ottawa will act, as I am sure they will. He stated he hoped they would give this resolution their earliest consideration, nothing but a tremendous wealth of good can come from it.

Mr. Watt commented that if this resolution is passed he thought what would happen would be that Ottawa will simply re-name our Legal Advisor to Senior Legal Advisor.

Mr. Shaw stated that he did not know what Ottawa would do. But he wished to point out the urgency of having someone here. He had not discussed this subject with any member of the Administration, but he felt they do need some help in the Legal Department here. It is time something was done.

Mr. McKamey stated that his only comment was that if they do this, well and good. A Senior Legal Advisor is required in the Yukon Territory.

Motion Carried.

Mr. Taylor directed a question to Clerk of Council and aksed if consideration has been given to supplying copies of the Votes & Proceedings to fulfill the motion of last Council respecting the placing of Votes & Prodceedings in all libraries in the Yukon Territory.

Clerk in Council replied yes that this has been done.

Mr. McKinnon pointed out a mistake on the Votes and Proceedings on Page 8. He is alleged to have spoken on the tours from Skagway to Lake Bennet, these are the words of Councillor Watt, and down further he is alleged to to have spoken again as to the site of the Whitehorse Jail, these are the words of the Councillor from Mayo.

Mr. Shaw stated that a mistake can easily happen with someone who is unfamiliar with the House.

Mr. McKamey said this is true, he made the statement in respect to the Jail in the back door of the hospital.

Mr. Shaw moved, seconded by Mr. McKamey that Council resolve itself into Committee of the Whole to discuss business as on the agenda.

IN COMMITTEE OF THE WHOLE:

Discussion Bill No. 1

Committee discussed Bill No. 1 with Mr. Hughes (Legal Advisor) in attendance.

Withdrawal Motion Re Bill No. 1

Mr. McKinnon with approval of Committee and Mr. Boyd withdrew his motion of last night.

Mr. Taylor read the amendment to Bill #1.

Motion Bill No. 1

Mr. McKinnon moved, seconded by Mr. McKamey that Bill No. 1 be reported out of Committee as amended.

Mr. McKamey directed a question to the Legal Advisor, and asked where in the amendment he refers to the Judge, if the Police Magistrate could take advantage of this, ?.

Mr. Hughes answered in the affirmative.

Mr. Shaw commented that it was doubtful it would ever be used.

Mr. Livesey stated that in his opinion this was a bill, which is not a bill. It looks more as an excuse to purchase recording equipment and experiment with it. This I am opposed to. Irrespective of the suggested amendments brought to our attention I fail to see how this eliminates Section 6. (Mr. Livesey read Section 6). This would still put it in the light of being something to which we must attach legal recognition once it has been accepted. I submit that those who may accept the use of a recording device under such circumstances are still accepting a situation to which we have not received evidence that there are machines without flaw. He felt sure that a good many people coming before the courts in the Yukon have no idea just what the situation is with regard to a tape recorder, what its flaws are, how it operates or the possibilities of error.

Mr. Taylor (Mr. Boyd in the chair) said he felt the same on this matter as the member from Carmacks-Kluane. In accepting and passing this piece of legislation we are placing the Citizens of the Territory up as guinea pigs. This would only be by consent of the parties thereto, but I am sure that a lawyer could agree to this, there is nothing stated here that he has to go to his client and ask if he will go along with it. It has been experimented with and the result was disastrous. We have viewed the opinions of some of the provinces in matters of correspondence and it has been shown as unsatisfactory. In the suggested amendments "It shall be the duty of the operator having sound recording apparatus to make such notes as the Judge may order to supplement the record". His opinion was that to accept this it should be reversed, a sound recording apparatus should supplement a Stenographers notes. He feels this is a dangerous piece of legislation which should not be passed.

Motion Carried.

Mr. Livesey against.

Mr. McKinnon asked the Legal Advisor if a motion was needed from this Committee in order to amend the rules of the Territorial Court to bring them in line with the content of Bill No. 1.

Mr. Hughes said his first view was that no motion is called for but now that the matter has gone this far, he intended to review this with Justice Parker and Magistrate Trainor.

Committee proceeded to Bill No. 2.

Mr. Boyd moved, seconded by Mr. McKinnon that Bill No. 2 be passed out of committee without amendment. — Motion Bill #2

Mr. Hughes gave an interpretation of the Bill to Committee and after a short discussion the Motion was carried.

Mr. Hughes (Legal Advisor) was excused.

Committee proceeded to discuss Bill No. 6 with Mr. MacKenzie (Territorial Treasurer) in attendance. — Discussion Bill #6

Mr. McKinnon asked if this was added monies needed for the Stewart-Crossing Dawson Road and the Flat Creek Eagle Plains Road.

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Mr. MacKenzie replied yes that this was the case.

Mr. McKinnon asked if this money was 85% recoverable and where the money was found.

Mr. MacKenzie said yes, it is 85% recoverable. Ottawa turned it over to us from other monies they hadn't spent.

Mr. Watt asked Mr. MacKenzie if this work had already been done.

Mr. MacKenzie replied yes the money has been spent and our share has been recovered from Ottawa. The reason this Supplementary Estimate is necessary is that Engineering were not able to live within the reduced figure provided last year.

Mr. Watt asked if we would be having a usterity cut-backs this year or if this was over.

Mr. MacKenzie said that he thought it is over now.

Motion
Bill No. 6

Mr. Boyd moved, seconded by Mr. McKinnon, that Bill No. 6 be passed out of committee without amendment.

Mr. Livesey said that supplementary estimates appear to defeat the purpose of legislation. This facilitation can take place to create something which cannot otherwise be created. It tends to dispute the purpose of parliament and the purpose of debate on problems. I wonder if Mr. MacKenzie could advise the House on any thoughts he may have towards the reduction for the necessity for supplementary estimates of this type.

Mr. MacKenzie replied that he thought the only solution is to make sure that the main estimates contain full provision for our needs for the whole year. This is actually impossible to do, expenditures arise during the year that could not possibly be foreseen.

Mr. Livesey replied that his purpose should be clarfied by this explanation and that is before the monies can be spent in the original budget, it must meet the approval of the House whereas the supplementary estimates are spent first and approval is gained second. It seems to him one is defeating the purpose of the other.

Mr. MacKenzie stated that supplementary estimates should really be only emergencies when there is no time to refer to anybody for the money.

Mr. McKamey stated that the House pass the main estimates and if there is an appropriation designated for a specific job and insufficient funds to cover it, this is where the supplementary estimates are used.

Mr. MacKenzie agreed this to be so but sometimes it is possible to use money from some other establishment and transfer the money from one allotment to another.

Mr. Boyd asked if this means that if $50,000 were appropriated for a bridge on the Carcross Road and it only cost $30,000, you would take the other $20,000 and put it out on the Flat Creek Road.

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Mr. MacKenzie replied that this would be permissible, but a major project requiring attention should go in the estimates to be discussed by Council rather than be covered by allotment transfer.

Mr. Watt asked Mr. MacKenzie on Page 9 of Supplementary Estimates if the red figures were allotments of transfers for monies voted.

Mr. MacKenzie replied that those are reductions. He reduced the estimates to cover a general cut-back of 10%.

Mr. Watt asked Mr. MacKenzie a question regarding the removal of the Lewes River Dam. He wondered if money was available for that now, or if money had been spent on this during last summer.

Mr. MacKenzie replied that nothing has been spent and he did not think anything was in the estimates for it. As he recalled, it was considered by the Army to be out of their line.

Motion Carried.

Committee proceeded to discuss Bill No. 7. Discussion Bill #7.

After a short discussion, Mr. Livesey moved, seconded by Mr. Watt that further consideration of this Bill No. 7 be held over pending receipt of a report by the Chairman of the Financial Advisory Committee. Motion Bill #7

Motion Carried.

Committee recessed at 12:00 noon.

Thursday, November 7th, 1963
2:00 o'clock PM.

Mr. Taylor, Chairman of Committees, called the Meeting to order.

Committee commenced discusssion of Bill no. 8 with Mr. Hughes (Legal Advisor) in attendence. Discussion Bill #8

Mr. Shaw asked what protection an employer had should a Justice order him to pay a sum of money to an employee. He pays it, but appeals. Supposing the employee, by the time the appeal goes through, has left the Territory, what sort of protection would the employer have of recovering the money should he win the appeal?

Mr. Hughes said he would have very little. You will see from Section 18(2) that even if he files his appeal before he leaves the court the payment forthwith would still rank. The approach to this legislation has been on the basis of trying to assist employees, and although he would not say the Yukon compares unfavourably with other parts of Canada, there are quite a number of complaints each year.

Mr. Shaw felt this a good Ordinance, but there should be some provision for appeal for all parties concerned and a provision made whereby payment could be left in abeyance if an appeal if filed forthwith.

Mr. Hughes referred the Committee to Section 16(1) and (2), which points out the fact that there is no appeal contemplated for less than $100.

Mr. Taylor (Mr. Boyd in the chair) asked if cases could be heard by J.P.'s courts throughout the Territory.

Mr. Hughes answered that the word justice is not defined but it is intended to bring the law to the people, not that they should have to come here to Whitehorse.

Mr. Boyd wanted to know if in a situation where a complaint is lodged against an employer, who is also a magistrate, could the employee take his case to another court to avoid what he might feel to be a biased opinion?

Mr. Hughes said there would be no limitation. The judges are interchangeable, but a person could not be arbitrary about it in order to put the other party to inconvenience.

Mr. Shaw wondered whether in Section 8(a) the word "effluxion" could be substituted by the word "passage" and in Section 16(3) the words "de novo" could be substituted by the words "new trial".

Mr. Hughes said yes.

Mr. Watt said that if this Ordinance is passed we will be repealing our old Masters and Servants Ordinance. Section 9 in that Ordinance reads "This Ordinance applies to contracts made out of the Territory in respect of service of labour performed in the Territory." This section is lacking in the new ordinance and he was wondering if its omission would create problems.

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Mr. Hughes replied it would have that jurisdiction only as long as the parties were in the Territory even if the contract were made elsewhere.

Section 8(2) was discussed with Mr. Hughes who pointed out that a justice is not empowered to deal with amounts in excess of $1,000. If an employee wished to make such a claim against an employer he would have to take it to a higher authority.

Mr. McKamey wondered what would happen if a case tried by a justice was appealed to a higher court and there was no transcript available?

Mr. Hughes stated that a justice would always take notes but in any case, there would be a new trial.

Mr. Shaw referred to Section 16 which states that no appeal lies when the order of the court is less than $100.00. Why is it necessary to prohibit an appeal even though it might be less than $100.00?

Mr. Hughes replied that this limitation was placed in order to avoid excessive traffic passing through the courts, it protects justice and $100.00 seems a reasonable cut-off.

Mr. Taylor (Mr. Boyd in the chair) wanted to know the position of the Territorial employee who cannot sue except by permission of the Queen. Should he have a grievance against his employer would he have any other recourse. He also stated his views concerning Section 16, that there should be restriction regarding an appeal. A person in an isolated area could live practically all winter on an amount under $100.00 if necessary.

Mr. Hughes said he was not too well informed about wage complaints, etc. and suggested that Mr. Fingland, (Administrative Assistant to the Commissioner)who was presently in the gallery, to be consulted.
Mr. Fingland attended Committee.

Mr. McKamey asked Mr. Fingland whether the Yukon Territorial Government is a non-legal entity, that can sue but cannot be sued.

Mr. Fingland said this is actually a legal and constitutional question but his understanding is that the Territorial Government is not an entity in itself, it is a part of what is generally referred to as the Crown and if anyone were to take legal action against the Crown they would have to take it to the Government of Canada.

Mr. McKamey commented that the procedure then would be to obtain permission from the Exchequer Court to sue the Territorial Government.

Mr. Boyd asked if the Exchequer Court set the hours per week an employee shall work or does the Territorial Government do this? If it is the Territorial Government, on what basis have they the right to set it if they are an entity of the Crown?

Mr. Fingland replied that they set the hours pursuant to the Public Servants Ordinance.

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Mr. Boyd then asked if this means that there can be all kinds of hours designated to what shall constitute a month, a week or a day across Canada?

Mr. Fingland said the Territorial Government can do this in the same way as the Federal Government can do this with their employees.

Mr. Livesey we should come up with a labour code similar to that of the Statute of British Columbia whereby we, in the Territory, will more or less consolidate all or a number of ordinances which are now separate.

Mr. Taylor said he could agree with Mr. Livesey's remarks that we should combine these into one ordinance but he thought it quite clearly evidenced that right now we are dealing with an ordinance respecting recovery of wages by employees. What we are doing here is providing something to the working man of the Territory that he doesn't already possess. We're providing a means by which, if he has an injustice done to him, he can recover his wages. It has also occurred to us at this point that the Territorial Government employee is getting the short end of the stick because he has no apparent means of recovering his wages. We want to see equality in our working force. Insofar as legislation goes, we sit before this table in order to enact this legislation but what can we do about the Territorial employee? The Territorial Government administers the laws that we make and the people who have to go out and administer these laws aren't covered - this is an inequality that should be overcome and we should start thinking about how to do it now.

Mr. Fingland said it is true, speaking now in particular of the Federal Cival Servants, that the Governor-in-Council can specify standard work weeks, hours to work and so on, but there is also protection written into the Civil Service Act that Civil Servant is entitled by law and by right to three fundamental things, namely:

1. his pay
2. superannuation, and
3. the right to appeal on almost any injustice.

On any of these three points, he can appeal from leave by the Civil Service Commission to the courts, so the place to protect the Territorial Civil Servant would be in the Public Service Ordinance. He is denied certain rights which are open to the average citizen and so at the same time, he is given certain statutory protection.

Mr. Livesey said the point Administration brought to our attention when bringing us Bill No. 9 is that, it is a more or less concise matter that they can leave in a separate statute but he thought eventually it would be combined with the labour situation in toto. The immediate situation has been properly stated under a Sessional Paper dated October 29, 1963, covering labour legislation. It shows here in this particular Sessional Paper what the Administration has in mind. He agreed with Mr. Taylor that something should be done about it. As a matter of fact, as long as it has been a separate issue and as long as Territorial employees have been exposed to a different type of legislation, this is certainly evidence enough that injustice prevails.

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Mr. Taylor recommended that Section 16 be amended to provide for appeals without the $100.00 restriction and an effort be made on behalf of the Administration to try and overcome this inequality that exists in wage recovery.

Mr. Shaw said he thought they were digressing somewhat and that the matter brought up in relation to the Territorial Government would come under another heading. To go back to Section 16 where we have a limitation of $100.00 on the amount, would it not be fairer to say "An amount claimed"?

Mr. Hughes said he wanted more time to consider the implications of the objections.

Mr. Livesey directed the following question to Mr. Fingland. Further to the matter regarding Territorial Civil Servants, under Section 4 of the Public Service Ordinance, it plainly says "For the Commissioner has the management and direction of the Public Service". It would seem to me that if we wanted to do anything about Territorial Civil Servants then, of course, we would have to repeal the entire Ordinance. Also under Section 2(e) of the Public Service Ordinance says "Public Service means the civil positions and employees in and under the Government of the Territory, but does not include prevailing rate employees not on a full time year round basis". He concluded from this, subject to other advice, these employees that are not covered by the Public Service Ordinance, although they are in the employ of the Territorial Government, would come under any other type of legislation.

Mr. Fingland said he could not answer this as it is again a legal question.

Mr. Boyd asked if an employee wishes to appeal a $25.00 claim or any amount for that matter, does he simply say, I'm going to appeal this?

Mr. Hughes said that if it is proposed to do away with the $100.00 barrier, he could serve notice under Section 17 and start up an appeal and there you are - you have a command. The employer could be peppered with appeals.

Mr. McKamey said he was never opposed to this Section. It is a good Section. He could see a lot of complications, but we can't delete this Section because everyone in the outlying areas knows what it costs to travel to Whitehorse to appeal something, and I will guarantee that it is practically impossible to come down here for a day or two for less than $100.00.

Mr. Taylor asked if it's possible to appeal to another Justice of the Peace?

Mr. Hughes answered that our courts are not set up that way and he really would hesitate to do that.

Mr. Boyd thought the paragraph as written is quite good enough and we should see how it works.

Mr. Shaw said he had no objection to this as it has merit.

Mr. Taylor said he would go along with it.

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Mr. Watt said he is still bothered by Section 4 and asked the Legal Advisor how this would affect people who are normally hired from month to month but it is intended that they normally work for years, such as in stores and people on construction projects.

Mr. Hughes said it wouldn't affect them at all.

Mr. Livesey said he did not understand where it says justice has the power to discharge an employee who is in effect not employed, and it also says he has the power to discharge an employee of an employer. Wouldn't this be some form of an invasion upon the usual ground and a perimeter of such ground wherein an employer has supreme jurisdiction?

Mr. Hughes said he does not want to change the word "discharge" but felt if the word "release" were substituted in one's mind the meaning would become clear. If a man goes to the justice with a complaint due to bad conditions, this man is not bound by service contract. The justice is enabled to sever that, he can release the man from the contract.

Mr. Chairman asked if Committee wished to propose an amendment to the Bill to provide for same.

Mr. Livesey said yes, there are several meaning throughout the Ordinance which will certainly have to be clarified, it is a matter of understanding the wording. The word "discharge" places in my mind, the power of an employer to discharge his employee. In this respect, it seems to me that the justice is now obtaining the same power to discharge an employee as an employer normally has, which I think is quite incorrect.

Mr. Shaw also favoured using the word release.

Mr. Hughes said he had made notes of substition of "passage" for "effluxion", "release" for "discharge" and "new trial" for "de novo" and the Administration will prepare amendments to take care of that.

The Chairman asked if members wished to leave it with the Legal Advisor to bring forward the changes in wording in this Ordinance as he has outlined.

Agreed.

Committee proceeded with Bill no. 9

Discussion Bill #9

Mr. Taylor (Mr. Boyd in the chair) said this is just adding another regulation to the already overbalanced Area Development Ordinance and though he agreed with the prohibition of the discharge of firearms, thought the issuance of regulation under this Area Development Ordinance has gone too far. The practice of giving the Administration the right to make regulations respecting entire ordinances should be reduced to the points within the ordinance where regulations will be necessary.

Mr. McKinnon said the people in the subdivisions in his electoral district are actually deciding the regulations they want to live under. The citizens' organizations decide on the regulations and then go to Administration to have them administered. This is the only fair and democratic way the Area Development Ordinance can be run.

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Mr. Taylor said he still thinks that we should restrict this regulatory power to those places where it is required. He agreed with the Bill as to discharge of firearms.

Mr. Shaw pointed out, in regard to these regulations, that all cities have vast quantities of by-laws, which are exactly the same as regulations.

Mr. Livesey felt that the more regulations you hand over to the Administration the less power you normally have as an elected body. It is the power of the Elections Ordinance which gives power to parliament, but if they in their wisdom or otherwise release this power to some other body then we are no longer representing the people. We sometimes quite foolishly use the word "purposes" when we are giving the Commissioner power to make regulations. We give him the power to cover the purposes and provisions of the ordinance. In a number of cases if we cut out the word "purposes" and left the word "provisions" we would facilitate the meaning of the ordinance without the transfer of all our normal power to the Administration. However, when it comes to the Ordinance of Area Development, if the regulations are being made consistently with the thinking of the people resident in these various areas, then this is a different situation altogether.

Mr. Livesey asked the Legal Advisor whether in Section 1 (g) would this mean the removal of the use of target practice, within an enclosed building or prohibit a man setting up something in his basement for target practice, does it apply to all areas inside a building or outside?

Mr. Hughes said that the idea of giving regulation powers to the Commissioner is to offer the utmost flexibility. A flat prohibition would immediately start bringing in exceptions.

Mr. McKamey said that he had several requests from constituents immediately following Halloween for an ordinance prohibiting firecrackers, he has requested this of the Administration and when it comes through everyone will be quite happy.

Motion Bill #9

Moved by Mr. Shaw, seconded by Mr. Watt, that Bill No. 9 be reported out of Committee without amendment.

Motion Carried.

Mr. Hughes was excused from Committee.

Moved by Mr. Boyd, seconded by Mr. Shaw, that Mr. Speaker now resume the chair and hear the report of the Chairman of Committees.

Motion Carried.

Committee Report.

Mr. Speaker resumed the chair and the Chairman gave his report as follows:

Committee convened at 10:25 a.m. to discuss public bills, memoranda and sessional papers. Mr. McKinnon and Mr. Boyd withdrew their motion respecting an amendment to Bill no. 1 made on the afternoon of November 6, 1963. Committee agreed. It was moved by Mr. McKinnon, seconded by Mr. McKamey that Bill no. 1 be reported out of committee without amendment. This motion was carried.

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It was moved by Mr. Boyd, seconded by Mr. McKinnon, that Bill No. 6 be reported out of committee without amendment. This motion was carried. It was moved by Mr. Livesey, seconded by Mr. Watt, that further consideration of Bill No. 7 be held over pending receipt of a report by the Chairman of the Financial Advisory Committee. This motion was carried. Committee then recessed at 12 noon and reconvened at 2 p.m. this afternoon. Mr. Frank Fingland, Administrative Assistant to the Commissioner, attended committee for discussions on Bill No. 8. Further discussion on Bill No. 8 was deferred pending changes in wording. It was moved by Mr. Shaw, seconded by Mr. Watt, that Bill No. 9 be reported out of committee without amendment. This motion was carried.

Council accepted the report and adjourned until 10:00 a. m. Friday, November 8th., 1963.

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Friday, November 8, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron in reply to Question No. 1 (set out as Sessional Paper No. 18) — Sessional Paper # 18

Mr. Speaker also tabled a memorandum in reply to Motion for the Production of Papers No. 5 (set out as Sessional Paper No. 19) — Sessional Paper #19

Mr. McKamey tabled a report from the Financial Advisory Committee (set out as Sessional Paper No. 20) — Sessional Paper #20

Mr. Boyd directed the following question to the Administration: "What school teachers are employed by the Department of Education who are income tax exempt? What is their status - married or single and what is the salary paid each teacher in the above category?" — Question #4

Mr. Taylor asked if the Administration could obtain copies of the Votes and Proceedings of the Northwest Territories Summer Session for Council.

Clerk in Council replied that he would attempt to obtain copies.

Mr. McKamey asked the Clerk in Council if it would be possible to obtain a copy of the Glasgow Commission Report.

Clerk in Council replied that these matters could best be handled by a direct inquiry to his office and he further stated he would be happy to oblige the members.

FIRST and SECOND reading was given to the amendment to Bill No. 1 — First & Second Reading Amendment Bill #1

Mr. Taylor was opposed to the amendment, and suggested that before this Bill was given third reading it should be given a six month's rest.

Mr. McKinnon stated he did not feel third reading should be given to the bill until Council has the bill in its proper form.

THIRD Reading was given to the following Bills: — Third Reading

Bill No. 2, An Ordinance to Amend the Insurance Ordinance — Bill #2

Bill No. 3, An Ordinance to Amend the Corporation Securities Registration Ordinance — Bill #3

Bill No. 4, An Ordinance to Repeal an Ordinance to Incorporate the North Star Athletic Association Limited — Bill #4

Bill No. 6, An Ordinance for Granting to the Commissioner certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Fifth Supplementary Appropriation 1962-63) — Bill #6

Bill No. 9, An Ordinance to Amend the Area Development Ordinance — Bill #9

Mr. Boyd moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing public bills, memoranda and sessional papers.

Motion Carried.

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Discussion change over Alaska Hwy.

Mr. Williams, Assistant Deputy Minister of Public Works attended Committee to answer questions respecting the change over of the Alaska Highway.

Mr. McKinnon said that the Department of Public Works, taking over the Alaska Highway, will have far reaching economic implications to the Yukon Territory and especially to Whitehorse. He felt sure the Department had not found answers to all the questions and problems but wondered if Mr. Williams could give Committee a run-down as to the effect of the take over.

Mr. Williams replied that he was honoured to be in attendance and the first thing they have in mind is to make arrangements so that there will be no deterioration in the standard of maintenance of the highway. The Army have operated under one system that was appropriate for them but the circumstances for the Department of Public Works are quite different. We are being turned over to a going concern and our intention is to see that it continues to go that way. The Army have operated the highway as a military exercise and generally the way they are trained to operate is that they are self-sufficient and can, in most cases, operate entirely within themselves. This is not the way the Department of Public Works operate. Their set-up for operating is to deal with the economy of the Territory. The long term view of the Federal Government in having this removed from Army control is that eventually the highway becomes part of the normal highway system of the Territory and the Province of B.C. They are aware of some problems and hope that what does look like a real asset does not, from a financial structure, become a liability. This is an operating system and they have to take it over and make sure it operates. He felt they had done enough fact finding and it would be unwise to say that on April 1st the Army does it this way, and they are going to do it some other way. He preferred to take over and continue to operate the way the Army is insofar as the Highway Maintenance Establishment is concerned. This means the civilians are not disturbed, they are now required on the highway and will continue to be required on the highway. The service personnel will be replaced where necessary. The arrangements they have for providing their requirements and materials and supplies will be similar, but they will enter into a somewhat different contracting arrangement for buying these materials. There will be a reduction in the things they do for themselves and more given to the private economy sector. There will be developed, in the Territory, more establishments to provide these services to them, rather than the Department of Public Works providing them directly. There will be a gradual reduction in the number of people here, but in the initial stage there will be an increase because they will be bringing people in to double-bank the personnel. Consideration to postings and school terms will have to be given, so this will be a gradual move. They have an arrangement, agreed to by National Defence Headquarters in Ottawa, that where they require a specialist Ottawa will provide them with this person until they can replace him with a civilian. In the long run this change over will encourage the development of industry generally in the Territory. It would be unreasonable to assume that the Territory will continue to develop and yet have a military establishment operating a facility in the Territory as vital as the Alaska Highway. He concluded that if there were any questions he would be happy to deal with them.

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Mr. McKamey asked if after the highway is taken over by the Department of Public Works will the maintenance and improvements of the highway be out to contract or will it be fully maintained by DPW?

Mr. Williams replied that in the initial stages they will be carrying on pretty well as the Army has done, by April 1st they will have attempted to make some contract arrangements for the physical maintenance of the highway. There are some aspects related to the maintenance which immediately suggest a contract arrangement, such as supply of fuel, etc. These are by a Civilian Department a lot easier to handle by contract with a supply agency, rather than a bulk purchase made out of the Territory and distributed by the user himself. They will be looking for a contractor early, in this extent, but for the actual physical maintenance of the road they do not contemplate a contract for that right now. It depends on which is the most efficient way to do it and what sort of arrangement he can make with the Territorial Government.

Mr. McKamey asked if it was the intention of DPW or Ottawa to continue the realignment of the Alaska Highway and pave it in a few years?

Mr. Williams replied that he could not give a statement of the policy of the Government with respect to pavement. With respect to realignment, the first phase of a detailed survey was started last year. They were looking for a thorough examination of the highway, the standard of quality of the road and what realignment should be considered, and they are looking forward to the first phase of this in 1964. The objective of the survey was to determine how much it would cost to pave the highway. This will have to be set up as a scaled programme extended over a number of years. The other part that should be done, other than the survey, is that discussions be entered into with the U.S. Government, (the State of Alaska is interested), but these things take a long time. In the interval we should find out what we need and develop a program accordingly.

Mr. Livesey expressed that having lived on the highway himself, practically all his time in the Yukon, he remembers the highway when there were no bridges and it was just a trail, straight mud most of the time. This was under the jurisdiction of the U.S. Army. In 1947 it was taken over by the Canadian Army and he stated that most the time he feels he has been living in an area more or less in the condition of being under continuous military jurisdiction. The switch over of the Alaska Highway is going to be a tremendous change to those living on the highway. My question is, could we be advised with regard to the possible jurisdiction of the Territorial Government which would involve of course the Council as a whole, with respect to the take over of the highway by a Civilian Department of the Federal Government? How will this affect us sitting at this table? Will we discuss estimates like we do in other parts of the Territory where the Federal Government is interested? Will Council move into a position of more importance with regards to practically all matters in the Territory? It seems to me we have had jurisdiction over practically everything except the Alaska Highway.

Mr. Williams replied he was not competent to say how much the estimates would be discussed with you and stated that he is not that familiar with the financial set-up of the Territory. The way it will effect your estimates, the way we think at this stage with the basis of information we now have, is that we might suggest some kind of agreement whereby the Territorial Government becomes an agent and we can enter into a contract with you, and the Territorial Government will do certain work under our direction because we want to co-ordinate the maintenance on our long term plan for improvement.

Commissioner Cameron said we are stressing to Mr. Williams that this money must be 100% recoverable before the work is done.

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Mr. Williams said he is trying to bring some of his people in to the Territory to work with the Army up to the first of April and in that period and at that time discuss with the Territorial people what their setup and capabilities are.

Mr. Boyd felt the proper people to maintain the highway within their own boundaries would be the Territorial Government, rather than import a lot of DPW employees. He felt his question had been largely answered.

Mr. Watt asked if we can plan on paving 50 miles of the highway in the next year, and have any financial arrangements been made with the U.S.A. and Canada.

Mr. Williams replied that no definite arrangements have been made between Canada and the U.S.A.

Mr. McKamey expressed that he thought the Haines Road very important in the Territory and asked if the Haines Road was going to be kept open this winter, who will be maintaining it, and at whose expense?

Mr. Williams replied that the jurisdiction of the highway is still under the Department of National Defence until April 1964.

Mr. Taylor stated that associated with the highway are many emergency flight strips. He asked if any thought had been given to their maintenance and continued up-keep?

Mr. Williams replied that he did not know what the arrangements will be but he understood the maintenance of the access to them has been accepted by National Defence up to now. Eventually it will be a matter between ourselves and the Territorial Government.

Mr. McKamey stated that he was in favour of the DPW taking over the highway and he believed they will do a good job. He pointed out to Mr. Williams the competent engineering department here in the Yukon and the terrific job they do as far as highways are concerned.

Mr. Boyd asked Mr. Willians if he thought he would have any trouble getting funds. For instance if you are asking for a certain amount to carry on with, do you think you are going to get it or do you think you will have to come along to somebody here and say the project will have to be dropped, or do you feel you will be treated generously and adequately?

Mr. Williams replied that he could not really forecast the attitude of Treasury Board. The normal reaction is that whatever we want is excessive. He stated that this had been discussed to some length this morning and he is quite concerned and they would have to watch anything done to fragment the appropriation for this highway.

Mr. Livesey asked a question in relation to the matter of right-of-way. He said he understands it is being controlled to a certain extent and within certain boundaries under a specific Act of Parliament related to National Defence. It appeared to him that if another department takes over this would indicate a repeal of a certain portion of that Act, but if not what will still be the situation with regard to the 300 foot right-of-way? This right-of-way has always been a problem in the Territory, it seems to me a "no man's land" as far as Territorial residents are concerned. He wondered if Mr. Williams could indicate any possibility of how this

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change by a Civilian Department would place this highway as far as the Territorial Government is concerned?

Mr. Williams replied that this wouldn't change the position of the Territorial Government at all but a matter of transfer of the jurisdiction of the right-of-way to the Department of Public Works. The title to the right-of-way is in the name of the Department of National Defence and they will transfer it to the Department of Public Works. Transfer of the title to the Territorial Government would give them financial responsibility.

Mr. Livesey said that he was particularly thinking of the situation of some of these small communities that are growing up at the moment and the Alaska Highway is right through these communities. We have a stretch wide enough to run a military pageant. This wide strip of road has been dictating the building and how far apart these buildings should be and if we moved towards some other arrangement on this thing he thought it would assist the Territory a great deal in coming towards some proper arrangement as to how these communities are going to grow.

Mr. Williams replied that he would be prepared to discuss this with Commissioner Cameron and stated that there are some places where there is going to be realignment.

Mr. Watt asked if the negotiations with the State of Alaska are tied up to leave the Haines Road open, is the DPW or the Army prepared to keep it open with Canadian men and equipment this coming winter? He would like to see Canadian labour and equipment used if at all possible.

Mr. Williams replied that it will certainly be used if at all possible. He further stated this is an experiment and the success of this experiment in one aspect is the financial implication. Under these circumstances it would be foolish for them but to accept the most economic arrangement, and the most economical and practical solution is to make arrangments with someone who is there. It would be ridiculous to have the Canadian Army do a portion of it and the Territorial Government do a portion and have a duplication of efforts and the problem of co-ordination.

Mr. McKamey agreed with Mr. Williams on this point. He asked if there were any plans for the Ross River to Carmacks road?

Mr. Williams replied that the funds are provided by the Department of Northern Affairs and they are presenting their budgets to Treasury at this time. This was not a question Mr. Williams could answer.

Mr. Boyd stated that he did not think too much of economist's judgment in certain places because they don't look to the future. All they can see are the dollars and cents of today. Do you have to abide by their decisions or can you have some of the say?

Mr. Williams replied that the say is largely the Government's decision and they take advice from people like yourselves and myself and the economists, and they make the ultimate decision.

Mr. McKinnon agreed with the principle behind the takeover but the problems in the Whitehorse area alone are staggering, and he could ask thousands of questions re housing, hospitalization, bus system, etc. The implications are many and he was sure they would have a busy winter and spring.

Mr. Williams said we know there are these problems and we are not going to come in with a complete new arrangement because by trying to do it they are going to create problems in these areas rather than solve them. It is their desire to co-operate to the greatest extent possible with the Territorial Government and the municipal organization in Whitehorse.

Committee adjourned until 2:00 o'clock P.M.

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Friday, November 8, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron in reply to Question No. 1 (set out as Sessional Paper No. 18) — Sessional Paper # 18

Mr. Speaker also tabled a memorandum in reply to Motion for the Production of Papers No. 5 (set out as Sessional Paper No. 19) — Sessional Paper #19

Mr. McKamey tabled a report from the Financial Advisory Committee (set out as Sessional Paper No. 20) — Sessional Paper #20

Mr. Boyd directed the following question to the Administration: "What school teachers are employed by the Department of Education who are income tax exempt? What is their status - married or single and what is the salary paid each teacher in the above category?" — Question #4

Mr. Taylor asked if the Administration could obtain copies of the Votes and Proceedings of the Northwest Territories Summer Session for Council.

Clerk in Council replied that he would attempt to obtain copies.

Mr. McKamey asked the Clerk in Council if it would be possible to obtain a copy of the Glasgow Commission Report.

Clerk in Council replied that these matters could best be handled by a direct inquiry to his office and he further stated he would be happy to oblige the members.

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Mr. Taylor was opposed to the amendment, and suggested that before this Bill was given third reading it should be given a six month's rest.

Mr. McKinnon stated he did not feel third reading should be given to the bill until Council has the bill in its proper form.

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Bill No. 6, An Ordinance for Granting to the Commissioner certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Fifth Supplementary Appropriation 1962-63) — Bill #6

Bill No. 9, An Ordinance to Amend the Area Development Ordinance — Bill #9

Mr. Boyd moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing public bills, memoranda and sessional papers.

Motion Carried.

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Mr. Williams, Assistant Deputy Minister of Public Works attended Committee to answer questions respecting the change over of the Alaska Highway.

Mr. McKinnon said that the Department of Public Works, taking over the Alaska Highway, will have far reaching economic implications to the Yukon Territory and especially to Whitehorse. He felt sure the Department had not found answers to all the questions and problems but wondered if Mr. Williams could give Committee a run-down as to the effect of the take over.

Mr. Williams replied that he was honoured to be in attendance and the first thing they have in mind is to make arrangements so that there will be no deterioration in the standard of maintenance of the highway. The Army have operated under one system that was appropriate for them but the circumstances for the Department of Public Works are quite different. We are being turned over to a going concern and our intention is to see that it continues to go that way. The Army have operated the highway as a military exercise and generally the way they are trained to operate is that they are self-sufficient and can, in most cases, operate entirely within themselves. This is not the way the Department of Public Works operate. Their set-up for operating is to deal with the economy of the Territory. The long term view of the Federal Government in having this removed from Army control is that eventually the highway becomes part of the normal highway system of the Territory and the Province of B.C. They are aware of some problems and hope that what does look like a real asset does not, from a financial structure, become a liability. This is an operating system and they have to take it over and make sure it operates. He felt they had done enough fact finding and it would be unwise to say that on April 1st the Army does it this way, and they are going to do it some other way. He preferred to take over and continue to operate the way the Army is insofar as the Highway Maintenance Establishment is concerned. This means the civilians are not disturbed, they are now required on the highway and will continue to be required on the highway. The service personnel will be replaced where necessary. The arrangements they have for providing their requirements and materials and supplies will be similar, but they will enter into a somewhat different contracting arrangement for buying these materials. There will be a reduction in the things they do for themselves and more given to the private economy sector. There will be developed, in the Territory, more establishments to provide these services to them, rather than the Department of Public Works providing them directly. There will be a gradual reduction in the number of people here, but in the initial stage there will be an increase because they will be bringing people in to double-bank the personnel. Consideration to postings and school terms will have to be given, so this will be a gradual move. They have an arrangement, agreed to by National Defence Headquarters in Ottawa, that where they require a specialist Ottawa will provide them with this person until they can replace him with a civilian. In the long run this change over will encourage the development of industry generally in the Territory. It would be unreasonable to assume that the Territory will continue to develop and yet have a military establishment operating a facility in the Territory as vital as the Alaska Highway. He concluded that if there were any questions he would be happy to deal with them.

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Mr. Boyd said that only about a month ago he asked the Department of Education if we had any Protestant teachers in Catholic schools. They said yes, there is a Protestant temporarily relieving someone who is sick, apart from that, the staff is 100% Catholic.

Mr. Taylor said in his opinion this is a good Ordinance. This is the type of Ordinance which would only be enforced upon request if a person felt he was, in fact, being discriminated against. It would give him recourse to take his grievance to the Justice of the Peace and have it solved. It is going to be a good thing for our Indians, especially when the Department of Indian Affairs is taken over by the Department of Northern Affairs and they are put on the same basis as the rest of the population.

Mr. Shaw asked if in Section 13(d) where it states "Where the employer employs fewer than five employees", it means you can allow discrimination in small quantities but not in large quantities?

Mr. Hughes replied that this question could be compared with another, like that on apartments, it is the same thing, we have put these in simply as standards. This should have been mentioned before - we've put those in simply as standards and the bulk of the provinces have taken five employees and six apartments. This is for you to decide.

Mr. Taylor (Mr. Boyd in the chair) said that in the light of Mr. Hughes' remarks, we should consider the Bill as placing no restrictions on the number of apartments or on the number of personnel.

Mr. Shaw said he didn't think the apartment building section need enter into this at all because this is a different situation. If you own an apartment, a cabin or some piece of real estate and a person you know to be dirty and careless wants to rent it, you will automatically refuse. Should he then be of a minority ethnic group he will say that this is the reason you are discriminating against him.

Mr. Hughes said we must not overlook the complaints provisions. If you pass this Bill, somebody will have to be appointed to investigate these complaints. If a person who has been refused accommodation registers a complaint, it will be looked into and an order will be made. If the person affected by an order wants to appeal, he can do so under Section 7. Even the case of a disappointed African for a teaching position in a separate school, or conversely in a Protestant school, if they thought there was prejudice on religious grounds they could file a complaint.

Mr. Livesey said he recalled one member wondering whether this one piece of legislation is going to be used or not. Whether it is going to be used or not does not matter. What does matter is what we are judged by. We are not judged by legislation which is not in effect, we are judged by legislation which is in effect. It is positive thinking to agree with this type of legislation. This whole matter is something with which the world is engrossed, not just here in the Yukon Territory but everywhere in the world. The sooner, by education and practice, we do away with discrimination of all types, especially that against religion, race or creed, the better. One part does bother me against the present legislation and that is under Section 13(1)(a). I can see where this would certainly

be a reasonable place to put in an exception and yet when you come to think of it the home is the basis of democracy. It is from the home that democracy starts. Then what about 13(1)(b)? It's certainly not charitable to be discriminatory, it's surely not educational to be discriminatory, nor fraternal, nor in some respects, religious and certainly not social and yet these are all exceptions. The clarifying point seems to be here that you can be discriminatory as long as you are not making a profit. This is really rough, there is no question about that, I don't think that profit has anything to do with it. It seems with this exception here we are talking about money being the all encompassing point. We have here some legislation, territorial or provincial type legislation against discrimination. We already have on the Federal books one of the worst pieces of discrimination in the history of Canada, that is, the Indian Act. The Indian Act separates one particular segment of our population directly from another. Here we are trying to legislate against discrimination and the mother of parliaments of Canada has this discrimination right on the books. The Indian Act separates the children of the country. One set of children must be carted and toted all over the country because of this, that or some other reason. Surely when you are talking about discrimination, the children of Indian parents are no different than any other children. The Indian Act is creating a problem for which we are trying to create territorial legislation. As far as I am concerned the basic qualities of legislation of this type towards an attempt to eliminate discrimination is sound. In fact, if more countries around the world had done more about this very problem we would perhaps be further developed ourselves and others would have been further developed as well, and less time would have been spent with strife and grief instead of harmony.

Mr. Shaw said he needed clarification regarding the Indian Act. We have Indian people in this Territory and they have exactly the same rights as we have. As far as the law is concerned they are not discriminated against. There is no question that the Indian people have by law more privileges than a person of white origin. The Department will educate them right through, will feed them, they are not discriminated against, in fact they are assisted. He asked Mr. Livesey to explain in what particular way they are discriminated against.

Mr. Livesey set out the following three points:

1. They are the only group of ethnic origin that has an Act in Canada.

2. The Federal Government takes charge of the Indian people, not the provincial or territorial governments.

3. Education normally comes under the power of the provinces and territories for all other groups, but the poor Indian comes under a totally different scheme.

He said this is definitely discrimination, the rest of us are treated in one light and the Indian people are treated in a totally different light. As for doing this and that

for them, perhaps this is one of the biggest problems. He thought personally that in 1867, this Indian Act, by coming into being, has done the Indian people the greatest disservice - this is the worst type of discrimination we have in the country.

Mr. Hughes emphasized that if you have this Ordinance before you today, at a time when there is no conflict in the Yukon and there are no cases that outrage public conscience before you, it is easier to look coolly at the legislation and pass it, but you will never pass it in a time of high tempers. That is why today is most opportune not when it is needed, but now.

Mr. Shaw said he agreed with the Legal Advisor that the time to pass this legislation is now, but unfortunately there is serious dissension amongst members on a certain clause in relation to education. He thought to resolve this situation would be to take the education part out of Section 13 subclause (b) and put it in another clause.

Mr. McKamey said he favoured the Bill.

Mr. Watt said he generally agrees with it also.

Mr. Livesey said he had one question about the racial politics. He wondered if Mr. Hughes could inform us what would happen in the event an employer was opposed to certain people because of their views and therefore the employment of such individuals would cause nothing but strife in his organization.

Mr. Hughes replied that he supposed the employer would cheat. There are ways around these things. They can get around it by never stating the underlying reasons. But if this Ordinance serves no more than as a blueprint for right conduct in the practice of hiring, it does, as has been said, almost represent a statement of rights or something of that order. It won't always be easy to administer, it may break down in practice.

Mr. McKinnon moved, seconded by Mr. McKamey, that Bill No. 10 be reported out of committee without amendment. — Motion Bill #10

Motion Carried.

The Committee proceeded with Bill No. 11. — Discussion Bill #11

Mr. McKamey moved, seconded by Mr. Boyd, that Section 1 of Bill No. 11 be changed to read the Mayo Seaplane Base Agreement Ordinance. — Motion Bill #11

Motion Carried.

Mr. Shaw said in view of this change, what about the Lease Agreement with Her Majesty. Shouldn't the agreement also be changed?

The Chairman asked whether it would be necessary for this to be changed by motion. Is this appended to the Bill or is it just a blanket type of agreement?

Mr. Hughes said this could be picked up in the agreement without a motion.

Mr. Livesey wondered if Mr. McKamey would describe the situation in Mayo which may provide the reason for the Bill now before us.

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Mr. McKamey answered that several years ago there was a lot of activity created north of Mayo due to the staking of the Crest iron ore find. Several major oil companies were also working north of Mayo with helicopters; one exploration company had five, another one had four. There were also mining companies working out of Mayo and Connelly Dawson Airways came there also. The oil companies had some of their own aircraft, such as Otter and Beavers. The loading facilities at Mayo at that time were nil. They were loading up to 11,000 gallons of gas per month for the aircraft that were working out of that area. The people recognized the need for better facilities so they asked me if there would be any possibility of the Territorial Government building a dock. At a public meeting, it was decided to go ahead and use the $1,800.00 appropriated for the maintenance of streets for the construction of these docks. Commissioner Cameron and the Territorial Treasurer okayed the project and the dock was built. It enabled trucks to back right down to these floats and dump the loads onto the docks, from there they were loaded onto the aircraft and they were able to take off. There was a plane taking off there about every half hour of the day all summer long. I imagine the effect of this Bill if passed is that the Administration will recover the expenditure from the Department of Transport.

Mr. Shaw moved, seconded by Mr. Boyd, that this Bill be reported out of committee as amended. — Motion Bill #11

Commkttee proceeded to discuss Bill No. 7 with Mr. MacKenzie (Territorial Treasurer) in attendance. — Discussion Bill #7

Mr. Chairman said they had reached Vote 5 under Health and Welfare of $88,746.00.

Mr. McKinnon said that the total added cost for the Yukon Territory caused by taking over the St. Mary's Nursing Home amounts to $88,746.00. This is quite a substantial sum in a supplementary estimate. Could Mr. MacKenzie say where the money was transferred from?

Mr. MacKenzie said that if we spend this extra money, we shall exceed the operating deficity grants from Ottawa by $28,000.00. I don't anticipate that will eventuate because we invariably have lapsing monies in every vote and they will greatly exceed this $28,000.00. In other words, I feel confident now that the actual operating deficit grants will be more than sufficient to meet the actual deficits, as was the case last fiscal year. Last year it was half a million dollars in excess of the actual deficit.

Mr. Watt asked Mr. MacKenzie how many people we have in our Senior Citizens Home in Whitehorse and if there are any vacancies and if any people who are applying here and cannot get in are being asked to go to Dawson.

Mr. MacKenzie said he did not have that information and suggested they consult Mr. Murphy.

The Chairman said he recalled in the main estimates they dealt with welfare cars, etc., and wondered how the car pool is working.

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Mr. MacKenzie said it is not working at all. Administration tried to put one into operation but it wasn't practical, there were too many exceptions and there was nothing left to make a pool out of.

Mr. Watt said he would still like his question answered regarding the Senior Citizens Home.

Mr. McKinnon said he noticed under the welfare cost in the supplementary estimates, $51,567.90 is voted to St. Mary's Hospital and under recoverable there is $39,995.00. What makes up the difference?

Mr. MacKenzie said this was quite a complicated operation. The building that is going to house the hosp8tal and the Aged Men's Home is going to be administered as far as utilities are concerned by the Aged Men's Home.
The hospital will pay for meals, it will pay for the space it occupies, heat, light and power and all that. All these factors appear in the $39,995.00. You will see it broken down on page 9.

Mr. Shaw thought the venture was almost a profit.

Mr. MacKenzie said there is the precedent recovering of 50% of the net operating costs from the Department of Labour. This is an institution whereby they agreed to bear half of the operating costs.

Discussion proceeded on Vot3 6, Municipal & Area Development Administration.

The Chairman asked if the $10,000 Sewer and Water Survey was a saving or a return of $10,000.

Mr. MacKenzie said this is to remove from Vote 6, Operating and Maintenance, $10,000 which was put in the main estimate to pay for survey of sewer and water services in the smaller communities. Now the cost of that survey is not operating and maintenance, it is capital, and it was a mistake to put it in operating and maintenance. This is simply correcting an error in the main estimate and you'll notice later on in the capital section that the cost of the survey has been put in.

Mr. Murphy (Director of Welfare) attended Committee.

Mr. Watt asked how many people we have in our Senior Citizens Home in Whitehorse and if there are any vacancies, and if any people who are applying here and cannot get in are being are being asked to go to Dawson?

Mr. Murphy replied that there are five occupants in the Senior Citizens Home at the present time and there will be five more in by the end of this month, making a total of ten. There is a possibility of one married couple who are going to apply and possibility of three or four pensioners who will apply when colder weather appears. He said it was not their policy to send people to Dawson. The Whitehorse Senior Citizens Home has twenty single units, three units are presently being used by the caretaker and his wife.

Mr. Watt asked Mr. Murphy whether he was taking applications to fill it up or are the rest of the units not being used.

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Mr. Murphy said they are vacant at the present time but they will be advertising in the local papers. They will be issuing a press release about the opening and in this they will be asking for applications from other pensioners. It is actually to serve the southern area, not only Whitehorse.

Mr. Murphy was excused.

Vote 5 - Clear.

Vote 8 - Clear.

Vote 9 - Roads, Bridges and Public Works - $23,526.00

Mr. Watt said he had written out a motion concerning this Vote. "It is the opinion of Council that an amount be included in Vote 9 to provide for the removal of the Lewes River Bridge this coming winter."

Mr. Livesey said that the motion is out of order inasmuch as it makes direct reference to the spending of public monies and, of course, that connot be done in the House without the full approval of the Administration. We have various other ways and means of getting around this problem. Perhaps one of the best ways of doing it may be in the light of a discussion at his fall session in relation to the demolition of the dam. This could be taken up probably with the Department of Finance and the Treasury, possibly the Commissioner and Administration may have an easy way of getting around the problem. Perhaps we could ask Mr. MacKenzie if this would be the best way of going about it.

Mr. MacKenzie said he was not too well informed on the present position of the Lewes Dam Removal Project. He knew it was put up to the Army as an exercise and they turned it down as being unsuitable. What has happened since, he didn't know. The money could be found but he would have to check on that to make sure. Perhaps he could report back.

Mr. Watt said he would appreciate a report. In answer to Mr. Livesey, he said the reason he thought it should be brought into these estimates instead of the main estimates later is that this type of work is most suitably done in the wintertime.

Mr. Shaw said we had had quite some discussion on superannuation. Could we have information on this from Mr. MacKenzie?

Mr. MacKenzie said that it is not yet enforced for Territorial Employees. The expected date now is supposed to be January 1st, but thought that date is still on the doubtful side.

Mr. Boyd wondered if school teachers come under this scheme.

Mr. MacKenzie said teachers do not come under the scheme.

Mr. Shaw said he had a supplementary question. Are the people who come under the superannuation plan making payments into a fund in anticipation of it coming into force very soon so that it can be retroactive when it does come in?

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Mr. MacKenzie said that nothing at all has been done in the way of deductions. The retroactive question he said he would be taking up when we knew definitely whether we are going to join.

Mr. Shaw asked if the money the Territory would normally pay toward this is presently held in escrow.

Mr. MacKenzie said no, it is provided for in the main estimates and the supplementary estimates and if it's not paid out in cash before the end of March it will lapse.

Mr. Taylor (Mr. Shaw in the chair) said his constituents at Teslin had noted from a radio program the establishment of the seaplane base facilities at Mayo. He pointed out that Teslin is a licensed seaplane base at present, but lacks satisfactory docking facilities. Would it be possible, or is it the policy of the Administration to provide these facilities? Would it be possible to have this considered in the main budget?

Mr. MacKenzie said by all means it could be considered. If the need was proven, then the Territorial Government would put in the facilities by agreement with the Department of Transport, which is what was done in Mayo.

Mr. McKamey said there might be a difference in what they constructed in Mayo as a seaplane dock and what Mr. Taylor referred to. The seaplane dock in Mayo is constructed to load aircraft andno one is allowed to tie it up and use it as a dock for their personal plane.

Mr. Taylor said he would bring this up at a later date, but just wanted to know the policy in relation to these docks.

Vote 12 - Travel and Publicity - $17,467.00

Mr. Watt drew to the attention of the Committee the comments on Vote 12 by the National Advisory Committee for proof of submission to Council. A number of his constituents have had quite an increase in their property taxes and seemed to think that we were laying more taxes on to defray expenditures. He said he needed reasons to justify voting on this, and wondered what Mr. MacKenzie had to say.

Mr. Taylor said the thought this is the only department in all the Administration that makes money, that brings revenue into the Territory, and said he couldn't see Mr. Watt's point of view at all on this.

Mr. Livesey said he would take exception to Mr. Taylor's statement when he says this is the only department that makes money. Mr. Fitzgerald has a very solvent department and there are others who make money too.

Mr. MacKenzie said this supplementary estimate may seem a little high but it is misleading because very fortunately this extra $17,000 is a revote of monies voted last year which was unspent and lapsed. For example, the vote last year was $50,650 but the expenditures only $29,000, $21,000 had lapsed and part of that lapse is now revoted here.

Mr. Watt asked if he could have Mr. Gibson's opinion on how we can justify this vote.

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Mr. Shaw suggested that a date be set to have discussions on this with Mr. Gibson.

Mr. McKinnon moved, seconded by Mr. McKamey, that Mr. Speaker do resume the chair and hear the report of the Chairman of Committees.

Motion Carried.

Mr. Speaker resumed the chair and the Chairman gave his report as follows:

Committee Report.

Committee convened at 10:40 a.m. to discuss public bills, memorandums and sessional papers. Mr. J. Williams, Assistant Deputy Minister of Public Works and Commissioner Cameron attended Committee at 11:10 a.m. to discuss matters relating to the change-over of the Alaska Highway. Committee recessed at 12 noon and reconvened at 2:00 p.m. this afternoon. Mr. McKinnon moved, seconded by Mr. McKamey, that Bill No. 10 be reported out of Committee without amendment. The motion was carried. Mr. McKamey moved, seconded by Mr. Boyd, that Section 1 of Bill No. 11 be changed to read the "Mayo Seaplane Base Agreement Ordinance". The motion was carried. It was moved by Mr. Shaw, seconded by Mr. Boyd, that Bill No. 11 be reported out of committee as amended. The motion was carried. I can report progress on Bill No. 7.

Council accepted the report and adjourned until 10:00 a.m., Saturday, November 9th, 1963.

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Saturday, November 9, 1963
10:00 o'clock AM.

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

Mr. Speaker tabled a memorandum from the Commissioner in reply to Question No. 2 re Land Titles (set out as Sessional Paper No. 21); — Sessional Paper #21

and a reply to Motion for the Production of Papers No. 2 (set out as Sessional Paper No. 22). — Sessional Paper #22

Mr. Shaw moved, seconded by Mr. Boyd, that Council resolve itself into Committee of the Whole to discuss matters in relation to the R.C.M.P.

IN COMMITTEE OF THE WHOLE:

Commissioner Cameron and Inspector Vachon attended Committee.

Mr. Taylor read Bill No. 12.

Discussion Bill #12

Mr. McKinnon stated that he went throuth the history of this Bill the night before. At the Spring Session of Council the overlying factor seemed to be that here we had an expenditure of close to $400,000.00 with no detail whatsoever as to what we were receiving for the money spent. The Bill was in line with the five-year agreement which suggested the operation of justice in the Yukon Territory be turned over to the Territorial Government as their financial responsibility. He felt members of Council were in accord with the principle behind the recommendation, but the Bill was deferred to the Fall Session to see whether more information could be received. There also was some discussion at the Spring Session that the idea of the Territory taking over the responsibility of paying for justice in the Territory should be complimented by the appointment of a Senior Legal Advisor who is to act as the Attorney General for the Yukon Territory. We thought by delaying the Bill, we would receive some action from the Federal Government in this regard. He believed there was some discussion whether these two necessary had to come about at the same time? He believed they should, and with the acceptance of the Territorial Government of the responsibility of paying for justice in the Territory, there should also be an appointment by the Federal Government of a Senior Legal Advisor to the Yukon. This is the background and he wondered if Commissioner Cameron could provide any of the details of this Justice Agreement.

Commissioner Cameron replied that Mr. MacKenzie submitted a memorandum to him the previous afternoon regarding this and as a result we have no paper made. He continued to say that they did discuss this in Ottawa and attempted to get more information. (Commissioner Cameron read the memorandum submitted from Mr. MacKenzie.)

Mr. MacKenzie (Territorial Treasurer) attended Committee.

Commissioner Cameron stated that the usual procedure and the agreement which we are signing is similar to that of the provinces the difference is the provinces pick up the whole cost, while we are taking up 40%, which puts us into the picture and allows us much more freedom in discussing negotiations with the police. This is exactly the same agreement as they have in the N.W.T.

Mr. McKinnon directed a question to Inspector Vachon and asked if he was familiar with the way the R.C.M.P. work in the Provinces?

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Inspector Vachon replied that he has not had much experience with Provincial-Federal Agreements, but understands that the province enters into an agreement for the coming year based on the per capita cost of the operation of the Force. This includes the various services attached to general policing, such as highway patrols, communication, and identification section. They contract for "X" number of men at a formula of so much per man. The provincial end of the force then comes under the Attorney General of the Fvovince.

Mr. McKinnon stated that this was the point he was trying to make. When the Territory accepts the Financial responsibility of policing, even on a 40-60 basis now, the idea is that eventually we are going to take over the full cost of paying for justice in the Yukon Territory. When a province does this the Attorney General looks the situation over and says we are going to need so many men in the Province this year and we will contract with the R.C.M.P. to do this. We are getting in the same position as a province and we have no Attorney General and no man to say just how many men we should contract for this year. What are we getting for this $400,000.00? This is why he said the appointment of the Senior Legal Advisor and the establishment of the principle that we take over the payment of the R.C.M.P. in the Yukon are complimentary and the principle and establishment of the appointment should be simultaneous.

Inspector Vachon commented that the Provinces do not pay the complete cost of the policing. He mentioned that Manitoba, Saskatchewan and Alberta all pay 40% of the cost. They pay so much per man on the per capita cost, and this is 40%.

Commissioner Cameron stated when he was reading from Mr. MacKenzie's memorandum that they were paying the full cost. He believed what Mr. MacKenzie was referring to was that the Provinces themselves pay it, and don't receive a federal grant.

Mr. MacKenzie replied that he was not too sure and he was trying to trace the statement that the Provinces do pay the full cost.

Mr. Livesey stated that it seemed to him that the inclusion of justice is part of the Territorial Budget. He thought there were a number of reasons for this inclusion, and one of them is to combine justice with all other matters for which the Council is responsible. The Territorial Government and the Commissioner-in-Council is moving towards a more responsible form of Government and therefore this idea of bringing justice under this wing, because eventually Council will no longer operate under its present powers, but we hope, some day will operate under Provincial powers. If we are going to bring justice into the Territorial Budget then his position is that this responsibility should remain in the same category as all other responsibilities in the budget with regard to money. He felt that just giving them a blanket figure of $400,000.00 and saying you have no choice, please sign here, Council is being made use of. When they refer to public expenditures in the Territory being those matters for which the Commissioner-in-Council is responsible, then of course the Council is involved. By proceeding in the manner in which it was presented at the Spring Session they are defeating this thing altogether.

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Mr. MacKenzie referred to the memorandum from his office and stated that there are a certain amount of details breaking down the figures in the main Estimates, and he suggested that this be circulated to the members of Council for them to see. The jail costs are well explained and so are the 40% police services.

Mr. Shaw stated that he recollects this Bill and at that time he had no objection to the passing of this Bill. In the past they have had these police functions performed without any agreement, and they seemed to get along fine. The Department of Justice accepted the cost of this, but decided they would make a change and put it under a contract whereby they would ascertain the cost of this, and in turn the Department of Justice would make a grant to the Northern Affairs Department. Beyond that they were happy to see they were also going to appoint a Senior Legal Advisor to act as Attorney General. This hasn't come to pass. The fact that this agreement is entered into does not actually cost the Territory any money. To sign this particular agreement they could follow from year to year the exact expenditures. There may come a time when they feel they have too much personnel in the force, or vice versa, in which case that would be the time to revise the agreement. He thought they had little choice but to sign it, it wasn't something they were going to get stuck with as far as he could see. Things will remain the same as far as the actual operation goes, this is just a change in who pays.

Mr. Hughes wondered if the minds of some of the Councillors would not be eased if a look was taken at the agreement step by step and suggested there may be an opportunity in the agreement itself for him to prepare a draft, an amendment to the agreement to "beef it up" to the point of view of the Councillors. He thought possibly something should be written into it to appoint the Senior Legal Advisor or some other person as their "watchdog", then they can take a look at the Bill itself. At the moment the position of the police is an unenviable one, theoretically they don't know where their money is coming from. They can't plan ahead, how can they make any allocations of money if they don't know the basis of distribution. He suggested going through the agreement, and after hearing the comments, if there is an opportunity of "beefing" up the agreement, he would work on that and then come back to it.

Mr. Shaw stated that the only part of the agreement he was not satisfied with is the matter of the Senior Legal Advisor.

Mr. Taylor said that when this Bill and agreement were last discussed at the Spring Session it occurred to him that the people were not written into it, and this brings them back to the Commissioner-in-Council aspect. They have no Attorney General in the form of a Senior Legal Advisor to accept these responsibilities. As pointed out by the member from Carmacks-Kluane expenditures are made by the Commissioner, by and with the consent of Council, or better referred to as the Commissioner-in-Council. He also pointed out that under Section 4 of the Yukon Act where it states that "the Commissioner shall administer the Government of the Territory under instructions from time to time given him by the Governor-in-Council or the Minister", gave the Commissioner two hats, one on behalf of the Federal Government and one on behalf of the people. This agreement is between the Minister of Justice of Canada and the Commissioner of the Yukon Territory. It was also brought up at that time that possibly this was not really an agreement between the Commissioner of the Territory but an agreement between two Cabinet Ministers in Ottawa. At this point Mr. Taylor referred back to Beauchesne, in order to show his feelings of bringing the people into this agreement, this was one of his big objections to the Bill at the Spring Session and it still remains as such.

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The people could be written into this Bill by including the Commissioner-in-Council.

Mr. Boyd stated that the main quarrel seems to be the fact that they do not have a Senior Legal Advisor. If this point can be settled everything else is automatically settled.

Mr. Watt asked if the R.C.M.P. are operating as if the agreement will be or is signed. He noticed the agreement will be retroactive to April 1962 and asked Mr. MacKenzie if this had been provided for in the estimates.

Mr. MacKenzie replied that they have paid out during the fiscal year 1962-63 what was provided for in the budget. Payments have been made as if the agreement had been signed.

Mr. Livesey expressed that it seemed to him there was a conflict of ideas here. They are bringing this matter into the budget, and if they do it should agree with the details of the Yukon Act. The agreement says they give it to you with one hand and take it away with the other. After reading the Bill and the agreement, bringing it into the buget is superficial in every aspect of the entire situation. It practically tells them they have to pass it without any questions. He thought those matters in other parts of the budget are matters over which they have control under the Yukon Act. Surely this gives them the power to come up with a decision on the part of the people they represent towards where the money should be spent. If they are going to have anything to do with this at all they should know what is going on, and not just give them some blanket figure that they have to say yes to. He further stated he could see the difficulties of those who feel this is the only way they can do it and yet cannot understand why it should be in there if they have no power over it. He felt the Yukon Act gave them the power to discuss the expenditure of money and this Bill takes it away.

Mr. McKinnon said that they are being forced to live up to their part of the agreement with the Federal Government but the Federal Government is not going to live up to their part of the agreement with them.

Mr. Boyd asked what Mr. McKinnon would suggest.

Mr. McKinnon replied he would suggest that the Government appoint a Senior Legal Advisor to act as the Attorney General of the Yukon Territory as soon as possible. This agreement would probably be signed tomorrow if this were the case.

Mr. Shaw stated he agreed with Councillor McKinnon insofar as they wish us to live up to an agreement and do not wish to live up to their agreement. He added that he can understand they haven't all the details on every expenditure that goes on, and that is one of the reasons they enter into a contract. When you call for a contract they want "X" number of dollars for duties performed, and for himself, he was not interested in knowing all the details of expenditures incured. There certainly should be a person who will keep his eye open, in the administrative capacity representing the Attorney General of Canada, so that the thing can run smoothly. He had no complaint with the agreement itself, or the method in which they work the agreement from the financial part of it. The appointment of this particular person has been something he has complained about formally and informally and they still have no answer on it.

Commissioner Cameron stated that it was not clear what Council says the Federal Government are not fulfilling. Is it operating cost figures, a break down of where this money is being spent that the Council wishes?

Mr. McKinnon said they are asked to sign their part of the agreement and this was supposed to be done along with appointing a person to act as Attorney General in the Territory, so that the dealings between the Attorney General of Canada and the Attorney General of the Territory would determine the operation of the R.C.M.P. in the Yukon Territory.

Commissioner Cameron replied that there is nothing wrong with the agreement but if they will appoint a Senior Legal Advisor then this Council will be satisfied with the agreement and asked if this was correct?

Mr. Watt stated that what Commissioner Cameron said would meet with any objection he has.

Mr. McKinnon stated it would also meet with any objection he has. It is just that they want them to take over the economy that the Provinces have but let them also have the machinery as the Provinces when they accept this responsibility.

Mr. Shaw stated that he had no objections. They have many fine words as far as economy is concerned which are limited under the form of Government they have. The Federal Department have stated what they would do and there have been repeated requests for them to do what they have agreed to do in that fiscal agreement. They completely ignore that, they put up a multitude of excuses. If the Attorney General were taken away from one of the Provinces, justice in that particular province would just about grind to a hault. In this case they are going to improve the situation. They will put things on a business like basis but they don't fulfill what they say they will do, they ignore it. The Legal Department in the Yukon, even with the normal amount of business, is increasing and they haven't done anything to assist that. He thought it was time they got cracking on this and fulfilled the terms of this agreement.

Mr. McKinnon asked for Inspector Vachon's comments on this.

Inspector Vachon replied that they have a liaison now through their Headquarters to the Department of Justice where the Attorney General of Canada acts for them in the capacity of the Attorney General of the Yukon Territory. This does mean they have to go through channels to get to him.

Commissioner Cameron suggested that this matter be put over until Wednesday giving him an opportunity to contact Ottawa and explain the situation and the feelings of Council, and ask them what they plan on doing about it.

Committee Agreed

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker resume the Chair and hear the report of the Committee.

Motion Carried

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported: Committee convened at 10:10 this morning to discuss Bill No. 12 with Commissioner Cameron, Inspector Vachon and Mr. K. MacKenzie (Territorial Treasurer) in attendance. After some discussion it was agreed that further discussion on this Bill should be deferred to Wednesday, November 13, 1963.

Committee Report

Council accepted the report of the Committee.

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Mr. Speaker proceeded with Orders of the Day.

Correction Votes & Proceedings Page 17

Mr. Taylor pointed out that on Page 17, line 31 of the Votes and Proceedings where it states "Mr. Boyd had gone to Vancouver", this should read "Mr. McKamey".

First & Second Reading Amendment Bill No. 8

FIRST and SECOND reading was given to the amendment to Bill No. 8.

Third Reading Bill No. 8

THIRD reading was given to Bill No. 8 as amended, An Ordinance Respecting the Summary Recovery of Wages by Employees.

Mr. Watt asked Mr. Speaker if he had information on whether or not an agreement had been reached on keeping the Haines Road open. He stated he understood an agreement would be reached by 2:00 o'clock yesterday.

Mr. Speaker replied that the House so far had received no information in that respect.

Council adjourned at 11:45 a.m. until 10:00 o'clock a.m. Tuesday, November 12, 1963.

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Tuesday, November 12, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron in reply to Question No. 3 regarding the Lewes River Dam (set out as Sessional Paper No. 23) — Sessional Paper #23

Mr. Watt gave Notice of Motion concerning Safety on the Two Mile Hill. — Motion #. 2

Mr. Livesey (with Deputy Speaker in Chair) gave Notice of Motion respecting Yukon Schools. — Motion #. 3

Mr. Watt gave Notice of Motion for the Production of Papers concerning plans and progress on the escarpment stabilization programme. — Production of Papers # 6

Mr. Livesey (with Deputy Speaker in the Chair) directed the following questions to the Administration:

(1)(a) Would the Administration please inform the house if any consideration has been given to the opening up of an emergency water supply adjacent to the bridge over the Alsek River in Haines Junction to facilitate the immediate requirements of the Fire Chief in the community? — Question #5

(b) Is it the intention of the Administration to build a suitable Fire Hall in Haines Junction to house the fire truck and equipment large enough to contain suitable stores and drying fire hoses together with a meeting room for all those interested in this worthwhile community service?

(2) Would the Administration supply to the house information which would clearly indicate the immediate present position in relation to the supply of sewer and water facilities to communities in the Territory as such position may be related to a decision or pending decision to commence work on any or all projects previously discussed by Council? — Question #6

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker do leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda and sessional papers.

Motion Carried

In Committee of the Whole:

Committee proceeded with discussions on Bill No. 7 with Mr. MacKenzie (Territorial Treasurer) and Mr. J. Gibson (Director of Travel and Publicity) in attendance. — In Committee

Mr. Watt asked Mr. Gibson if he was familiar with Sessional Paper No. 10 concerning the Department of Travel and Publicity?

Mr. Gibson replied that he was familiar with it.

Mr. Watt stated that he feels Council is under a good deal of criticism for some expenditures made, most of which have been directed against Mr. Gibson's Department. He asked for more justification to off-set the criticism. He stated that he had

asked at the last session for more information respecting the Skagway-Whitehorse Highway and the volume of traffic that could possibly come to Whitehorse. According to Sessional Paper No. 10 the answer is as follows: "The completion of a highway from Skagway, together with an appropriate bus schedule, might attract some of the Cruise passengers to Carcross and Whitehorse during their limited lay-over period, but the required travel time for the 200-mile trip would reduce the value of this visit to the Yukon." It also says that tours wouldn't come to Whitehorse until accommodation is provided. He felt the best approach would be to get the figures on how much traffic could reasonably be expected if accommodation were built and the highway constructed.

Mr. Gibson referred to the Spring Council Session and recalled that the main topic of discussion on the subject Councillor Watt has mentioned, was the large volume of tourists travelling between Skagway and Bennett and return, and not entering the Yukon Territory. His Department was asked to report on what they were doing to influence this volume of traffic into the Territory and also to present their opinion of the influence, or value, of a highway between Skagway and the Yukon Territory. He believed, last year, that 24,000 tourists was referred to as having come from Skagway to Bennett and returned. Until this past summer, the Alaska Ferry Service, which also brought additional traffic into Skagway, was not in operation so they are referring to the volume of traffic coming up by other means. At that time the other means consisted of a number of Cruise Ships and a minimum number of tourists coming in by plane. He stated that he had prepared some figures that threw a clear light on the situation. These figures are based on the number of ship arrivals and the number of trips during the 1963 season, with the exception of the Canadian Pacific Steamer "Princess Patricia". All the figures cover the period May to August but the "Princess Patricia" did not get back into service until June, so it covers from June to August. This is what was revealed: There was a total of 53 ship arrivals, not including the Alaska Ferry Service. For the number of ships broken down into each category, the number of trips for each vessel was: "Princess Patricia" 10; "Prince George" 13;"Glacier Queen" 15; and the "Yukon Star" 15. The capacity of these ships was: "Princess Patricia" 300; "Prince George" 262; "Glacier Queen" 120; and the "Yukon Star" 120. If each of these ships operated at a full capacity for the summer season they could bring in 10,006 people. This is the total number of people who could come from the ships into Bennett, Carcross or Whitehorse and return. In addition to the Cruise Ships this season the first operation of the Alaska Ferry Service brought into Skagway, on their north bound trip, 8,653 people (this covers a nine month period from the beginning of their operation to September). This would total 18,659 people who would be deposited in Skagway during the summer season. They obtained, from the Customs Offices, the number of people who have come through as far as Carcross and returned and the number of people who have come all the way from Skagway into Whitehorse. The through passengers for the summer season totalled 6,391 and this included a certain number of vehicles off the Alaska Ferry and the passengers. The number of passengers who travelled as far as Carcross and returned were 7,990, for a total of 14,381 people leaving Skagway. This year the number of through passengers coming from Skagway to Whitehorse increased 130 percent, the number of turn around passengers (Carcross and returned) decreased by 4%. This indicates that there is a substantial increase in the volume of traffic coming through from Skagway to

Whitehorse. He believed a great deal of this increase is represented by the number of bus tour groups who have been coming up over the Alaska Ferry bringing the bus and the passengers from Skagway to Whitehorse over the White Pass train and then proceeding into other parts of the Territory. The factor of having a highway between Skagway and Whitehorse would benefit predominantly those people who arrive by the Alaska Ferry Service with their vehicles and put the vehicles on shore at Skagway. It is to be realized that the bulk of the people coming into the Territory are those who have purchased pre-packaged plans and tours. It would require a bus service from Skagway to Whitehorse, turning around and returning to Skagway during the twelve hour lay-over period, common to most of these vessels. The return trip would be over 200 miles which would reduce the amount of time these people could stop anywhere along the line, and particularly spend any money. That is the reason for the reference to the bus trip reducing the value of the visit to the Yukon Territory. As far as accommodation is concerned, he didn't think they would have much success in encouraging anyone to invest in additional hotel accommodation until they see the market is here. At the same time they have difficulty producing the market because accommodation is not available . The solution to this is not obvious at the moment. One hotel has been reconstructed and one has added more accommodation and he understands another hotel is considering an addition. This will probably aid the problem gradually.

Mr. Watt stated that he was pleased that there has been an increase of 130% in traffic through Whitehorse. He asked Mr. Gibson how many of these tourists would actually get off the boat if this highway was constructed to Skagway, come to Whitehorse and possibly from here go up the highway or around to Dawson City to complete their tour, and how would this effect the economy of Whitehorse and the Dawson City area and the highway north and south?

Mr. Gibson replied that as far as the vessels listed here, with the exception of the Alaska Ferry Service, there would probably be no benefit by constructing a highway between Skagway and Carcross because the passengers on these Cruise Ships do not, and cannot bring their own vehicles with them. As previously mentioned these tours are sold as a packaged plan. Where they begin their work is to get at these people to have them decide where they would like to go and how they would like to get there, before they reach the Travel Agent's Office. As far as the total clientele serviced by these four Cruise vessels, there is very little prospect of having them debark at Skagway and proceed on any other tangent unless it was sold to them as part of the tour. There is no provision on any of these ships to carry vehicles, they just carry passengers. They hope to influence Canadian Pacific Steamship Lines and Canadian Pacific Airlines to develop a circle route which would sell tickets on the Steamship Line to Skagway, have them come into the Yukon and then sell tickets to them for airline travel into Dawson City and then back to their homes through Whitehorse. They thought by using air transportation, the amount of time saved would give tourists sufficient time to see many of the attractions that are here. Here we have to depend on these two segments of the Canadian Pacific family to develop this tour on our behalf. He stated one reply had been received from Canadian Pacific Steamship Lines that was not too encouraging but on a recent trip to Vancouver he was encouraged by Canadian Pacific Airlines. They can see where they can benefit by increased passenger traffic if this circle tour should go into effect. As far as the Canadian National Steamer "Prince George" is concerned, they cannot make much headway there.

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Mr. Watt stated that they have to reach the people before they go to the Travel Agent, but the people are not going to be attracted to the Yukon until we have sufficient hotel accommodation. He mentioned that Mr. Gibson's figures for the visits to Skagway were some 18,500 but the Skagway News gave a figure of 74,000.

Mr. Gibson stated that he would like to know where they got their figures from because they had checked every boat arrival for this season and had the traffic volume of each boat from Canadian Customs, the capacity of each boat and the number of trips they made this year. It would be impossible for that number of people to come in by boat, also this type of air traffic doesn't head out of Skagway.

Mr. Boyd asked Mr. Gibson, if there was a road from Skagway to Whitehorse, what would the effect be on the passenger cars that are arriving now by ferry? He understands they carry about 100 cars. Would there be a tendency for 50% of them to make the loop this way rather than go back down the Haines Road again?

Mr. Gibson replied that this is quite possible.

Mr. Livesey directed a question to Mr. Gibson in relation to the type of individual we are trying to attract to the Territory and the total cost of the operation of Mr. Gibson's Department. He said the total cost of operation is around $58,000.00 per annum. The situation is we can't eliminate any type of tourist who comes to the Territory, we want to get them all. Those who travel by air or bus or other commercial forms of transportation, is one type of tourist and the other is the tourist who brings his own vehicle along. He felt the one who travels with his own vehicle is the one who is going to have the greater opportunity for spending additional time in the Territory and will in consequence leave more money behind. The man travelling by car spreads his expenditures out over various communities in the Territory depending on where he travels. Out of the total cost of operation of the Department, what action has been taken by the Department to attract this individual? Are they looking at this increase in the expenditure of the Department from a position of total views and attractions toward getting each and all types of individuals, or are they expending a little more to those who leave a little more in the Territory?

Mr. Gibson stated that during the first nine months of this year his office had processed almost 16,000 individual mail inquiries. He stated further that the Department did invest in two coloured brochures last year. These are distributed to many parts of the world, through Automobile Club Offices and Travel Bureaus and direct mail inquiries. They did embark on a series of newspaper advertising last year that was gratifying. They carried a series in the Western Weekly Supplement and they also carried advertisements in the Vancouver Sun and the Vancouver Province. They required the money to embark on an advertising campaign with magazines. A member of the staff, Mr. Bud Fisher, had a successful cross-country tour early this year and the results of this tour are still coming into the office. They couldn't estimate the value in dollars and cents in TV time, radio, newspaper photographs and articles even if they had to go out and buy them. He further stated that Mr. Fisher could make a tour in the United States early in the new year which will touch

approximately forty-three American cities. Arrangements are being made with travel offices and agencies in these cities to arrange free newspaper and radio advertising.

Mr. Watt asked Mr. Gibson what were the designated number of tourists that came into the Territory this year as compared to last year?

Mr. Gibson replied the total is up approximately 18%. The total this year over the summer period is estimated at 64,000 visitors.

Mr. Watt asked if the number of tourists is up in the summer period, or over the whole year?

Mr. Gibson replied that this figure is based on the summer months of June, July and August.

Mr. Watt stated he could not get over the difference in the estimates in the number of people that are coming into the Territory. If there are 74,000 tourists in Skagway, and we could get a percentage of them over here with a road to Whitehorse, then the Territory is losing a million dollars a year in tourist business right now.

Mr. Livesey stated that he had brought a pamphlet to Mr. Gibson's attention, put out by the Department of Northern Affairs and National Resources, a lot of which was misinformation. He wondered if Mr. Gibson could give the Committee some assurance that this will be corrected and if there is any indication that next year's program, by the Department of Travel and Publicity in Ottawa, is going to be an accurate picture of the accommodation on the Alaska Highway.

Mr. Gibson stated he had recently received a letter saying a re-printing of this booklet is now being prepared and they would forward a copy to their Department for vetoing information contained in the booklet which is incorrect and they would appreciate additional information we wish to have submitted.

Mr. Shaw asked Mr. Gibson if he had any figures or information that could determine the particular areas most of these tourists came from. He stated he mentions this because the Prairie Provinces have had extensive wheat sales and many of them will be travelling around and Canadians want to see some of their own country. He wondered if particular efforts were being made for our neighbors.

Mr. Gibson replied the advertisement in the Western Weekly has been a very fruitful point of contact with the Western Provinces.

Mr. Livesey wondered what Mr. Gibson's Department did towards attracting the people of Alaska to the Yukon. He felt there is one vital source of revenue not touched and that is the small aircrafts that are registered in the State of Alaska. He thought a lot of residents in Alaska are interested in fishing and hunting in the Territory and he wondered if the Department of Travel and Publicity had made any attempt to advertise the Yukon in Alaska, or thought of the question of small and private aircrafts.

Mr. Gibson replied that the Department had hoped to carry advertisements in the Alaska Sportsman in the last advertising season but were delayed because maps, etc. had not been received, but they are prepared to do this now. They have been providing the various newspapers and radio stations in Alaska with what they considered were timely and interesting news releases. For example prior to

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the Sourdough Rendezvous this year they directed to the newspapers a number of articles attracting attention to it.

Mr. Shaw asked if we have at all points of entry, to the Territory, any distinctive sign indicating that the people are entering the Yukon Territory. He did not mean just a sign on the side of the road but something distinctive.

Mr. Gibson replied that at the moment there is a large sign at the highway entrance from every direction indicating "Now Entering the Yukon Territory" and on the reverse, "You are now Leaving the Yukon Territory".

Mr. Watt stated that in asking Mr. Gibson to come here today he wasn't trying to hamstring him or his Department at all, but he was trying to get information so they could justify this vote. He stated he is asked by citizens why taxes are increased and yet they are able to send people here and there.

Mr. Gibson was excused from Committee and discussion followed on Vote 10 - Capital Account - $613,653.00.

Mr. Livesey asked, with respect to Education, $200,477.00, that discussion on this expenditure be deferred until they have discussed a motion brought before the House this morning. (Motion No. 3)

Agreed.

Mr. Shaw, with respect to purchase of equipment for the Vocational Training School, felt that this school was already well equipped and wondered why this additional purchase of equipment was necessary?

Mr. MacKenzie replied that some of the equipment they originally intended to buy was not obtained last year although it was covered in the vote. It is also true to say that the original idea of what was needed was underestimated.

Mr. Shaw remarked that in the automotive shop he saw equipment that would not be found in any garage in the Yukon Territory and he doubted you would find them in many places outside the Territory.

Mr. MacKenzie, in reply to Mr. Shaw's remarks, referred to a list of the new equipment needed for this shop.

Mr. Shaw remarked that the student having completed this automotive course would have to go outside the Yukon Territory to be able to utilize his knowledge.

Committee recessed at 12:00 o'clock Noon.

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Tuesday, November 12, 1963.
2:00 o'clock PM.

Committee resumed discussion on Bill No. 7. Discussion Bill #7

Mr. MacKenzie in attendance.

Mr. Taylor asked with reference to Roads, Bridges and Public Works, $162,146.00, "What is the total cost of the Watson Lake Resources construction?"

Mr. MacKenzie answered that it was $105,000.00. The main estimate had $70,000.00 in it, and this is $35,000.00 additional. We were simply following the line given to us by Ottawa because they are paying for it.

Mr. Taylor asked what portion of this went into the office building.

Mr. MacKenzie replied that Committee would have to ask the Engineering Department for a breakdown.

Mr. Watt asked what is the position of the Microwave Site Road. He said he noticed entries for maintenance and believed it was a partly recoverable item. He said this road was blocked off not too far up the mountain and if it were moved back three or four miles, it would be a pretty scenic route.

Mr. MacKenzie said during the summer it is used for scenic tourist purposes and that is the reason for maintaining it.

Mr. Boyd pointed out in connection with the dam removal, that there are some rocks to be taken out which can only be done in winter when the water is low. He suggested that Administration spend the money this winter and come back in the spring with a supplementary estimate to cover it. This would save a year, and would add 30 miles of distance that pleasure boats (approximately 1,200 in number) could travel next summer.

Mr. MacKenzie said it could be done, but was not too well informed on the present position of the dam.

Mr. McKinnon told Mr. MacKenzie that Committee was informed this morning that the dam removal was to be in the estimates next spring as there is no practical purpose for the dam anymore. He wondered if the Committee put forth this request, this work could be done as a winter work's program, providing the money could be found.

Mr. MacKenzie said the money could be found, and it could be done as far as he was concerned, financially. He said he would have to take it up with the Commissioner, who would in turn take it up with Engineering.

Mr. Watt said out at Marsh Lake, there are quite a few cottages and the dam being there has been held responsible for abnormally high water in that area. One of his constituents said he has lost five feet of frontage on his cabin lot because of high water. He thought, therefore, the work should be done this year and wondered if a motion from the Committee making an official request would facilitate this work being authorized.

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Mr. MacKenzie said yes, a motion would help.

Motion re Lewes River Dam

Mr. Boyd moved, seconded by Mr. Watt, it is the opinion of the Committee that the Administration consider the removal of the Lewes River Dam during this winter.

Motion Carried.

Schedule B - Expenditures Recoverable.
Vote 5 - Health & Welfare - $79,678.00 - clear.
Vote 8 - General - $42,572.00 - clear.

Vote 9 - Roads, Bridges & Public Works - $4,828.00 - clear.

Vote 10 - Capital Account - Education - $136,532.00 - deferred.

Vote 5 - Health & Welfare - $6,162.00 - clear.

Vote 6 - Municipal and Area Development Administration - $23,696.00 - clear.

Vote 8 - General - Vocational Training School and Dormitory - $89,281.00 - clear.

Vote 9 - Roads, Bridges & Public Works - $77,024.00 - clear.

This clears all items in the Bill with the exception of those pertaining to education, which will be deferred until Mr. Livesey gets a reply to his motion (Motion No. 3).

Mr. McKinnon said his figures show that they were passing a supplementary estimate in the amount of $831,046.00. Why was such a large supplementary estimate needed?

Mr. MacKenzie replied that from the capital point of view, we have the difficulties experienced over the schools. That is the major item of the capital section. In the operations section, we have the urgency with the St. Mary's Hospital at Dawson. Those two things form the backbone of the changes we are asking for now. As mentioned to you on the day we first considered these estimates, our cash position is not adversely affected. Capital wise, we are within $2,000.00 of the amount provided in the Five-Year Agreement. Operation wise, we are in excess of our deficit grant by $28,000.00 and that will be offset by lapsing monies. We shall end up with a fairly substantial saving. Financially, we are in a very satisfactory position.

Mr. Livesey asked what is the position in regard to the Committee on Staff Housing. He mentioned this question was discussed when the Financial Advisory Committee met and wondered if Mr. MacKenzie had anything on it.

Mr. MacKenzie replied that the various alternatives that were considered in the Finance Committee have not yet been worked out. The person concerned has been away and the necessary work has not been done. He hopes to have it done before Council completes this Session.

Mr. Shaw said he believed about two years ago, Council requested that the housing provided by the Territorial Government for employees should be self-sustained from an operational viewpoint. Is that the case at the moment?

Mr. MacKenzie said no, there is still a subsidy factor involved and a great deal of work has to be done on this to eliminate the subsidy factor as much as possible, therefore, he was not able to table it for Committee's consideration.

Mr. Boyd said with respect to superannuation that they had been promising this to the school teachers in particular and to the rest of the staff for quite some time. They all expected it would be in effect now, but judging from Mr. MacKenzie's remarks a few days ago, there is nothing assured even that it will be in at the beginning of next year. He asked if Mr. MacKenzie could find out if we are going to get this scheme through and if so, when?

Mr. MacKenzie said this matter was raised during the last trip the Commissioner and himself had to Ottawa and it depends entirely on Parliament passing the main estimate. He hopes it will be before the 1st of January.

Mr. Boyd asked if this means that the money for this is in the main estimates of Parliament right now?

Mr. MacKenzie said yes, that is correct.

Mr. Watt said, concerning the bid on the three shcools that were called that the money allocated seems to have been far below what the bids were. He wondered if Mr. MacKenzie could explain where theygot the figure for the bids. He said as he understands it the press gave the Council a little bit of a roasting on some of these contracts and made out, we didn't bid the money soon enough for the Engineering Department to assess the cost of construction so that the bids could be called.

Mr. MacKenzie said the calculations of the figures were affected by the Engineering Department based on their experience; they were changed because the specifications were changed on these highly expensive basements which was a major factor in the increased costs.

Mr. Taylor (Mr. Boyd in the chair) echoed Mr. Watt's sentiments regarding these school bids and the blame placed on Council by Administration for what they called "dragging our feet". Council passed the money asked for during the Spring Session and two and a half months later, tenders were called. It cost contractors and subcontractors an estimated $10,000.00 to bid on these schools, but no contract was let. The schools were tendered again in October and Administration have just let the contract now. This is not a very efficient way to run a government.

Mr. MacKenzie said he had no information on this.

Mr. Watt said there was a motion made previously that when the main estimates are compiled for the Spring Session, they be compiled in such a way as to enable Council to go through the Engineering section first, so that the project capital vote can be discussed and voted. Does Mr. MacKenzie intend to do this?

Mr. MacKenzie said this will be done.

Mr. Taylor (Mr. Boyd in the chair) said the Vocational School and all other buildings of any size have been designed by one firm of architects. Why should one firm supply the plans for all our buildings? Couldn't we take our architectural needs and submit them to bids for contracts?

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Mr. MacKenzie said we have found the present firm of architects satisfactory in the past. They charge standard fees, so you would gain nothing but a change of architects.

Mr. Shaw said he could see no purpose in changing architects.

Mr. MacKenzie excused from Committee.

Discussion S.P. #3

A short discussion took place on Sessional Paper No. 3.

Inspector Vachon attended Committee.

Mr. Shaw referred to the second paragraph of the reply from the Commissioner on this question. He asked Inspector Vachon whether the R.C.M.P. has a paddy wagon to escort prisoners back and forth.

Inspector Vachon said they have.

Mr. Shaw asked why then could they not use it to transport prisoners to and from the court room and bring them in the back door of the building.

Inspector Vachon conceded that the present method of getting prisoners from jail to court each day is not satisfactory. The method mentioned here would require additional manpower. Perhaps I could give you a hypothetical case of an ordinary morning here when we are taking prisoners back and forth from the jail to the court. We have a van which will hold six persons, that will be five and an escort. The regulations sya that in the use of a van, there has to be somebody in with the prisoners. Assuming then that this morning, we have ten male prisoners and two female prisoners. We start off with the first truck and we can take five men over, a driver and somebody in with the prisoners. We bring the prisoners over here and somehow, we haven't been able to figure out where we come in, but we come in the back way, I gather. We come in the back door and we'd have to go through, perhaps the Engineers place in the basement or through the back door and then we would bring them through the corridors up here - that means the one man in the back is going to bring them up to court. The driver then returns back to the detachment and he picks up the next five men with another escort. The second escort brings them upstairs, leaves them there. The driver of the van returns and picks up the two or three female prisoners and he gets a matron and an escort. The matron and escort come back with the others. Now we've utilized the man driving the truck, three escorts and a matron to bring the prisoners over here, they've had poor security bringing them through the building, around the corridors and various places, we have disturbed the building bringing them through and we would have to do the same thing in returning the prisoners back to the jail. This you can see is going to tie up considerable men, and it is further tieing up the van that is used to get the prisoners' meals at 11:00 o'clock, that is used around 10:00 o'clock to take the men over to get their medical at the hospital at various times and without additional equipment and manpower that proposal is too big to handle.

Mr. Shaw said in view of the fact, we contemplate having a jail, won't we have to go through that whole performance just the same, or would they walk them from whereever they may be?

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Inspector Vachon replied that they would be held in the same place until they are sentenced. What you are building is not a holding jail but a jail of confinement.

Mr. Taylor (Mr. Boyd in the chair) agreed with Inspector Vachon geography of the building, but it occurred to him the prisoners could be transported to the side door and brought in that way. We seem to have reached an impasse regarding manpower and cost, but he said he still feels the situation as it now stands is undemocratic because you are holding somebody up to public rebuke before he has had his day in court. If more funds are required, they should be sought from the Justic Department for more manpower or for a larger vehicle, but we should not continue with this type of thing.

Inspector Vachon said he couldn't see the point of holding the accused up to public ridicule before they have had their day in court because in fact the court itself is public and anyone can sit in on the proceedings.

Mr. Taylor agreed there was a gallery in the court house where people could come and hear the cases, but there is a distinct difference in parading prisoners up and down the street.

Inspector Vachon said they are still going to be paraded through the building.

Mr. McKinnon asked Inspector Vachon if there have been any questions raised to Justice as to whether or not additional personnel or additional equipment could be found to be able to transport the prisoners over by vehicle.

Inspector Vachon said there haven't.

Mr. Livesey said it is the stigma of the line up that Council is troubled with. As for the manpower problem, the Territorial Government, if he remembers correctly, when they wanted to acquire the services of a school bus, were able to obtain one for the sum of $1.00. Perhaps, this difficulty could be solved by a similar purchase? If you have a bus, that could accomodate about twenty prisoners, you would eliminate the problem of having extra constables.

Mr. Taylor asked if this proposal would present a bad security problem.

Inspector Vachon said he is not as concerned with the matter of security as getting them here. It is the manpower involved - if the Council wished it, he would suggest that additional help would be required to carry this out.

Mr. Taylor said this is a question that will have to be resolved at this Session, and asked Inspector Vachon if there is anything, in probing this problem, that Council could do to assist him in remedying it.

Inspector Vachon said if we were to do away entirely with the present method, we would certainly need to get additional personnel. If he had the support of Council for additional personnel, it would be of assistance.

Committee proceeded to Session Paper No. 4. Discussion S.P. #4

Commissioner Cameron attended Committee.

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Mr. Livesey said that since his constituents will be looking for information on this from him he would like any classified information that can be made public, discussed here in Committee.

Commissioner Cameron said he didn't think there was any classified information. He had read the Cabinet's decision and they pointed out that after considerable discussion, it was felt that this was in keeping with good public international relations. But they realized at the present time, there was no economic justification obvious. They have made arrangements through the Department of Public Works for an agreement between the Government of Canada and the State of Alaska for the maintenance of this Road on a one-year trial basis. There was an upset price on this of $127,000.00. It was discussed at that time, the implications involving American labour or Canadian labour and it was pointed out that by using Canadian labour, it would increase the cost terrifically as it would be a satellite type of operation.

Mr. Shaw had two questions for information:

1. Is the $127,000.00 in Canadian or American funds?
2. How many miles does it involve of the Canadian section that the Alaska Road Commission are keeping open?

Commissioner Cameron replied:

1. In American funds. This is in keeping with similar types of agreements, they had someplace down the west coast at a time when the shoe was on the other foot, and it was payable to the Canadians in Canadian funds.

2. The distance would be between Miles 48 and 94 which is 46 miles.

Mr. Watt wondered if a sign couldn't be put up by the Administration at Mile 1016 giving the closing time of Customs, so that people would not get stranded 90 miles from the nearest lodge. This could be extremely serious in winter.

Commissioner Cameron pointed out it is the intention that this road will be patrolled.

Mr. Taylor asked if any commerical traffic was indicated for the winter. Last year, one trucking organization wanted to use the Haines Road over the winter and it may be that someboyd will want to ship ore this year.

Commissioner Cameron said there was no traffic of this type indicated that he knew of.

Mr. Livesey wanted to know if the cost of clearing this 46 miles of road was a total cost or a shared cost to Canada?

Commissioner Cameron said it is the total cost to Canada and no-one knows yet what it will cost, but this is the up-set price that will be charged to Canada.

Mr. Boyd said he assumed the Customs would pretty well be open 24 hours a day, particularly if the road is going to be used by truckers. There is also an hour difference between the time at Mile 48 and the time at Haines, Alaska.

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Commissioner Cameron said that the Collector of Customs has been working on this and still is working on it.

Mr. Watt reiterated his desire that a sign be put up at Mile 1016. He didn't mean when D.P.W. takes it over because we are going to have a whole winter before they take over the Alaska Highway. We have a contract now with Alaska to keep the road open, and this is when we need the sign. This is all I asked for and it shouldn't present such a terrific problem.

Mr. Shaw said if Customs is open 24 hours a day, you won't need the sign, and that is what we are hoping will be instituted.

In connection with the Labour Relations Legislation, Commissioner Cameron said he would send a night letter tonight asking Ottawa whether they are going to send an expert to discuss this with Committee. Labour Relations Legislation

Committee proceeded to discussion of a memorandum from the Commissioner dated November 4, 1963, regarding the 1967 Canadian Centennial Celebrations. Canadian Centennial Celebrations.

Commissioner Cameron gave a broad outline of the requirements as follows:

"As you will recall last month, I attended the first Coference on this Centennial Celebration. Two or three of the provinces have done a certain amount of leg-work on the project. None, however, had firm definite committments or a program completely planned. Some projects they had established were going to be completed for the Centennial. I had to point out that actually we had nothing to date, hadn't really got off the ground on it. We came up with some general ideas as to what we felt would be topics for discussion at the Conference in the next few days. We looked at the agreement and all the provinces agreed in principle to this, but I did not feel it was a workable agreement as far as the territories were concerned. Mr. Horton, Mayor of Yellowknife, was there representing the Northwest Territories and he expressed the same feeling. I suggested that if we could come up with some realistic program and some method of raising money, then through correspondence with the Federal Government, we could submit this proposal and ask for an outright grant either on a maximum dollar basis or some prearranged financial program. The Chairman of this Committee agreed that we had a particular situation and that we should submit our ideas and suggestions and ask for what we felt was fair assistance. The plan that is set up for across Canada is a dollar per capita. Approximately $19,000,000.00 of Federal money is available on a matching dollar basis. The Federal government will put up $1.00, the Provincial government will put up $1.00 and the Municipalities will put up $1.00. This, of course, is not too realistic, from the standpoint of the Yukon Territory. The money we would put in as the Territorial money would be in all probability the money we had received in the form of grants from the Federal Government. So it would mean Federal money being used right the way through. They did stress the point at this Conference that they wanted both the Indian people and the Eskimo people to partake as much as possible, and they were not to be left out or eliminated in the celebrations. They also asked that wherever possible every individual in Canada be permitted to partake in the celebrations, and the

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celebrations should be based as much as possible on lasting effort, a lasting project, something that would show it was built commemorating the 100th birthday and that it would not be just a party for a week or two or for that particular year and then be gone. I thought that if Council could come up with just some general ideas as to what they would like to see then it is my feeling you should put them into the hands of your tourist director who will be the front man and will get everything brought together and tied into shape. I would also just pass on, for what it is worth, the idea that whatever is done in the Yukon Territory should be spaced throughout our two and a half months in such a way that there is no conflict in different areas. We do lack population and in order to get the maximum out of this celebration, something might be arranged along those lines. For example, if Dawson is going to have the week of the 17th of August as their main week for this Centennial Celebration, then nobody else in the Territory should have that week. That way we'll get the maximum of visitors and we will do the maximum amount of visiting ourselves.

Mr. Taylor (Mr. Boyd in the chair) noted that in the memorandum it cites those things which would be of a lasting nature. He could not see anything in there that they could take advantage of in Watson Lake. Any of the programs, they could come up with would not qualify for the grant money, this was the disturbing thing. He was wondering how they could get around that problem.

Commissioner Cameron said he would throw this idea in for what it's worth - Let us assume that the Committee or the Council have summitted a proposal to the working committee that some type of a drama festival be formed and that it be staged each year. We are going to establish a big drama festival where every community must put in some sort of a play or something and it would take place over a period of a week. If this was approved, the money would be made available for people to travel and to put these plays on, and every community would benefit from this because they would be financially able to enter into it. This is a thing they are thinking of because they want to promote travel within the provinces and within Canada; they are trying to come up with rate reductions by air and by buses that will be so low and reasonable that young people, particularly, can move throughout the different parts of the country at very cheap rates or have some kind of an exchange basis of students or certain types of entertainers.

Mr. Shaw asked if the construction of a blacksmith shop as it was in the early days would come into the category of building something to commemorate a by-gone era.

Commissioner Cameron sayd yes, and Dawson is in an ideal position to take advantage of the restoration of historic sites.

Mr. Watt said in connection with item 1 "The acquisition and construction of buildings, parks, and other capital works", if it were decided to build a museum, how would it be operated and who would do the maintenance?

Commissioner Cameron said this is one of the problems that must be faced in this project. On any expenditure of a capital nature, you would have to keep in mind who is going to operate it and how. This money would have to come under the process of grants from the Territory or from the City, plus collections made either at the door or by the operation organization. This is something Ottawa is not willing to pay out for. He added that there was no restrictions on the future operation of the project.

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Mr. Shaw asked if he was assuming correctly that one could discuss this matter with the Director of Travel and Publicity and he will correlate all factors and see what will come out of it.

Commissioner Cameron suggested that the Council go on record as seeking more information at the Spring Session, that they are all in favour in principle of this, and they want to do everything possible to celebrate properly and successfully the 100th birthday and if they go through, put this work in the hands of the Travel and Publicity Department and ask them to come up with some ideas and suggestions and a full rundown for the Council. They can then be called on to do the leg work and collect the private letters and so on. Teachers are presently discussing it with the pupils. The main thing is to keep this moving. The main stick man should be Mr. Gibson and his crowd, he could push the publicity and set down the ideas and suggestions and submit them again. When I go to Ottawa in December all I can do is to say here are some of the projects we have in mind.

Mr. Boyd on a matter related to Labour suggested that the questions appear to be too difficult for Council to analyze, even with the help of an expert from Ottawa. He suggested we give them more thought and toss them back to the powers and ask them to answer the questions. He thought that asking for an expert at this time would do them no good until this is really gone into and laid down into some kind of terms that are acceptable. His idea was we should bring a couple of experts in to draw it up and draft it and then we have a look at it and have it explained to us after it is done. Labour Relations

Mr. Watt said he thought the whole purpose of these questions was to ask our opinion on these different parts so that they can draft legislation with out intentions in it. He asked if it would be proper for any member of Council to discuss this with anybody outside of the Council to get their opinion or whether this would be violating a rule.

Mr. Livesey said in this question of Labour Legislation, there is only so much you can put into Labour Legislation. You cannot absorb the power that is normally allowed to the trade unions. They have specific areas whereby they can use it as a means of arriving at an agreement. The actual legislation that we, as a government, are going to lay down is not necessarily an all-encompassing form of legislation. It is only going to be the type of legislation which we feel is necessary in a broad sense, in order to regulate the normal relations between employer and employee. You are not going to legislate out of existence the trade union just because you are bringing into existence a labour ordinance. It is quite within the means and the power of the Council to consider labour legislation. One of the things we should consider, very seriously, is the consolidation of a number of present ordinances that we have on the books with the usable and likely improvements that bring them up to 1963 and I don't believe this is beyond our power.

Mr. Boyd said Mr. Livesey talked about power and means, but he didn't actually say it was within our ability to do it. If you start answering these questions in saying what you wnat, you will have the labour contractors, employers, lawyers, etc., demanding this and that. It requires the work of a Committee.

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Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker do resume the chair and hear the report of the Chairman of Committee.

Mr. Speaker resumed the chair and heard the Chairman of Committee report as follows:

Committee Report

Committee convened at 10:20 a.m. to discuss bills, memoranda and sessional papers. Mr. MacKenzie and Mr. Gibson attended Committee for discussions related to Bill No. 7. Committee recessed at 12 noon and reconvened at 2:00 p.m. It was moved by Mr. Boyd, seconded by Mr. Watt, that it is the opinion of Committee that the Administration consider the removal of the Lewes River Dam during the winter. This motion was carried. I can report progress on Bill No. 7. Inspector Vachon joined Committee to discuss Sessional Paper No. 3. Commissioner Cameron attended Committee to discuss sessional papers and memoranda.

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock a.m., Wednesday, November 27th.

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Wednesday, November 13, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron in reply to Motion 19 of the First Session 1963 regarding the Corrections Committee (set out as Sessional Paper No. 24), and a memorandum concerning the Police Services Agreement (set out as Sessional Paper No. 25). Sessional Paper # 24 Sessional Paper #25

Mr. Boyd tabled a report from the Liquor Committee. (This report is available at the office of the Territorial Secretary)

Mr. Shaw moved, seconded by Mr. McKamey, for leave to introduce Bill No. 13, An Ordinance to amend the Motor Vehicle Ordinance. Introducing Bill #13

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, that it is respectfully requested that the Administration provide Council with the following information: Production of Papers #6

(1) Amount of money spent and the progress made on the stabilization program during the last twelve months.

(2) Plans for the future, particularly next year on the escarpment stabilization program.

Motion Carried.

Mr. Boyd gave notice of Motion respecting Fuel Tax. Motion #4

Mr. McKinnon moved, seconded by Mr. Watt that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bill No. 5.

Motion Carried.

In Committee of the Whole:

In Committee

Discussion followed on Bill No. 5 with Dr. D. R. Kinloch, Chief Medical Health Officer, and Dr. W. Buchan, President of the Yukon Medical Association, present.

Mr. Boyd stated that he would like to hear Dr. Buchan's reaction to this bill. Discussion Bill #5

Dr. Buchan wondered if he could have Dr. Kinloch explain the background to the amendment.

Dr. Kinloch stated as they well appreciate there is some difficulty in securing postings of physicians to the Yukon Territory. This is for a number of reasons, isolation and the fact that many who come here will be practicing on their own, and the facilities may not be as good as they are elsewhere. There is the availability of consultant help and a minor point, not sufficient remuneration that is not sufficiently more than could be earned elsewhere. The Ordinance as it stands now restricts doctors who wish to come into the Territory to those who possess the LMCC, which is the licence of the Medical Council of Canada. This licence is obtained by examination and is usually taken at the end of the fourth year of medicine. It is an examination which largely

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depends upon book knowledge rather than practical knowledge. This book learning is well known by students preparing for class examinations but at the end of two years of practice it is not so well known. They do have difficulties obtaining a sufficient number of Canadian graduates, but they do have a number of applications from people they feel are well qualified except for this stipulation of having an LMCC. Another problem is these examinations can't be taken at any time of year and they would not be eligible to write until the following spring, therefore he would not be able to take up a practice in the Yukon. The amendment will allow the Commissioner to accept certain qualifications in lieu of the LMCC. These are not specifically laid down in the amendment because they do not feel it is necessary. They have numerous bodies to which they can appeal, for instance the Medical Council of Canada, Colleges of Physicians and Surgeons in the various Provinces in Canada, to determine whether a specific person's training is acceptable. They don't have to make this decision here, it will be done by people more qualified than themselves. The crux of this amendment lies in the word "may". It does not necessarily mean the Commissioner has to grant a permit to anyone who applies, nor does he have to extend the duration of this permit for four years. He can make the permit for whatever period he desires under the circumstances. The real aim of this amendment is to allow eminently qualified people, who they know to be good men, to practice. He didn't feel they can legislate specifically on this, it would be too difficult. It is also a very good idea to have the decision, as to whether or not these people's degrees are acceptable, left to the discretion of the Commissioner so that he can apply for outside help. If we set qualifications here ourselves we will run into difficulties because, travel being what it is now, we have applicants from all over the world.

Mr. Shaw stated that this was something he had looked forward to for some time. In the Dawson area they have difficulty obtaining a doctor with the qualifications of the Canadian Medical Council. They had every assistance possible from the Northern Health Services and doctors in Whitehorse. After this a temporary lady doctor was obtained from Vancouver for a one month period. With the passage of this Bill there is a good possibility of being able to obtain a doctor from another country who is qualified to look after people. He thought the four years was sensible and it gives a doctor the opportunity to bone-up on the academic part of the profession.

Dr. Buchan replied that the Yukon Medical Association were in favour of it, in fact they inoculated this amendment by recommending that the Ordinance be changed to allow British graduates to practise. The situation in Canada is that doctors are licenced by the College of Physicians and Surgeons, these colleges are not necessarily the Canadian Medical Association. The College of Surgeons and Physicians is a body established by the Legislature of the Provinces to control the licencing and disciplining of doctors. In B.C., Ontario and Manitoba they require that the doctor fills out the LMCC. Saskatchewan, Newfoundland and Nova Scotia do not have this requirement, they accept British graduates. In 1954, when this Ordinance was made, Mr. Phelps, who was in the Council then, approached Dr. Tanner for advice on this thing. It appeared at this point that the forward step in medicine was to have the applicant qualified with the LMCC. Accordingly this was recommended to the Council to allow only candidates with the LMCC in.

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Mr. McKamey asked if a medical practitioner was permitted to practice in the Yukon Territory, would he be compelled to write a qualifications test under this LMCC?

Dr. Buchan replied that under the old Ordinance he wouldn't be allowed to practice at all. Under the amended Ordinance he would have to write it after four years. The Yukon Medical Association feels however, this should be two years. Unless a doctor keeps up with modern developments he can be out of date in seven years. They feel that a two year limit would be an advantage, if for example a forty year old doctor was coming from Britain, the chances that he would be out of date are extremely high. The only difference in thoughts are that in two years a doctor has had enough time to bone-up and write the paper. In their brief to the Royal Commission they mentioned that possibly there should be consultation with the Yukon Medical Association before the licencing of new doctors. The Y.M.A. is no College of Physicians and Surgeons therefore it would be impossible for them to do the total licencing. As the Territory grows, and this Legislative Body itself has more power, they feel that the Y.M.A. also should be heading the way of the Provinces. They feel there should be manditory consultation by the Commissioner with the Y.M.A. The Yukon Medical Association should not necessarily have a veto, but consultation would be necessary with a view to approaching Provincial status.

Mr. McKamey agreed with Dr. Buchan. He mentioned that one point he did not like about this bill was the legislating here is compelling someone to sign their resignation before they are even hired. Here he referred to Section 7A of the amendment. It seemed to him that the Commissioner has the right to write this permit and terminate it at any time. He felt too much power was being put on the Commissioner.

Dr. Kinloch stated he would like to refer this to Mr. Hughes.

Mr. Hughes commented that if anyone was suspicious of the motives of the Administration and the interpretation that would be given, then the only thing the Administration can do is withdraw this bill immediately. The Commissioner doesn't want to be party to squeezing good men out of the Territory, opening the gates to men with poor qualifications. This is an attempt by the Administration to overcome the problem, they know it exists and if the Commissioner is not to have discretion he saw no alternative but to withdraw the bill.

Dr. Buchan replied that he suggested the Commissioner be required to consult the Y.M.A. but that the Y.M.A. have no power of veto , this is purely a consultation factor.

Mr. Taylor asked if he was to understand that any attempt by this Committee to revise this Bill would amount to its withdrawal from the House.

Mr. Hughes replied that he could not, at the moment, tailor this Bill by drafting to meet the suspicions to eradicate any possibility that the Commissioner might be part of the design of this draft.

Mr. Livesey thought it the privilege of Council to control the power of the Administration, but sometimes it seems to go in reverse. If the House feels that the Administration is obtaining too much power, it is their legitimate right to speak on it. He stated he feels the Yukon does need assistance and fully agreed with Dr. Buchan. He hoped that by mutual agreement something could be

induced to assist the Medical Profession in the Territory, and certainly something to assist the people in outlying areas who have no assistance whatsoever.

Mr. Shaw stated he was happy to see the co-operation from the Medical Association. This bill is extremely important to the Territory and particularly Dawson City and perhaps Watson Lake. He commented that when the Army pulls out of Whitehorse no doubt the Army Surgeons will also be withdrawn. This will mean that more doctors will be required in this area as we do not expect that the population of Whitehorse will decrease to too great an extent. Canadian Doctors just don't want to come and practise in the Yukon. He felt the local Medical Profession have been very reasonable about this matter and indicated a desire to co-operate. He felt sure in future that the Administration will certainly consult with these people. He stated that the four year period might seem long but it is to be considered that a man from England or Scotland would hesitate to pull up his roots and stick his neck out on maybe a two year term. He concluded by stating that the principles, he thought, were accepted by all concerned.

Mr. Hughes stated he had worked out that if they introduce somewhere an addition providing that the Commissioner is required to inform Council, at the next subsequent Session, of applications received and the reasons for the refusal if applicable and the terms of any further issue, then they would be informed that there was no attempt to victimize anybody. Let the decisions be taken as they arrive and they will have reports on them. This way Council would know exactly what was going on.

Mr. McKinnon stated he had no desire to try and judge any applicants merit. He thought the solution to the problem would be found in the Y.M.A. having consultation with the Commissioner on any application.

Mr. McKamey fully agreed. He didn't feel competent to judge on anyone in this profession.

Dr. Kinloch stated that not only he is incompetent to judge applications from other countries but he also felt the Yukon Medical Association is not competent to do so. He felt it necessary to seek more learned consultation and suggested this be done through one of the Provincial Organizations or the Medical Council of Canada. These people are dealing with a larger bulk of applications and would be in a better position to advise them. He mentioned that the Province of Alberta has a list of Universities in Australia and New Zealand which they will accept and he felt this information could be obtained quite readily.

Mr. Shaw asked the Legal Advisor what length of time they allow a Doctor to practice in Alberta before he can get a licence.

Mr. Hughes replied that he could not answer this question at the moment but perhaps Dr. Kinloch could help.

Dr. Kinloch replied that there are no restrictions in the Province of Alberta but this applies in several other Provinces.

Mr. Shaw stated it would appear this Ordinance would be more restricted than what they have in other Provinces at the moment.

Dr. Kinloch replied that it would be. He further stated that this is specifically set up in Alberta to graduates from Great Britain and he felt sure they would not accept applications from just any country.

Mr. Shaw asked if it would be possible for the Yukon to enter into consultation with Alberta in relation to their Medical Council qualifying these persons.

Dr. Kinloch replied that he has already corresponded with Alberta on this point and secured this information about British graduates.

Mr. Boyd asked if it was possible for a doctor under a permit to come here after having used up his permit time from somewhere else in Canada. For instance if he had a four year permit in the Northwest Territories, and this expires could he come here and get another one?

Dr. Kinloch replied that the only other place this could apply is the Northwest Territories. In no province would this be possible because they are not required to have a permit, they are actually licenced in the provinces.

Mr. Taylor, (with Mr. Boyd in the Chair) stated that he has listened to the discussions with great interest. He felt two years should be considered rather than four years as the duration of this licence. He felt the Yukon Medical Association should be serving as a College of Physicians and Surgeons in the Territory. They are told in the Bill that one of the reasons they need these doctors is to put them in communities such as Watson Lake and Dawson. In his constituency a person requiring medical aid has to drive 600 miles to get it, so here is a place they need a doctor.

Mr. Shaw thought in passing this Bill it might assist the problem at Watson Lake.

Mr. Watt referred to Section 2 sub-section 3 and asked if a permit is issued for four years and later they find out the practitioner is not quite up to scratch, can the licence be suspended or cancelled and what type of violation is required before a licence can be cancelled or suspended?

Dr. Buchan replied that it is a very difficult thing to decide whether a doctor is practicing to the detriment of his patients. In the provinces a complaint, from a patient or another doctor, is taken to a disciplinary committee of the College of Physicians and Surgeons who hold his licence and they have a special committee to consider it. If they consider there is a definite malpractice they can remove his licence. The only way this could be duplicated in the Yukon would be for the Commissioner to set up a committee to investigate complaints, if enough complaints were received.

Mr. Watt stated that if a permit were issued for four years it would be almost impossible to suspend that permit unless there was malpractice, and he felt permits would be issued for the full period good or bad.

Dr. Buchan stated that it does seem amazing that the Yukon is setting up tougher legislation than Alberta, Nova Scotia, etc. B.C. and the interior have tougher legislation than is proposed here. In his opinion the Canadian graduate and the Canadian practitioner is a better trained man than the British practitioner.

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Mr. Shaw stated the point he does not understand is that he has known doctors who have left the Territory and gone to England and Scotland to study further, if they can obtain this study in Canada why do they go to England or Scotland to take this post graduate course?

Dr. Buchan replied that in Britain there is a very high standard and a very low standard of practise. In teaching hospitals it is very high but in general practise it is very low.

Mr. Boyd asked if a person applying from Europe would have to come here to meet the Yukon Medical Association or could he meet with the Canadian Medical Association and have his credentials accepted or refused and if accepted, then proceed to the Yukon.

Dr. Buchan advised that all these things are done by mail. He would never come here to be interviewed and then be turned down but this is a touchy problem in the Yukon. The provinces handle this by writing to several doctors and ask them if they know anything adverse against this person. They feel it would be easier for the Yukon Medical Association to do the writing of this nature rather than for the government to do it. He felt as long as the Yukon Medical Association are consulted this is the first step in improving the medical situation in the Yukon.

Committee recessed at 12:00 o'clock Noon.

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Wednesday, November 13, 1963
2:25 o'clock P.M.

Committee resumed discussion of Bill No. 5 with Mr. Hughes, the Legal Advisor in attendance. Discussion Bill # 5

Mr. Shaw wondered if the Legal Advisor had any suggestions in relation to the proposal for the amendment to this bill.

Mr. Hughes replied that he had discussed the proposed amendment with Commissioner Cameron who, from the administrative point of view, could see no objection and accepts the amendment to read "The Commissioner may after consultation with the Yukon Medical Association issue a permit". Amendment Bill #5

Mr. Boyd brought up what he called the "closed door" attitude with regard to the Medical Association.

Mr. Livesey said he sees no closed door at the moment. In using the word "may" it does not obliterate the powers of the Administration, all it does is include a consultation with those who are, being professionals, qualified to give the proper information to any layman, person or party seeking it. It would seem that in the Yukon Territory the Yukon Medical Association would be the most authoritative group on medical matters.

Mr. Shaw said a point in its favor is that it does create a certain amount of liaison that might possibly do away with any conflict that might arise and it assists the Commissioner in his deliberations to attain this particular end.

Mr. McKamey thought this to be in line with some of the recommendations made by the Glasgow Commission.

Mr. McKamey moved, seconded by Mr. Livesey, that Section 7A be amended to include after the word Commissioner in line one: "after consultation with the Yukon Medical Association". Motion Re Amendment Bill #5

Mr. Boyd pointed out this means no medical practitioner can be issued a permit until after the Yukon Medical Association has been consulted. It seems sometimes doctors do not stay here because they can't get along with the Yukon Medical Association - they are ostracized and not allowed the necessary facilities. He felt they should be sure of what they are doing before putting everything into the hands of the Yukon Medical Association.

Mr. McKinnon said he could not see any inherent danger here whatsoever. If a doctor desires to come to the Yukon and the Commissioner consults with the Yukon Medical Association, even if the Y.M.A. is against the doctor coming to town but the Commissioner feels the doctor is qualified and should be granted a permit, the Y.M.A. has no say in the matter. On the other hand, if the doctor joins the Y.M.A. and practices in the clinic in Whitehorse, and at some subsequent time finds that he cannot get along in the association he is in, his permit is not going to be revoked and he can go into private practice.

Mr. Watt pointed out that if this suggested amendment isn't put in there is nothing to say that the Commissioner could not still consult with the Yukon Medical Association, but it doesn't make it mandatory for the Commissioner to consult with the Y.M.A. He would sooner vote for this Bill without the amendment.

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Mr. Livesey could not agree with the interpretation just given. In his opinion this would mean that the Commissioner may issue a permit, and it lays down the stipulation that consultation must take place. This still doesn't tie the hands of the Administration, it only makes it mandatory that the consultation with the Y.M.A. takes place.

Motion Carried.

Mr. McKinnon said he had listened to the debate this morning on the question of the two year period versus the four year period. If a four year limit is left in the Bill it is very doubtful whether a doctor would undertake to write the exam before the four years are up. If a qualified medical person is moving into the Territory and knows he has a two year stipulation on his permit this will give him ample time to become familiar with medical advances so that he can sit and write his examination.

Motion re Amendment Bill #5

Mr. McKinnon moved, seconded by Mr. Watt, that in Section 7A (2) that "four years" be amended to read "two years".

Mr. Shaw objected to the motion as a two year period is not long enough for a medical practitioner, particularly one from another country, to familiarize himself with the requirements and practices of the Medical Association here to the extent that he could write an examination and pass it.

Mr. McKamey agreed with Mr. McKinnon saying that the two year stipulation would tend to upgrade the standards of the profession in the Territory.

Mr. McKinnon stated that in proposing this amendment he did not want it to cause any hardship on any of the members who are in constituencies where they have difficulties obtaining doctors. It was his opinion that in a two year period a doctor could certainly decide whether or not he would stay in the Territory and be licensed under the Canadian Medical Association. If the Councillors really believe that this was going to cause unnecessary hardship on their obtaining qualified medical practitioners then he would certainly withdraw the motion. His purpose in making the motion was to make certain that the Yukon would continue to have very competent and qualified medical practitioners.

Mr. Watt agreed with Mr. McKinnon.

Mr. Taylor (Mr. Boyd in the Chair) felt that two years is sufficient time for a man to determine whether or not he is going to write and qualify under the normal terms of the Ordinance. The intent of the amendment is to upgrade our medical profession and if the Y.M.A. feel this way he would have to accept their opinion.

Mr. Shaw said a man who had put in fifty years of devoted and efficient service in a community would probably have difficulty passing an examination. A person from another country would also have difficulties. It would take years for them to catch up. The four year period would not hurt anybody, but would allow a certain amount of latitude, whereas a two year restriction would seem to be out of the question.

Mr. Hughes asked where it says "The Commissioner would be given power to renew the permit", is it Committee's wish that he should again confer with the Y.M.A.?

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Withdrawal Motion re Bill #5

Mr. McKinnon withdrew his motion on approval of the seconder Mr. Watt.

Motion re Bill #5

Mr. McKinnon moved, seconded by Mr. McKamey, that in Section 7A (2) after the word "may" the words "after consultation with the Yukon Medical Association" be added.

Motion Carried

Mr. McKamey moved, seconded by Mr. Shaw, that progress be reported on Bill No. 5.

Motion Carried

Mr. Watt moved, seconded by Mr. McKamey, that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees.

Motion Carried

Committee Report

Mr. Speaker resumed the Chair and Council accepted the report of the Chairman of Committees as follows:

> Committee convened at 10:25 a.m. to discuss Bill No. 5 with Dr. Kinloch and Dr. Buchan in attendance. Committee recessed at 12:00 noon and reconvened at 2:25 p.m. Mr. McKamey moved, seconded by Mr. Livesey that Section 7A be amended to include after the word Commissioner in line one "after consultation with the Yukon Medical Association". Motion Carried. Mr. McKinnon moved, seconded by Mr. McKamey, that in Section 7A(2) after the word "may" the words "after consultation with the Yukon Medical Association" be added. Motion Carried. Mr. McKamey moved, seconded by Mr. Shaw, that progress be reported on Bill No. 5. Motion Carried.

Motion #5

Mr. Taylor gave notice of Motion respecting fur subsidies for northern trappers.

Motion #2

Mr. Watt moved, seconded by Mr. McKinnon, that a three man committee composed of the following be formed: a representative from (1) the R.C.M.P.; (2) the Territorial Engineering Department; (3) the Department of Public Works. The purpose of the committee is to make recommendations concerning safety and traffic control on the Two Mile Hill road. We wish special consideration to be given to the following items: (a) Need for a guard rail along parts of the edge of the road. (b) Need for widening and hardening the shoulders. (c) Painting of white lines to indicate lanes. (d) Approaches to the Two Mile Hill road, particularly from the service areas.

Mr. Watt, speaking on the motion, said that they know the Department of Public Works is taking over the maintenance of the Alaska Highway. The Two Mile Hill road is now partly maintained by the Department of National Defence by an agreement between the Territory and the Department of National Defence, and it would be a good time for a committee to be formed to look into the safety of this road. During the past week he had seen three cars over the edge. The shoulders going up on the right hand side are soft and the bank is steep and the minute you pull over a bit off the pavement your front wheel drops and pulls you over towards the edge. If a committee were formed they could make proposals to provide safety on the hill.

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Mr. Shaw believed the Two Mile Hill road was under the complete jurisdiction of the Territorial Government and it has nothing to do with the Department of Public Works.

Mr. McKinnon said in seconding this motion he was particularly concerned with item (d). Anything they can do for added safety on the hill is worth while considering.

Motion Carried.

The following questions were directed to the Administration:

Question #7 — Mr. McKinnon asked if the Administration had given any consideration to Motions No. 27 and 31 passed at the First Session of Council 1963?

Question #8 — Mr. Shaw asked if the Administration could supply information as to the necessity of individual Wide Load Permits being required each time such a wide load is moved and is there any possibility of ameliorating the existing inconveniences and costly delays?

Question #9 — Mr. Taylor asked would the Administration consider extending the beaver trapping season to commence on November 1st rather than January 1st?

Question #10 — and would the Administration advise Council as to why more extensive use of local forest products is not encouraged in Territorial Government Contracts?

Question #11 — Mr. Livesey(**with Deputy Speaker in Chair**)asked the following: Could the Administration advise the House what program has been adopted in relation to a motion passed at the Spring Session (Motion 21) relative to judicial training for the Office of Justice of the Peace in the Yukon?

Question #12 — During the Spring Session this year, it was pointed out by the member of Council for Carmacks-Kluane Lake that some attention should be paid to recreational roads in the community of Haines Junction, one reference concerned access to Pine Lake. During the intervening period between sessions it was understood that the residents of Haines Junction had voiced some preference for the construction of a dam in the creek which leads to the lake in the vicinity of the tourist campsite in order to provide a water access route to the lake. Could the Administration advise the House of any decision to proceed with the work?

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker do leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda and sessional papers.

Motion Carried.

In Committee — In Committee of the Whole:

The Committee proceeded to discuss the report of the Liquor Committee.

Discussion Liquor Committee Report — Mr. McKinnon referring to the terms of reference of the Liquor Committee asked if the Chairman of the Liquor Committee could advise why the terms of reference were not abided by?

Mr. Boyd replied that the Committee brought this up before the Administration and were told that the report would have to be made to the Commissioner regardless of how the motion read.

Mr. McKamey said it seems that any time you ask for a commission to investigate something you come back to the committee that was responsible for organizing it.

Mr. Taylor asked Mr. Hughes who established these terms of reference?

Mr. Hughes replied they were set out in the original motion. This created some confusion because the commission was to be appointed by the Commissioner and it was to report its recommendations to this Council, so the terms of reference do also indicate the report to the Commissioner.

Mr. McKamey said the reason that was incorporated into the motion in that manner was because the Legislative Council hasn't got the power to appoint a commission, it is contrary to the Yukon Act. When you appoint a commission you have to pay travelling expenses and so forth and this is not within their power. This is why it was requested by the Territorial Council that the Commissioner appoint the commission. It never entered his mind at any time that the committee was going to report back to the Administration and the Administration draft the report to Council.

Mr. Livesey said that certainly was his idea too. Definitely in a question like this where it says "It is in the opinion of Council..." it means simply that according to their rules, following the Parliament of the House of Commons, they followed the suggestion that the Members of the Commons by themselves are not empowered to suggest any question which could incur the spending of tax money or incur a debt upon the people unless it had been agreed to by the Administration. Certainly the first part of the motion was carried out, the Commissioner appointed a commission, but the second part "to report the findings and recommendations of the commission to the Yukon Legislative Council" has not been done.

Mr. Watt asked Mr. Boyd, Chairman of the liquor committee, who actually drafted the report.

Mr. Boyd replied that since the committee has no stenographers, typewriters and so on, it was put onto paper by the Administration and handed to them to be read and checked. This happened about three times and this is the final draft that they agreed to.

Mr. Watt stated the Administration more or less drafted it then.

Mr. Boyd replied that is true.

Mr. McKamey said he was very sorry to hear this was handled in such a manner and it did not follow the motion that was assented to and passed by this Council. He did not know what steps could be taken to rectify the situation but said this is not a cross section of what the people of the Yukon Territory want, but a cross section of what the Administration wants.

Mr. Boyd did not agree. Mr. Drury, Mr. Beaumont and himself have gone through it and the Administration have not put any words in that they disagree with entirely. He thought to get at their point of view - had they, in their motion in the first place, made a committee independent of the Administration altogether it would have been more to their liking and more to their desire as he saw it now, but it so happens that Commissioner Cameron elected to appoint Mr. Delaute to act as secretary and Mr. Vars, Superintendent of Liquor, as part of the committee. How can a committee of three outsiders divorce themselves from a situation like this?

Mr. McKamey said as a point of information, some years back it was the request of the Territorial Council, to the Administration, to appoint a committee to investigate the educational problem in the

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Yukon Territory. The motion was similar to this. The Administration appointed a committee on education which conducted a thorough investigation of all the problems, they met various parties and organizations throughout the Yukon Territory, they accepted briefs and discussed their findings to a great extent. There wasn't a doubt in his mind that the gentlemen appointed to the liquor committee did an excellent job; he thought they worked very hard on it and spent a lot of hours and they are to be commended for it. However, he thought that if they had taken the same course with the proposed amendments to the Liquor Ordinance as they did on the proposed amendments to the School Ordinance it would not have presented any problems. For some unknown reason somebody went way off on a tangent and he was opposed to this.

Mr. Shaw said that regardless of what they think of the committee's recommendations, they still have a draft of briefs from people in the Territory. He suggested that each member make himself fully conversant with the briefs that originated in their particular area and during discussions try to come to agreement with the recommendations on the various points.

Mr. Watt said the committee was composed of Mr. Boyd, Mr. Drury, Mr. Beaumont and Mr. Vars and they elected Councillor Boyd as Chairman. In addition Mr. Delaute acted as secretary to the committee and Mr. Hughes attended the committee as Legal Advisor. He asked Mr. Boyd if Messrs. Delaute and Hughes were actually members of the committee or did they just act in the capacities as secretary and Legal Advisor?

Mr. Boyd replied that they just acted in the capacities indicated.

Mr. Watt said Mr. Boyd stated the Administration drafted this but they weren't members of the committee, they just attended. He further stated that there were some parts of the report he took exception to and knew it wasn't Mr. Boyd's strong, firm, reasonable hand that had put these words in this report.

Mr. McKamey thought the committee has something to decide. Are they going to represent their constituents or are they going to represent the Administration? If they accept this report, as far as he is concerned, the way it is laid down in the report, they are representing the Administration. He asked for the committee's consent to table this for the time being and said there is a good possibility of a motion being tabled in repect to this specific report.

Mr. Taylor (Mr. Boyd in the Chair) said he agreed with Mr. McKamey. He understood when this matter was presented at the Fall Session they would have the recommendations itemized as in the education report. In this report he could see some recommendations but felt it wasn't enough to draft an ordinance out of. He wished to know from the Legal Advisor whether or not his office was handling this matter completely and solely, as far as preparing the information was concerned.

Mr. Hughes replied the Administration is here to assist the Council and he was certainly no stranger to this report. There is no issue at all that the work involved was considerable - very difficult for busy men such as Councillor Boyd, Mr. Drury and Mr. Beaumont and the other people to always be available for a period of approximately a month to get the first draft done. The first draft, which consisted of some forty pages was put before the committee for consideration and they could see they didn't think much of the first draft by the way it has dwindled. It is for the committee chairman

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to tell them whether or not it represents the committee's views in its present form. It is commonplace in the preparation of long documents for laymen to invite the assistance of people who are accustomed to preparing reports. All this was done because the Administration feels it is charged with the duty to assist. He would be sorry to think that if in trying to perform this duty they were suddenly to be rounded upon and accused of some impropriety, and he suggested that criticism of the report would be better after reading it and at that point possibly some evaluation could be made. Initially he only tried to reduce the proposals in the brief into report form. The reason outside experts were not obtained was that no firm indication was given to have these experts. In the case of the education committee possibly a firm indication was made. In this case it was felt local people were more familiar with the problems.

Mr. Taylor said all he wants to do is establish the validity of this report. Is it a clear and concise cross section of opinion as per all the briefs, or is it just a portion, has something been excluded?

Mr. Shaw said they seem to be disagreeing with a lot of little things. They may not agree with the findings in the report but felt they should extend the courtesy of going through it and what they don't like they can discard and what they like they can accept. Mr. Boyd as chairman of the committee has accepted the report and tabled it before Council so it must indicate his feelings or the feelings of the committee. They might feel the report is inadequate but they should discuss it and go on from there.

Mr. McKamey said it was laid out quite clearly in the motion that the report was to be presented to the Territorial Council. It would seem there were two reports incorporated in one and one seemed to be very critical of the Council.

Mr. Hughes replied that he couldn't see where this report has been critical of the Council, and would apologize to Council for any inept phrase which has given rise to this feeling. He would just like to acknowledge the fitness of the point that has been made by Councillor McKinnon regarding the disparity between the points of reference and the wording of the motion. It is certainly not the intention of the Administration or the Commissioner to interfere with the report. He(Mr. Hughes) was merely a vehicle, just the mechanism used by the committee. If there is anything critical of Council in this report he would like to apologize now.

Mr. Livesey said the situation is fairly clear and the Legal Advisor has intimated that there was some misunderstanding. It seems there is more than one area of misunderstanding during this Session. He felt the motion of Council was quite clear. The ultimate answer has been, and he hoped always would be, that these committees are going to report to the Council and Council shall decide which of the views presented are the ones that are going to be incorporated into law. The reason why the members from Mayo, Watson Lake, Whitehorse North and himself have brought these points to their attention this afternoon, is to establish the fact that they don't agree that committees are something apart from Council after Council has already placed a motion on the floor and agreed that a committee should be set up. He agreed with Mr. McKamey that this submission is a step towards a report to the committee, it is not the final step and what they need is a compilation of recommendations. Probably four or five pages of recommendations would have been far better than what they have here.

He believed the point mentioned by the member from Mayo and Watson Lake, about criticism of the Council, was on page 6, paragraph 3 and he read as follows: "At the 1963 Spring Session of Council a modest power was suggested whereby the police would have authority to close a special occasion if disorder prevailed. The Councillors ignored the publicly stated opinions of mature and responsible citizens who have given months of thought to their beliefs and .....". He thought this was what the member was alluding to and if that clarifies the situation that was all he had to say.

Mr. Taylor asked the chairman of the liquor committee if this is the opinion of the committee or the opinion of the author of the report.

Mr. Boyd said the report is the opinion of the committee.

Mr. Watt requested they go through the report in an orderly fashion as Mr. Shaw suggested.

Mr. McKamey said the problem is right in the motion. If they did not receive what they asked for, should they accept it? He would like a little more time to study the report.

Motion re Liquor Committee Report

Mr. McKamey moved, seconded by Mr. Watt, that Committee defer discussion on the liquor report until 2:00 p.m. Thursday, November 14, 1963.

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKamey, that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees.

Motion Carried

When Mr. Speaker resumed the Chair, Mr. Taylor Chairman of Committees reported as follows:

Committee Report

Committee reconvened at 3:25 p.m. to discuss bills, memoranda and sessional papers. Committee first discussed the report of the liquor committee. Mr. McKamey moved, seconded by Mr. Watt, that further discussion on the liquor report be deferred until 2:00 p.m. November 14, 1963. Motion Carried.

Council accepted the report of the Committee and adjourned until 10:00 o'clock a.m., Thursday, November 14, 1963.

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Thursday, November 14, 1963
10:00 o'clock a.m.

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

On Thursday, November 7, 1963, the following questions were directed to the Administration by Mr. Watt: (a) What action if any has the Administration taken with respect to removal of the Lewes River dam. (b) Would it be possible to have this dam removed this winter with assistance of the Winter Works Assistance Program? A reply to this question was given on November 12, set out as Sessional Paper No. 23. Question #3

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

(1) Regarding Safety on the Two Mile Hill in reply to Motion No. 2 (set out as Sessional Paper No. 26). Sessional Paper #26

(2) Regarding communication with Ottawa on certain subjects (set out as Sessional Paper No. 27) Sessional Paper #27

Mr. Shaw gave notice of Motion regarding the Restoration of the Economic Stability of Dawson City. Motion #6

Mr. Taylor gave notice of Motion respecting the Teslin Medical Facility. Motion #7

Mr. Watt gave notice of Motion respecting Public Washroom Facilities. Motion #8

Mr. Boyd moved, seconded by Mr. Livesey, that in the opinion of Council fuel used in the operation of farm tractors for farming purposes be exempt from the provisions of the Fuel Tax Ordinance. Motion #4

Mr. Boyd, speaking on the motion, stated that in the first place this tax from the farming source means nothing to the Territorial Government in dollars and cents. On the other hand there are three or four people trying to break some land in an attempt to grow the odd few bushels of oats for feed. They are very hard up for finance. Even though the amount involved is small, it is most irksome to them to think they have to pay fuel tax on something that is helping them to earn their livelihood. He thought out of fairness to these fellows, struggling to survive, they should help them rather than put obstacles in their way. He concluded that he sincerely hoped Council would go along with him on this point.

Mr. Taylor agreed fully with Councillor Boyd and stated that if they are trying to develop the north this is a very sound request.

Mr. McKamey wanted to know what this amounts to in dollars and cents.

Mr. Boyd replied that off-hand this would amount to less than $100.00.

Mr. Watt stated he was in favour of giving any assistance to anyone who wants to gamble on agriculture in the Territory, particularly if there was any chance of an agricultural project becoming successful financially.

Mr. Boyd said there is nowhere in Canada where they pay fuel tax for farm use.

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Mr. Shaw said anybody who goes farming in the Territory are definitely pioneers. Encouraging this would benefit the Yukon. He was in full agreement with the motion.

Mr. McKaney could see some trouble arising out of this, where boat enthusiasts and a few more would buy an acre of land so they could buy their gas cheap. Hay is hauled from Dawson to Whitehorse and other points, this is farming. He asked if they would be exempt for hauling that hay down or is it just for use right on the farm itself?

Mr. Boyd replied it is definitely for use on the farm itself. Gasoline is used to break the ground, to cultivate it, possibly to reap if there is a crop. This is strictly for the operation of the machinery that stays on the man's own farm.

Motion Carried

Motion #5

Mr. Taylor moved, seconded by Mr. Boyd, that the Federal Government be asked to earnestly consider implementation of a program of raw fur subsidies to northern trappers in order to stimulate the fur industry in the Yukon and Northwest Territories.

Discussion Motion #5

Mr. Taylor explained that he has included the Northwest Territories in the motion because any fur subsidy given in the Yukon would also relate itself to the Northwest Territories. The Yukon has always been a little short on industry but one industry they have is the fur industry, which has produced a great deal of fur over the years. The Territorial Government receives royalty revenues on all furs exported from the Territory. He referred to Federal Legislation and said that farmers are subsidized in many ways. The trapper who has as tough a time making a living as the farmer is also a farmer in his own right. If such subsidies were granted to the Yukon trapper this would reflect itself in many fields, one being Welfare. More native citizens would be out on their trap line, it would be a trend in that field to helping a man to help himself and his rewards would be based on his own efforts. As far as fur is concerned the bush is teeming with martin, mink, beaver, etc., in most areas in the Yukon. The type of subsidy he would encourage would be a price level subsidy whereby if the price of martin or mink fell below a certain level then the government would make up the difference through the subsidy. He felt this motion worthy of consideration.

Mr. Boyd said that for more than twenty years the Federal Government has kept every farmer in Western Canada from going broke, but they forgot to keep the trapper from going broke. There should be a minimum price the trapper expects to receive so he knows he will make a living. This is what has been done with the prairie farmer and it cost Canada millions in the grain field.

Mr. McKinnon objected to the motion. He objects to the farmers getting subsidies and to the majority of subsidies the Federal Government gives across the Dominion. He could not go along with the thinking that because they made a mistake in subsidizing the farmers they should go along and subsidize the fur trapper. This is a retrograde step, the whole idea of the north is that eventually it is going to be put on its own two feet, through private industry and private capital. The only reason the Federal Government is putting money in the north is towards that day when the north is able to stand on

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its own two feet and say we don't need your subsidies any longer, we are able to get along without you. That is the time we become a Province. Asking for subsidies for the north is just showing irresponsibility and that we are not even near ready to stand on our feet as yet. He was against the motion and would vote against it.

Mr. Taylor stated that this is an attempt to build the north and build up a principle industry which he felt is lagging.

Mr. Watt thought that the people who made this motion should provide Council with more information on the prices, if they need support, and what the possible effects of support would be? He would like to have more information before he voted on the motion.

Mr. Taylor stated that Mr. Watt overlooked one item in the motion which asks that the Federal Government be asked to earnestly consider implementation of a program. This is what would happen if this motion were approved, they would look into it. It doesn't say they are going to give a subsidy.

Mr. McKamey stated that he is opposed to subsidies and agreed with Councillor McKinnon that all subsidies in Canada should be chopped off from coast to coast.

Mr. Shaw stated he was against subsidies in general, but he had to accept the economics in life and the fact that in order to maintain industries in various countries it is necessary to subsidize. This motion merely asks that the Government consider it and they will find out whether it is sensible or otherwise from an economic or political point of view. The Indian Affairs Department could set up a form of subsidy for these people who are trapping, assisting them to help themselves. It has possibilities if given consideration from that view point.

Mr. McKamey stated that he would vote on this motion if it was confined to the native population and would vote against it if it would subsidize white trappers.

Mr. Taylor said he felt consideration should be given to extending fur subsidies to both white and native trappers. There are white people on welfare as well as natives and many of them are people capable of trapping. This should be something that offers equality to everybody.

Mr. Shaw was inclined to agree with Mr. McKamey that they should do everything they can to help the Indian people help themselves.

Mr. McKamey asked that this motion be deferred until tomorrow morning to offer a chance to have an amendment worked out.

Mr. Taylor replied he could not see where an amendment is necessary. It is directed to the Federal Government and this could involve the Department of Citizenship and Immigration, Northern Affairs and Indian Affairs and the broader we leave it the better it is.

Mr. Boyd stated that he felt the only place a subsidy would apply would be in the case of where it does not pay to go out and trap. Trappers, white, red or black are not going to be on the trapline unless they can get enough money out of their fur to make it worth their while being there. You must own a trap line in order to trap and no matter who owns the trap line he isn't going to trap if the value is not there in the first place.

Motion Carried with Mr. McKamey and Mr. McKinnon opposed.

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Motion #3

Mr. Livesey (Deputy Speaker in Chair) moved, seconded by Mr. Boyd that Council give approval to a recommendation that the House move into Committee of the Whole on a day certain during this Session for the purpose of discussing the 1963/64 capital expenditures for new school accommodations and the apparent change in policy by the Department of Indian Affairs covering the attendance of Indian children in Territorial Schools. It is respectfully requested that the following gentlemen be asked to attend the committee: Commissioner G.R. Cameron, The Superintendent of Schools, Mr. Harry Thompson and Mr. A.E. Fry, Director of Indian Affairs.

Mr. Livesey, speaking on the motion, said from 1958 to the present they have been endeavouring to move towards greater education and the elimination of discrimination in the Yukon. The Administration has gone along with this idea and during the Spring Session a considerable amount of money was spent on school accommodation for children. Now it seems a switch has taken place and where they need accommodation they don't have it and where they have accommodation they don't need it. He suggested the House indicate to the Chair a date to discuss the question, in Committee, and also suggest some members of the Administration whom they would like to attend.

Mr. Taylor suggested this be referred to Committee and Committee could ascertain when these people would be available.

Motion Carried.

Question #13

Mr. Taylor directed the following question to the Administration: Would the Administration provide Council with the names of those persons serving on the Yukon Legislative Programing Committee?

First and Second Reading Bill #13

FIRST and SECOND Reading was given to Bill No. 13, An Ordinance to Amend the Motor Vehicle Ordinance.

Mr. McKamey moved, seconded by Mr. Boyd, that Mr. Speaker do leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, sessional papers and memoranda.

Motion Carried.

In Committee

In Committee of the Whole:

Discussion followed on Bill No. 13 with Mr. Hughes present.

Discussion Bill #13

Mr. Shaw commented on the use of the words "prima facie" in Section 1 of the Ordinance and suggested that the average person would not know what this means and he suggested that if these terms must be used perhaps an explanation of the meaning could be given in italics.

Mr. Hughes replied that he wouldn't like to disturb the body of the drafting by removing this expression but he could prepare a marginal note of explanation where these phrases are used.

Mr. Boyd asked what the result would be if the ninety days was taken entirely out of Section 2(2).

Clerk-in-Council replied that the section, as it is now worded, means that if a person comes here and takes a job he is immediately required to buy a Yukon licence for his car, but

would be allowed three months before he would be required to get an operators licence. If the ninety days were taken out of here then he would be required to take out his licence plates as well as his operators licence immediately upon becoming gainfully employed.

Mr. Livesey stated he often wondered what kind of check has been made on vehicles entering the Yukon Territory to ascertain if they are living up to the same laws that apply to a resident of the Territory. It seemed to him that in a number of occasions this is not so. He felt if a check was made it would be found that a tremendous amount of traffic is travelling the highway with no licence plates whatsoever. He has questioned drivers of these vehicles with no plates and they will say they have a permit issued in the United States to transport this vehicle to Alaska. What protection are these people affording the residents of the Territory, who are forced to take out insurance?

Clerk-in-Council replied that unfortunately this does happen, but maybe not quite as often as Councillor Livesey intimates.

Mr. Livesey asked the Clerk-in-Council if it is true that in other Provinces an individual can buy a licence without having to file proof of insurance.

Clerk-in-Council replied this is true in all Provinces of Canada.

Mr. Livesey stated that this was a statement he made when this insurance question came up many years ago and he did not get satisfaction at that time.

Mr. Boyd asked if this meant that practically every vehicle with a foreign licence plate on it is violating our laws by not having the necessary insurance? He asked what happens to someone in an accident and they have no money?

Clerk-in-Council replied that this doesn't mean that every tourist who comes in here and doesn't have insurance is violating our Ordinance. He is exempt from the provisions of our Ordinance if he is properly licenced in his home jurisdiction. There is another section that governs the situation if a person gets involved in an accident and has no money, we impound his vehicle, but it might only be worth $300.00.

Mr. McKamey stated that to him the idea of having to have insurance on a vehicle before you can have a licence is ridiculous. Under the present Ordinance we are making the car liable.

Mr. Boyd referred to Section 2(2) and said it seemed if these ninety days were taken out, the only man it is going to effect is the man who becomes employed. Why shouldn't a man transferred here with a Government Department, etc. take out his plates immediately? It doesn't effect tourists in any way to cut off the ninety days.

Mr. Shaw felt a person who starts to work in the Territory should be required to take out licence plates immediately and also a drivers licence. He asked the Legal Advisor if any difference was made between a person working in the Territory employed in a job or a traveller.

Mr. Hughes referred the question to the Clerk-in-Council.

Clerk-in-Council stated that anyone travelling up the highway on business, such as commercial travellers, must obtain licence plates immediately. Only those touring for pleasure for a period

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of ninety days or less are exempt. This particular section only applies to operators and chauffeurs licences and not to vehicle licence plates.

Mr. Shaw stated this answered his question in one direction but he sees commercial travellers from Alberta and British Columbia contravening the law.

Clerk-in-Council, referring to Section 20 of the Ordinance, said this is so and he asked the Legal Advisor to correct him if he was wrong.

Mr. McKinnon thought there should be a period of grace here. He did not feel that a commercial traveller should have to purchase Yukon licence plates as soon as he crosses the border and thought ninety days was fair.

Mr. Boyd agreed, but when someone is transferred here and becomes permanent then he should be required to take out his licence.

Mr. Shaw stated that in Dawson last spring the police periodically would stop a car to check the brakes, lights, etc. and he wondered if that prevails in this area.

Clerk-in-Council replied that the R.C.M.P. do periodically set up a road block for the purpose of a safety check on motor vehicles.

Mr. Livesey asked the Clerk-in-Council what is exactly meant by tractors with two axels and tractors with more than two axels. If you put more than two axels on a tractor you have a pretty cumbersome vehicle.

Clerk-in-Council replied that the front axel and the rear axel makes two axels. If it has a front axel and tandem rear axels, then it has three axels. The weight of the load he may carry is dependent upon the number of axels on the vehicle, including the front axel.

Mr. Watt asked the Clerk-in-Council if the amendment was to raise the actual licence fees?

Clerk-in-Council said it is not. This amendment is intended to bring the cost of truck licences in line with the cost of a similar licence for a truck-tractor semi-trailer unit.

Committee adjourned at 12:00 o'clock Noon.

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Thursday, November 14, 1963
2:00 o'clock p.m.

Committee resumed discussion on the report of the liquor committee.

Discussion Report of Liquor Committee

Mr. Boyd, chairman of the liquor committee, gave a summary of the activities of the committee prior to the submission of the report. When they first met the committee was at a loss to understand just exactly was expected of them, so they got terms of reference laid down by the Commissioner, which they followed as closely as possible. Public opinion of the existing liquor legislation in the Yukon was then sought, Ordinances of the provinces were perused and the Bracken Report, which is the basis of the Manitoba liquor legislation, was read from cover to cover. Several people who travel across Canada and are familiar with the liquor question claimed that, by and large, Manitoba has the best act probably in North America. After discussing this act with the police and others, in committee, it was decided they could well take the Manitoba Act as a basis and use it except where certain things are not applicable to the Yukon. From there they put the recommendations as they saw them, according to what the people of the Yukon wanted, into this short brief they have before them.

Mr. McKamey asked whether the recommendations received from the committee are only temporary. Could they expect something along the lines of the Manitoba Act to be presented for a complete revision of the Liquor Ordinance?

Mr. Boyd said that is the ultimate goal. It is entirely up to Council as to what is done with the committee. Certainly to go the extent that a complete act will be brought forward, using the Manitoba Act as a basis is quite a job, and can only be done through the medium of legal brains as wording is all important.

Mr. Livesey had several things to say, but wanted to make it clear that his remarks in no way reflect on the member from Whitehorse East (Mr. Boyd) for whom he has the highest regard. He said he did not like to see the trend that is being made self-evident and is reflected in other areas by actions of the Administration. It was the intention of the Council to receive a full report, and full reports contain recommendations. This is the logical conclusion. He strongly objected to Item 12 of the terms of reference which clearly states that the committee must make a report to the Commissioner and not to the Territorial Council. He said he thought it a very poor thing that Council should be denied the very thing they are asking for in the motion. The report we have here does not contain recommendations, it is only a compilation of different discussions with people, a lot of uncorrelated facts, and contains nothing on which to base legislation.

Mr. Shaw said that the main bone of contention seemed to be that the report does not contain concrete recommendations. He wondered whether Mr. Boyd, thought that if they were given until the spring session could they come forth with recommendations along the lines of those presented by the education committee.

Mr. Boyd replied that time is a very important element. All the members of the committee are working men who can only devote a limited amount of time to this job.

Mr. McKamey asked Mr. McKinnon, the member who drafted the motion, whether the results we have received are in line with what he had

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in mind when he drafted the motion.

Mr. McKinnon replied that he believed the establishment of this liquor committee, by the terms of reference that were laid down in his motion, would result in a recommendations list compiled out of all the briefs and all the study that the liquor committee did; that they would appear before Council and say, "Here are so many recommendations that we would like to present to you after having studied the briefs and interviewed the people throughout the Yukon Territory". Somehow it doesn't seem to have resulted in that kind of a summation of the problem in the Yukon. He felt Council should accept the report as an interim one, they should commend the committee for the work done, and ask them to summate their recommendations and the reasons for them, into a report for presentation at the spring session of Council.

Mr. Taylor (Mr. Boyd in the chair) said he understood yesterday from the Legal Advisor that everything had ended up in his hands and he was drafting it along the lines of the Manitoba Act. He felt the committee should be doing the drafting with the assistance of Administration.

Mr. Boyd said this is another stumbling block. We have to use the Legal Advisor. He is a busy man too and was away for a month this summer. It is difficult to put in the time required under these circumstances.

Motion Re Liquor Committee Report

Mr. Shaw moved, seconded by Mr. McKinnon, that the Liquor Committee be thanked for their efforts to date and be requested to continue further and present a summation with definite recommendations on the various items at the spring session of Council.

Mr. Watt said he agrees that there has been a lot of good work done and a lot of pointed questions asked by the Liquor Committee. The answers are probably all in the minutes of their meetings. This information could be taken out and compiled into a good recommendation report. The Liquor Committee now needs more direction from Council as to what we want, so we should go through the interim report and offer any criticism we might have right now before we pass it back to them.

Mr. Boyd commented that it is very noticeable from all the briefs that the majority of those submitted were from church organizations. Only one hotel operator appeared. We should find out why more business people didn't take an interest.

Mr. Watt suggested that before we call the motion, which will actually shelve this with no further direction from Council, we go through the interim report.

Mr. McKamey said it appears we are not prepared to accept the report. What we want is recommendations relating to the liquor problem in the Yukon Territory, not relating to criticism of the Territorial Council, as is found in this report. He said it is obviously not the work of the Liquor Committee because it is information that they themselves would not have, and we should disregard the report and wait for the recommendations relating to liquor and liquor only. The briefs submitted by the people in the Yukon should be studied and recommendations made based on those briefs.

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Mr. Watt said if it comes to voting on the motion and the idea is to throw the work of the liquor committee out, he would have to vote against the present motion, not because he thinks this work should not be handed back to the committee. They should properly guide the committee by going over what they have presented and give them some assistance.

Mr. Chairman felt the motion is being understood and reread the motion.

Mr. McKamey wanted to make one point clear, namely that in the motion it is very explicit that the committee is to report the findings and recommendations of the commission to the Yukon Legislative Council with reference to the matters comprised within the inquiry. In the terms of reference, laid down by the Administration, Item 12 states "The Committee should make its report to the Commissioner and not to the Yukon Territorial Council". This inconsistency is what he was opposed to.

Mr. Boyd wondered if Mr. McKamey thought the Committee could carry on and accomplish what is expected of them under the present setup, for example being tied to the Administration.

Mr. McKamey said he thought this absolutely impossible. They have you over a barrel and you'll do what Administration wants. They incorporate into the recommendations what they want, not what the people want and not what the Legislative Council wants. This is the attitude that has been adopted by Administration. We had a similar motion here a few years ago on education. The terms of reference were laid down in the motion similar to this and they were taken out of the motion and a body of men appointed to do a specific job. They did a specific job, they did not let the Administration get in their way, but if they wanted information they got it, and the result was they came up with a report and with recommendations and also reasons why they made those recommendations. It is compiled into a volume and this is what the Administration go by. This is what we had in mind when we suggested a committee to make a study of the liquor problem in the Yukon Territory. He said it is really sad at this time to have to delay this to the spring session, and said someone has been remiss in his duties, He is not pointing this at the committee that was appointed, because they did a good job and are to be highly commended. He felt it the responsibility of every member around the table to get this threshed out now and find out whether this is going to be carried on and presented in the same fashion at the spring session.

Mr. Shaw felt that to continue further with this present paper would serve no useful purpose, as feelings seem to be running quite high at the moment.

Mr. Boyd said he could not speak for the rest of the committee as he did not know what their reaction would be, but felt there should be some change made. The Committee should be tied to Administration or freed - that is your choice - he stated he could not go on the way things are.

Mr. Shaw proposed that we supply a vote for Mr. Boyd and listen very carefully to his recommendations and to continue this further after this motion has been accepted or rejected.

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Mr. Watt asked Mr. Shaw if it is his intention to go throught the report of the Liquor Committee after the motion is voted on, or ever.

Mr. Shaw stated that to continue with this report with feelings as they are, we would get absolutely nowhere. The motion does not state whether we should continue or not, that is up to the committee.

Mr. Watt said that is what he was trying to get at. What is the intention of the motion? Without an explanation he would have to vote against the motion.

Mr. Shaw said all he is stating in his motion is that he thinks a good job has been done, but apparently the time hasn't been of sufficient duration for the Committee to complete the report and to please continue. If we want to take part of their section that's up to committee.

Mr. Watt stated that in order to vote on the motion he asked Mr. Shaw to clarify the motion and he hasn't done so. He thought the motion a little premature and they should have been given a chance to speak before the motion was made.

Mr. McKamey said he understood the motion, but stated that Councillor Boyd has got up and said he couldn't proceed the way that we think he should under the present conditions. He agreed with Mr. Boyd that he couldn't possibly come up with anything that Council require, in the line of recommendations , under the present circumstances.

Mr. Livesey said we just seem to be going around in circles. The main point of dissension is the lack of recommendations in this report. All we have to decide is how are we going to get these recommendations, when are we going to get them, and if there is some problem in the committee let's straighten it out. Perhaps we could get some assistance from Commissioner Cameron if we asked him to join the committee to discuss any question in relation to any change that may take place.

Mr. Chairman suggested that in order to expedite the proceedings the motion be dealt with as it stands, and if it is passed we should consider the directions we would wish to give to the Liquor Committee as requested by Councillor Boyd.

Mr. McKamey said it was obvious they would not get the results they expected under the present setup. He concluded new arrangements would have to be made. If the committee agrees we should have Commissioner Cameron down here and find out how to deal with this.

Commissioner Cameron attended Committee.

Mr. McKamey advised Commissioner Cameron that he was disappointed with respect to the recommendations presented to Council. In fact it was difficult to determine whether they were recommendations or not. He believed when Administration went to implement the motion passed by Council, they went off on a tangent. It was laid out quite clearly in the motion that this committee, upon the completion of their tour of the Yukon, were to come up with recommendations and present them to the Yukon Legislative Council. He understood the Committee visited all parts of the Yukon and had numerous discussions and considered many briefs.And also noted that in appendix I, the terms of reference that were

laid down by the Administration, states the committee should make its report to the Commissioner and not to the Yukon Territorial Council. It was his contention this was not what was agreed upon when this motion was passed by the Territorial Council. Through the results of the terms of reference that were laid down by the Administration there was a lot of undue interference. He thought it was in the minds of every member there when they discussed it, that the Liquor Committee would come back with the views of everybody in the Yukon, whether it was in line with what the Administration or the Council felt. What we wanted was the views of the people throughout the Yukon. Council was going to get all these briefs, but apparently there was a lot of administrative interference, and we ended up with practically nothing. He thought a lot of valuable time had been lost in something that is vitally important to the economy of the Territory. This reflects in our budget, in our welfare, all through our budget. He said the committee did a good job listening to all parties concerned but they did not have the full cooperation, they more or less had their hands tied behind their backs. He thought it was the general opinion of the members around this table, that they require recommendations, with the reasons attached. He would ask that the Administration free the members that were on this committee from the Administration. The Territorial Council will not place any influence on them and expected the Administration to do the same. Let them compile recommendations out of the result of their work throughout the Territory.

Commissioner Cameron said he had very little to do with this committee, but felt they have done an exceptionally good job. With respect to the terms of reference laid down by the Administration, this was brought to his attention yesterday. That was the first time he saw them. Whether there was a legal problem whereby they must report to the Commissioner instead of the Council, he did not know; unless somebody misread it and misprinted it. He thought everyone agreed that it was not practical for this committee, or this Council, or the Administration, to dive into the complete rebuilding of a liquor Ordinance. We felt that we should be able to learn from other people's expense, namely the Provinces that have put up a year or two or three. He did not know how long the Bracken report took to be made up, but it involved thousands of dollars. He did not sit with the Committee except on about three occasions when specific points came up. The writing is the Administration's writing but the content was the feelings of the committee. I assume that they have gone over this report and that they are in agreement with it. It was not a report from the Administration reflecting their feelings of what this committee did. The report was based on the findings of the liquor committee.

Mr. Shaw informed the Commissioner that there was a motion before Committee. The intention of the motion was, in the first instance, to endeavor to get a committee to study the liquor situation in the Yukon with no ties to the Council and to the Administration. This was to be a fact finding commission of the views of the people in the Yukon Territory. The Administration had been brought into the picture, and it did not appear to have worked out well. The Liquor Committee has been asked to continue on, and there are two members, Mr. Boyd and Mr. Drury, left. His suggestion was that the Territory provide funds to employ a person to act with Mr. Boyd and Mr. Drury and Mr. Vars, the Superintendent of Liquor. The person to be employed, should be someone who has had experience in liquor in one of the Provinces. They might loan us a man for two months, to come up here to work with this committee on what they have already found, to draft these various recommendations.

Commissioner Cameron wondered if they were ready at this stage of the game for the gentleman or for any paid help as has been suggested. By your motion you are not discrediting the committee for any work that they have done, but you are in fact asking that they give you further information. He did not think it was the intention of this Council, it wasn't his own feeling that they were going to straighten up all of the liquor regulations in six months or a year or possibly two years. He really did not think the Liquor Ordinance was in that bad shape. We have complaints about it, we will continue to have complaints about it, if we took the Bracken report or any other report. He suggested that they should have a very close look at the money involved, and the qualifications that this individual should have.

Mr. McKinnon directed a question to Mr. Boyd and asked if from their findings, did the Liquor Committee feel, and was the consensus of opinion, that the Liquor Ordinance as it now stands needs a general overhaul, and immediately needs to be amended and amended wholly? Or were most people satisfied with the Ordinance as it now stands?

Mr. Boyd replied that very definitely he would say most people were satisfied with the Ordinance as it now stands, there were only minor changes suggested.

Mr. Watt asked the Commissioner if he thought suggestions put forward here on the report would help the Liquor Committee in their future work.

Commissioner Cameron replied that this is his understanding of what the Committee is for, there was no deadline, this committee could actually continue on for three, four or five years.

Mr. Livesey said that there were no recommendations to go on, and merely to start an argument is no way to find a solution. It seemed to him from the discussion that things are clarified to this extent:

(1) we want recommendations from a committee.
(2) we need the committee to be divorced from the Administration.
(3) the present chairman of the committee should have a committee that would act in an independent way and through their chairman, they would come up with definite recommendations on which we could base new or amendments to present legislation.

In order to carry on without the Administration the committee would need to be provided with a secretary.

Commissioner Cameron said in his concluding remarks that if the Committee were, as Councillor Watt has suggested, to go through the present report it would no doubt give food for thought which would promote direct questions or direct recommendations and suggestions. When you look at briefs as submitted and the complaints, there are no drastic changes required, and there might easily be modifications worked by such a committee on a year to year basis for submission to Council

Mr. Taylor(Mr. Shaw in the chair) agreed that modification of the present Ordinance would produce good liquor legislation in the Territory, but objected to the criticisms of Council in the report. He feels as Mr. Livesey does, that any future work on it should be left to the Committee with an independent secretary and free of the encumbrances of the Administration.

Mr. Boyd said regarding the report that there are remarks and suggestions in it which represent what the people think. For instance, the operators want to close at certain hours and so on, and they have been dealt with; every submission has been considered.

Mr. McKamey said it is his intention that there will be a motion drafted here to cover our discussions with Commissioner Cameron with respect to the committee.

The Commissioner agreed to attend committee tomorrow when this will be discussed.

Mr. Chairman reminded Committee there was a motion on the floor.

Mr. McKamey requested that the motion made by Mr. Shaw, seconded by Mr. McKinnon, be withdrawn and that later on today we elect a committee of two or three to draft a new motion for tomorrow morning.

Mr. Shaw withdrew the motion with the consent of the seconder.

Withdrawal Motion re Liquor Committee

Mr. Watt moved, seconded by Mr. Shaw, that Messrs. McKamey, McKinnon and Livesey form a committee for the purpose of drafting recommendations in respect to the Liquor Committee report to be presented to Council tomorrow.

Motion re Liquor Committee Report

Motion Carried.

Committee proceeded with Bill No. 13.

Discussion Bill No. 13

Mr. McKinnon asked Committee not to vote this out of Committee until he has put in a proposed amendment.

Agreed.

Mr. Boyd said that as this had been well discussed we should be prepared to vote on it.

Mr. Livesey said he has an exception to the Motor Vehicle Ordinance on P.S.V. licences concerning the matter of wrecking trucks on the Alaska Highway and other highways throughout the Yukon Territory. If you are going to be too stringent about the PSV situation on wrecking trucks, what is going to happen? You have three points within a hundred miles, and the people don't feel they can afford to go in for this sort of thing, you could spend all day running up and down the highway following false messages. It seemed to him that what we should be encouraging in the Yukon Territory is that each and every stopping place along the highway do their best to carry this type of vehicle so that when there is a call for one it won't cost the person who needs a $3.00 job $90.00 to transport it from some unknown direction because the people in between just don't carry that type of vehicle. This is unfair to the tourists, and we want to keep them as happy as possible. He thought the government could help the situation by reconsidering the problem of PSV's.

Mr. Shaw thought that the PSV's for wreckers should be very low. There should be an approved schedule of rates published so that the wreckers would not be able to overcharge the motorist. He asked how many wreckers are presently licensed in the Yukon Territory.

Clerk-in-Council answered that there are eight or ten spread over the Highway, three or four in Whitehorse and the rest along the highway from Mile 1202 to Watson Lake.

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Mr. Boyd commented that the Army is about the only outfit along the highway with a genuine wrecker.

(Bill No. 13 deferred until Mr. McKinnon brings forth his proposed amendment.)

Discussion Bill No. 12

Committee proceeded to Bill No. 12.

Mr. Chairman read a motion that is before the House. Moved by Mr. McKinnon, seconded by Mr. Watt, "That the Corrections Committee formed by Council be authorized to execute and give effect to the aims of Motion No. 19 passed at the First Session of the 1963 Council".

Mr. Boyd asked in his capacity as a member of that committee if it is the wish of Council to bring this building into reality or do we stop where we are. We have gone as far as we can go without having further instructions.

Mr. Taylor (Mr. Shaw in the chair) said he believed the whole problem was over the proposed location of the Corrections Institution. In view of the Army moving out, could one of these buildings be made into a corrections institution?

Mr. Boyd replied that the Corrections Institution is to be fully designed for the purpose intended.

Mr. McKamey asked if Mr. Boyd could enlighten him on what agreement was arrived at with the owners of the property where this is to be situated. He said he understands there is an organization in Whitehorse that has done considerable work on this property in making it into a golf course.

Mr. Boyd said yes, but perhaps not entirely to your satisfaction. Mr. McCall, the Land Agent, knew all about this choice of ground, and it was understood by the committee that this ground had been held until such time as it had been determined whether or not the site would be there or not. The Legal Advisor might have more information.

Mr. Hughes said this isn't really direct information, but the group that Councillor McKamey refers to is the Graymounts Golf and Country Club who are not yet an organized group in the sense that they are registered under the Societies Ordinance or Companies Ordinance. This places them in a technical difficulty when it comes to making application for the ground. The ground in which they are interested doesn't cover the same area where the prison is to go, although there is a degree of overlap. It is obvious that someone has been working cutting timber on the proposed golf course site, and these people technically have been wrong in doing this because they had not yet had the land delivered to them. It is unfortunate they have done work on land they are not going to have full control of. The distribution of the land is something on which you should hear Mr. McCall, the Land Agent.

Mr. McCall (Land Agent) attended committee.

Mr. McKamey speaking to Mr. McCall said it is his understanding there is an organization in Whitehorse that made application for a specific piece of property on the Riverdale side of the river for a golf course. He understood they were told they could have this property and they had worked all summer on this preparing the right of way for a nine-hole golf course. How do they stand at the moment?

Mr. McCall replied that a society was to be formed for a

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golf club. He did not think they had been formed as yet. They set aside a parcel of land back of the hospital but being that they weren't organized under the Societies Ordinance they petitioned the Commissioner to have this land set aside, and the only way this could be done was for the Government of the Yukon Territory to set aside this ground as a recreational area. And that is where it is now, about 1600 acres, for use for golf and recreational purposes.

Mr. McKinnon asked Mr. McCall if he is familiar with the site of the proposed jail, and if the jail and the golf course are encroaching on one another.

Mr. McCall replied that recently a parcel of ground of about 40 acres was reserved for the jail site which does encroach somewhat but certainly does not hurt the golf course.

Mr. McKamey said there was a plan of this corrections system that they were going to implement. It seemed to him there was a high wire fence involved in this. He asked Mr. McCall if he could give the names of the members that approached him to set aside this property.

Mr. McCall said they really didn't approach him, it was a petition to the Commissioner that a golf club was to be formed under the Societies Ordinance

Mr. Watt asked Mr. McCall how many acres would the proposed jail occupy and how much land has been asked to be reserved for it.

Mr. McCall replied he thought it was about 40 acres.

Mr. Watt commentted that the Golf and Country Club would still have roughly 1,560 acres.

Mr. Livesey asked if he understood correctly that the ground now belongs to the Golf Club.

Mr. McCall replied no, the ground is Federal land under the administration and control of the Government of the Yukon Territory and the Commissioner has the control both for the recreational area set aside for the proposed golf club as well as the area for the proposed jail.

Mr. Boyd wondered if it was a good idea to have three miles of land tied up by a golf club.

Mr. McCall said he was not prepared to answer that question.

Mr. McCall was excused from Committee.

Mr. Livesey said the motion reiterates that fact that once again we have had a committee and have no report or only a report of sorts, where it seemed to him that the decisions have been made before they were presented to Council. He brought this to Committee's attention because he thought in the future if we are going to talk about a more responsible form of government and mean what we say, then we are going to have to take cognizance of the fact that committee work is Council work and is not any other thing.

Mr. McKamey agreed with Councillor Livesey. He said he has been opposed and always will be opposed to the construction of a jail behind the hospital. We haven't consulted the medical staff of the hospital to see how they feel about it, but it

says in this report that Dr. Kinloch is concerned about it. He pointed out his opposition to having the jail facilities tied up with the hospital facilities as far as laundry and kitchen are concerned. This was not the original plan when we discussed it with Mr. Clark. We agreed to the plan Mr. Clark had laid out as to what we should have, but since the committee has been formed there have been a lot of changes and you will notice that the majority of the committee is made up of Administration. I can guarantee that if this committee had been made up of anybody else but Administration you wouldn't have these recommendations laid before you as they are.

Mr. Shaw said the committee has studied the situation thoroughly and therefore he feels he must accept the committee's decision on the proposed site as being the best place for the jail.

Mr. Boyd, referred to Mr. McKamey's remark and said that Dr. Kinloch was really not concerned about where the building was going to be but he did state that he would have to see what the Northern Health Services opinions would be. He got these and they had no objections.

Mr. Shaw said it would be a very good idea if all the facilities were contained right inside the institution.

Mr. Watt said that it is intended for the jail to have all facilities. He said he didn't know whether the location is good or bad and would like to leave it up to the committee to decide because they are pretty knowledgeable people. Also Mr. Baker had said that the location of the building could be far enough away from the hospital so it would leave a 500 foot width of trees between the hospital and the jail.

Mr. Boyd said the building will have all the self-sustaining factors built into it regardless of whether the hospital facilities are going to be used to start with.

Mr. McKamey asked Mr. Boyd if the committee approached such organizations as the Board of Trade and the people that are actually living in Whitehorse and Riverdale as to whether they wanted the jail placed in the centre of a populated area. He asked if this was the opinion of Administration or the wishes of the people living in Whitehorse.

Mr. Boyd replied no. He could not say they have been solicited because it was only ten days ago that we had confirmation that the site would be acceptable and we are not quite sure if it is acceptable yet, we haven't found the man who is going to operate the jail. We have only made a choice, we will certainly let the public know, and if it meets with unpopular thinking we can put it elsewhere. It seems there is always opposition to any suggestion. Though it is the choice of Duncan Clerk, the choice of the architects, the choice of the Committee, but the ground is still being tested to see whether it is suitable or not, so the choice is not definite.

The Chairman read the motion again and put it to a vote.

Motion Carried.

Mr. Livesey and Mr. McKamey against.

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Mr. Boyd asked if it was the intention to have the Committee go ahead and see this thing to a reality or are they to report back here as to the final determination.

Mr. Watt read the end of Commissioner Cameron's memorandum "With the support of Council the Committee will be happy to see the project through to its completion". He said he voted to have the Corrections Committee see the project through to its completion.

Mr. McKamey said there is also an ultimatum at the end: "If the Committee is compelled to resign by rejection of its underlying philosophy then the only apparent way in which the project can come to fruition is for the Federal Government department to proceed on its own initiative with the implementation of the corrections program including the construction of the jail".

Mr. Livesey said this is more or less what will happen anyway because the Committee is Administrative, so we have handed over one of our fundamental rights and privileges, and that is to make our own decisions.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do resume the chair and hear the report of the Chairman of Committees.

Motion Carried

Mr. Speaker resumed the chair and heard the report of the chairman of committees which was accepted, as follows:

Committee convened at 10:55 a.m. to discuss bills, memoranda and sessional papers. Committee adjourned at 12 noon and reconvened at 2 p.m. Discussion followed respecting the report of the Liquor Committee. Mr. Shaw moved, seconded by Mr. McKinnon, that the Liquor Committee be thanked for their efforts to date and be requested to continue further and present a summation with definite recommendations on the various items at the Spring Session of Council. Mr. Commissioner joined in discussions during debate on the motion. The motion was then withdrawn pending further consideration of the Liquor Committee report. Mr. Watt

Mr. Watt moved, seconded by Mr. Shaw, that Messrs. McKamey, McKinnon and Livesey form a committee for the purpose of drafting recommendations in respect to the Liquor Committee report to be presented to Council tomorrow.

Motion Carried.

I can also report progress on Bill No. 13. Committee then discussed the Corrections Programme and voted on the related motion which was deferred on November 5. This motion was Carried. Moved by Mr. Shaw,

Council adjourned until 10 a.m. Friday, November 15, 1963.

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B.R.

Friday, November 15, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

(1) A reply to Motion No. 15-Spring Session 1963 regarding the Community Centres Ordinance (set out as Sessional Paper No. 28) — Sessional Paper #28

(2) A reply to Question No. 9 respecting the Beaver Trapping Season (set out as Sessional Paper No. 29) — Sessional Paper #29

(3) A reply to Question No. 5 regarding the Emergency Water Supply at Haines Junction (set out as Sessional Paper No. 30) — Sessional Paper #30

(4) A reply to Question No. 11 (regarding Motion No. 21 and 22-Spring Session 1963) respecting the Training for the Office of Justice of the Peace (set out as Sessional Paper No. 31) — Sessional Paper #31

(5) A reply to Motion No. 3-Yukon Schools (set out as Sessional Paper No. 51) — Sessional Paper #51

Mr. McKamey moved, seconded by Mr. Taylor, for leave to introduce Bill No. 14, An Ordinance to Amend an Ordinance to Prohibit Children being on the Streets after Nightfall. — Introducing Bill #14

Motion Carried

Mr. McKamey gave notice of Motion in respect to the Keno Fire Department. — Motion #9

Mr. McKinnon gave notices of Motion for the Production of Papers concerning Physical Fitness and Scholarships. — Production of Paper #7 & #8

Mr. Shaw moved, seconded by Mr. Boyd, that it be resolved that the Commissioner of the Yukon Territory be requested to convey to the Minister of Northern Affairs and National Resources the feeling of Council that Dawson City in the Yukon Territory by virtue of its' past history and its' present depressed financial condition is deserving of exemption from the Criminal Code provision which currently prohibits gambling and that the Government supervise such legalized gambling upon such terms as it may be advised. — Motion #6

Mr. Shaw, speaking on the motion, said this situation should be assessed in its true light. In a sense it is to ask for a certain amount of controlled gambling. One of the issues to arise from this is morality, which is a loose term as people have different conceptions of what morality is. In the more populated areas of the south they have horse racing with parimutuels where people lay their bets by the thousands. Legally and morally that is all right. In England for instance, they have book makers all over the country and this is considered an honourable profession. Monte Carlo sustains itself purely by virtue of having various casinos there. The United States has Reno, Las Vegas and other similar places. He referred to gambling as a natural desire and stated this was evident by the number of sweepstake tickets bought each year in Canada. We have difficulties in the north which are not apparent in the provinces, for example in our courts we have a six man jury, not a twelve. He stated it is noticed, in the newspapers, there are quite a number of complaints from people about the money the people of Canada are putting in the north. They

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feel it is just a waste of money putting it in the icebox, and they continually accentuate the fact about how we are subsidized by the rest of Canada. It is hard living in the north and therefore almost necessary. This resolution is an effort to assist the Yukon Territory, particularly the area of Dawson City, which is in a very depressed condition. If they can come up with some type of business which is controlled it could mean a great deal for the Territory and help maintain an area known all over the world. It is one of the most romantic eras of Canadian history, but unless something is done in the very near future the whole complex will have disappeared. In introducing this resolution he wished it to be made clear that he does not ask for racketeers and free goings on. This should be supervised and controlled by the Government. He stated he would not even introduce the motion if it were to be wide open and everybody do as they like. This would provide the money to build up this area to be one of the show places of the continent and it would continue to keep it's history. This is a critical time and they must endeavour to do something to build it up. Here is an opportunity where the people and the nation itself, by private enterprise under Government supervision, can create that permanency which would be invaluable in fifty years time.

Mr. Taylor commented that the idea itself is very sound and he thought it would certainly put the Yukon on its feet if they can get the support of the Federal Government. He would whole heartedly support this motion and felt certain people through the Territory would welcome such a move as this. He hoped it would be given support by Council and also that it receives support in Ottawa which will enable such a resolution being adhered to.

Mr. McKamey commented that he thought this motion very good. He was in favour of it and felt this would fill the bill as far as the Yukon is concerned, in doing their bit for the Centennial Year of 1967.

Mr. Boyd stated he seconded the motion and naturally was in favour of it. People will gamble and want to gamble and will travel miles to gamble. He could not see why they should be sticky on a thing like this. Horse racing is controlled by the Government, they permit and want it because it helps their purse strings, we want this here because it will help our purse strings.

Mr. Watt said he did not have any particular objection to the motion and did not feel the people he represents would object to such a motion. Las Vegas provides most of the economic stability of the State of Nevada and this in the same way could result in economic stability for the whole of the Yukon.

Mr. McKinnon stated he was in favour of this motion. He thought it came at a very opportune time. He knew the provinces have been lobbying for years for the Federal Government to allow the provinces to hold their own sweepstakes and lotteries, and he heard the Federal Government were just about to become a little more lenient.

Motion Carried.

Motion #7

Mr. Taylor moved, seconded by Mr. McKamey, that in the opinion of Council the Administration give earnest consideration to conversion of the spare classroom at the old Teslin school to serve as a nurses quarters and clinic room.

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Mr. Taylor, speaking on the motion, stated this is much similar to a motion he presented at the Spring Session which was turned down by reason of the fact that there was no information available. Since that time he has endeavoured to contact the people from Northern Health Services, particularly Dr. Kinloch, who advised he would support such a motion. Dr. Kinloch stated they would even put a patient bed in such an establishment. The reason he raised it at this time was because at the Spring Session there was a motion that was defeated on this item and he wished to raise this question once again and obtain the support of Council in this measure in order to clear the book. When the new school is completed they are going to have an empty classroom and in order to have this change made it must be considered in the Spring Estimates in the preparation of the budget. The purpose of the unit is to give the local dispenser a place to work and also provide accommodation for visiting nurses who from time to time visit the community. There will be a clinic room for immunization etc. The balance of the building, in which this classroom exists, will be a teacherage and will be heated continuously. He believed the construction costs for this conversion were somewhere around $3,000.00 or $4,000.00. Discussion Motion #7

Mr. McKamey wondered if the Councillor from Watson Lake had approached Mr. Thompson, Superintendent of Education, to obtain his views on this as well as Dr. Kinloch's.

Mr. Taylor replied that he had not approached Mr. Thompson as this does not appear to present any conflict with the Department of Education.

Mr. Boyd asked Councillor Taylor where this business is being carried on at the present time.

Mr. Taylor replied that in case of an accident they rent a room at the hotel or it is carried on in the dispenser's home. She does not like to do this work in her home therefore it is normally done in the hotel.

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd that it is respectfully requested that the Administration study the feasibility of providing easily accessible washroom facilities in the Federal Building, those washroom facilities to be available to the general public at least during normal business hours. Motion #8

Mr. Watt stated he has heard inquiries from people in his constituency and other people around town, about public washroom facilities and felt they should look into it. Discussion Motion #8

Mr. McKamey asked Mr. Watt if this was directed to the Federal level of government or Territorial?

Mr. Watt replied it is directed to the Administration. He believed the Administration correlates the activities of both the Territorial and Federal Governments and stated the only agency he could direct this to is the Administration.

Mr. McKamey suggested it should be directed to the municipal level of government. He thought this a problem for the municipality and not the Territorial Government. The Territorial Government are only renting space in this building and do not own it.

Mr. Shaw stated he agreed with Mr. McKamey and felt it should be brought before the City Council.

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Mr. Taylor stated he had spoken with the member earlier on this particular item and the situation is there are no washroom facilities available for the visiting public in this building. He had spoken to a person who has worked in the building for a considerable time as a janitor and he explained the reason why this is not done. There is a decided lack of security in this building and some of the younger fellows would roar around and destroy things. It was decided that the washroom facilities would be kept locked and keys given to the people employed in the building. He felt the motion was in order and a very just request.

Mr. Watt stated in reply to Mr. McKamey that the City has no jurisdiction over the Federal Building. He said he would like to have the support of Council on this motion.

Mr. Shaw supported the idea but felt it more the City's business.

Mr. Boyd did not agree with this City business. This is a Territorial building here to serve the public and the public use it extensively. The motion calls for such a place to be opened during business hours and it is the responsibility of this building to have a place open for such things.

Motion Carried

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Sessional Papers, memoranda and particularly Motion No. 3.

Motion Carried

In Committee of the Whole:

In Committee

Discussion took place on Sessional Paper No. 31 in answer to Question No. 11 regarding Motion No. 21 and 22-Spring Session 1963.

Discussion Sessional Paper #31

Mr. Taylor (Mr. Boyd Chairman) stated he did not note a reply being received from the Watson Lake Justices of the Peace but he had talked to them and they agreed that Court should be held in a place other than the Police Detachment. In two of his communities, Teslin and Watson Lake, these proceedings are presently held in detachments and this is undesirable. There are community halls available for this purpose and in the case of holding court in these Police Detachments, the public are not encouraged to go down. People don't like to go to the police station. He read the following extract from the memorandum: "Council is aware that copies of the Votes and Proceedings are filed with the Department in Ottawa and the representations made by Council will have been noted in the usual way." He stated this is the grandest statement of the whole memorandum. "They have been noted in the usual way" which appeared to him to be "File 13", because nothing seems to have been done about this. He did not know how they should approach it, Commissioner Cameron has stated "If Council desires me to make further representations I shall be glad to receive an appropriate resolution". The only Police Court held this summer in his constituency was held on the Alaska Highway. They picked up a fellow who had been charged with an offence in B.C., they put him in a police car and drove him down the highway and crossed the B.C. boundary and held court there, fined him $50.00 and sent him on his way. This haphazard method of carrying out the administration of justice is very

poor. As outlined in another Sessional Paper, respecting the interdiction of Nazar Zinchuk, people who are going into these Court facilities in Police Detachments are quite often pre-judged before they have had their day in Court, interdiction notices are made out before the man has had his day in Court. This gathers together to make a most undesirable situation indeed. He felt further and stronger representation should come from this Council at this Session to remedy such defects.

Mr. McKamey agreed with Councillor Taylor in his remarks about this memorandum. He understands that in England they will try you anywhere other than in the jail where you are confined. What they have here is the advice and thoughts of the Civil Servants and not the thoughts of the people. Some of the reasons behind this is that it is most convenient for the Administrative staff enforcing the law and this is why the desire to have it right in the Court House. A case was recently thrown out completely because it was felt the statements were made under duress. It was his contention that when anyone is tried right in a Police jail or station, where they take you out of the cell into the Courtroom adjoining the cell, you have this thought that you are going to try and get out of it as easy as possible. Quite often you are told that if you plead guilty, it will be easier for you. You are always under a state of duress and he felt this is one of the reasons why a lot of people plead guilty. In his way of thinking no-one should plead guilty. It is unjust to ask anyone to plead guilty. The set-up here in the Yukon leaves a lot of room for improvement and as elected representatives of the people they should make strong representation to have this thing rectified.

Mr. Shaw said many minor jobs require a certain degree of training for the person filling it before it can be adequately handled. Anyone can be appointed as Justice of the Peace, without training in the important matter of judging his fellow man. Why is that less important than a person who is going to work handing out bottles of liquor? He was much in accord that there should be some type of training program. It should be looked into in a more serious vein than just a matter of who can we get to fill the office of Justice of the Peace. In reference to Court facilities he believed an effort has been made in his particular area. He felt that trials of any person should be open to the public. It has good merit and is a principle that should be adhered to. He agreed a person has the right to have a lawyer but to get a lawyer, in the Yukon in any place other than Whitehorse, is beyond the pocketbook of a person charged with a small crime. He has no complaints the way Justice is administered but the complaint is the fact that they have an intermingling of enforcement and Justice. The first thing they hear is the matter of economy. When a person is charged with a crime, it could be murder or any serious crime, but they go ahead and conduct the investigation regardless of the expense. However, when it comes to a little Court they start to conomize and he could not see where you can economize by refusing a certain amount of justice. He felt that the trial any citizen is entitled to is one that is separated from the law enforcement and also is open to the public.

Mr. Livesey stated he has a deep rooted interest in the freedom of the citizens in the Yukon Territory. The freedom of the individual is one of the basic and cardinal principles of democracy. He felt that every individual charged with an offence is entitled to have every consideration that can be shown him. One of those considerations is that he should be tried and judged by the best people available. He understood the difficulties in this situation and also some of the problems with regard to the appointment of Justices of the Peace. It seemed to him that somewhere between the appointment and the act

of judgment the prosecution may seem to have the balance of power, in most of the cases, affected because of the training and other aspects of the situation. He also felt, on the part of the Justices of the Peace, that in a good many instances they may feel themselves that they are not fully qualified to answer a number of questions. The Administration should have evaluated the overall need for training and not just one aspect of it. This question of justice involves and encompasses the whole question of life and living in the Yukon Territory. The Administration could be well advised to proceed further and follow what he thought a positive step towards training of Justices of the Peace in the Yukon and he felt the Justices of the Peace will fully accept any suggestion towards a program. The Administration should accept the view that this whole question needs to be thoroughly investigated to see if the individual brought before any Justice of the Peace is really receiving all the justice to which he is entitled.

Commissioner Cameron attended Committee.

Commissioner Cameron thought he could explain what has been done and what reaction has been received from the outlying districts regarding this.

Mr. Boyd said that they had the answer to what has been done and the reaction is rather vague and indefinite. It didn't appear to be satisfactory and the progress concerning the situation didn't seem to be satisfactory at all.

Commissioner Cameron thought possibly the Legal Advisor might expand on this a little further.

Mr. Taylor (with Mr. Boyd Chairman) referred to the penultimate paragraph of the memorandum and stated this is the first inkling that their Motions, such as 21 and 22, were not forwarded by letter or any communication to the departments. This would indicate that anything in the Votes and Proceedings is just browsed through and if they happen to note this stuff they pick it up and if they don't happen to well they don't.

Commissioner Cameron stated this was not correct. The motions do go through and where they pertain to Federal Government action, they go through just as written, as a motion. Sometimes they hear and sometimes they don't hear on the particular motion.

Mr. Livesey asked Commissioner Cameron if there were any replies from the Department of Justice in relation to Motions No. 21 and 22.

Commissioner Cameron replied that he could not recall off-hand. This whole matter has been handled by the Legal Advisor and he would know about it.

Mr. Boyd suggested that this subject be dropped until further discussion could be carried on when the Legal Advisor attends by appointment.

Committee Agreed.

Committee proceeded to discuss Motion No. 3 regarding Yukon Schools with Mr. Fry (Director of Indian Affairs) and Mr. Thompson (Superintendent of Schools) present.

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Mr. Livesey said the situation that they are attempting to clarify, with respect to this motion, is a matter where considerable tax money has been spent towards additional classrooms in various parts of the Territory and towards other additional facilities with respect to education. It has been Council's view all along that they should progress as far as possible and do their utmost towards providing the very best in education for all the children in the Territory. He pointed out that when he said "all the children in the Territory" he is including those of native status. They are aware of the differences provided for people in the Territory but they are trying to move towards equality and equality in education is not different from that in any other subject, and the Territory, he thought, were behind this move toward more and better education. This is in line with proper thinking and proper responsibility. He was sure, however that in some areas they have more facilities then they need and in other areas not the right amount of facilities. He was referring to the facilities that were based on the presumption that children of native status would attend. Proper preparation was made by the Department of Education towards creating these facilities at considerable expense, only to find out later that someone had upset the apple cart and these children were not going to go to these places. They were going to be moved to some other place. The question is, why was this done? Why was the Territorial Government put in this position? He felt that by proceeding with normal discussion and proper questioning they would come up with some solution, the people of the Territory were entitled to the proper answers and he asked for Mr. Thompson's remarks.

Discussion Motion #3

Mr. Thompson stated that there definitely was a change in action in that children they expected would be going to the local schools were either placed in a residential school or were brought to Whitehorse and placed in Hostels. This created the situation where they didn't have as many children in the outlying schools as calculated, and in Whitehorse more children were in some grades than anticipated. For example in the Frederick H. Collins School they expected to have four Grade IX classes, but ended with five. This created a problem for the school in trying to instruct this increase in pupils with the staff they had been provided with. On the other hand, in some of their schools such as Carmacks, Teslin and Mayo they found themselves overstaffed. They had more teachers than they normally would have placed there.

Mr. McKamey asked Mr. Thompson if he was notified earlier, before the school season started, that there would be changes in the enrollment at the various areas and an increase in enrollment in Whitehorse?

Mr. Thompson replied that they had been presented with some figures in May but these figures were less than they had anticipated when they were preparing the estimates.

Mr. Livesey asked Mr. Thompson if it was correct that when the estimates were made up last year the Department was under the assumption then that native children would be going to Territorial schools.

Mr. Thompson replied this was correct.

Mr. McKamey asked Mr. Thompson if his Department were following the line recommended by the Committee on Education in their educational program.

Mr. Thompson replied this was true.

Mr. Shaw directed a question to Mr. Fry and asked, if an Indian family decide they want their children to go to a Hostel rather than keep them at home in the locality in which they live, do they have the choice and is there a reasonable period of time in which they are required to notify you to make the necessary arrangements?

Mr. Fry replied that the choice rests on a number of things but initially the question of desire rests with the Indian parent. The return of Indian children to residential accommodation in this school year was desired by and effected by Indian parents. He stressed that no child goes to a residential school unless the parent signs an application to put the child in the school. No child is obliged to attend a residential school contrary to the wishes of the parents. He stated that had he received forewarning before September that the swing back to residential schools was going to be as great as it was, the Education Department would have been informed. He felt he was not in a position to go out and dictate to the parents as to where the children were going to go to school.

Mr. Boyd stated that the magnitude of this mass movement into Whitehorse seemed to him not to have been planned over night. A year ago the cry was that these children are away from their parents and must be brought up in their homes and live with their parents, this is humanity. This year this thinking and reasoning has disappeared. There must be some stability for any organization to succeed. The Department of Education must know where they are going. Who made a mistake or changed their mind? Is there going to be another change of mind at another terrific expense?

Mr. Fry stated he did not think he could add anything to what he has already said. There is an expanding population of Indian youngsters in the Yukon Territory and it is not the intention of his Branch, at this time, to make any expansion in residential accommodation. There will be a growing group of children in most communities attending the local schools.

Mr. Livesey stated he found some areas of contradiction. The Department of Indian Affairs say they are in favour of integration and follow a policy of separation. This doesn't quite add up. It seemed to him that the Territorial Government, in their anxious desire to build the necessary accommodation each and every year for all the people concerned, are entitled to constant liaison between the Federal Government Departments and the Territory so our Administration can proceed in a way where they are not placing the taxpayers money into spots where it is not necessary.

Mr. Taylor (with Mr. Boyd Chairman) stated he understood that out of the Dawson, Mayo area the Department of Welfare have moved seventy children, white and native, from their homes into schools. He also noticed in the Fort Nelson newspaper some time ago that all Treaty Indian children were going into hostels and residential schools. He thought there was a desire to get those children into day schools in the atmosphere of their own home. He could not understand the attitude of the Federal Government, why they will not embark on a program of social education at the community level to make this possible, because without this they cannot have these children going to day school. He stated that they have to consider that they have three generations to look at for improvement and unless they start now they are not going to see any improvement.

They talk about the native people today being trappers and hunters, but he submitted that the bulk of them are not trappers and hunters anymore. The oldtimers that are left were the trappers and hunters among the native people. The young fellows who have grown up in town, many of them are quite dependent upon our society for dependence in life, they don't know how to trap or hunt. These people are now raising children of their own whom they are attempting to accommodate in the schools. He asked Mr. Fry why life is passing these people by and why, through Indian Affairs, there is such a reluctance to provide this social education in order that they may assimilate these people into our society.

Committee recessed at 12:00 o'clock Noon.

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Friday, November 15, 1963,
2:00 o'clock p.m.

Committee continued discussion on Motion No. 3 in respect to Yukon Schools with Commissioner Cameron, Mr. Fry and Mr. Thompson in attendance.

Mr. Taylor (with Mr. Boyd in the Chair) asked Mr. Fry the following questions: Discussion Motion #3

(1) Why is the Department of Indian Affairs apparently reluctant to provide social education at the community level?

(2) What does he feel should be done to implement such a program?

Mr. Fry replied that they all recognize there are certain matters which one decides at the local level and certain matters which are decided at higher levels and he could certainly not speak on policy matters which belong to the Minister. The man on the spot in the field, you will find in government service, always sees more things which he feels he should be doing and he would like to have the staff to do these things. He believed that if he had more staff in the field, the right kind of men, he could carry out a useful program at the community level but it is not within his province to say that this particular requirement is greater than any other requirement that happens to be using up the available funds. The Indian Affairs Branch believes in everything at the community level that will help the Indian to help himself, rather than just be in the form of a give-away. The Indian Affairs Branch, like all other government departments and branches, goes to Parliament for money, and money is voted for specific purposes. At the present time, evidently, the funds are not available for this kind of staff density in the Yukon agency, as much as he, the local Indian Superintendent, desires to have it. If one wants to take up the question of relative importance of this expenditure as against other types of expenditures then one should deal with the people who are responsible for it.

Mr. Boyd asked Mr. Fry whether the plans of the Department of Indian Affairs are those in effect at the moment with regard to children going to the schools they are now attending and if the plans are the same, are they going to remain this way for a period of three or five years, or is another change anticipated?

Mr. Fry said the policy of the Indian Affairs branch is to integrate Indian children into local community day schools wherever possible. In the Yukon Indian Agency they expect their enrolment in local community schools to expand gradually from the present figures, and he thought there would be no change in policy.

Mr. Boyd said this hardly answers his question :"Are you now contemplating putting these children back in the schools in the communities in which their homes are located?".

Mr. Fry replied that they are dealing with a large number of individual cases. There will be individual cases always where residential school accommodation is in the best interest of the youngster.

Mr. Boyd said he would like to know if the Department of Indian Affairs has a concrete overall plan which they are following.

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Mr. Fry replied yes, that plan can best be summarized in the policy of integration; integration in the local schools at the rate at which it can feasibly progress.

Mr. McKinnon said the Department of Indian Affairs has assured them that their prime policy is one of integration. The Territorial education policy is certainly one of integration. It was rather disappointing to come back this fall and find that this policy didn't seem to be followed too closely, but Mr. Fry has said there were very unusual circumstances this year. It would seem the policy of integration is being followed by both the Territorial education staff and the Department of Indian Affairs.

Mr. Watt said he first realized the full implications of the integration policy of the Department of Citizenship and Immigration when going through the Whitehorse Metropolitan Plan, which called for the complete elimination of the reservation area, as the Indian people would be integrated into the community. He asked Mr. Fry if he could explain what the adult Indian people think about (a) the integration of the children into local schools and (b) the complete integration of the native population into the community?

Mr. Fry replied that it is very difficult to speak for the Indian people. Indian people, like all other people, have a cross section of opinion among themselves. There are many who favor integration and sending their children to local schools, but there is no question that at the present time in the Territory there are many Indian people who still, to a greater or lesser degree, are trying to follow a way of life that their fathers probably follwed more successfully. Integration confuses them, they see advantages and disadvantages. Perhaps they need more time to appreciate the full implications of this. On the question of integration in the community, the Metropolitan plan visualizes this, but neither he nor the Indian people had been involved in that plan, and it would seem that there is still some spade work to be done. On the subject of integration generally, there are a number of Indian families living right in the communtiy; they have done this by choice and have been quite successful. Still, many Indian people wish to remain identified with a strictly Indian community which gives them a sense of security.

Mr. Watt asked Mr. Fry if in his opinion it would be reasonable to say that the Indian people could be integrated almost fully into the community within a period of twenty years.

Mr. Fry said this is expecting rather a lot, not just of the Indian people, but of the situation. They speak of integration as if the Indian people were anxious for it. The Indian people themselves are of a mixed mind about it, and the times are very confusing for many Indian people. In the sense of an Indian community as a home base, this is very important to them. What you will find for much more than twenty years are Indian communities, but you will have more and more individuals who have become citizens of the broader community in a significant sense to themselves. They will still feel that they belong to the Indian community, but they will work for the city or for the highway, and walk with confidence into stores and places of business and the youngsters will be going to local schools. They will be integrated, they will be citizens of the broader community, in their own feeling. They will also retain an identity as an Indian.

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Mr. Shaw said there was quite a change last year in the number of children going to the various schools. It appears that some of these were predicted by the feelings of the parents, and this is certainly a factor that has to be taken into consideration. There probably are, as Mr. Fry says, quite a number of Indian people who do not want to be integrated, so we do have a rather complex problem. But this doesn't alter the fact that when they provide educational facilities for children it requires a considerable expenditure of funds by the Territory, and there should be some basis on which they can predict what they need from year to year. For example, in the last three years forty-three children have left Dawson to go to some of these schools. It would appear they need better liaison between the Department of Indian Affairs and the Territorial Department of Education.

Mr. McKamey agreed to a degree with Councillor Shaw that there should be some cooperation between departments. The Territorial Department of Education, under the supervision of Mr. Thompson, is doing a very good job and the only way he can continue to do this is to receive the cooperation of every department. There should be no barriers put in his way to stop the plan, as it has been recommended by the Committee on Education, which they are abiding by and which is working out well. Apparently there was a little change somewhere along the line. The Advisory Committee discussed the change this fall and asked the Administration why the change was made; they did not know. The situation is not too serious, though this type of thing is not to be encouraged. They are sufficiently covered by an agreement that was entered into between the Territorial Government and the Federal Government. This was the Financial Agreement where the Indian Affairs Department agreed to pay their share of the cost of the schools built in the various districts of the Yukon, and they have done this. The Department of Indian Affairs are doing a good job of looking after the Indian people, in fact they are probably doing too good a job because some of the Indian people would rather accept welfare than work for a living. If some of the residential schools were running at half capacity last year they can do the same this year, there were no disputes from parts of the Yukon where Indian children were attending the local day schools. As far as integration is concerned this was a great leap forward for the Yukon in integrating the Indians into the community and encouraging them to participate. The system is working very well except for this one problem and the Administration should make sure this does not happen again.

Mr. Taylor (with Mr. Boyd Chairman) agreed entirely with Mr. Shaw but would not propose they try to make white men out of the native people. He would once again make an appeal that the Federal Government look at this problem and try to assimilate the two societies.

Commissioner Cameron, Mr. Fry and Mr. Thompson were excused from Committee.

Committee resumed discussion on the memorandum dated November 14 relating to training for the office of Justice of the Peace and court facilities, with Mr. Hughes, the Legal Advisor, in attendance. Discussion Sessional Paper # 31

Mr. Livesey said it was unfortunate that the Legal Advisor was not present at the first discussion of this memorandum. He referred to the explanation on page 2 covering the program he had suggested for the training of Justices of the Peace throughout the Yukon Territory, and said his thinking was based on twenty years' observation of what he feels is a very grave situation. This to him didn't seem to be so much a question of what the Department of Justice may think, nor what could be gained by any particular question to the Justices of the Peace at present concerned.

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He was thinking especially of the need for training of new Justices of the Peace as they come along from time to time. If those who are now Justices of the Peace would wish to participate in any course that is offered, it should also be open to them! Instead of just picking a Justice of the Peace on the basis of his residence in an area, these individuals should be trained in questions of law as far as it could be made possible. It would help them a great deal, and all those who come before them. The appeal was made to the Territorial Government because it was felt that assistance could be had from the Administration through their conversations with the Federal Government. The purpose is to improve justice in the Territory without criticizing what we have. If it were looked at in that light they could get more from the Department of Justice than just a blanket 'no' which is implied on page 2. He wondered if the Legal Advisor could assist him in this respect.

Mr. Hughes said all he could do would be to bring this to the attention of the Director for him to communicate to the Department of Justice.

Motion Re Justices of the Peace

Mr. Taylor (with Mr. Shaw in the Chair) moved, seconded by Mr. Livesey, that in the opinion of the Yukon Legislative Council the Federal Department of Justice be contacted and requested to implement those requests outlined in Motion No. 21 and Motion No. 22 of the Spring Session 1963.

Mr. Hughes noted the motion includes Motion No. 22. Provision of court facilities is something that lies, to a certain extent, within their own powers. Justices were being asked to assist by giving specific recommendations so that they can work out within the limits of the money available what can be done. The questionnaire was sent to all the Justices in the Territory. A lot of the Justices are not nearly as concerned as Council.

Mr. McKamey agreed that the Justices are not nearly as concerned as Council. Justices are servants of the people - why should they ask them what they want? They have stated here quite clearly what they want and they should abide by it. He asked Mr. Hughes why the questionnaire had been sent to the Justices of the Peace.

Mr. Hughes replied that obviously there are two ways of looking at it, but one could not send out a questionnaire to members of the public, specifically to those who were to appear before the Justice on various charges. If they were dealing with responsible people it would only ask them for their opinion and deal with the worst cases first. The key to it all is money. He is just as concerned as the Councillors about the dignity of these Justices' Courts, and he doesn't like the practice of using the R.C.M.P. barracks and the R.C.M.P. themselves don't like it.

Mr. Livesey said when the Council makes a decision to do something, they surely must have thought the situation over or they wouldn't be saying they want it. Motions No. 21 and 22 are a distinct declaration of policy that this Council wants in the Territory. The Council has been elected by all the people of the Territory, and they meet here as representatives of the residents of the Territory. Two of their decisions were Motions No. 21 and 22. This was a declaration of policy by the representatives of all the people of the Territory, not something that you can hold up in front of any class to find out whether you think it is legal, justified or anything else.

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Mr. McKinnon agreed with both Motions No. 21 and 22 - that the Justices of the Peace should be trained in the law so they can enter the Courts confidently, and that trials should not be held in the R.C.M.P. Detachments. However, Motion No. 21 is under the jurisdiction of the Federal Department of Justice. The Legal Advisor has said that Motion No. 22 is a direction of the Territorial Department of Justice and under the Legal Advisor's jurisdiction. Mr. Hughes has advised them that he has been working on Motion No. 22 and is prepared to continue working on it until it is solved to the Council's satisfaction. He could agree with the motion put by Councillors Taylor and Livesey insofar as Motion No. 21 goes, but cannot see putting a directive to Ottawa to change the trials from being held in the R.C.M.P. Detachments to other suitable places when it is not under their jurisidction. He felt the solution could be found right here in the Yukon Territory and he would be in favor of another motion proposing Mr. Hughes continue working on Motion No. 22. As it is now he could not vote for both problems being sent to the Department of Justice when they are only concerned with one.

Mr. Taylor (with Mr. Shaw in the Chair) submitted that both these motions are fully under the Federal Department of Justice; in the first instance it most certainly is with respect to training magistrates, and in the second, as far as Court proceedings are concerned, the Territorial Council or the Territorial Administration have no say whatever. They determined that some time ago. The only thing Mr. Hughes could be relating this to would be the business of providing a building in which to hold this. Certainly they have no control over any Courts held in Police Barracks at this time and the Department of Justice are, in his opinion, the only ones who can do anything about this situation. He suggested that if the motion were given the consideration and acceptance of Council these matters would be handled by the Federal Department of Justice.

Mr. McKamey asked Mr. Hughes to explain the situation respecting holding the Courts in Police Barracks.

Mr. Hughes said that the provision of facilities is a Territorial responsibility, the appointment of Justices is a Federal prerogative. He hadn't gone into all the details of the work that was done in connection with trying to improve Court facilities, but he had discussed the matter with the Director and the Superintendent of Education. He had the matter raised with the principals of schools to see whether they could use schoolroom facilities, and for a variety of reasons, because so often cases are taken during school hours and it is undesirable really to troop people, who are possibly involved in criminal charges, past children in the buildings, it was decided that this would not work out. At the moment they don't seem to be able to see their way out. Nobody is disputing the fact that there must be an upgrade, but they have tried schools and now they are trying to take the worst cases first and they shall be asking the Territory to make some provision in the budget to provide that facility. It is a Territorial responsibility and until they come through with better facilities, where else can the Courts be held?

Mr. Taylor(with Mr. Shaw in the Chair) said when he drafted this motion in the first instance at the Spring Session of Council he left it very broad and didn't direct it to the Department of Justice nor to the Administration, he just asked that something be done in the situation. Now months later they find no direct action has been taken and contended that it should be referred to the Department of Justice, and if they were to decide they should have further facilities they could make arrangements with the Territorial Administration.

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Mr. McKamey said he is inclined to agree with Councillor McKinnon in respect to Motion No. 22. This is a problem they should be able to solve here, and the Legal Advisor has indicated he will give them assistance on this and see that it is implemented if there are facilities available.

Amendment to Motion re Justices of the Peace

Mr. McKamey moved, seconded by Mr. McKinnon, that the motion be amended by deleting the words "and Motion No. 22".

Mr. Taylor said the only reason he wants this to go to Ottawa is to get action which he is not getting at the Territorial level.

Motion Carried as amended.

Discussion Bill #13

Committee proceeded to discuss Bill No. 13, An Ordinance to Amend the Motor Vehicles Ordinance.

Mr. McKinnon moved, seconded by Mr. Boyd, an amendment to Bill No. 13. (See Sections 6 and 7 of Bill No. 13).

Mr. McKinnon said he had been in Court one day when these sections of the Ordinance came up, and he subsequently obtained copies of the "Reasons for Judgment" that Magistrate Trainor gave at this trial. As the Ordinance now stands the only way a person can be charged for speeding under the Motor Vehicles Ordinance is by a charge of driving without reasonable care and attention which, as Magistrate Trainor remarked, is a criminal offence. This amendment would put a specific speeding charge into the Ordinance and would not demand that a person charged for speeding have a hefty charge placed against him in the Magistrate's Court.

Mr. Shaw thought this to be a very sensible amendment. He asked the Legal Advisor if in repealing this Ordinance it means they have no provision whatsoever for driving without due care and attention.

Mr. Hughes replied that Subsection 1 of Section 76 will remain and that provides "no person shall drive a vehicle without due care and attention or without reasonable consideration for other persons". The effect as Councillor McKinnon says, by subsections under the Act, almost makes a person guilty of two offences when he is speeding, one of speeding and the other of driving a vehicle without due care and attention. Part two of the resolution by Councillor McKinnon is almost a duplication of the powers of a municipality to pass by-laws, but it is probably still useful to put it in Section 76 as a reminder to people that municipalities can set their own speed zones. In the amendment in Subsection 3 of Section 6 - that would of course include trucks - possibly they would want to consider whether they want it to include trucks or whether they want it limited to private passenger motor vehicles.

Mr. McKamey asked the Legal Advisor if paragraph (a) of Subsection 2 would be a contradiction to those referred sections.

Mr. Hughes replied that he did not think so. If they look at 76 (2) as it stands now, this is already a reference of thirty miles an hour within a municipality or settlement and what the member seems to have done is to seek to disturb the wording as little as possible. He did not see that this would give rise to any difficulty in practise.

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Mr. McKamey asked whether a person could be charged with speeding by going over thirty miles an hour through settlements which have no speed limits posted.

Mr. Hughes replied this would be better than being charged without due care and attention. Although he didn't think this was a real danger, he would like a little time to consider it.

In reply to a question as to whether this amendment would move the penalty provision from Section 163 down to Section 164, Mr. Hughes said the penalty for driving without reasonable consideration is in Section 163. The effect of these amendments would mean the penalty for Section 76 (1) would be controlled by Section 163, and the penalty for contravention of Section 76 (2) would be found in Section 164, which is the general provision.

Mr. Shaw asked the Legal Advisor if he feels that enough study has been given to this to clarify the various points.

Mr. Hughes said he was aware this was coming and had tried to sound out the information of a gentleman who is well qualified to rationalize this problem. Always one finds mistakes and errors years later. He would like Committee's direction whether, on permitted speed of motor vehicles, it is intended to include trucks.

Mr. Taylor thought trucks should be included.

Mr. Shaw pointed out that you will find in most places trucks have a lower maximum speed than automobiles and he has noticed on a Territorial road a sign reading "Maximum for cars 60 MPH, maximum for trucks 50 MPH". So either the sign will have to be taken down or a 50 MPH maximum would have to be put in this particular Bill.

Mr. Hughes said where signs are posted it disposes of the ruling. He drew attention to the fact that in Section 76, as it used to stand, with all its faults there was a distinction between a truck and a motor vehicle.

Mr. Watt noticed a distinction between cars and trucks in the old Ordinance but thought the Ordinance with the suggested amendment is more realistic.

Mr. Livesey said he is having a little difficulty with the word 'settlement' in Section 1 (2)(a). He read an interpretation under motor vehicles. Irrespective of the argument brought to the attention of Committee by the member for Dawson, who certainly had a point, in that respect would this word 'settlement', with regard to speed, be indicated in the new section where there was habitation but no sign?

Mr. Hughes said this is almost a restatement of Mr. McKamey's problem. The settlement has to be posted under Section 151.

Mr. McKamey said he would be in favor of leaving the speed section as it is drafted here. This actually is what is required in the Yukon Territory.

Motion Carried

Mr. Boyd moved, seconded by Mr. Watt, that Bill No. 13 be reported out of Committee as amended.

Motion Carried.

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Discussion Sessional Paper #15

Mr. McKinnon said he would appreciate the Committee's direction as to how they are going to proceed with the Labour Legislation paper that the Administration has tabled before them. Are they going to ask for an expert on labour relations to assist them in this legislation?

Mr. Taylor (with Mr. Boyd in the Chair) felt they should work on this legislation, and in view of the reply from the Department of Labour with respect to an official advisor, he felt Mr. G. R. Curry should be asked to come to the Yukon by the Administration, and if they can't get any of the Department of Labour people then they should ask for someone from the labour unions.

Mr. Watt said he thought the only solution would be to form a committee of perhaps one or two members of Council. The committee should go to different organized unions, to United Keno Mines and possibly the Contractors Association and give each of these groups - labour on one side, management on the other - a copy of these questions and ask them to delegate one man to meet with this committee. In this way you may have eight or ten people giving their suggestions on each of these questions. Then the member of the committee, if it were to be formed, could correlate the four or five answers it will probably boil down to, and give the views of both management and labour to each of the questions as they came up for discussion. This could form a basis for Council's opinion to present to the labour expert when he comes up here to help draft the legislation.

Mr. Taylor didn't agree with the plan as the groundwork has already been laid by the Department of Labour and all they require is a labour expert from Ottawa to give assistance. If Ottawa won't give them a man, then they should consider getting someone from a labour union.

Mr. Livesey was also against any more committees. There is a wealth of information on labour relations and problems. All they need is something which will correlate the operation of the country so that management and labour is working together, producing something and Council could do this by working at it step by step.

Mr. Hughes said the questions on the paper were based on the existing legislation in British Columbia. He had taken an object already tested and put it to the committee question by question so they could think their way through on the problems involved.

Mr. McKamey suggested that all members study the information on hand and then meet for a few days between now and the Spring Session to prepare something for the Spring Session. This is a legislative problem and they do not want to legislate raises in pay for unions.

Mr. Shaw said these questions are very good, that is the way to arrive at a conclusion, but without a person who is very qualified in labour relations to give advice, it would be very difficult to make decisions on many points. He thought that unless they can have the right person up here to give them assistance they may as well forget about the problem for the time being, which would be regrettable as it is long overdue.

Mr. Hughes said it would be very difficult for a person who is rushed up here from Vancouver to give them what they want, and suggested that the paper which is now before Council be sent

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to this gentleman to evaluate so that he can appear before them at the Spring Session, or possibly in the interim as Councillor McKamey suggested, and give them his opinions so that they can have the benefit of his mature approach.

Further discussion on Labour Legislation was deferred until the next day.

Mr. Watt moved, seconded by Mr. McKamey, that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported as follows:

Committee Report

Committee convened at 11:00 a.m. to discuss bills, memoranda sessional papers and Motion No. 3. Commissioner Cameron, Mr. Fry and Mr. Thompson attended Committee to discuss Motion No. 3 which related to education. Committee adjourned at 12:00 noon and reconvened at 2:00 p.m. It was moved by Mr. Taylor, seconded by Mr. Livesey, that in the opinion of the Yukon Legislative Council the Federal Department of Justice be contacted and requested to implement those requests outlined in Motion No. 21, Spring Session 1963. Motion Carried. An amendment to Bill No. 13 was moved by Mr. McKinnon and seconded by Mr. Boyd. Motion Carried. Mr. Boyd moved, seconded by Mr. Watt, that Bill No. 13 be reported out of Committee as amended. Motion Carried.

Council accepted the report of the Committee and adjourned until 10:00 A.M. Saturday, November 16, 1963.

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Saturday, November 16, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda:

(1) Reply, from Commissioner Cameron, to Motion for Production of Papers No. 6 regarding Yukon Territorial Council Plans and Progress on the Escarpment Stabilization Programme (set out as Sessional Paper No. 34) — Sessional Papers #34

(2) Reply to Question No. 4 regarding School Teachers (set out as Sessional Paper No. 35) — #35

Mr. Taylor moved, seconded by Mr. Shaw, for leave to introduce Bill No. 15, An Ordinance to Amend an Ordinance Empowering the Commissioner of the Yukon Territory to Grant a Franchise to the Yukon Electrical Company Limited to Sell and Distribute Electrical Energy in the Teslin Area, Yukon Territory. — Introducing Bill #15

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, for leave to introduce Bill No. 16, An Ordinance to Amend the Labour Provisions Ordinance. — Introducing Bill #16

Motion Carried.

Mr. Livesey (with Deputy Speaker in Chair) gave notice of Motion respecting an Emergency Water Supply. — Motion #10

Mr. McKinnon moved, seconded by Mr. Watt, that the Administration provide Councillors with application forms needed to apply for Physical Fitness and Amateur Sport Grants and also information as to what the program has accomplished to date this year. — Production of Papers #7

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Watt, that the Administration table before Council all information available as to what scholarships, bursaries and loans are available to students of the Yukon Territory from both governmental and private agencies. — Production of Papers #8

Motion Carried.

Mr. McKinnon gave notice of Motion for the Production of Papers concerning the Sale of Beer in the Yukon Territory. — Production of Papers #9

The following questions were directed to the Administration:

Mr. Shaw asked if it would be possible for Dr. Kinloch to attend Committee of Council to discuss dental problems of the City of Dawson? — Question #14

Mr. Boyd asked what is the course of delay concerning area development programing and when will it be possible to start natural implementation of at least some of the very important factors such as acquiring certain lands, etc? — Question #15

Mr. Taylor asked if the Administration would advise Council if the sewer and water proposals will be tabled for discussion at the Session now assembled, and if not, why not ? — Question #16

FIRST and SECOND reading was given to Bill No. 14, An Ordinance to Amend an Ordinance to Prohibit Children Being on the Streets After Nightfall. — First and Second Reading Bill #14

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Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda and sessional papers.

Motion Carried.

In Committee

Discussion - Liquor Report

In Committee of the Whole:

Mr. Taylor asked Mr. Livesey, who acted as Chairman of the House Committee to look into the Report from the Liquor Committee, to give his report.

Report of House Committee on Liquor Report

Mr. Livesey gave his report and said in part that the Liquor Committee was appointed to try to resolve the difficulties which arose in regard to the Report on Liquor and how the House would deal with it in Committee here this Session. The members chosen for the Committee were Mr. Livesey, Mr. McKamey and Mr. McKinnon. The Committee met in due course and had discussions on the various problems that appeared and came up with the following suggestions as recommendations to the Committee of the Whole as a possible means of solving the difficulties that were discussed. He pointed out that this was a rough draft and it is not intended to be a legislative document or one that after contemplation and serious looking into could not be misinterpreted. It was presented for discussion and perhaps eventual approval. He continued:

(1) That the Honourable Member from Whitehorse East, Mr. Boyd, continue as Chairman of the Liquor Committee.
(2) That commencing forthwith, all members of the Committee shall be chosen from those persons resident in the Territory capable of expressing an entirely independent viewpoint regarding proposed recommendations as a basis for new legislation or amendments to the Liquor Ordinance.
(3) That the Chairman of the Committee be empowered to appoint members of the Committee.
(4) That the Committee consider all briefs, papers and documents presented to the Council during this Session and perform such other duties and hold further meetings and receive such other evidence as may be deemed expedient and desirable.
(5) That such a Committee be empowered to bring in recommendations with reasons to support such recommendations for the perusal and consideration of the Council at the Spring Session 1964.
(6) That such a Committee be assisted in their respective duties through the employment of stenographic services and that the Commissioner be respectfully requested to provide such assistance by arranging for the necessary services that may be required from time to time by the Chairman of such Committee.

He concluded by saying that in presenting this report he felt that the Committee appointed studied the entire situation and felt that these were the basis of the organization and what the Committee felt was expedient and necessary at this time.

Mr. Boyd stated that yesterday they were asked the question of "Was there really very much wrong with our Liquor Ordinance as it is, were there any real complaints?" He wondered just how far they wanted to go. He knew they were asking for the views of the people and taking the briefs they have had, they will find that in the majority of cases the religious organizations predominate. He made it clear that he states this without disrespect. Take for example a Youth Organization or Women's Organization, there are as many as three organizations attached under the heading of Episcopal Corporation. They have had a Reverend in front of them as many as three times and in each

case the wording and contents of the brief were virtually his thinking, yet they represented three different groups of people. They found this quite difficult. For instance one question asked was "What do you think of any particular Cocktail Lounge?" His reply would be, "Well I don't know I've never been in it, but I am ready to condemn it all to pieces, it shouldn't be there". By and large the people came up with very little that they could grasp. He referred to operators who have quite a bit to talk about but they are thinking of themselves only and not of the people. They are not working on the basis of what the operators want they were thinking of the people. Another operator in the other end of town has other ideas and decidedly he is thinking of his best interest. A powerful Liquor Committee is the request of the people. He did not know whether they expect a real overhaul and asked how far they wanted to go beyond what the people have told them. If they wanted the Liquor Ordinance overhauled, this would be a terrible task and he did not feel capable of doing it.

Mr. Taylor (with Mr. Shaw in the Chair) commented that what he thought was required was the thinking of the Committee which reflects the general overall picture to be embodied in future legislation. He felt Councillor Boyd's question was would they be better off to amend their own Ordinance as it is or better to rewrite the whole thing along the lines of the basic framework of the Manitoba Ordinance. He suggested that members of the Committee, in view of this proposal, would be independent with the exception of stenographic service and they would be free to make inquiries on an informal basis here and there and pick up the loose ends that Councillor Boyd speaks of, and come up with these suggestions somewhat like the labour legislation.

Mr. Watt stated that he has listened carefully to the recommendations of this proposed motion and he thought some of them very sound. Mr. Boyd wants to know how far they want this thing to go and just what they want done. There have been recommendations made, and some of them, as Mr. Boyd has mentioned, are for the protection of establishments and the price of beer. There were a lot of things in the brief he did not agree with but there are definite recommendations. He felt this should be gone over and the Committee be given comments on their recommendations.

Mr. McKamey agreed with Councillor Watt. He thought there was a lot of good information compiled in the report and it would be wise of the Council to go through this and possibly pick out some of the weaker points or some of the points the Committee has not recommended changes on. He thought it would be erroneous not to finish the job now that it had been started as there was a definite requirement for a major overhaul of the Liquor Ordinance. Unless something like this was done it will be detrimental to their tourist promotion in the Yukon. When Councillor McKinnon studied the interim report he found certain things that he felt needed additional work and this will be seen by going through the report. Some of the points Mr. McKinnon pointed out were in respect to issuance of licences, upgrading of standards, the Liquor Commission, local option, alcohol education and advertising. These are good points and he thought it necessary that this be looked at and studied and recommendations made in respect to these items. This report is quite general, it has a lot of scope to it and if the weak points were picked out the Liquor Committee could continue on.

Mr. Taylor agreed to some degree with Councillor McKamey but it seemed to him they were only going to duplicate the situation and achieve nothing. What they are asking the Liquor Committee to do is to come up with a set of firm recommendations and present them at the Spring Session at which time all these matters would be under

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discussion, and unless they are prepared to change the Ordinance right now, to make amendments to their present Ordinance, then he could see no useful purpose served in even discussing this document. He had questioned the validity of the document as being a fair representation of the Committee because there are words expressed in it that are not necessarily the words expressed by the Committee but by one individual. He could see no purpose in reading the document and felt certain every member had already read it.

Mr. Livesey believed the Chairman of the Liquor Committee did request that they give him some kind of an answer on what was required. He felt what was required would be to block out the various sections and headings of interest, with regard to any amendment to the present Ordinance, and list under those headings the recommendations of the Committee that they will be working with. If this was agreed to and passed on to the Chairman of the Committee then he will know exactly what is required.

Mr. Shaw asked the Committee if they agreed to go through this report point by point.

Committee agreed.

Mr. Shaw asked the definition of "Independent Committee", independent from what?

Mr. Livesey pointed out that as he had previously said this was not a strict legal document. He did not feel that it would be taken as a proper assessment of the situation to go into any detailed discussion about what they thought was independent. It would be more diplomatic to leave it just as the word was stated. What it means generally speaking is those not incorporated under any aspect of the operation of liquor. He felt the word independent was all they needed.

A discussion took place on the Liquor Report.

Mr. Watt referred to Page 2, paragraph 4 and asked if this point had in fact been discussed with Commissioner Cameron.

Mr. Boyd replied that they had a discussion and it was decided that patchwork was most inadvisable.

Mr. McKinnon referred to Page 2, paragraph 6 and asked the Chairman of the Committee for the background of the recommendation that hours be established by regulation and not by legislation and how this recommendation was arrived at.

Mr. Boyd replied that every operator seems to have his own views as to what hours he should be open. Their feeling is that as long as he declares his views and sets his hours at the beginning of the year at the time his licence is issued and he states when he shall remain open, he can remain open all through the night if he wants to but he will remain open if he chooses to, he cannot flip around. What applies here in Whitehorse may not apply somewhere else.

Mr. Shaw stated that this is the first recommendation of the Committee and if they could give some guidance to this recommendation, it might help the future Committee in further discussion.

Mr. Boyd referred to Minto, Carcross or Porter Creek and stated that it is not for them to say these men will remain open, so if they want to set their own hours then let them, they are doing so with the consent of the Commissioner.

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Mr. Livesey stated that it appeared to him that the Administration will not set down any regulations concerning specific hours but there will be a subject of setting regulations in the area depending on what those operators may require.

Mr. Watt stated he could understand this in small areas but in a place like Whitehorse, where you have six or seven licences, do they all keep their own hours or do they get together and stay open the same hours.

Mr. Boyd replied they can be open so many hours in the day, all of them. What hours they want to be open is their business, they will give them a licence for that but they must live up to the hours they have requested. They can change their mind the next time they get their licence renewed.

Mr. Taylor stated he did not think they should make any firm decisions or issue any firm directives to the Committee at this stage, but he could see merit in discussing this. He asked if he understood correctly that the hours of consumption will still be controlled, only you can move those hours back and forth depending on where you want them and if this is the case, has the Committee considered lengthening the hours of consumption?

Mr. Boyd replied that the Committee has not considered lengthening the hours of consumption. They feel the hours as they are now are adequate and sufficient, but they are not going to say to a man you must open at 9:00 and close at 12:00, his circumstances may be somewhat different.

Mr. Taylor asked if it would then be possible, where an operator has to open at 11:00 a.m. during the summer months, to extend his hours of consumption so he can open at 9:00 and close at 1:00 if he wants to.

Mr. Boyd replied no.

Mr. Taylor asked what will be the required number of hours to be open?

Mr. Boyd said he thought the hours now were twelve hours a day and it will remain twelve hours.

Mr. Shaw asked if the Committee generally agreed with this first recommendation?

Mr. McKinnon said he had a few points to be cleared up first and one is whether the Liquor Committee studied the hours of both cocktail lounges and cabarets and whether they thought that the hours they are open during the day are fair now and desirous to be continued. The other point was when Councillor Boyd mentioned that when they get their licence they would state what hours they were going to be open and would be held by these hours throughout the year. This is a valid point, if a person is operating premises on the highway and there is not a customer in the place from 6:00 to 12:00 midnight and he wants to go to bed at 10:00 o'clock, then he should be able to lock the door and go to bed. Under this recommendation he did not see how this would be possible.

Mr. Boyd replied this was probably true, but he is setting his own hours and they are not. An operator cannot change around and close when he likes because there is nobody there, he is in business to serve the public for a certain number of hours. He felt it the Committee's problem to make the recommendations, are they going to tell them now whether this is a good recommendation or not and if it should be made or not? He wanted to make this recommendation again and he is thoroughly sold on it and so is the Committee. He did not feel Council was here today to accept or refuse it.

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Mr. Watt asked if they could just note the questions the member from Whitehorse North asked and then when this recommendation comes up on the final report they will know the suggestions have been taken into consideration.

Mr. Boyd said this point was discussed at every place they stopped . They asked these questions on the way down and on the way back so got quite a coverage on it.

A discussion took place on educating the public to develop better drinking habits.

Mr. McKinnon asked Mr. Boyd for his suggestions on how to upgrade drinking establishments.

Mr. Boyd said that he had been told by a person who had travelled all over Canada that the Yukon is the only place you find girls serving in bars and taverns. This to him is a big step in upgrading. A man will behave himself more so when there is a woman around.

Mr. Taylor said this is being done, how do they further upgrade an establishment?

Mr. McKamey stated the establishments must be upgraded. If an eating house or hotel has a licence to sell liquor the operator should have to spend a certain percent of his profit each year in improving his standards. He has noticed outside how hotels and motels are graded by a star system. In the Yukon it is important that they have this grading system and he thought it vitally important that they upgrade the standard of hotels and motels.

Mr. McKinnon referred to the report where it states "inspection and enforcement must be strengthened" and asked how this could be achieved.

Mr. Boyd stated he could only reiterate the public opinion that the enforcement is very poor. The Committee feel the enforcement is not what it should be. For instance you have a Liquor Inspector and you ask him what his duties are after 5:00 o'clock at night, he hasn't got any. This is when the owls come out and the angels go home. An establishment may have 1¼ ounce drinks on the menu, but does the Inspector know they are actually serving 1¼ ounces, he has never gone in to see if they are putting an ounce in or not. They may be getting 7/8 of an ounce.

Mr. McKinnon asked if the Liquor Committee intended to come up with any firm recommendations as to how the Liquor Ordinance can be enforced and incorporate this in legislation?

Mr. Boyd stated this was a bigger question than he intends to answer.

Mr. McKamey asked Mr. Boyd if it was possible to have a Liquor Control Board. If they had a good Liquor Commission set up it would solve a lot of enforcement provlems.

Mr. Boyd stated that at every hearing they had this question was put to the people. They were asked if they favoured a Liquor Board with all the power and free of interference, and in every instance the answer was yes. A Liquor Board would run the liquor business for the Yukon and this will be their recommendation. He asked if the Committee was supposed to find out if this was possible by law?

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Mr. McKamey asked the Legal Advisor for his views on this.

Mr. Hughes stated that Council has recognized that if it is possible to appoint a commission which is all powerful, they will have delegated certain authorities which they might like to reserve. If they create this body they will not be able to interfere with it except by an ordinance disbanding it and they may find this rather difficult. He referred to Page 5, paragraph 2 of the report. There has got to be a process of growing up. Ultimately when the Territory has a Provincial status they can establish a board which has the same powers. At the present time the Territory is not constitutionally geared for an all powerful committee because they must remember that Section 4 of the Yukon Act directs the Commissioner in the matter of his duties and until the Yukon Act is changed there would be some difficulty in creating a body that was not responsible to either the Commissioner or Council. He did not think it would be possible at this stage.

Mr. McKamey stated this was what he wanted to find out. If this is what the people want, that they should have a Liquor Control Board to put this under proper control and enforcement, then this requires an amendment to the Yukon Act. He felt this would have a strong effect on their new Ordinance, and it would be the back bone of the Ordinance and everything else would be centered around it.

Mr. Boyd said this was quite their concern, what is a three man committee with no say and no power whatever.

Mr. Boyd moved, seconded by Mr. Watt, that Mr. Speaker do now resume the Chair to hear the report of the Chairman of Committees.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported as follows:

Committee Report

> Committee convened at 10:30 a.m. to discuss bills, memoranda and sessional papers. Committee discussed matters related to the Liquor Committee. I can report progress in this matter.

Council accepted the report of the Committee and following a discussion of the agenda, adjourned until 10:00 a.m. Monday, November 18, 1963.

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Monday, November 18, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron referring to Low Cost Housing (set out as Sessional Paper No. 33. — Sessional Paper #33

Mr. Taylor moved, seconded by Mr. Shaw, for leave to introduce Bill No. 16, An Ordinance to Amend the Labour Provisions Ordinance. — Introducing Bill #16

Motion Carried

Mr. McKinnon moved, seconded by Mr. Boyd, that the Territorial Treasurer provide Council with figures showing the effect if: — Production of Papers # 9

1. All bottles of liquor sold in government liquor stores were increased by
   (a) twenty-five cents
   (b) fifty cents.
2. If this increase in revenue were applied to the sale of beer, what could beer then be sold at in the Yukon Territory, with no loss of revenue.

Motion Carried.

Mr. Shaw directed the following question to the Administration:

Due to the recent failure of electrical power reported from Dawson and the serious implications which have been created by burned out furnace motors, could the Administration investigate the reason for such power failure and report it's finding to Council with recommendations if possible as to how this can be avoided for the future? — Question #17

Mr. McKamey moved, seconded by Mr. Taylor , that in the opinion of this Council it is deemed necessary to provide a Fire Warning System and protective masks for the Fire Department in the town of Keno. — Motion #9

Mr. McKamey said this was a request for Council's support asking the Administration to provide the necessary fire warning system that is required in the event of a fire. Recently, while he was in Keno, a fire started in the basement of the hotel, somewhere around the furnace. There was a lot of smoke from the oil and they had a problem getting downstairs to get to the origin of the fire. It proved that there was a definite need for some sort of a smoke mask. He thought every department in the Yukon should have this type of equipment, and they should see that this equipment is available.

Mr. Taylor said he would like to ask if they have a fire truck or any other fire fighting equipment there at all.

Mr. McKamey said they have a fire truck that was donated some years ago by the Territorial Government. It is a combination effort. Keno has no water system, they have to haul water. This tank truck delivers water and through the proceeds from the sales the fire department is maintained. There is this additional equipment that is needed and they are asking for a little help along this line.

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Mr. Boyd said he would like to see Mr. McKamey go further. He just called for this to be installed at Keno, nowhere else. It seemed to him that it should be all over the Territory.

Mr. Taylor thought they would find that throughout the Territory where there are fire departments, there is adequate protective gear. Apparently Keno has not got it so far. At Watson Lake, there are two smoke masks, two chemox (self contained oxygen mask), one which they just purchased. They have found these are invaluable, they are life savers.

Mr. Shaw was surprised that they did not have protective masks. He felt it was a must with a fire department. As for the fire warning system, he was not sure what that implies. They had something in Dawson that didn't seem to work out too satisfactorily therefore they have to use the telephone. The fire warning system could possibly be just a siren. If that is the intention of the motion, he thought it was very necessary. But if it encompasses something where you have to stretch miles of telephone wire than it is another matter.

Mr. McKamey thought this was the type of system they want to introduce. There are very few telephones in Keno and a siren is actually what would be needed.

Motion Carried

Mr. Watt asked if a member of the signs committee would report before the end of this Session.

Mr. Speaker said yes.

Mr. Watt wanted to know if an oral answer could be given to the question he asked last Saturday concerning the Municipal Ordinance.

Mr. Hughes (Legal Advisor) said he did not as yet have an answer.

First and Second Reading Bill #15

FIRST and SECOND reading was given to Bill No. 15, An Ordinance to Amend an Ordinance Empowering the Commissioner of the Yukon Territory to Grant a Franchise to the Yukon Electrical Company Limited to Sell and Distribute Electrical Energy in the Teslin Area, Yukon Territory.

Mr. McKamey moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda and sessional papers.

Motion Carried

In Committee

In Committee of the Whole:
Discussion followed on the report received from the Liquor Committee.

Discussion Liquor Report

Mr. McKinnon asked whether along with the recommendation would a Liquor Commissioner be appointed. He imagined the Liquor Commissioner would have the power to specify what was going to be laid down in the lines of inspection. Would they then still desire that the R.C.M.P. have the full powers of a Liquor Inspector and would they leave this in the Liquor Commission's hands.

Mr. Boyd said he understood the question as "Will the R.C.M.P. still have the power or will the Liquor Inspector?" The answer would be that in Whitehorse where they have a resident Liquor Inspector on hand at all times, the answer would be no, but in outlying areas, they would resort to the R.C.M.P. as it would not warrant the appointment of one.

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Mr. Taylor (with Mr. Shaw in the Chair) said this had been discussed at great length at a former Session and he was not in favour of the R.C.M.P. being appointed as Liquor Inspectors. If Inspectors are needed in outlying districts, he would rather have Justices of the Peace.

Mr. McKamey noted in the report that the group thought draught beer was acceptable. There is nothing definite in this remark, it is a thought and he was wondering whether this was a question that was put by the Liquor Committee.

Mr. Boyd said yes, this was their question and it was wholeheartedly agreed that draught beer should be allowed. It was asked at every hearing and the only people that do not want draught beer are some of the operators. No individual said they didn't want draught beer. Some went so far as to say they did not drink beer but if they could buy a six ounce glass of draught beer, they could visit a cocktail bar once in a while.

Mr. McKamey said he discussed this with operators. He directed some questions to some of the operators at Watson Lake and one said at first he was in favour but later changed his opinion. This operator went into the financial implications of it and arrived at a figure of somewheres around eight to ten years to pay this thing off. If the cost of making this installation is in the neighbourhood of $8,000.00 to $10,000.00, it would take a long time to pay for the service provided. He thought this was something they should give careful consideration to. There were more important things than the sale of draught beer. He would like to see some improvements in rooms, etc. rather than in equipment to sell draught beer.

Mr. Boyd remarked that if somebody wants to sell draught beer why not let them sell it. This is what the public want.

Mr. Shaw said they are considering the point whether draught beer is desirable or not. Draught beer apparently is desired by the public according to the petition. He would object, of course, if they said that Joe Blow operating a certain place had to sell draught beer. He felt the public themselves would create the climate where the operator would be faced with the option of putting in this equipment or not. They should merely make it available for the people to go into the draught beer business. He thought they should do what the public desire.

Mr. McKamey agreed to a point. He thought it very important that the public should get what they want if it is financially reasonable. If the public demanded that the C.N.R. put a railway from here to Aklavik, should that be done too? There are two ways of looking at it, and he wanted to know whether the Committee had gone into the financial aspects of selling draught beer. What about warehouses, refrigeration, etc. etc.? Would it be necessary to spend a million dollars to provide for the sale of draught beer in the Yukon? Suppose if only a small percentage of the outlets decided they would have draught beer, would it be financially reasonable?

Mr. Boyd said they had investigated this thoroughly. They even had several representatives here in Whitehorse from breweries in Alberta and B.C. Mr. McKamey was talking about millions of dollars to get this going. There will be no cost as far as the Government is concerned, they will even be operating at a much less cost than they are operating at today. The operator that wants ten kegs of draught beer will go to the Liquor Store, place his order and give them a cheque. The Liquor Store will order it and have the beer

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delivered to whichever place it is. All they need is a refrigeration unit (which they already have) to keep their beer cold. There will be no additional expenses. Lower Post, in all the time they have been using it, have had one keg of beer that wasn't good.

Mr. McKamey said he was using suppositions and he wasn't being very accurate.

Mr. McKinnon asked what price the Chairman thought draught beer would be sold for in Whitehorse.

Mr. Boyd said draught beer is considerably less.

Mr. Taylor said as far as the glass is concerned, it costs you .30¢ for draught beer, in Lower Post, and you get the same amount of beer as there is in a bottle.

Mr. McKamey said he noted that it was recommended by the Liquor Committee that a Liquor Control Board, similar to the Liquor Control Board in the provinces, be appointed. He asked Mr. Hughes (Legal Advisor) whether a Liquor Control Board, set up under the provisions of the Yukon Act, would have the power to enforce the present Liquor Ordinance?

Mr. Hughes said they wouldn't as such enforce the Liquor Ordinance as would the Police, the Courts and the Commissioner, but the Liquor Commissioner would be able to see that the Inspectors made regular tours and the Liquor Commission itself would visit the various outlets and make recommendations. They would not take over but would supplement.

Mr. McKamey said he wanted to point out that at the present time under the Liquor Ordinance, the powers are given to the Commissioner and no doubt this would require some amendments. He thought it within the powers of this Council, under the Yukon Act, to appoint a Liquor Control Board and also to repeal the powers of the Commissioner under the Liquor Ordinance. If such a thing were done, they would have a Liquor Control Board that was appointed by the Territorial Council with the power to enforce the present Ordinance.

Mr. Hughes replied that it might be premature to create another body.

Mr. McKamey said his suggestion was a proposal, something to think about. They have heard the voice of the people in the Yukon Territory and they have seen the brief where they wanted draught beer. In the same brief they propose that a Liquor Commission be established in the Yukon Territory. This was a request to them and it is within the jurisdiction of this Council. They would not,he felt, be taking all the power away from the Commissioner. Under Section 47 of the Yukon Act the Commissioner, at the present time, has delegated his powers to the Superintendent of Liquor, Mr. Vars. Under such a proposal he would retain his powers and he would still have certain powers in respect to the Liquor Control Board as he has the control of the liquor that comes in. He could see a lot of work done by the Committee and Council going down the drain because there was a possibility, with the coming election next fall, before the proposed amendment is drafted there will be a lot of new faces around the table. He thought if this was discussed to a greater degree with the Administration they would probably agree that this was not too bad and a good way to solve the problem.

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Mr. Taylor said he would like to ask the member from Mayo who ideologically would comprise this Board?

Mr. McKamey said it would be entirely up to the Council. There are a lot of people who are available to sit on such a board and give the effect to the Ordinance which is lacking today. They would receive their instructions from the Liquor Control Board and not from the Administration and it would certainly help the Territorial Council for unbiased recommendations at the Spring Session of Council.

Mr. Watt agreed with Mr. McKamey that they will need a Liquor Board. In Manitoba the Liquor Commission is comprised of three members, a full time Commissioner and two part time members. It does not seem justified at this time to have an employee for the sole purpose of a Liquor Commissioner. He wondered if Mr. McKamey was suggesting that a full time employee be the Inspector.

Mr. McKamey thought this would be very essential. Under the terms of the B.C. Act, they are governed by regulations laid down by the Administration or Legislation. These regulations were prescribing the duties of the officers or officer on this Liquor Control Board. He suggested that five or seven should be appointed to be on this Liquor Control Board, but after they come up with the proposed recommendations and they are presented to Council, they could probably be trimmed down to one on the payroll and two assistants appointed. In the event of meetings once or twice a year, whatever would be required, the Chairman of the Liquor Control Board would give his directions to the Superintendent of Liquor and the Liquor Inspectors who are already employed by the Territorial Government.

Mr. Boyd said the Inspectors would be required to meet any time there were irregularities. If anything went wrong, the man at the head of the Board wouldn't have to make the decisions himself. He would have to meet, call his Committee together and decide what would be the proper action to take. He didn't think the Superintendent would want to take this on himself. The Board, as he saw it, might be required to meet at any time.

Mr. McKamey said that would not present any problem, he would have the guidance of the Liquor Ordinance, enforcing this Ordinance would be putting it into effect.

Mr. Boyd said this Board would be required to meet at a moments notice and it would be necessary to call them in event that something does go wrong. These three men would have to be in the area of Whitehorse.

Mr. McKamey thought this problem could be overcome quite easily.

Mr. McKinnon agreed with the philosophy behind Councillor McKamey's idea and he agreed it was a bold one. The idea of an independent Liquor Board to enforce the various Liquor Acts is in practice. He could not, however, rush into this without having a lot more information on the constitutionality of what this Liquor Control Board's function would be in black and white. As he understood it, if they approved the principle of a Liquor Control Board being established in the Yukon Territory at the Spring Session, the machinery to put this into motion would be presented to Council at that time. He thought at this moment what the Liquor Committee and the Legal Advisor wants is that an independent Liquor Control Board be established in the Yukon. He was 100% behind this principle.

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Mr. McKamey thought one of the problems that was confronting the Territorial Council as well as the Administration was what course are they going to take. He felt they would end up with either one of two types of legislation:

a. To give effect to a Liquor Control Board and provide them with certain powers, or

b. To propose legislation that will be administered by the Territorial Government.

In B.C. the Liquor Control Board is governed by regulation and the Board has a constitution under Section 103. The three members are appointed by the Lieutenant Governor-in-Council, this would be paralleling the Commissioner-in-Council in the Yukon Territory. They have another section covering the tenure of office, the appointment of staff, the purchase of liquor and so forth. A lot of this is incorporated in their present Ordinance. They are governed by regulations under Section 119 of the B.C. Liquor Act. He would like to point out some of the regulations they are governed by to give Council an idea how this proposed Board would work:

a. Regulating equipment and management of stores and warehouses where liquor is sold or kept and prescribing the books and records to be kept therein.

b. Prescribing the duties of officers, clerks and servants of the Board and their conduct and so forth.

c. Governing the purchase of liquor by the Government.

d. The furnishing of Liquor Stores as established under this Act.

Mr. Shaw said it appeared to him that this Liquor Control Board is an authority of its own. This Board cannot have full authority, they must answer to someone. Regardless of their recommendations if they don't suite the people, they should not come into effect.

Mr. McKamey said they received their authority under an Ordinance and regulations by the Commissioner-in-Council. He didn't think this presented a problem at all.

Committee recessed at 12:00 o'clock Noon.

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Monday, November 18, 1963.
2:00 o'clock P.M.

Committee proceeded to read and discuss the Liquor Committee Report.

Discussion Liquor Committee Report

Mr. McKamey asked for an explanation of the chit system.

Mr. Boyd replied that it is the green card system or any card system whereby you must have your liquor purchases recorded on the dotted line and have a licence with you in order to buy a bottle of liquor. But from the Committee's point of view this is a detriment rather than advantageous, and only creates bootlegging. Sweden, after having this system for ten or twelve years, found out that it was working against them all the way through.

Mr. Watt pointed out that the Manitoba Liquor Commission had recommended that the individual permit sytem be discontinued.

Mr. Boyd commented that it had been tried all over the world and found to be virtually ineffective.

Mr. McKamey said the Liquor Committee would have to be told now whether this was going to come under a Liquor Control Board or under the Administration.

Mr. Boyd asked Mr. McKamey whether he would agree to a suggestion that recommendations, along with reasons for them, be awaited until the Spring Session, i.e. what the Committee recommends to be a board and what the board's authority would be.

Mr. McKamey said there is no need to wait, it is within the jurisdiction of this legislative body to instruct the Liquor Committee now what course of action to follow. Otherwise it will come up with another vague report in the spring. If that happens it is possible this thing will be kicked around a few more years.

Mr. Shaw said he thought a Committee comprised of Council members had been appointed to draft the recommendations.

Mr. McKamey said he was on that committee, and said the memorandum had been submitted as a memorandum, not in the form of a motion nor of a resolution. The Council members up to this point have not been asked whether they concurred with that or not. He said he would like to repeat that what is suggested in this paragraph, first paragraph Page 5, is identical with what he was proposing this morning, the only difference being that the delegation of power will be with the Commission or Liquor Control Board, whatever you may call it.

Mr. Shaw said he didn't know what the Committee wants to recommend, but would submit that according to the Yukon Act the office of the Commissioner is the chief administrator of the Territory and he could not see, in spite of what anybody might say, that that power could be taken away.

Mr. McKamey said he differed with Councillor Shaw. He said he had approached three lawyers in this town and after going throught the Yukon Act they found it is definitely within the prerogative of the Council to do what he is proposing.

Mr. Shaw asked if these lawyers would be prepared to come up as witnesses and say how the Commissioner's authority can be given to somebody else.

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Mr. McKamey said if Council wants to get legal interpretation he is quite amenable, he would support it one hundred percent.

Mr. McKinnon said he is positive that there is quite a constitutional question involved and until he had an expert opinion and the opinion of the Department of Justice on something of this nature, and all facets were explored, he could not vote one way or another.

Mr. McKinnon said it might be worthwhile to note that the Western Provinces all had liquor boards before they changed their legislation. The power the Liquor Control Board has today in Manitoba evolved over many years. It would seem impossible to say to three men, here you are, you are charged with the administration, sale, everything to do with liquor in the Yukon Territory. It should be a gradual process that we have to work towards and the only way to do this is to appoint a Committee that starts advisory at the beginning and gradually learn their job, things become clearer, and they eventually take over the control of liquor in the Yukon Territory.

Mr. Boyd said the three men, for example, who might be appointed to the committee, would be required to know all the liquor laws. They would have to spend many hours studying and listening to people. It is asking a lot of business people to devote the time required for such a project - you say they would be allowed $25.00 a day while they sit - but what about the countless hours they would have to devote to study, etc.? It would seem they should be paid for their knowledge and their effort. To know their business they would have to be able to make decisions equivalent to the Administration. This is a point to be considered.

Mr. McKamey agreed they would have to make decisions, but as far as knowing anything, it is right here in the Liquor Ordinance. All they have to do is enforce it. All we need to decide is what course of action the committee should take so they can come up with results for the spring session of Council. It has been said that the people of the Yukon want a Liquor Control Board, if that is so, we should provide legislation for it.

Mr. Shaw said a committee was appointed a couple of days ago to state in a report what was wanted of the Liquor Committee. He said he expected the committee to bring forth a report that was satisfactory.

Mr. Watt said he would suggest finishing reading the report.

The Chairman continued reading the report.

Mr. McKinnon said he would have to take exception to the line (Paragraph 2, Page 5) "that the committee feels that interdiction can play a valuable part in dealing with alcohol problems", and wanted to know how they arrived at this conclusion, as he felt the interdict does and can procure liquor and so interdiction serves no valuable purpose. He cited the case which came up recently in the magistrate's court where a native woman was being charged for the fifth time this year of being drunk in a public place while being an interdict, and this sort of thing happens time and time again.

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Mr. Boyd said he noticed that Mr. McKinnon has picked out the native. They don't even know the meaning of interdict. There are other people not in this category where interdiction does serve its purpose. He said he noticed the remarks on the amount of welfare money that gets into the hands of the Government drugstore. He said this is just as controversial as the question we're on, and the question is where to draw the line. He thought interdiction is doing more good than harm and is definitely accomplishing something.

Mr. Taylor (Mr. Shaw in the chair) said he disagrees with Mr. Boyd because he thinks interdiction adds to our welfare problem. The only place this could be beneficial is in the case of an individual realizing his own problem, wishes to put himself on the interdiction list. In Watson Lake they are interdicting Indians right and left, they are just doubling the problem because when you tell a man he can't drink any more he makes a point of drinking.

Mr. Boyd noted natives were being referred to again. He said maybe it should not be applicable to natives, but he didn't hear any mention of what harm it might do the white man.

Mr. Taylor said he did not mean to restrict his remarks to the native population, as it applies to everyone. He told of a case of a white man who was indicted for eight months. He said in cases like these the man spends all of his money getting liquor by devious means, when they do that their families are neglected and they become wards of the Territory.

Mr. Boyd said the Committee had discussed this with the Department of Welfare for two hours but nothing conclusive came out of it.

Mr. McKamey asked what has been concluded from the time just spent on the subject of interdiction.

Mr. Boyd said "nothing, two councillors have expressed themselves, four others have not". He wondered where the majority comes in.

Mr. McKamey wondered what was to be gained from discussion unless some conclusion is reached.

Mr. Taylor said this cannot be resolved until the Spring Session when the recommendations are brought forward by the Liquor Committee. We can only give our viewpoints now, not adopt recommendations.

Mr. Watt thought the interdiction list does serve some purpose, and he agreed with the report in this respect, but said the list should be kept up to date. He said one person's name has been on the list since 1945, the person had changed his name and lived under the changed name in Whitehorse for at least ten years, and people serve him without knowing this.

Mr. Boyd said he thought now he would go to Welfare and ask them for an opinion of whether the native should be taken off the interdiction list.

The Chairman continued reading report.

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Mr. McKinnon asked Mr. Boyd how the Committee felt they could resolve this problem. (Paragraph 3, Page 5)

Mr. Boyd said Committee's suggestion is that we should attempt to follow the Manitoba Liquor Act. Before anybody can build anything they must have the approval of a liquor committee or liquor board. The Manitoba Act says you shall have so many rooms in an establishment, otherwise you don't do business.

Mr. McKamey said he thinks this problem will never be resolved under the present course of action because there is no guidance for the Committee - we're going right back to where we will have an Ordinance that will never be enforced. He said he would like to see some agreement on guidance for the Committee.

Mr. Shaw pointed out that in the first instance the report was incomplete and they wished it to have definite recommendations. There were members of this committee who wanted to discuss the report but he had given his opinion that it would just create a lot of hard feelings and unnecessary oratory. He said he is quite willing to forget about this report and go on to the recommendations of the subcommittee that was established.

Mr. Watt suggested they carry on with it to the end and give the recommendations later.

Mr. Boyd said he didn't know who the next Committee are going to be, but they would have to know what Council wants. There would have to be much broader coverage of people's opinions to decide on points like this.

Mr. McKamey said it makes sense to a degree. You have a large volume of briefs which is the voice of the Yukon, but you should have some further advice on what we are going to accept.

Mr. Taylor continued reading (Paragraph 1, Page 6).

Mr. Taylor asked Mr. Boyd why should the Commissioner in Council lower the age when all other references are to a Liquor Commission.

Mr. Boyd expressed the thought that whoever lowers the age is going to be boomed with sermons from the pulpit and goodness knows where else. This has been one of the most discussed problems all the way through.

Mr. Livesey referred to (Paragraph 3, Page 6) and asked, "Is this a summary conviction of the Council?"

Mr. Boyd said it wasn't intended to knock Council at all, it was just a little remark that was left in.

Mr. Shaw said this discussion took place before the views of the public were known.

Mr. Taylor asked Mr. Boyd if this, where it said "A reversal of their inactment of the Spring 1962", was the opinion of the Liquor Committee or the opinion of the author of the document.

Mr. Boyd said he would accept the responsibility for it himself.

Mr. Watt asked Mr. Boyd why the Committee recommends the severance of interest?

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Mr. Boyd replied that in Manitoba it was found that if the brewery did not own the hotel they at least owned it by way of a mortgage and that the product of the holder of the mortgage outsold the products of any other brewery.

Mr. Shaw suggested this might encourage getting better hotels.

Mr. Boyd said this is true.

Mr. Shaw requested that the Committee in their deliberations take under advisement the conditions prevailing in the Yukon Territory, more particularly in the outlying areas, and seriously study where the good and bad points could be in this and make recommendations that might improve the situation for the Territory. If it is possible to get finance to build a decent hotel or lodging house some place on these roads, it is worthy of some consideration.

Mr. McKinnon didn't think this would create any great problem in the Yukon Territory at this time because under the Ordinance the licencee has, by law, to keep all popular brands on stock. The trouble they ran into in the provinces was that a hotel kept only in stock, on draft and in bottle, the brands of the brewery that held the mortgage and you just could not get the other brands. This is already protected by law in their Ordinance as it now stands, so he could not see what great hardship could develop, he could see it actually as a benefit along the same lines as Councillor Shaw's thinking.

Mr. Boyd said a person could buy twenty-five cases of one brand and one case of another brand; when the one case is sold he is out and the customer would have to take the other brand.

Mr. Taylor asked Mr. Boyd if there has ever been a case in the Yukon where this has been taken advantage of.

Mr. Boyd said no.

Mr. Shaw said a point like this could be resolved by a Liquor Inspector, but he thought this could be taken advantage of and someone be got to put up a good building. They are looking at the black side of things. If they did push their brand a little more than the other one, this could do no harm, it might even create the incentive of another brewery to put up a building somewhere else. Certainly it would not make any difference to the drinking habits of the public or create any hardship for them.

Mr. Boyd said if there was sufficient consumption of beer here to warrant a brewe but all the drinking establishments were owned by breweries, we would never get one.

Discussion followed on paragraph 2, 3, 4 and 5 on Page 6.

Mr. McKamey thought the members of the Council saw fit to pass a Discriminating Ordinance here recently and was wondering whether they should allow licencees to discriminate against the public or should they allow legislators to discriminate against licencees. They should have something definite as there seems to be discrimination here.

Mr. Taylor asked the Clerk-in-Council if the situation relating to the Liquor Inspector getting paid for work done in the evening had been rectified.

Clerk-in-Council replied he was not aware of any change.

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Mr. McKamey asked the Clerk-in-Council if it is necessary for the employees of the Territorial Government to sign a book as they come in at 8:30 a.m. and leave at 5:00 p.m. and would the Liquor Inspector have to sign?

Clerk-in-Council replied that the Liquor Inspector does not come under his department.

Mr. McKamey said he was referring to the Inspector's duties here in town. He thought this person should be free to work the hours the cocktail bars are open in the evenings.

Mr. Taylor (with Mr. Shaw in the Chair) said this brings up an interesting question. In view of the fact that the Chairman of the Liquor Committee has pointed out that the trouble arises in the evening, when the owl comes out and the angels go home, and the fact that enforcement has been foremost in the minds of the Administration in their submissions on liquor, of those submitting the briefs and also of the Committee, why have not the Administration taken any steps to ensure that the Liquor Inspector is given his overtime or his hours of work changed to permit him to make inspections?

Mr. Watt suggested they add this to the list of resolutions they are going to talk about afterwards.

Mr. Boyd said it shouldn't be put into a resolution of any kind, it is strictly an Administrative problem.

Mr. McKamey said that if the Inspector's hands are tied he is not able to do the work he should. If this was set out specifically the Inspector would not have to answer to any Administrative staff.

Mr. Taylor asked, regarding paragraph four on Page 8, how this would affect the community clubs.

Mr. Boyd said it would not affect the community clubs. The feeling of the Committee, after listening to several briefs, was that in reality possibly the Legion and the Elks are virtually in opposition to those who are in this particular business. You can take any number of guests down to the Elks, there might be a hundred people there and only five are members - the abuse of the guestbook is really bad. They even want more patronage along this line.

Mr. Taylor (with Mr. Shaw in the Chair) said it states in paragraph four on Page 9 that they should get away from a dependency upon liquor for the greater portion of their Territorial revenue. He believed this was roughly a million dollars, and he pointed out that every province in Canada has large liquor revenues. If they take the dependency from one place where are they going to put it? Regarding the last sentence about pricing up cheap fortified wines, etc., the only thing they would accomplish here would be to put these people on hard liquor; he couldn't see the value behind this as they would just buy the cheapest anyway. He asked Mr. Boyd if there was any consideration given to a proposal of letting cocktail lounges sell liquor for off premise use.

Mr. Boyd replied yes, this was discussed, but the Committee does not recommend it. It is recommended that cocktail lounges stay open long enough to satisfy the public.

Mr. Watt wondered if Mr. Boyd had any comments or recommendations on the hours that the Liquor Store is open now, should they be open longer, shorter or are the present hours satisfactory?

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Mr. Boyd said they had complaints all round and there will always be complaints.

Mr. Watt asked if this means the Liquor Committee recommends the hours remain the same, at least for the time being.

Mr. Boyd said yes, for the time being.

A discussion took place on the proposal from the Committee of the House.

Mr. Watt asked Mr. Boyd if this would outline duties for a future Liquor Committee Report so they would get back what they want in order to draft legislation.

Mr. Boyd said he thought what the Committee wants them to do is to probe a little further and come up with a list of recommendations and specific reasons for them. Beyond that he could not see where they were asking for any more. He said he had found the briefs disappointing and what was said in the preliminary report does cover these briefs fully, but there are further angles that could be gone into and should be gone into. This was his interpretation and if he is wrong he wanted to be told right now.

Mr. McKinnon said this is exactly the intent of the people who drafted the outline of what the Council wants.

Mr. Taylor (with Mr. Shaw in the Chair) also agreed and said a lot of the spade work had been done although he recalled the comment of Mr. Boyd's that he didn't feel there was a true cross section yet. These briefs represented basically the opinions of religious organizations and law enforcement groups and possible more information was required from the man on the street, operators and so forth which would be picked up in the normal course of events in preparing a firm group of resolutions for the Spring Session. The only point that is not clear is whether or not Commissioner Cameron would agree to provide the stenographic services so that the Committee could work independently of the Administration and the Council.

Mr. Boyd suggested that Commissioner Cameron be asked to attend Committee.

Mr. McKamey noticed somebody had prepared a questionnaire that apparently was circulated and he wondered whether the briefs were based on the questionnaire.

Mr. Boyd replied that they were not.

Commissioner Cameron attended Committee.

Mr. McKinnon said they had before Committee this afternoon a list of recommendations that were a continuance of the Liquor Committee's Report, which a subcommittee of Council had come up with. The only question involved is that the subcommittee requested that the Liquor Committee be provided with stenographic help for their purposes and he wanted to know whether this could be done.

Commissioner Cameron said yes, this is quite satisfactory.

Mr. Shaw asked if Commissioner Cameron had seen the entire recommendations as it would appear there might be more expenditures involved.

Commissioner Cameron, after reading the recommendations, said yes the charges would come out of the liquor account.

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Mr. Watt said when the Liquor Committee's interim report was discussed there was a statement made by the Liquor Inspector that any inspections in his off hours were done on his own time. This seemed to present some kind of a hardship.

Commissioner Cameron said this is not correct. He is not working from 9:00 to 5:00. He goes in any hour of the day or night; he chooses his own time and the time off is arranged through his department head, the Superintendent of Liquor. That is not really a problem. His reports always say the times and they vary anywhere up to one o'clock at night.

Mr. Watt drew Commissioner Cameron's attention to the statement in the report which read as follows: "It was discovered that all his inspections in the evening were conducted on his own time".

Commissioner Cameron assured him there was no problem there. Perhaps this was more of an observation than anything else. He hadn't heard of a complaint from the Superintendent of Liquor or from the Inspector who agrees himself that he must do these inspections at odd times. He could be wrong and the Liquor Committee could have checked into it further but he had received no complaints on it.

Mr. Boyd said they did have Mr. Kerr (Liquor Inspector) attend Committee and they asked him when he inspected and what hours. At that time he intimated that his day ended at five o'clock and anything after that was on his own time. This was about two months ago and the situation could have changed since.

Mr. McKamey asked Commissioner Cameron if the R.C.M.P. write reports to the Administration on the liquor outlets in the Yukon Territory on how they conduct their business and so forth.

Commissioner Cameron said no, he has police reports come in on practically any item, but only when it has to do with some infraction of the law.

Mr. McKamey asked if the Liquor Superintendent would receive any reports from the R.C.M.P. on how business is conducted on licensed premises in the Yukon Territory.

Commissioner Cameron replied that he had no idea but imagined if he asked for them he would get them. If the R.C.M.P. were having a lot of trouble with certain licensed premises they would no doubt put in a report, or does he mean if a report comes in on a renewal license once a year?

Mr. McKamey said as to whether they should have a licence to operate or not.

Commissioner Cameron said this is correct, they can say that this place was run in accordance with the law.

Mr. McKamey asked Mr. Boyd if he had been able to peruse any of the reports in respect of some outlets in the Territory.

Mr. Boyd said he hadn't seen any reports. According to Commissioner Cameron's remarks, it immediately brings up the point - who does the operator apply to for a renewal of his permit; does he go through the Police Force first for a recommendation and then forward that to the Commissioner's Office?

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Commissioner Cameron said he goes to the Liquor Superintendent who checks it out from there.

Mr. McKamey said it seems that most of the offences that come to Court are under the Liquor Ordinance. A person would think that if the Police and the Court were investigating this properly there should be some report tabled which would tell where the person became intoxicated, where the Police picked him up, whether on the doorstep of a liquor outlet or within their premises. With the information received by both the Court and the Police they should be able to arrive at some conclusion and make certain recommendations to the Administration and if this is not done somebody along the line must be very lax. Maybe it should be incorporated into one of the ordinances that such a course be followed.

Commissioner Cameron said he thought when the charge is laid in the Court the location is usually spelled out if it is in a particular establishment but in most of these cases the infractions are in automobiles or in public places. Then there are other things in the Police Reports that are confidential and unavailable. He believed they do spell out the definite building or location involved.

Mr. Boyd understood the Police do not enter the premises at all, this is not their job unless they are called.

Commissioner Cameron said the Police were called in to sit with the Liquor Committee and they had an extensive discussion and study with them. No doubt during the course of the study there were cases where names were not necessarily used but where conditions were shown to back up their wishes or statements regarding a change in the Liquor Ordinance.

Mr. Taylor said that it states on Page 2 of the report that "A useful meeting was held on December 5th with members of the Royal Canadian Mounted Police at which the Police indicated the areas where they felt legislative changes could usefully be introduced. The Police Officers made many constructive suggestions for the consideration of the Committee". He said in most cases the minutes of the meetings and brief submissions were included in the file and he wondered why this information was not included.

Mr. Boyd said that when the Police were asked to come before them it was understood that it would be a closed meeting so that they could talk freely. The Police by and large felt the Manitoba Act would take care of 99% of their problems if it were adopted.

Mr. Watt said there is a recommendation in the report that draught beer could be brought in with the removal of a meaningless restriction. He asked Commissioner Cameron if this would offer any difficulty.

Commissioner Cameron said there were one or two difficulties he has heard about from operators and the Administration. As far as the Administration is concerned it is the capital cost involved - the Territory's cost in establishing proper warehousing facilities - it is very critical that this beer be stored at exactly the right temperature One or two of the operators he had talked to claimed that they were trying to get away from draught beer outside because it was difficult to keep track of the amount of beer, and to quote him "A good tap man could effect a considerable personal gain".

Mr. Watt said Mr. Boyd had outlined an arrangement where the beer would be ordered by the liquor vendor from the Liquor Store but delivered direct from the brewery.

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Mr. McKamey raised the same point as he did that morning that it raises a multiple of problems in the Yukon Territory. One of them is Section 47 of the Yukon Act where "No intoxicant shall be manufactured, compounded or made in the Territory or imported or brought into the Territory from anywhere outside the Territory whether it is in Canada or elsewhere except by permission of the Commissioner or a person authorized by him". He wondered who was going to be responsible for the warehousing in the Yukon Territory.

Mr. Boyd said again that the Committee had no intention of recommending draught beer be brought in here and stored and stocked by the Government. What they intended to recommend and will recommend is that the Government will be saving one nice chunk of money because they will never see this beer; they will make the money and they will order it and it will come into the man's place of business. There are some people who don't want draught beer, but who are they to say that those who want it shall not have it.

Mr. McKamey said he is not opposed to draught beer in the Territory but he is opposed to the sale of it if it is going to create a financial hardship on the Consolidated Revenue Fund. He asked Mr. Boyd if he would take the onus of responsibility off the Territorial Government.

Mr. Boyd said the onus of responsibility here is not any different than anywhere else in Canada, they have virtually the same setup. When an outlet wants some beer in any of the provinces they don't get it from the Liquor Store, it isn't even stocked by them, it is delivered directly from the brewery.

Mr. Taylor said in the case of Lower Post the carrier is held responsible for delivery in perfect state, as it is insured freight.

Mr. Watt said this is a definite recommendation of the Liquor Committee and he thought Council should take some of the recommendations and pass an ordinance on them. If they can assist the present liquor situation in the Yukon they should do it using the report as a guide.

Mr. Boyd clarified one point by stating these brewery men were requested to come in and meet the Liquor Committee to prove the point that is being put over to them.

Mr. Shaw said everyone seems to be overlooking Mr. McKamey's point that the Government only can bring liquor into the Territory which means that the breweries can't bring it in. He asked if the Legal Advisor could clarify that point.

Mr. Hughes said it is a simple contractual arrangement and if it were brought in it would not be at the risk of the Territory and there would be no difficulty.

Commissioner Cameron was excused from Committee.

Motion re Liquor Committee Report

Mr. Livesey moved, seconded by Mr. McKinnon, that they adopt the report of the Committee.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees.

Motion Carried.

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When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported as follows:

Committee Report

Committee convened at 10:40 a.m. to discuss bills, memoranda and sessional papers. Committee first dealt with the liquor enquiry report. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. Commissioner Cameron attended for discussions related to the appointment of the new Liquor Committee. Mr. Livesey moved, seconded by Mr. McKinnon, the adoption of the report of the committee. Motion Carried.

Council accepted the report of the Committee and adjourned until 10:00 o'clock a.m., Tuesday, November 19, 1963.

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Tuesday, November 19, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron (set out as Sessional Papers as follows):

	Sessional Papers
(1) Reply to Motion No. 4 regarding Fuel Tax (set out as Sessional Paper No. 36)	No. 36
(2) Reply to Motion for the Production of Papers No. 1 respecting Federal Resources Revenue (set out as Sessional Paper No. 37)	No. 37
(3) Reply to Motion No. 7 regarding the Teslin Medical Facility (set out as Sessional Paper No. 38)	No. 38
(4) Reply to Question No. 10 respecting Local Forest Products (set out as Sessional Paper No. 39)	No. 39
(5) Reply to Question No. 8 regarding Wide Load Permits (set out as Sessional Paper No. 40)	No. 40
(6) Reply to Question No. 6 regarding Sewer and Water Supplies for Territorial Communities (set out as Sessional Paper No. 32)	No. 32
(7) Reply to Motion for the Production of Papers No. 7 respecting Physical Fitness (set out as Sessional Paper No. 41)	No. 41
(8) Reply to Question No. 13 regarding the Legislative Committee (set out as Sessional Paper No. 42)	No. 42
(9) Reply to Question No. 14 regarding the Dental Profession (set out as Sessional Paper No. 43)	No. 43

Mr. Livesey (with the Deputy Speaker in the Chair) moved, seconded by Mr. McKamey that, in the opinion of Council the Administration of the Government of the Yukon Territory be respectfully requested to open a road to an emergency water supply adjacent to the bridge over the Alsek River on a temporary basis in the community of Haines Junction for the purpose of creating an adequate water supply for fire fighting. Speaking on the motion Mr. Livesey said that this is an emergency situation. In the past they had been using a well and he understood they were not satisfied with this situation, but needed access to water as an emergency measure. He read a memorandum received from the Advisory Committee in Haines Junction dated November 4, 1963, and said it was a simple request to obtain a more ample supply of water so that if anything did happen they would have water available. Motion No. 10

Mr. Boyd said he understood there is a road to the river which could be kept open. He wondered if in the winter a water hole could be kept open or if there was open water?

Mr. Livesey said all that is involved is to keep an area of the water in the river clear. An ideal place for this would be near the bridge.

Mr. Boyd wanted to know if the river freezes over solid.

Mr. Livesey said he had not personally inspected this, he felt that the community itself knows what it needs.

Mr. McKinnon wondered if there was any liaison between the Fire Chief and the committee at Haines Junction. He had a memorandum dated November 14, from the Administration stating it was their understanding in the past that an old Army well was used for this purpose and they have not been informed by the Fire Chief that this source is inadequate. He asked if there is any liaison between the Fire Chief and the committee and does the Fire Chief want this?

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Mr. Livesey said if they read the memorandum they would find that it is not a matter of a liaison with the Fire Chief but rather with the Administration. What is indicated is that the Fire Chief has not advised the Administration but obviously has advised the committee.

Mr. McKamey said there are associations set up in the small communities and they follow a proper procedure which he outlined. He felt if they needed water they should get it.

Mr. Shaw thought this was a very simple request and could see no reason why this could not be agreed to.

Motion Carried.

First and Second Reading Bill #16

FIRST and SECOND reading was given to Bill No. 16, An Ordinance to Amend the Labour Provisions Ordinance.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda and sessional papers.

Motion Carried.

In Committee of the Whole:

Committee Discussion Bill #14

Committee proceeded to discuss Bill No. 14, An Ordinance to Amend an Ordinance to Prohibit Children being on the Streets after Nightfall, with Mr. Hughes in attendance.

Mr. McKamey said this was a request by the Parent-Teachers Association at Mayo and had been under considerable discussion at Mayo for over a year.

Mr. Boyd wondered if there was a necessity for the Ordinance in the first place.

Mr. McKinnon said as far as he is concerned the Curfew Ordinance is impracticable and it is just something that digs into the past. He could not see why children going to attend a youth sponsored dance on the weekend should have the Police checking to see if they have a note or are accompanied by a duly authorized adult to bring them home. He thought it was out of date and they should throw the Curfew Ordinance out completely.

Mr. Livesey thought possibly that the Ordinance was "Victorian" and it seemed to him that the matter as it had been presented to them is not a question of repealing the entire Ordinance. It is merely to repeal a certain section of it in order to make the Ordinance more workable and more in line with the elimination of certain problems. This Bill merely asks for a certain section to be amended and he certainly agreed to it.

Mr. Watt said he had discussed this with several parents and found that they are in favour of the Ordinance. He felt the Ordinance was fair.

Motion Bill #14

Mr. Shaw moved, seconded by Mr. Livesey, that Bill No. 14 be reported out of Committee.

Motion Carried with
Mr. McKinnon opposed.

A discussion followed on Sessional Paper No. 43 in reply to Question No. 14 respecting the Dental Profession with Dr. Kinloch present.

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Mr. Shaw said there is need for a full time dentist in Dawson. They have tried to have a dentist from Whitehorse visit there now and then but there is a great concern because the people in Dawson do not have regular dental attention. They were assured that the dentists in Whitehorse would visit and attend to the dental requirements of that area and they were quite satisfied and did not expect them every week. The last visit made to Dawson by a private dental practitioner however was in July of 1962 and before that, it was a year earlier. In three years there has been practically no private dental practitioner in that area. These are the facts of the amount of service they have had in Dawson. If a person requires dental attention now he has to come to Whitehorse which involves quite a considerable cost - fares, hotel and meals plus the cost for dental attention. This is more than most people can afford. Some people are not in a position to leave their jobs all this time. The reason he asked Dr. Kinloch to attend this Committee was to make a proposal which he could pass on to the Department of Health and Welfare. His proposal is that when the dentist, who is employed by the Department of Health and Welfare makes regular visits in that particular area for the purpose of looking after the Indians, he be permitted to do any fillings, extracting and normal work for the balance of the people. They could be charged the regular fee.

Discussion Sessional Paper #43

Dr. Kinloch said he would like to make it clear that the Dental Clinic here has done a very good job of looking after the Territory. The volume of work here in Whitehorse is sufficient to keep them busy. They have shown themselves very willing on all occasions to do work in all parts of the Territory. They have completed the majority of the work at Mayo this year. The Yukon is an extremely large area for them to cover and the population would be 10,000 people which is a very high number for two dentists to look after. Another problem is that the City of Dawson has shown itself to be rather rigid on issuing business licences. The dental practitioners here feel when they go to Dawson, take their own equipment, etc. they should not each be required to pay for a business licence. They did have plans to go to Bear Creek this year but they had difficulty with their portable equipment. They feel they will be able to visit Dawson next summer and hope to have, at that time, a third dentist. The point of having a departmental dentist to work, as suggested by Mr. Shaw, is a good suggestion. It has always been the policy of the department that where there is no dentist the departmental dentist will do any work that is required. If they get a dentist, he will be going into Dawson primarily to do school children but he could also do any emergencies that are required at that time.

Mr. Shaw said he just pointed out the facts, he was not condemning the dentists. He did not know about the licence fees charged by the city. He thought they should be charged a licence fee the same as everyone else. If there is a dentist coming up with the Department of Health and Welfare they could give consideration to doing this normal dental work.

Dr. Kinloch gave his assurance that if they did get a departmental dentist that would be done.

Mr. McKamey wondered if the Ordinance respecting dentistry in the Yukon regulated the amount of dentists that were allowed in the Yukon Territory?

Dr. Kinloch did not think there were any regulations. They are having difficulty in securing the services of another man.

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Mr. Watt asked if the Commissioner had to have any kind of a recommendation when he issued a licence or is it just when he issued permits?

Dr. Kinloch replied that he would have to look that up.

Mr. Shaw asked if they had any statistics showing the number of people served by a dentist, doctor, etc.

Dr. Kinloch said there was. He was most familiar with the medical statistics. The average in Canada is something below 1 to 1,000. Up here they are operating a little higher than that, 1 to 1,300 possibly. For dentists it is usually about 1 to 1,500 he thought so they are well below the average for dentists.

Mr. McKamey said he did not exactly know what the population of Dawson was at present but he did know that the area he represents has over 1500 people in it and he thought this would almost support a dentist in his district, if not, a combined area between Mayo and Dawson would certainly support one. He wondered if Dr. Kinloch would be opposed to legislation protecting a dentist servicing Dawson and Mayo. He thought it would provide a good service for the north end of the Territory if they could have somebody up there.

Dr. Kinloch said he could not see any necessity for this protective legislation, although it depended much on the type of population they were dealing with. He thought the dentists here had difficulty keeping up with the work at the present time without going to the northern part of the Territory and they should be very pleased,in fact,to have a dentist in that area.

Mr. Taylor wondered if the situation might resolve itself by putting in a mobile dental clinic?

Dr. Kinloch said this is what the dental clinic here planned to do. They are more or less mobile now. They put their equipment in the car and travel that way.

Mr. Taylor said he was thinking more of a bus type unit.

Dr. Kinloch replied there were many problems in this sort of operation such as high expenses involving water, heat, etc. plus the fact that pulling a bus is a very slow method of travel and it wastes valuable time which could be used for dental attention.

Mr. Watt wished to know if there were many inquiries from the dental profession about conditions in the Yukon.

Dr. Kinloch said he never had any.

Mr. Boyd said that Dr. Kinloch stated that the dentist employed by the Health Department would look after emergencies if he was in Dawson City, but primarily he was there to take care of the children. He wondered where you draw the line of an emergency? He thought if the teeth needed attention he should be prepared to do the job rather than wait until it becomes an emergency. This should be the case unless they can get assurance from the dentists that they will visit these areas at certain times. This is the only way the public up there can be assured of dental treatment. If they can't assure this the dentist from the Department of National Health and Welfare should be prepared to look after the teeth of the people in that district. He could not see how two dentists can handle this area and do

a good job. He wanted to know, when a dentist comes into this town, how does he go about it? Can a dentist walk into this town and simply start up or are there some restrictions he must adhere to which are set by the medical or dental fraternity?

Dr. Kinloch referred this to the Clerk-in-Council who could give them the licencing requirements.

Clerk-in-Council said that the only requirements are under the Dental Profession Ordinance. If he fulfills those requirements he can set up, there are no other restrictions.

Dr. Kinloch said there was another question in Councillor Boyd's remarks, namely whether or not their departmental dentist could look after other than emergency work. This is not a matter of them being restricted in any way, it is a matter of time. The dentists that they have in the Yukon have been allotted six to eight weeks in the Territory - that is the total and this is to cover all the outlying areas. So they could see from this that it is impossible for them to do any other work than emergency work in such a short time. This man not only covers the Yukon Territory but also the Northwest Territories and also part of Northern Alberta as well. It is a hopeless task. The number of dentists is much smaller than they need, not only in this country but in other countries of the world as well. They now insist on a higher standard of dental hygiene and care. Dentists like to do preventative work, work designed to prevent cavities in teeth, but they are so busy it is impossible. He did not think there was much hope of attracting a suitably large number of dentists to the Yukon to cope with all their needs.

Mr. Shaw said all he hoped to ascertain was that the Northern Affairs Department would consider every possible way to alleviate this situation.

Mr. McKamey referred to some of Dr. Kinloch's remarks and said it would seem to him that there is a definite requirement for more dentists in the Department. If they only have six to eight weeks in the Yukon there must be work left over.

Dr. Kinloch said they were unable to get dentists. They have had dental positions open in the Yukon Territory for years.

Mr. McKamey asked if it would be possible to get dentists from foreign countries. It seemed to him that the Department of National Health and Welfare could take advantage of this even though they do not have Canadian dental qualifications and let them study for these while in the departments employ.

Dr. Kinloch said that the department has done this several times. The problem is that these dentists only stay for a short time and then they settle down to a private practise.

Mr. Shaw said the object is to have higher standards each year in the dental profession, but if on the other hand you make these too high, you will cut down on the number of dentists qualifying. As a result the people do not get the proper care. As far as he could see very shortly they will be getting less and less in the sparsely populated areas of Canada. They will all conjest in the urban areas. Unless something is done it will become more and more serious.

Mr. Livesey said one thing that hasn't been mentioned today is the cost of dental work. People in outlying areas are charged almost double compared to those in Whitehorse, not to mention loss of time, etc. He thought the more services in the outlying areas, the more they would develop the country.

Committee recessed at 12:00 o'clock Noon.

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Tuesday, November 19, 1963
2:00 o'clock P.M.

Committee proceeded to discuss a memorandum from Commissioner Cameron re Wide Load Permits (Sessional Paper No. 40).

Discussion Wide Load Permits

Mr. Shaw said some construction companies seem to have trouble with this. He could not say whether it was because they did not know they could have a load ten feet wide and not eight feet. As it works at the present moment, however, a person who wishes to take a wide load has to get a permit to take it on the highway if it is over eight feet and contractors are allowed to take a maximum of ten feet without getting a permit. People in the hauling business should be thoroughly conversant with the law in respect to what precautions must be taken, such as a vehicle in front, one behind and a "wide load mark" on the lead vehicle. On the Dempster Highway, the man who does the hauling with his lowboy goes up into this particular area and can haul anything. If when he gets up there the oil companies or whoever it might be that are contracting ask him to move a building two miles because they are moving camp he must first go to Dawson to get a permit. This can be on a Sunday, a Saturday, it doesn't make any difference, under the existing regulations this person then has to go to Dawson and get a permit for this. In the meantime his truck is tied up 100 miles or more from Dawson, but he has to go all the way back to get a permit from the Territorial Agent. If this person gets there at 6:00 or 6:30 he cannot do anything but wait until 9:00 o'clock the next morning. The object of this permit is quite clear - to prevent people cluttering up the highways with wide loads and this is necessary. On the other hand, when you get vehicles or firms which carry P.S.V. licences to haul heavy material such as this, he felt that it would be quite sensible if that person could apply to the Territorial Agent and get a permit for say one month to haul these particular things - he would still have to attend to and recognize all the regulations. The reason for requiring the permit was so the police could be notified and could assist or would know where this particular wide load was being hauled. His request was that the "bona fide" truckers or contractors operating in the Territory can get a permit for one month to haul within a restricted area of their operation.

Mr. Watt said he appreciates the situation as it is in Dawson City and on the Flat Creek Road but up along the Alaska Highway and the Air Base here in the summer, there was an average of two large buildings a week moved and they were moved at times that were laid out for reason of traffic. If you allowed somebody a permit to move ten buildings in two months, the buildings are liable to come down the highway slowly during rush hours, how would Mr. Shaw take care of a situation like that?

Mr. Shaw said he was not in the process of taking care of a situation but would say that his request might apply to equipment along. This is open to discussion. It might be necessary in the Whitehorse area due to the heavy traffic that you might need an individual permit for a building, but you certainly don't need it when you are a hundred miles from the Arctic Circle.

Mr. McKinney said he agrees with Councillor Shaw that it is unreasonable the way it works out at the moment. Contractors or transportation companies apply for a permit to haul a piece of equipment up to Chapman Lake or perhaps Frances Lake, and quite

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often we could save a company or even an individual considerable amounts of money if he could have the heavy duty type trucks take something back, but he has to go to Whitehorse to get a permit first. In respect to buildings, he felt Mr. Watt had a good point, but it could be specified on the permit that this permit was designed for equipment or portable types of buildings to a certain width and the permit could specify that nothing beyond that would be hauled and the problem would be solved.

Mr. Watt said that would take care of any objection he has to the change in the regulation.

Mr. Taylor (with Mr. Shaw in the chair) thought issuing this type of permit subject to specific regulations would be a good thing.

Mr. Shaw recommended that the people who have a P.S.V. licence be permitted to get a thirty-day permit to haul within a restricted area. This would make them aware of the fact that they have a responsibility and would not create any particular hardships.

Motion re Wide Load Permits.

Mr. Shaw moved, seconded by Mr. Livesey, that the Administration be requested to issue regulations to permit "bona fide" trucking or construction companies to obtain a wide load permit that will extend thirty days and can be renewed upon expiry and that the area in which this permit is desired be outlined.

Mr. McKamey meant this should be restricted to Yukon vehicles only.

Mr. Livesey asked just how this is going to affect the residents of the Alaska Highway.

Mr. Taylor said he thought the Alaska Highway is under a completely different jurisdiction so it should have no effect.

Clerk-in-Council said that the Northwest Highway System follows our regulations.

Mr. Watt said as far as moving buildings is concerned, it is a good thing it comes under the Yukon Territory.

Motion Carried.

Mr. McKamey directed the following question to Clerk-in-Council in respect to the Alaska Highway. He said "I understand this is under the jurisdiction of the D.N.D. and possibly the Department of Public Works, where did they get this power? Was it by Order-in-Council in respect to the authority the Army has over the Alaska Highway?"

The Clerk-in-Council said it is considered a defence establishment and that is where they got their authority. There was some discussion whether it should be controlled under the Government Property Transport Regulations, which is a Federal Act, or whether it should be governed by our own Motor Vehicles Ordinance. It has been agreed upon it should be under the Motor Vehicles Ordinance of the Yukon Territory.

Discussion Watson Lake Sign Posts S.P. No. 8.

Committee proceeded to discussion on Watson Lake Sign Posts.

Mr. Taylor (Mr. Boyd in the chair) said when the Army told the residents of Watson Lake the signs would have to be removed from the Highway and no signs could be put up within two or three miles of town, they began to fear for the Watson Lake

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Sign Posts. This is in effect an historical site and they have endeavoured to find a new place to put them. They found the Territorial Government have a lot directly behind them on which they have the liquor store. The community are definitely opposed to moving these signs and distance from where they are. He said they still would like a little assistance from the Administration in looking after the signs. They had thought maybe the National Sites and Monuments Board would give a hand and set it aside as a historical site, but so far they haven't seen fit to. That is where it stands today and it would seem there is no further action to be taken, it would not seem that Council could take any action at this time to benefit the situation.

Mr. Watt asked Mr. Taylor how this would fit in with the new regulations, even if you had a lot behind where they are now, could you still put your signs up under the new Territorial regulations that are proposed for the Alaska Highway?

Mr. Taylor said signs are allowed off the right-of-way.

Mr. Watt said he understood the proposed regulation said that nothing could be put within nine hundred feet of the Highway.

Mr. Taylor said he believed this is something the Sign Committee is looking into.

Committee proceeded to the Corrections Programme and Custodial Facilities of the Yukon Territory.

Discussion Corrections Programme S.P. #12

Mr. McKamey said he would point out to members of Council that their decision was based solely on misinformation and the results of the survey by the Department of Public Works conducted on the proposed site behind the hospital. The information received from Mr. McCall was misinformation because he was misinformed himself. Further, the Golf and Country Club has said that the site for the correctional institution takes up 99% of the golf course. He said he had been told by different members that they were authorized by the Commissioner to go ahead and build the golf course and clubhouse because they could have the property and this is why so much work has been done.

Mr. Boyd said he could not quite grasp all that Mr. McKamey had to say. He understood there were between 1300 and 1600 acres the golf club could use, and the 40 acres that would be required for the correctional institution would be negligible. He said when the Committee was over there two months ago, no work at all had been done on the course. Nevertheless, he said, a motion was passed here a couple of days ago authorizing the Committee to proceed and bring the situation to a conclusion, so it is now out of the hands of Council, but added that the proposed site had not yet been finalized.

Committee proceeded to item respecting the Mayo Airport.

Discussion Mayo Airport S.P. #14

Mr. McKamey said he had additional information on what it would cost to construct the airport, and it is nothing like that handed down by the Department of Transport. This is being worked on at the moment, and he said he would like it to come up for discussion again at the Spring Session. He said it would be a good project for the Financial Advisory Committee to discuss in Ottawa.

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Discussion Community Centers Ordinance S.P. #28

Committee proceeded to discuss Motion No. 15, Spring Session 1963.

Mr. McKinnon said this was a motion of last session. The reason behind it was that after studying legislation in the majority of provinces across Canada and the Northwest Territories, it was found that the Yukon Territory was the only one that had no provision for a cost sharing agreement between the government and bona fide community clubs for aid and assistance in building community centers. He had stated at that time that he did not agree with the way the liquor (community development) fund is disbursed and said there is no point in pursuing the argument with this Council. Rather than stir up a bitter controversy by bringing it up now, knowing the motion would not be agreed with, he said he would just pass it on to future councils for their information. He said he is opposed to the way the liquor fund is disbursed; he is absolutely opposed to any elective member of any legislation anywhere having any control over any public funds whatsoever, and will continue to fight this arrangement.

Mr. McKamey said as he remembered, we had a copy of the Votes and Proceedings of the Northwest Territories and he brought it to the attention of this Council that such an Ordinance was in effect and he received and has on file a copy of this Ordinance. He said it was he who had initially suggested that we should adopt something on the same basis.

Mr. Chairman asked whether Committee wished to deal with this or defer it.

Mr. Shaw could see no point in discussing it. He said there is one point in this that seems to be quite sound, and he would certainly recommend that when the term of office expires if the fund is not spent it also expires and goes into the Territorial revenue fund.

Mr. Boyd agreed with Mr. Shaw except for one point. He felt that at least half of the councillor's annual allotment should be left for the incoming councillor.

Mr. McKamey said present councillors started with nothing. He pointed out paragraph 1 where Mr. Carter of the Department of Northern Affairs stated the allotment system was unconstitutional. If Committee remembers, this was a suggestion of Mr. Carter's that the liquor revenue be put aside for this specific reason. The Community Centers Ordinance had nothing to do with this.

Mr. Watt said he could not fully agree with the way the money is used, but nobody to his knowledge had come up with a better idea. When the money is used in this way the people in the communities can help supervise its use, and this seems fair. He thought a lot of the criticism against this system was unjustified. He said he would be happy to pool his allotment with the other Whitehorse councillors, so any submissions made by clubs in Whitehorse or the surrounding area would go to the chairman of the group. To those who thought it was wrong, he would say that conditions in the Yukon are different than in any other part of Canada including the Northwest Territories, who have huge sums of money they don't know what to do with.

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Mr. Taylor said he could see merit in Mr. McKinnon's proposal, but as far as the arrangement goes right now. In his district, the allotments have been entirely expended each year and have paid off two social centers. He said he liked to think of this money as something that is just being redirected back to the people as a refund on their tax dollars. He felt that when the writ ordering an election is issued, all remaining revenues should go back into the treasury.

Mr. McKamey said his constituents are very happy with the results of the present appropriation as they now have a hall to be proud of. It is used for movies, dances, recreation of all sorts, and even for a courthouse. He said they intend to go one step further and do the same thing in Keno City. This is exactly what the people want, and whoever is elected next spring will be asked to do the same thing as he has been asked to do. As far as the paper is concerned respecting community centers, this is the provision made in the Northwest Territories where the government contributes on a dollar to dollar basis in the development of community centers, and this was why there was request for such an ordinance.

Mr. Shaw said he disposed of the money in his district by asking the people at a public meeting how they would like to spend it. They requested a swimming pool and that is just what it will be used for.

Mr. Livesey thought if there is anyone with a genuine interest who wants to challenge the way the money has been spent, they will find out that genuine interest in the outlying areas in the Yukon Territory has been shown by every member around this table. As far as his district is concerned, practically every single item that has ever been asked for has been challenged, and these statements can be backed up by fact. If anybody feels they have a better business outlook and a better business way of handling money on behalf of either themselves, the government or the people who contribute to the tax coffers of this Territory, let them stand on their feet and show us. He said he had heard a lot of talk about criticism around this table but if you will look at the criticism you will see that there is a small minority genuinely interested in constitutional procedure, and no doubt in time constitutional procedure will take its place, however, for the rest, in his opinion, the criticism was purely political and it is federal politics not territorial politics that causes these so called forms of criticism. As far as the money itself is concerned, we have a different problem in the outlying areas of the Territory than in the heavily inhabited areas. To come along and say you can have this or that kind of a building if you will pay 50%, you may as well write it off the sheet because they could never raise that kind of money. With this help and assistance we have been able to obtain from the Administration, the small community has been able to grow and it has given the people of the area some interest in their local communities which could otherwise not have been maintained. He felt quite sure this has contributed to the Territory as a whole. He said some day it will probably be substituted with something else, but until that day happens he could see nothing wrong with it.

Mr. McKinnon said he accepts the challenge of the member of the Beaver Creek for someone to stand on his feet and ask him how the money could be better allocated. He said he had suggested before

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that this $8,000 of liquor money that each Councillor receives each year to disburse be put in a central pot which would constitute $56,000 per year. The various community centers, and the people, and the organizations who believe they have a bona fide request ask for a disbursement on a dollar matching basis and that these requests are channelled through this Council. All members seem to think that somebody is trying to say that they have not been allocating these funds fairly, equitably and without any political "hanky panky" whatsoever. He thought the overlying principle of it is wrong and is constitutionally wrong for any democratically elected legislative assembly to have personal control over any public funds whatsoever. He said just so that there can never be any danger whatsoever that this money be used for political purposes, a solution should be found.

Mr. McKamey said apparently Councillor McKinnon is not aware why this tax is imposed, and suggested he should go back to the roots of it.

Mr. Watt said we had the same type of system that Mr. McKinnon is talking about now. It first came up here in the first grant for the Physical Fitness fund. This was a fund of $15,000.00 that was set aside for physical fitness in the Yukon Territory for that particular year. Submissions were made from throughout the Territory for the money. What happened was that $8,000 went up to Old Crow and $1,000 went to the rest of the Territory, $6,000 was lost.

Mr. McKinnon said he didn't think an analogy could be drawn between this and a fund which was completely Federal in control - the Department of Health & Welfare had full say over what projects would be accepted under the Physical Fitness and Amateur Sports. He said he had suggested that the $56,000.00 of this money be under complete control of the Territorial Council and they have the say as to the disbursement.

Mr. McKamey said Council does not have complete control over it. He upbraided Mr. McKinnon for having had his picture published in the News Advertiser presenting a cheque to the Porter Creek Community Club. He said he has heard this type of thing being used but he would never use it to this advantage himself. He said it is his practice to get all the community organizations together to agree in some teamwork where they are going to funnel the money into a project that will assist the community as a whole, and it has worked successfully in his district.

Mr. Watt made a definite proposal to Mr. McKinnon to put the Whitehorse West fund into a central fund with Whitehorse North and possibly Whitehorse East if they would like to join . He said he would be willing to put forth a letter of approval that this money go into a central fund, and out of the three members they choose a chairman so that all submissions that would ordinarily come to the three of them would go to the chairman. The Committee of three would then meet two or three times a year to consider projects.

Mr. McKinnon said he would go along with this proposal 100%.

Mr. Taylor(with Mr. Shaw in the chair) said regarding Mr. McKinnon's proposal that the $56,000.00 go into one fund poses a problem because of the lack of fund raising ability in the small communities means that they don't have the money to go on a matching grant basis. Even the existing appropriation

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only provides for capital construction costs and every nickel residents can raise goes towards maintenance and upkeep of the building. Here in Whitehorse, this problem would probably not exist because the fund raising ability is good due to a larger population.

Committee proceeded to Sewer & Water Supplies Territorial Communities, Discussion S.P. #32

Commissioner Cameron and Mr. McKenzie (Territorial Treasurer) attended Committee.

Mr. Taylor (with Mr. Shaw in the chair) said during the summer in Watson Lake and elsewhere much work was done by Associated Engineering as outlined here in determining the feasibility and costs etc. of the sewer and water systems. He wondered whether any or all of these proposals would be included in the spring budget and if so, he thought, some consideration should be given to the reports of the various districts prior to being introduced to the budget. In reviewing the Watson Lake proposals, the people found the water system was too rich for their blood, but also realize they have a sewage problem they are going to have to cope with in the business area only. He wanted to know just where they stand.

Commissioner Cameron said in part: "The totalling at the present time of the Associated Engineering reports shows that we are $500 ,000.00 short. The $700,000.00 which is available, some of which has been spent to date, is for the total of five years and was to cover ten communities. At the last session, we wanted to get more information from Ottawa regarding the subsidy involved, as to whether the $700,000.00 was the total amount or whether this was the amount that we had available to spend in our five year agreement, and if we could anticipate an additional financial assistance programme. They informed us that there was no further money available. Then when we started to look into the finances of it we conceded there was not enough money to do this - $500,000.00 short is not actually correct, it might be $600,000.00 or $700,000.00. I might also add that we have stopped Associated Engineering at this stage until we find out how far we can go, if we can go anywhere, andif so in what direction."

Mr. McKamey directing his question to Mr. MacKenzie said in respect to the sewer and water system established here in Whitehorse, it seems they underestimated the cost of that which did not present any problem in obtaining the necessary funds. Is there any reason why they could not do the same thing?

Mr. MacKenzie said this is five or six years later and times are different and may be circumstances are different. Then again they were in a hole, they just had to find this money. He did not think they should undertake anyone of the whole systems at this time. They took up in Ottawa this question of finding additional money for projects like this, and were told they must stick to the programme outlined in the five year plan. If they wanted to verge from that, they should find the necessary money themselves.

Mr. Taylor (with Mr. Shaw in the chair) said there are problems within communities. In Watson Lake, we have raw sewage actually running in the ditches in some places. He feels it is nothing more than a typhoid trap, but didn't know how they could solve the problem. He wanted to know what he should tell his constituents who had been holding off drilling wells waiting to find out what the score was.

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Mr. MacKenzie said he would suggest these communities be advised to carry on under the assumption that the partial systems are to be put in, but don't count on full systems, although sooner or later, they will be put in. It was impossible now to say when they can afford to do so. He understood from the Medical Officer of Health that he is not able to say that full systems are necessary. If this is so, how could they justify putting them in?

Mr. Taylor said this could not be said of the Watson Lake sewage system because this has been a problem for years which is worsening.

Mr. MacKenzie said the Medical Health Officer did include Watson Lake in his opinion. If he were to recommend a full system be put in without delay, we would have to find the money because the health risk could not be taken.

Mr. Taylor said maybe within the limited funds available, we could take the approach of putting in the minimal sewage system on a much reduced scale than it is planned on now, to service the two or three hotels, the businesses and the Army camp. This would solve their problem and they would have no contamination. The same type of thing might be workable in the other districts, for instance in Porter Creek, they might feel they can get by without the sewage and just put in the water. Perhaps with the amount of funds available we might be able to put in partial systems.

Mr. MacKenzie asked if partial systems would mean full systems for part of the community.

Mr. Shaw said it would mean to have either sewage or water piped.

Mr. MacKenzie agreed this was an alternative.

Mr. McKamey said the constituents in the Mayo district have informed him that they are prepared to accept the proposal - they would prefer the water system - and if this installation were made within the next year, it could probably save the Territorial Government money in many respects. There is an expansion programme in effect in the mining industry up there and if they had some sort of facilities in Mayo - water or sewage - this would encourage more people to live in Mayo and work at the mines and contribute to the overall costs.

Mr. Livesey said he has a similar problem in Haines Junction. The engineers agreed that it was possibly one of the most suitable places, due to natural fall, for a sewer system in that respect. As we all know in the outlying areas, we are trying to keep down the threat of infectious diseases, and are doing our best to eliminate problems of lack of proper sewage disposal and lack of water systems. In Haines, with the type of soil they have there and the almost impossible situation they have with regard to the dispensation of sewage through the normal programme and outlet of the septic tank system, something certainly should be thought about. He said he could see the more or less financial block, we are up against but certainly whatever can be done should be done, and we should not leave it until the problem gets so bad that we run into a far worse position than we are in today. He said we should be able to make a start at it and the people should be informed what should happen and when.

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Mr. Watt said during the summer he had been in different areas of the Yukon where they presently do not have sewer and water, and one question he was often faced with was "When are we going to get sewer and water, we are planning on drilling a well but if we are going to get sewer and water next year or the year after we won't put facilities in." He thought the Committee with the help of the Administration should lay out a plan so people would know when this is going to be done.

Mr. Shaw proposed that the Councillors, who have this problem in their communities, should meet with the Administration to discuss ways and means through which they could put a programme into effect.

Commissioner Cameron said he has no objection to such a proposal. The problem could be simplified if Council here could notify the Administration of their wishes and select a test program of one of these four communities and see what could be done next year in setting up the sewer and water systems.

Mr. Taylor said if they adopt the proposal that Commissioner Cameron has suggested and decide amongst themselves which community to start with, and find out what they can do with one and proceed along that line. He believed Mayo was first, Watson Lake second, Haines Junction third and Porter Creek fourth.

Mr. Livesey said he had one difficulty with this, it seemed that they started out with ten communities and they shrunk to four. He thought that was a "Sanforized" situation but apparently it isn't and they are now down to one. Just where does the Five Year Agreement figure in against one when they are considering ten?

Mr. Taylor said there is one thing to bear in mind and that is if they have the money to put the whole system in at once instead of in patch work they will save money on it.

Mr. MacKenzie said it is much wiser to build up the money first before they spend it. It would be a mess if they found themselves short of cash.

Mr. Boyd said he would suggest the four members take the advice of Commissioner Cameron and settle it but he thought the oldest community has been waiting the longest and therefore should get the first attention.

Commissioner Cameron said they might expand on that, it doesn't sound too well to say the oldest community, because the oldest community could be a dying community. In this case he thought Mayo was going to be there for quite a number of years, there is a fair amount of government spending already being done and capital expenditures made. He thought it lended itself not only because of age but because the lot sizes are very realistic and it would be a good pilot location to find out what a system would cost to build and operate. In the meantime the remaining six that had not been touched upon could still be served with a water truck, if required; this type of service is touchy at times because they like to leave that open to private enterprise which is usually the case. A man will do this along with some other business he is involved with - he will sell water or he will run the garbage truck but in the event that there is no private enterprise to do this the money has been set aside so these people can be served in one way or another.

Mr. Watt said he had written a motion out for the records: "That the four members in whose constituencies water systems are required

meet and decide upon a community in which to install a water and sewage system or partial system, whatever is required. The Administration is respectfully requested to check the engineering data presently available and commence installation next summer if possible."

Mr. Taylor said he could not see the need of a motion and no committees would be required, as the four members could just get together and discuss it, though this could be quite difficult for people a few hundred miles away.

Mr. Chairman asked for a seconder.

Mr. Boyd said he could only agree after the people in the district in question have declared their intention by plebicite.

Mr. McKamey said he would be agreeable to such a suggestion that the four get together with the Administration and see what they can do about it. He had heard Mr. Carter, right here, saying that any money appropriated, within the framework of this agreement, is entirely up to the Territorial Government to do with it as they see fit.

Mr. Watt said he thought we were about to inherit a great white elephant; there will be some changes needed in the five year plan next summer anyway. They would inherit the whole Takhini area, miles and miles of road, miles of sewer and water, fire halls and so on and there will not be enough taxes to cover this, another grant will be needed to cover this.

Mr. MacKenzie said this will be covered by a separate agreement.

Mr. McKamey asked would it not be wise in the future before we enter into another five year financial agreement that any of the communities in the Yukon be assessed as to what it would cost to provide partial and full systems, then the Administration would be armed with something to get larger appropriations from the Federal Government to cover the cost of such systems.

Commissioner Cameron and Mr. MacKenzie were excused from Committee.

Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker do now resume the chair and hear the report of the Chairman of Committees.

Motion Carried.

Mr. Speaker resumed the chair and Council accepted the report of the Chairman of Committees, as follows:

Committee Report

Committee convened at 10:30 A.M. this morning to discuss bills, memoranda and sessional papers. It was moved by Mr. Shaw, seconded by Mr. Livesey that Bill No. 14 be reported out of Committee witout amendment. The motion was carried. Dr. Kinloch attended Committee to discuss dental services in Dawson City. Committee recessed at 12:00 noon and reconvened at 2:00 P.M. It was moved by Mr. Shaw, seconded by Mr. Livesey, that the Administration be requested to issue regulations to permit bona fide trucking or construction companies to obtain a wide load permit that will extend 30 days and can be renewed upon expiry and that the area in which this permit is desired be outlined. The motion was carried. Commissioner Cameron and Mr. MacKenzie attended Committee for discussions related

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to sewer and water proposals. He could report progress here.

Council adjourned until 10:00 A.M., Wednesday, November 20, 1963.

Wednesday, November 20, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

	Sessional Papers
(1) Reply to a motion requesting the attendance of a Senior Official from the Department of Transport (set out as Sessional Paper No. 44)	No. 44
(2) Reply to Motion for Production of Papers No. 4 regarding Northwest Territories University Students Assistance (set out as Sessional Paper No. 45)	No. 45
(3) Reply to Motion for Production of Papers No. 8 respecting Scholarships (set out as Sessional Paper No. 46)	No. 46
(4) Correction to the answer on Question No. 6 regarding Sewer and Water Supplies for Territorial Communities given in Sessional Paper No. 32 (set out as Sessional Paper No. 32A)	No. 32A
(5) Reply to Question No. 12 respecting the Access to Pine Lake in the Haines Junction Area (set out as Sessional Paper No. 47)	No. 47

Mr. Taylor moved, seconded by Mr. Watt, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, sessional papers, memoranda and other related matters.

Motion Carried.

In Committee of the Whole:

In Committee

Commissioner Cameron attended Committee.

Discussion Flood Situation

Mr. McKinnon said there was a matter of public urgency before them this morning and this is namely the flood situation in Marwell, Whiskey Flats and Sleepy Hollow areas. He heard conditions were bad last night and they worsened today and he wondered if Commissioner Cameron could advise them how the situation was at this time and what steps had been taken by the Administration to alleviate the flood condition.

Commissioner Cameron said he just had a report from the Police and the situation has changed a little since last night. They have the water nearly controlled in the Marwell area but there are a number of trailers and buildings that have water around them. The water has come into the Sleepy Hollow area and it came up a little more during the night but the situation is not critical as yet. The Police are running regular patrols every hour in these two areas, the Welfare Department has their operation going as far as looking after the people to see if anyone has to be evacuated and the Chief Medical Health Officer is keeping an eye on it regarding the sanitation. The Police Aircraft is coming in today from the north and they have been asked to look at the river below town and see if they can find out just what type of a jam it is. He imagined it was as in past years, the ice jams up in the bend of the river and after a few days it again begins to flow.

Mr. Watt asked if the Engineering Department has had a look at the situation with a view to finding a permanent solution for this - widen the channel, scrap it out, etc.

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Commissioner Cameron said they hadn't. This would be very expensive and it would not be recommended in this case unless the river is being used as a traffic artery. It is only unfortunate that these people have situated themselves in this area. The contour maps show that this has always been below the high water level of the river. This is a squatter area and they are entirely there on their own. You can't blast or do anything about it. They have dykes down the side of the road but there is no way they can dyke off the whole river.

Mr. McKinnon wondered why blasting the ice jam would not work.

Commissioner Cameron said blasting only works where you have a regular noticeable dam at one location. It happens here that because of the shallowness of the river there is one long jam involved. The ice is very jellylike and it can't be blown apart and they don't have the quantity of water needed to wash it out.

Mr. Watt asked Commissioner Cameron if there was anything that could be done by controlling the water level at the dam.

Commissioner Cameron said this had been looked into. The water at Schwatka Lake had to be controlled very carefully as it is very important they maintain a certain level. If they were to lower the level at this time they would most likely get ice there and it could damage turbines or other equipment.

Mr. McKinnon asked if the Administration would advise Council if there was any change in the situation.

Commissioner Cameron was excused from Committee.

Discussion Sessional Paper #29 Beaver Trapping Season

A discussion took place on Sessional Paper No. 29 regarding the Beaver Trapping Season with Mr. Fitzgerald (Director of Game) in attendance.

Mr. McKamey said Council had received a memorandum dated November 14, 1963 as a result of information that they requested. It was his intention to make a motion at this session to extend the beaver trapping season. This is the result of discussions with local trappers. He quoted from paragraph four of the memorandum: "The information arrived from such inquiries was to the fact that beaver were not prime during November and further that a good number of beaver would not be in the mature range and would result in small beaver being killed that would bring very little revenue to the trappers" and from paragraph five "I feel that if our trappers benefit financially from such a move then the season should be advanced, however as the beaver are prime in March and bring the best price then, it seems to me the trapper would be cutting his resources by taking inferior beaver in November". He said he was not certain when the beaver were prime. He contacted Mr. Charlie Taylor, whose firm has dealt with furs for a number of years and he again contacted Western Canadian Raw Fur Auction Sales, Vancouver. He then proceeded to read a letter received by Mr. C. Taylor in reply to his inquiry. He continued to say that he felt the Director of Game had some information also and he would like to know if they were to make such a move, would it be in the best interest of the trappers.

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Mr. Fitzgerald said if there is a source of revenue here for the trappers and they can assist the trappers by moving the season ahead to November 1st, he would say it is a very good move. The season opens in some parts of B.C. and the Northwest Territories on November 1st, but his information is that prime beaver is obtained around the first of March. As he said before, if this assists the trapper and he wishes to trap in November, December and take his crop then rather than in the spring of the season, this should be left up to the trapper.

Mr. Taylor (with Mr. Boyd in the Chair) said that beaver are absolutely prime in the first part of November. As a matter of fact they are in better shape then than they are at the 1st of March. The reason is the fact that they live under the ice all winter and this damages the hides, they get rubbed very badly and consequently the best price for beaver is certainly in the fall. The second effect as far as the trapper is concerned is that when he takes fall beaver he gets them into the first sales and gets the best prices. Towards spring the beaver start getting into floodwater, they get rubbed and around the end of May they start fighting so this is when you get the bites. The trapper has the spring and the fall in which he can get beaver. He did not concur that beavers were not prime in November and he would support any motion to move the season back.

Mr. Fitzgerald said beaver in the Yukon did not live under the ice all the time but he still suggested that prime beaver appear around March 1st.

Mr. McKamey said he had trappers approach him in his district and they also suggested a shortening of the season, a month or six weeks, would protect a lot of the beaver. At that time of the year, end of May, the beaver are very poor and due to the high waters they are fairly easy to catch. It is their argument that by trapping beaver in January they brought good prices but in the spring the prices were low. He thought it would be worth a try to extend it to November 1st and if it didn't work they could change it back. He also thought it would be wise to shorten the season a month or six weeks and see what the effect is.

Mr. Taylor agreed to moving it back but not to shortening it. In March many trappers can't trap because of the ice and it is very hard to carry on successful trapping. In the spring they get into the back channels, sloughs, etc and they still provide a source of revenue. He would certainly recommend that the beaver season remain as it is now except to be moved back to November 1st.

Mr. McKamey wondered if Mr. Fitzgerald could give any idea of the amount of beaver pelts shipped out of the Yukon.

Mr. Fitzgerald said the 1961-62 season statistics show 1,925 beaver pelts.

Mr. McKamey wanted to know how this would compare with twenty years ago.

Mr. Fitzgerald said he thought it was very low. The take depends on the price offered.

Mr. McKamey wanted to know if there was any reasoning behind this.

Mr. Fitzgerald said it was because of the population.

Mr. Taylor thought the reason why their fur production is so low is because it doesn't pay people to trap at the prices that are now available. It was not too many years ago when they could get $1.00 an inch for beaver.

Mr. Fitzgerald said that lately, for some reason, probably the price of fur, they have had a large number of people in the office looking for traplines. They were doing everything possible to get these people on lines.

Mr. McKamey asked if this would be natives.

Mr. Fitzgerald said yes mostly.

Mr. McKamey asked if there has been any thought of reducing the size of these traplines so that there would be more of them. He knew in the area he represented some of the natives have found it hard to get a trapline.

Mr. Fitzgerald said they were doing everything they could to get these people traplines. In the northern part of the Territory the lines are a little larger, the reason is that the people who trap in there go in in the fall, stay in and make good use of the lines. They also have trouble where fire swept an area and this really ruins a trapline but they try to relocate these people.

Mr. McKamey asked if they could reduce the size of traplines by regulation.

Mr. Fitzgerald said they have a man who has a fairly good sized line but he has a son who wants to trap with him this year. Quite often he lets his son take a portion of the line, they then register this portion to the son and draw new maps. He knew that one person is not supposed to trap on another persons line without permits but unless a person is sick, they don't issue them.

Mr. Watt said in paragraph five it says "In the final analysis, I feel that if the trappers benefit financially from such a move, then the season should be advanced, however as the beaver are prime in March and bring the best price then, it seems to me that trappers would be cutting into their resources by taking inferior beaver in November". He agreed with this paragraph and he wanted to know Mr. Fitzgerald's opinion if by advancing the date to November would the trapper benefit financially.

Mr. Fitzgerald felt that the trapper knows his line well and he should have an idea how to farm it in order to keep it productive, he feels if he is short of cash in the fall and wants to take a certain number of beaver, this was what he did. If the beaver aren't there in the spring he can't trap them. This has worked in other areas.

Mr. McKamey thought there were several things they could consider at this point, there is a welfare problem in the Yukon Territory and if this would help solve their welfare problem to a certain degree, they should give it consideration. Secondly it was pointed out that B.C. and other provinces have their season around November 1st and some even earlier then that. To his way of thinking this does not allow the trapper a fair chance in getting a high price for his furs because the furs are bought from the other provinces first. He thought they should give it a try and extend it to November 1st.

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Committee concurred with Mr. McKamey's suggestion.

Mr. Fitzgerald was excused from Committee.

Committee proceeded to discuss Sessional Paper No. 41 on physical fitness with Mr. Delaute present.

Discussion Sessional Paper #41 Physical Fitness

Mr. McKinnon asked where the Yukon stands on the physical fitness and amateur sports program this year. Councillors in various districts have had inquiries how groups would go about obtaining this grant.

Mr. Delaute said he could not add much more to what was in Sessional Paper No. 41.

Mr. McKinnon asked if there were advertisements placed in the newspapers in respect to this program.

Mr. Delaute said they had put an advertisement in both newspapers for two consecutive weeks once the agreement was signed, urging people to file their applications as soon as they could with all the details included. They supplemented that by writing to most of the organizations who had made claims last year, selecting only those which were likely to have their projects approved. There were some that were turned down last year and there was no point of urging them to apply again. Out of that activity they have only received seven submissions, three have been approved and four pending.

Mr. McKamey said he understood that any organization that requires some assistance through this program would make application to the Administration and then it is sent to Ottawa. He asked if this is pending approval by the Administration or by Ottawa?

Mr. Delaute said they checked the application and made sure it is the type of application that the Director of Fitness and Amateur Sport would approve.

Mr. Shaw said the difficulty appeared to him to be where they can best apply the money. One of the objects of this is to increase physical fitness in the form of having people train other people to be fit. He wondered if in this category could a person teaching people to swim be eligible for assistance.

Mr. Delaute said yes this would certainly be a project that would be submitted to the Director on the basis that an instructor would be engaged. If this were a municipality the Director might agree to pay 50%.

Mr. Watt asked what happened to the rest of the recommendations which Council made in the last Session recommending that the Federal Government's share, under this program, be increased both in Whitehorse and in the smaller communities.

Mr. Delaute said this was part of the survey. The survey is a matter that is still under consideration and that question would be answered by paragraph three of the Sessional Paper.

Mr. Watt wondered if anything has been done towards appointing a fitness co-ordinator for the Yukon.

Mr. McKinnon said he would not recommend such an appointment for the Yukon.

Mr. Watt said it seemed to him that a co-ordinator is required for the City of Whitehorse.

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Mr. McKinnon suggested that the City of Whitehorse apply to the physical fitness and amateur sports programme for help in obtaining this person. He did not think such a person is necessary in Whitehorse either.

Mr. Livesey wanted to know if Mr. Delaute feels that merely offering monetary support to the existing organizations presently interested in sport is really fulfilling the basic principles behind a federal move towards an attempt to place Canada foremost in world physical fitness and sports competition. He thought the government must have felt this way when the programme was set up. He asked if the proposal is just merely to offer money to existing organizations.

Mr. Delaute could not answer this question.

Mr. Watt said he noticed in the list over organizations that have been getting help or consideration that there were no applications or money alloted for winter sports, which is the greatest recreational activity in the Yukon.

Mr. Delaute said he assumed that everybody read the advertisements in the press and there have been no applications along that line. There has been an application from one community club interested in broomball and this is a good winter sport. They have received applications from the curling club but nothing from hockey teams, etc.

Mr. McKinnon said he appeared before the Whitehorse Municipal Council and suggested that they apply for grants, is he supposed to go out and get applications from them.

Mr. Shaw said he had a couple of customers lined up.

Mr. Taylor said they wanted a hockey rink in Watson Lake but the cost was so high they could not participate in this program.

Mr. Delaute said that capital projects would not be covered by this. At the Interprovincial Conference that took place in February, they did go so far as to say that in areas such as the Yukon they might consider the grant for capital projects provided these capital projects were under the jurisdiction of the province itself. In other words if Watson Lake wanted a rink under this proposal, this would have to be run by the Territory.

Mr. Taylor said it occurred to him that this would be only applicable to larger areas where they have facilities.

Mr. Delaute said the main object of the fitness and amateur sport act is the training of physical education graduates, sending youths to university for that purpose. The next thing is sending people out to a place to be better in a particular sport, to get instruction so they can come back and give instruction. Basically that is what they have in mind.

Mr. McKamey asked if they would consider allowing anything for operational costs under this program, say of a community center.

Mr. Delaute said no, they would not.

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Mr. McKamey said if, under this program, they had an instructor come in for the Judo Club in Elsa or take a trip to a competition, could they ask for a grant to defray the expenses?

Mr. Delaute said the Judo Club could ask for a grant for travelling and living accommodation for competitions within the Yukon. They could also ask for a grant to pay for an instructor in Judo and that sort of thing, or to pay the fees for one of their members to travel outside the Territory to get instructions from an expert Judo man and then come back to teach the local club.

Mr. Livesey asked if there is any evidence that any act done so far shows that this physical fitness program is moving ahead in the Yukon.

Mr. Delaute said again he would have to draw their attention to the Sessional Paper. It shows what progress has been made in 1963-64, what has been approved and what is pending. This is not an outright grant, they have to spend the money first and then bring forth evidence that they have spent it, then Treasury and the Director in Ottawa will scrutinize this and if it is satisfactory they will pay it.

Mr. McKamey said if they were to hire an instructor and had to pay a certain amount a month, when the account was submitted to the Administration for approval and they turned it down, what then?

Mr. Delaute said there is no possibility of that. In the first place the instructor would have had been hired after they have had the approval of the Director for the scheme. They would have said in the project that the cost for his salary would be so much and that would be approved. The organization would submit an invoice for payment saying you paid this man so much money for salary, travelling etc.

Mr. Taylor asked if Watson Lake decided to hold a "Trapper's Rendezvous" where they would have curling events, dog races and events related to physical fitness, could they recover a portion of the prize money and other things related to this event.

Mr. Delaute said he would like to see them try it. He suggested that the organization send a letter to the Commissioner giving full details what the thing is about, what the competitions are going to be, where the people are coming from, etc. and give an itemized account of the costs they would like to recover. It might also be a good idea to state that they will partly finance this themselves and to ask for only a portion of the costs involved. It would be worth a try.

Mr. Watt asked if the Sourdough Rendezvous Manager could come under this and he asked if an application had been filed?

Mr. Delaute said they had not filed an application as far as he knew.

Mr. Watt said the only way to find out for sure if a grant will be approved is to submit an application and see what happens.

Mr. Delaute said that is correct. The application is more likely to be approved if it is indicated that the organization will carry part of the cost.

Committee recessed at 12:00 o'clock Noon.

Wednesday, November 20, 1963
2:00 P.M.

Committee proceeded with discussion on the Workmen's Compensation Ordinance. Recommendations for Amendments to the Workmen's Compensation Ordinance put forward by the International Union of Mine Mill & Smelter Workers, Elsa.

Messrs. Mills, Barazowski and Galutzo, representatives of the Mine Mill & Smelter Workers Union, and Mr. Hughes, (Legal Advisor) attended Committee.

Committee proceeded to discuss the brief point by point.

Discussion Brief re Workmen's Compensation Ordinance submitted by Mine Mill & Smelter Workers Union.

Mr. McKinnon, mentioning point 1, said he had at one time asked whether or not it would be feasible to establish a Workmen's Compensation Board in the Yukon Territory. The answer was that it was not economically feasible to do so because the amount of work that was done through the Yukon was not sufficient to warrant a board. He wondered if the Administration knew of any change in this matter.

Clerk-in-Council stated a complete study was made in 1960, but the figures are out dated and they are being brought up to date at the present time. He said Administration had spoken to Mr. Barazowski several weeks ago and promised to send him these figures with the comparisons properly made.

Mr. McKamey asked whether these figures could be submitted to members of Council before the Spring Session.

Mr. Clerk said yes.

Chairman read point #2.

Mr. McKamey asked for enlightenment of recommendation No. 2 from a member of the Mine, Mill & Smelters Union.

Mr. Barazowski said if you will check the Ordinance you will note that it provides for the company or the insurer to name the doctor that the man is going to be treated by. Further down in the Ordinance we come to the question of appealing. It states that the referee in consultation with the man's doctor can accept an appeal. You have a situation where on the one hand the company controls who the doctor is going to be, then you have a contradiction in the Ordinance itself that if a man wants to appeal the decision that has been made in his case, he is placed in the position of having to have the doctor that he himself had no choice in getting to bear evidence for him. That is the main point, aside from the fact that a person may feel more confident in being treated by another doctor.

Mr. Boyd asked where it may be assumed a doctor may be called from. Is it intended that you would possibly use a local doctor, or give you the right to call a doctor from the man's own home which might be a considerable distance away.

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Mr. Barazowski said in practice if a man is hurt he is given care by the doctor immediately available, later we feel he should have a choice. There are two doctors in Elsa so this is no problem. When you come to the section on the appeal, however, everything is loaded against us.

Mr. Boyd asked if he could take it that at Keno Hill for instance, if a doctor were required, it would be quite acceptable to have a doctor from Whitehorse or your local doctor.

Mr. Barazowski said yes, unless the doctor then orders special treatment where you would have to be sent outside in any case.

Mr. McKamey asked what would be the practice outside in the Provinces.

Mr. Barazowski said in Alberta when a man gets hurt and it is a matter of immediate attention, the first doctor there would treat him, then later he has the choice of doctors. We are not placing the primary emphasis on this question from the point of view of the man's confidence, we are placing the primary emphasis on the Ordinance itself, which puts a man in this position, that he is told what doctor he has, then if he has a complaint to make or if he wants to appeal his case, then the law states that the board, in consultation with his doctor, shall decide whether a rehearing is necessary.

Mr. Boyd said this would seem that just any doctor is not acceptable.

Mr. Barazowski said doctors being human are subject to all the fallacies of a human being, and they too can make errors in judgement. He is not suggesting that there is anything underhanded being done by the doctors, but they can err. If a person has lack of confidence in a doctor, by going to another doctor he is jeopardizing himself in that his compensation can be cut off.

Mr. Boyd said any doctor, even one of your own choosing, can err, so that would eliminate that part of the thinking.

Mr. Barazowski agreed, but gave the following example: "We had a case in Keno, a man hurt his ankle, he was pensioned - given a permanent partial disability pension. We thought the case was not properly handled and we made an appeal. We had a rehearing, a board hearing, and the result of it was that they raised his pension from some $5.00 a month to some $31.00 a month. This man had been examined by specialists who had given evidence upon which the referee had made the earlier decision. When he was brought in for a rehearing he was again before specialists and on the basis of their evidence the referee increased his pension. So even specialists will disagree."

Mr. Shaw said he has known of men on compensation going to Mayo from Dawson and the Workmen's Compensation Board has paid the doctor bill and the compensation. He thought that Elsa workers would have the same privilege as people from Dawson.

Mr. Mills said they had a case in Mayo where a man injured his foot and was being treated by the company doctor. He went for treatment for several months and did not improve at all. Then of his own accord, he went to see Dr. Clark; Dr. Clark treated him and his ankle improved, but he was immediately cut off compensation because without permission he changed his doctor....

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Mr. McKamey pointed out there are provisions in the Ordinance where to change doctors, consent must be gained from the Workmen's Compensation Board. In this particular case was application made for permission to change doctors?

Mr. Mills said the man did go to the doctor first and then made the application - he was wrong in that, but it was rather a stiff penalty to lose all his compensation.

Mr. Shaw said obviously a man has the privilege of choosing his own doctor, and in the particular case under discussion, it appears that man just did notocomply with the regulations.

Mr. McKamey said in Section 20 of the Workmen's Compensation Ordinance it is laid down clearly that there is nothing to stop a person from going to a different doctor. However, sometimes a problem arises between the workman and the company, insofar as the company hires the doctor and if an employee is hurt in the mine or on the job he is more or less obligated to go to that doctor. He asked whether anyone at Keno Hill Mines has at any time made a request to change doctors and has been refused.

Mr. Galutzo said this case happened about seven years ago and he could not say whether he had requested a change of doctors, he believed so, but could not swear it.

Mr. Barazowski said what happens in practice is that when a man is not satisfied he just goes to another doctor.

Mr. McKamey said he could certainly give support on this. There was a case in Mayo where a man was strung up on a rack with weights, ropes and casts for quite a few months. Finally, when one of the other doctors went throughtthe ward he said "Doctor, can you do anything for me, I want to get out of here". The doctor said "No, not as long as you are on compensation". So the man replied "As of now I am off compensation," and he took it upon himself to pay his own debt, and in about six weeks time this man was walking down the street. There is nothing in the Ordinance preventing this providing you take the proper course.

Mr. Barazowski said no, you can go to any doctor you wish, but you have to pay for it.

Mr. Shaw asked the Legal Advisor if, according to the Ordinance, in the event that more than one doctor is available, a person can have a choice of that doctor, and whether the compensation insurance will pay for the same.

Mr. Hughes said he was unable to understand paragraph 2 of the recommendations, as workmen are perfectly free to attend doctors of their choice now. He pointed out that the definition in paragraph (p) of section 2 is an inclusive, it doesn't say means, but includes. With regard to the question of payment, he said he would have to take a little more time on it.

Chairman continued to point 3.

Mr. Shaw asked, in view of the fact that there is a limit for various reasons, whether right or wrong, what would be the suggestion as to how many years this should be confined to, if any?

Mr. Barazowski said they believed it should be the same as in other compensation laws. For example, a man has a back injury, he is examined and the doctors estimate a 10% disability. That back injury could worsen over the years and ten years from now the man could be a complete cripple because of it. Under the Ordinance he would have no right to have a review of the case. Converseley, it might be that seven years from now the injured man has overcome his injury and doesn't require the same amount of compensation. We feel that the case should be open, that if a man at some time finds, and there is medical evidence to establish that he has become more disabled because of the original injury, that he should have recourse to a medical examination and a reassessment of his incapacity.

Mr. Shaw asked if it is proposed that, say, once yearly after the injury has occurred in which a person is receiving an indemnity of one form or another, he should be required to appear before a board for an assessment of his case, and that the insurers should create the area so that there will be a yearly inspection.

Mr. Barazowski said that under the existing Ordinance the insurer, or a company, or the referee can call in a man for a medical examination any time they choose; he must go or he is liable to lose his pension.

Mr. McKamey said he could appreciate that because he has an article from the Financial Post on silicosis which states that it is sometimes twenty years before it really takes effect, so if a person was exposed to dust for ten years without any trouble, and ten years later was no longer able to work because of it, he would have no recourse to be compensated under this Ordinance.

Mr. Chairman asked if in the course of the ten years the man worked in six different mines, how would it be determined which mine was responsible for the exposure to dust?

Mr. McKamey said this is explained quite thoroughly, there is a research foundation sponsored by McIntyre Porcupine Mines Ltd. in Ontario, and they have done a lot of work on it and have come up with some very good statistics.

Mr. Boyd said he thought silicosis is a problem that should have Federal coverage, as it is beyond us at this time to do anything about it,

Chairman read point 4.

Mr. Chairman asked what is the present waiting period.

Mr. Hughes referred to Section 13(6) where it states if the injury disables the workman longer than the period of three days, no compensation, other than medical aid, is payable for the first three days of disability, and where the disability is of more than six days duration compensation is payable from the date of disability.

Chairman read point 5.

Mr. Chairman asked Clerk-in-Council for his comments.

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Clerk-in-Council said he is fairly certain there will be a bill, which is being prepared right now, ready for the Spring Session, to bring our payments up into line with the Provinces.

Mr. Shaw said he thought he had proposed a resolution last spring that an overhaul be made of the Workmen's Compensation Ordinance.

Clerk-in-Council said the actions of Administration were commenced from Mr. Shaw's motion.

Mr. Hughes referring to paragraph 5 of the Union recommendations, wondered if the delegation, in talking about the rates of compensation, are suggesting that in order to bring ourselves into line with the higher limits in the Northwest Territories the physical disability rating should be upgraded.

Mr. Barazowski said the Union's principle position is that any man who is injured should be compensated at 100% disability. It is precisely when he is injured that his costs and everything go up, and in receiving anything less than his wages of course works a hardship on him and his family.

Mr. McKamey wondered if any of the Union members could indicate how many compensation claims were made against United Keno Hill last year.

Mr. Galutzo said those figures are not available to the Union. United Keno Hill have a system where workmen who have sustained injuries will be put on what they call light duty. These men do not receive compensation payments. He said the actual number of cases they have paid compensation on is low, but there are an awful lot on light duty.

Mr. McKamey asked what would be the rate of pay on light duty for an underground miner who has been injured.

Mr. Barazowski said it would be his basic rate at day shift with no bonus and no shift differential. He said he believed, but was not sure, that the rate is cut down to that of a mine labourer, which is a cut of about 26¢ an hour.

Mr. McKamey said he could see where a company could have half a dozen workmen on light duty, but could not see how this could be advantageous to them. Perhaps the delegation has some idea of why they put up with this, recommend it or support it in the camp. It would seem that the Compensation Board would be sluffing on their end and making it the responsibility of the company. It would also seem that there must be some reason behind that, has the delegation any idea what it is?

Mr. Galutzo said the working of the Compensation and the rates they charge the company are unknown to me, but it seems that the more people they have on compensation the higher the rates are, so they keep them on light duty to keep them off compensation, and naturally keep their rates down.

Mr. McKamey asked if they knew what would happen to employee on light duty if he were suspended or decided to leave. Would he receive no compensation at all if he had a permanent injury?

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Mr. Galutzo said right now the man is receiving a pension of $18.20 a month. He has two bullets in his ankle and they are moving around and causing him quite a bit of trouble. If the man quit or was discharged, he said he thought that would be all he would get.

Mr. McKamey asked if the man has had a hearing, or has he asked for one.

Mr. Galutzo said they were working on it now.

Mr. McKamey said he imagined this would take one back to recommendation No. 3, where you have the review of disability. Is it the Union's recommendation that this section be revised so that an employee could not be forced to go on light duty work?

Mr. Galutzo said in a way that is what is asked for here.

Clerk-in-Council said Mr. Galutzo started off by saying that a man was put on light duty because the company wanted to keep him off compensation. It would be cheaper for them to keep him on light duty. Then he ended up by saying he was on a pension of so many dollars a month which certainly is compensation. Could this be straightened out?

Mr. Galutzo replied that he didn't say the company kept him on light duty to keep him off compensation, he said they kept him on light duty to keep their compensation rates down.

Clerk-in-Council replied that if he is already on compensation, why would this not affect their compensation rates. The man's claim has already been adjusted.

Chairman read point No. 6.

Mr. Shaw asked that 6(a) be explained.

Mr. Barazowski said if a person works for two years in Ontario, four years in Saskatchewan, then comes up to Keno and works for two years, then becomes disabled from silicosis, he is barred from getting a pension. The Yukon Ordinance says he must be exposed for a minimum of three years in the Yukon.

Chairman read recommendations from 6(b) - (h).

Mr. Boyd asked the Union committee if these proposals are being taken up at the Federal level.

Mr. Barazowski said the jurisdiction for compensation rests with the Provinces. We had a discussion with Mr. Lang of the Department of Northern Affairs a couple of weeks ago, and he expressed what most people express. There are ten Provinces and two Territories and it is almost impossible for a man if he is working various Provinces to receive a pension because of the present existing legislation. This is the recommendation made by the Chairmen of all the Compensation Boards of Canada. They were hoping that the legislatures across Canada take under consideration the recommendations that are being made which would put silicosis into a controllable position rather quickly.

Mr. Shaw wondered if he is given to understand that when a man goes to work in a mine in which silicosis is prevalent he does

not have an X-ray when he goes there, that he does not have an annual checkup each year, and that there are not periodic dust counts and control in this particular mine.

Mr. Barazowski said he would like to make it clear that they are endorsing a position taken by the Chairmen of the Compensation Boards of Canada. In Keno Hill, of course, it is mandatory by law that every man has to be X-rayed every year. The dust counts began in Keno Hill as a result of a fight our Union had to establish the first pension in the Yukon for silicosis (Black Mike). It is possible, however, that you can have an X-ray once a year and still have silicosis and not find out, because it takes special training to be able to spot silicosis on X-ray.

Mr. McKamey said there is a paragraph in the Financial Post that it takes at least five years exposure to dust before fibrosis of the lungs show up in X-ray, statistical surveys on silicosis are long term projects.

Mr. Shaw said he believed they have some kind of an aluminum dusting type of program. Is that utilized in the Mayo area?

Mr. Mills said it is in the mine but not in the mill.

Chairman read point 7.

Mr. Chairman asked the Clerk-in-Council when we could expect the reply on the silicosis investigation.

Clerk-in-Council said he had expected it before this session.

Mr. Shaw asked whether we can expect to have these proposals that are under consideration by Administration by next spring.

Clerk-in-Council answered in the affirmative.

Mr. Boyd asked Clerk-in-Council if there is any co-ordination between the different boards in this particular field.

Clerk-in-Council said he believed the committee was consulting other boards on this matter.

Mr. Shaw asked the Union delegates if they consider it necessary to practice the same control in the mill.

Mr. Mills said yes, he thought it should be done, because in certain parts of the mill there is quite a lot of dust. They have ventilation and dust collecting apparatus but it is still not sufficient. Whether aluminum dust is the answer he could not say, it is controversial, but he felt it should be included as well.

Mr. Shaw suggested that perhaps it would be the best effort science has come up with.

Mr. Watt asked if, in the opinion of the members of the Union, the light duty is used instead of compensation and retraining, as seems to be implied.

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Mr. Galutzo said it seems there is some reason for it, but they don't have the figures of what compensation pays or how their rates are established, but they have as much as four or five people on light duty at a time who are not turning a wheel and undergoing no rehabilitation.

Mr. Watt says he would take their stand to be that these men should be put on compensation and retrained, is that correct?

Mr. Barazowski said their position is that when a man is injured he should not go back to work until he is fit. If it is a permanent injury then the degree of his disability should be assessed and he should be given a partial permanent pension and retrained into another job.

Mr. McKamey said he thought the members of the Union have some recommendations worthy of further study and some definite changes are to be made. If it is a weakness in our Ordinance, it is a necessity to make these changes.

Mr. McKinnon said that Council has been aware of some weaknesses in the Workmen's Compensation Ordinance for some time and had already asked for a review of it, and along with these submissions from the Mine Mill & Smelters Union he was sure that next spring they would be able to come up with some amendments.

Chairman on behalf of the Committee thanked the delegation for being with them this afternoon.

Committee proceeded to discuss a memo in answer to Question 12 Access to Pine Lake in the Haines Junction Area.

Commissioner Cameron attended Committee.

Discussion Sessional Paper #47 - Access to Pine Lake

Mr. Livesey said he believed there was a typographical error in the Sessional Paper in thereply to his question. It would now appear we are going to build this Pine Lake Dam right in the middle of next year's budget, there seem to be some words left out. However, if it means that this work is actually going to be carried out this will be very acceptable to the constituents in Haines Junction. There was a point raised with regard to the construction work on the school and the connecting work to be done on Pine Creek. He had been asked if perhaps a lot of the waste material from building the school at Haines Junction could become part of the material to be used in the dam itself. He asked Commissioner Cameron if he could assist him in this.

Mr. Commissioner suggested the Territorial Engineer would be more helpful.

Mr. Baker (Territorial Engineer) attended Committee.

Mr. Livesey directed his question to Mr. Baker and added he was wondering if the two jobs could be done at the same time during this winter.

Mr. Baker said the dam would be a very very small structure and will be primarily an earth-type dam. The material they were taking out of the excavation at the school is not suitable for this type of construction at all, first of all it is so frozen that we could never use it.

Mr. Livesey asked, in view of the answer that the material from any school construction in Haines Junction would be unsuitable, just what type of material is going to be used for the dam.

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Mr. Baker said they would have to find some sort of clay material to form the core of the dam, and it of course in turn will be protected by gravel and rock. Perhaps the material out of the excavation could be used in the summer months, it is a silty clay type of material that might be entirely suitable, but it hasn't been looked at closely.

Mr. Livesey asked if, in other words, this work is definitely going to be done next year and in warm weather.

Mr. Baker said this was his intention.

Mr. Watt said he had put a question about Two Mile Hill and had had an answer back. He said he was particularly concerned with the approach from the service area to the Two Mile Hill and what he had hoped might come out of the meeting was an alternate route to tap off quite a bit of the traffic from the Two Mile Hill directly into Second Avenue, but the memorandum from the Commissioner suggested that resigning or possible resigning might be all that is needed. Does Mr. Baker think the present approach will be satisfactory and safe for this coming winter?

Discussion Sessional Paper #26 Safety Two Mile Hill

Mr. Baker said he thinks it will, and knows of no accidents yet having occurred there. People utilizing the Robert Service road entrance seem to be taking care and there doesn't seem to be any traffic tie-up.

Mr. Commissioner added that what he thought Councillor Watt was getting at shows in the Metropolitan Plan for the Whitehorse area, but this is some time in the future because it is not quite as easy to divert traffic at that point.

Mr. Watt said he was directing his thoughts along the lines of the Metropolitan Plan, but the type of road he was thinking of was just more or less a service road.

Mr. Baker said apparently everything is satisfactory so far. The only criterion we can use is the rate of accidents and so far this has been negligible.

Mr. Baker was excused from Committee.

Centennial Project.

Commissioner Cameron said he was wondering if the Council would give consideration to the Centennial Project, in one phase particularly, at this session. That is how they felt they should go about raising their amount of money. He said in part "As pointed out earlier I do not feel that the present system of a dollar per capita is realistic in the Yukon Territory, and the Centennial Committee agreed that we had a specific problem here and in the Northwest Territories. It is up to us to come up with some alternative suggestion. I am asking this Council to give us an idea of what you feel would be a proper way of raising some money, or putting some money aside, so we would have the means needed to go on and set projects into motion as they do come in over the next three years."

Discussion Session Paper #16 Centennial Project

The Chairman asked if Administration had any ideas or thoughts along this line which might be useful to Council.

Commissioner Cameron said the only thing they had thought of or discussed in the Administration was that unless they went to an additional increase of taxes in one way or other, the only other real opportunity they have at the present time would be to take one year's liquor tax money and say this is our donation.

Mr. Boyd said he would be dead against the possible increase in tax on liquor or fuel. He said he would welcome the idea of Council giving up $56,000.00 between now and 1967 out of the liquor tax money.

Mr. Taylor (Mr. Shaw in the chair) said in this regard he finds that the $8,000.00 he had out of his liquor tax money has to be spread over a big district. He said he did not know how Watson Lake, Teslin or Ross River could possibly participate, except perhaps by creating a museum which is not contemplated at this time. Consequently he felt they should retain the $8,000.00 because they would need it to build up their own community projects.

Mr. McKamey asked what year would this money be required.

Mr. Cameron said the projects are to be completed or practically completed by 1967 which is the Centennial year, and if they are not completed by that time there must be a very good reason shown in order to get the necessary funds for the completion of the projects.

Mr. Taylor asked if it would not be necessary to know what projects we are going to embark upon so we will know how much money we are going to require before the Commissioner goes to Ottawa.

Commissioner Cameron said he didn't think so. There is a principle involved, which he would ask them to agree upon first. They would naturally say "Before we will spend the money or turn the money over to you, we want to see the colour of your money, also your projects". But since they were deviating from the standard Canadian agreement, there is a policy change required which would be applicable to the northern territories and this is what he would like to be able to give them an idea about next month when he goes to Ottawa.

Mr. Watt said he thought it could be proper that we use part of the money for this type of thing if it falls within the reason for which this tax was levied, i.e. recreation and community development. But if the money is put into a fund and used up for travelling expenses between here and Montreal he could not agree with it.

Mr. McKamey said he thinks each community should provide something for the Centennial celebration. He said as a result of the liquor tax money the people in Mayo have a hall, otherwise they would have no place to hold a celebration of any kind. He said he has promised his next appropriation of liquor tax money to be put into the construction of a hall at Keno and he cannot go back on this promise.

Mr. Livesey suggested that the groups in the various communities should do just what they are doing now in providing recreational facilities for the people and use them as Centennial projects, and mark them in that way.

Commissioner Cameron was excused from Committee.

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Bill No. 5 (Medical Ordinance)

Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 5 be reported out of Committee as amended. Motion Bill #5

Motion Carried.

Bill No. 16 - Labour Provisions Ordinance.

Mr. Watt said this was to put a labour clause similar to a labour clause that the Department of Public Works have in their standard contract. He said: "I have here a typical contract which I got from the Department of Labour and it is a standard form. It is a page and it gives the wage rate that must be paid on this job in the different classifications, and this wage rate is arrived at by the Department of Labour that sends out a circular keeping this up to date, of the wages of the local area concerned. This is kept up to date by Ottawa, by the Department of Labour, and I believe the Territorial Secretary has a book that is up to date on this. If a contract is signed for a road with a classification of labour in it, the Department of Labour sends to the Unemployment Insurance Office a sheet such as this which lays out the project, the types of labour employed, and the local wage rate for each of these types of labour. These rates are pretty well kept up to date and it means that the contractor or sub-contractor cannot pay less on this particular job than the rate laid out in the labour clause of the contract. This puts everybody who is bidding on the contract on an equal basis. It means that if a contractor from the Yukon is bidding on the contract 99 chances out of 100 he is already paying these rates or in many cases he is paying more than this now, but some contractor from outside who also bids on the job may be thinking of bringing half his cat operators up from Winnipeg and paying them a lot less. This puts the contractor in Winnipeg on a closer basis with the contractor in the Yukon. This amendment shall be enforced on and take effect from the first day of April 1964. This means that contracts that are being thought about now and won't actually be called until April 1st or afterwards, the people who are bidding on these contracts will know that they are going to have to pay these certain wages. There are several objections to this bill, one is the Labour Ordinance is going to be redrafted. If it is going to be redrafted it usually takes quite a while as we have seen with our proposed redrafting of the Liquor Ordinance. In the meantime there have been unnecessary hardships caused to both contractors and working people within the Territory because we have not bothered to put this in. Another point that may come up that could cause hardship, and I asked the knowledgeable member of the Federal Department of Public Works what would happen if there is a wage increase, that a contract is let that will run six months or a year and say the carpenters get a ten cent raise, what happens then? The answer was the contract that still has to stick by the agreement, and the contractor, if he has a contract of that size, is supposed to look into these things before he signs the contract. I understand from the Department of Public Works, Federal Department, that if this is done it causes no hardships, they have never had a case where it has caused hardship. I have been told by Mr. Kellos from the Department of Discussion Bill #16

Public Works that this labour conditions clause saves them trouble and makes the work a lot easier for them."

Mr. McKamey said he understood Mr. Watt to say that when anyone bids on a contract it states in here that this is the wage he will pay, why is there a necessity of an amendment to the Labour Provisions Ordinance if there is a provision in there when they bid on the contract?

Mr. Watt said the whole idea of the amendment is to have a labour conditions clause included in Territorial contracts, we don't have these. This sample is a Federal Department of Public Works contract.

Motion Re Bill #16

Mr. Shaw moved, seconded by Mr. Watt, that Bill No. 16 be reported out of Committee without amendment.

Motion Carried

Mr. Boyd moved, seconded by Mr. Watt, that Mr. Speaker do resume the chair and hear the report of the Chairman of Committees.

Motion Carried.

Mr. Speaker resumed the chair and Council accepted the report of the Chairman of Committees as follows:

Committee Report

Committee convened at 10:25 a.m. to discuss bills, memoranda and sessional papers and other items on the agenda. Mr. Commissioner attended Committee to report on Whitehorse Flood control. Mr. Fitzgerald attended to discuss the extension of the Beaver Trapping season in which Committee recommended that the season be extended to November 1st. Mr. Delaute then joined Committee to discuss matters related to physical fitness and amateur sports. Committee recessed at 12 noon and reconvened at 2:00 p.m. Committee then held discussions with representatives of the Mine Mill & Smelter Union related to Workmen's Compensation. Commissioner Cameron attended committee to discuss Question No. 12 and Mr.Baker also attended these discussions. Commissioner Cameron discussed with Committee problems related to Centennial celebrations. Mr. Boyd moved, seconded by Mr. Shaw that Bill No. 5 be reported out of Committee as amended.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Watt, that Bill No. 16 be reported out of Committee without amendment.

Motion Carried.

On motion Council adjourned until 10:00 a.m. Thursday, November 21, 1963.

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Thursday, November 21, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda received from Commissioner Cameron:

	Sessional Papers
(1) Reply to Question No. 17 respecting Power in Dawson (set out as Sessional Paper No. 48)	No. 48
(2) Reply to Question No. 15 regarding Area Development (set out as Sessional Paper No. 49)	No. 49
(3) Reply to Motion for Production of Papers No. 9 respecting Sale of Beer (set out as Sessional Paper No. 50)	No. 50

Mr. Livesey (with Deputy Speaker in the Chair) tabled the report of the Signs Committee (set out as Sessional Paper No. 52) — No. 52

Mr. McKinnon asked for unanimous consent to move, seconded by Mr. Livesey, that it is the opinion of this Council that Mr. Alan Beddoe be commissioned to design a Mace for the Yukon Territory. — Motion #11

Mr. McKinnon, speaking on the motion, said it was introduced as a result of the visit of the former Deputy Minister of Northern Affairs and National Resources, Mr. Robertson, to the Yukon Territory. Mr. Robertson sat in Committee and was asked about a Mace for the Yukon Territory. He suggested that Council contact Mr. Alan Beddoe who was the top expert on this in Canada. What brought this to his mind again was reading through the Votes and Proceedings of the Northwest Territories where they are talking about a Mace for the new part of the Territory. As they all know the Mace is the symbol of authority of the House and he thought that the House of the elected Legislative Assembly in the Yukon Territory should have one.

Mr. Taylor said this was discussed at the Spring Session and he was in support of the motion.

Motion Carried.

FIRST and SECOND reading was given to the following Bills as amended:

	First & Second Reading
Bill No. 11, An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter into and Execute an Agreement with the Government of Canada Respecting the Seaplane Base at Mayo Airport.	Bill #11
Bill No. 5, An Ordinance to Amend the Medical Profession Ordinance.	Bill #5
Bill No. 13, An Ordinance to Amend the Motor Vehicles Ordinance.	Bill #13

THIRD Reading was given the following Bills:

	Third Reading
Bill No. 1, An Ordinance Respecting the Taking and Recording of Evidence by Sound Recording Apparatus. Mr. Taylor was opposed.	Bill #1
Bill No. 5, An Ordinance to Amend the Medical Profession Ordinance.	Bill #5
Bill No. 10, An Ordinance to Prevent Discrimination in Regard to Accommodation and Employment and in Regard to Membership in Trade Unions by Reason of Race, Religion, Religious Creed, Colour, Ancestry, or Ethnic or National Origin.	Bill #10

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Third Reading Bill #11

Bill No. 11, An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter into and Execute an Agreement with the Government of Canada Respecting the Seaplane Base at Mayo Airport.

Bill #13

Bill No. 13, An Ordinance to Amend the Motor Vehicles Ordinance.

Bill #14

Bill No. 14, An Ordinance to Amend an Ordinance to Prohibit Children being on the Streets after Nightfall.
Mr. McKinnon was opposed.

Bill #16

Bill No. 16, An Ordinance to Amend the Labour Provisions Ordinance.

Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing a Mace, the signs report and such matters as may be found in the agenda.

Motion Carried.

In Committee of the Whole:

In Committee

Committee proceeded to discuss Sessional Paper No. 48 respecting Power in Dawson with Commissioner Cameron present.

Discussion Sessional Paper #48 Power in Dawson

Mr. Shaw said this was a very serious matter. The question of power in Dawson had always been a problem and the main problem in the past had been the exorbitant rates which have to be paid. The problem now however, was not the fact that the rates were high, it is that the ditches become full of slush and adequate power is not provided. To produce sufficient power during the winter, they raise the water level in the ditch during the fall and let it freeze. As soon as it is frozen over, they drop the water to allow an air space. This way they are able to provide good service through the winter. During this critical time, when the ditch is full of slush, it plugs up the grates and does not allow the water to travel in its usual volume and the turbines slow down. The result is that the voltage drops. In the past this was not too serious a situation. Most people burnt wood and if the power did go off they had heat but now the heating is entirely dependent on electricity. When the power drops motors burn up in the furnaces and they have no heat. In the past few days approximately forty motors burnt out forcing some people to leave their homes. He said the situation is becoming more serious each year as people modernize and obtain electrical appliances. In 1960 he wrote to the Deputy Minister of Northern Affairs and National Resources and put forth a suggestion to him that Northern Affairs obtain and install one unit in Dawson that would produce sufficient standby power which they could depend on. Nothing positive came out of his request and he continued to say that something had to be done. He said in part: "The only people that can do something are the government. The suggestion has been that part of the electrical system that is in the Palace Grand Theatre could be used to hook into this system. I have done some investigation on this and found it nearly impossible. It is Council's responsibility to protect the people in this area by some form of legislation so that they don't have a reoccurrence of this unfortunate situation. This company is a company registered in the Yukon Territory in 1900 and should be subject to certain rules and regulations governing the distribution of its power to the public. As a general rule when I have a problem I have a solution to the problem but this time I do not know what to suggest to alleviate the situation. Every effort that has been made by the people to try to improve this situation has resulted in nothing. The last time that this was embarked upon by the City of Dawson

and the Administration of the Yukon Territory the result was that the consumers had to pay an additional amount".

Commissioner Cameron thought Councillor Shaw had covered the situation very well. He had written to Ottawa and asked if permission could be given to use the power units in the Palace Grand Theatre as standby units. In the event of any further power drops this plant could be raised into the line to give it an additional boost. He has not heard from Ottawa yet but he went ahead and asked that a survey be made.

Mr. McKamey agreed with Councillor Shaw that this is a very serious situation. He could not understand the fact, that in the past few years Council has been passing legislation allowing power companies to enter into franchise agreements with Watson Lake, Carcross, Haines Junction, etc. and this seems to be working very successfully, why is Dawson so different? Why could a power company not go in there?

Commissioner Cameron said in all the communities mentioned by Councillor McKamey the population has been on the rise, Dawson is in the unfortunate situation that there has been a decline for a number of years. Therefore a company is reluctant to go in with any kind of investment because it is very hard to establish what their write-off period would be. In order to put a diesel power operation in Dawson City and drop the rates, new lines and poles would have to be put in. There is a large capital investment involved in running new poles and lines and they can not establish a power supply to service a certain amount of people and the population is declining. In other areas the investor knows that these communities are growing.

Mr. Shaw said that what he had been stating before the Committee were predicated on facts. He read from a notice sent out by the company to all users of electricity as follows: "The company recommends that any customer planning to install a large electric appliance in his home or place of business should notify the company in order to be advised whether or not the company would be able to supply electricity for the installation". He said a large electrical appliance would be a range, as far as he was aware there is not such an appliance in Dawson. He had a letter received from the City of Dawson and read as follows: "Since my phone call to you on Saturday, this office has received numerous calls that something simply has to be done about the local power problem.

No need for me to repeat all the arguments, you know them. However, perhaps we could go over some of the pertinent points.

The local Utility Company has no franchise. We feel that the Territorial Council should introduce legislation to the effect that all utility companies could not operate without a franchise. A main regulation would be that adequate standby facilities are to be installed.

We have had the same Fall problem for years due to ice conditions at the North Fork Plant. It may be correct that the Company is doing its best, but that is not good enough. Years ago when we had the same ice problems no one got hurt for reason that there were no motors being used for heating etc. Biased opinions to the contrary, progress is evident in Dawson City. Example:- 1945 98,000 Kilo Watts
1962 161,000 " "

The above indicates progress in customer uses in light and power but the local Utility Company has not and does not intend to recognize this progress and provide services according to this progress. The local power system is geared to 1898 and there it has remained.

We have had numerous arguments, two investigations, none of which have solved the problem. The only way to solve the problem is to introduce legislation so that Companies who provide public service for a profit should provide these services in keeping with progress and should they

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fail in this then such services should come under Government enterprize. It is indeed a shame to have read in the papers and Hansard where Mr. Hal Banks appeared to be stronger than the Federal Government. In view of the peoples feelings in this City, regarding the Utility Company, sometimes we wonder if the Utility Company is not bigger than the Government. There appears to be room for suspicion. It is indeed irony to hear the Utility Company announce over the radio that there will be a power shortage etc. etc., but the Company does not say that there will be a reduction in the cost to the consumer, we continue to pay 25¢ for less service. The Company does not say that as a result of poor low power due to not having proper standby facilities, power motors burn out and homes are placed in a dangerous condition affecting men, women and children, in 30 below zero weather, the Company does not, that the Company will make good all damages as a result of their incompetence.

Such has been the situation the last few days. The Company could not care less if the whole Town froze up but they make sure that their own properties are looked after. There doesn't appear to be no shortage of power in Bear Creek and the local Company Office which has no furnace is entirely heated with individual power units. This Mr. Shaw is most economically wrong in view of the Company radio announcement.

The people in the City feel that this has gone far enough. We feel that the Territorial Government should take a positive position. We like to think that the Territorial Government look upon people as the most priceless resource, all the gold and oil aside.

The Territorial and the Federal Governments gave to Mayo and Whitehorse power facilities so that the people in these towns could enjoy these things which progress demands is their right. It is indeed regrettable that the two senior Governments should provide these facilities to two centres and refuse it to the third, Dawson City.

We feel that the time has come for progressive action.

Signed 'M.J. Comadina,' City Clerk.

N.B. This office has been asked that the City start legal action against the Company to reimburse the cost of burned out motors. Could you obtain a legal opinion."

He felt that some negotiations should be started immediately to assure that this problem does not arise again this coming fall. If negotiations cannot be made and people are going to be subject to the same thing, he suggested the government expropriate the whole company

Mr. Watt agreed with Mr. Shaw. He was willing to go on record as favouring the Territorial Government producing and supplying power in the Dawson area, if the company who is presently there cannot or will not sell power at a reasonable rate.

Mr. Shaw said he has found out that there is an Ordinance respecting this particular company. It was assented to July 14, 1900, and Clause 5 states the maximum rate of tolls and charges that can be charged by the Company from the consumers of light, heat and power shall be fixed by the Commissioner-in-Council. The point he made was that the Government has some say in what they charge and what they don't charge and he doubted if at any time the company had made application to the Federal Government or the Territorial Government, as to what they should charge.

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Mr. Taylor (with Mr. Boyd in the Chair) said he could see a degree of urgency in this situation and hoped that some good would come out of their discussions as an immediate solution. He agreed that some emergency measure should be taken to insure that this situation doesn't happen again.

Mr. McKamey said he would support anything to straighten this deplorable situation out.

Mr. Livesey felt there is a strong need for a stern look at the whole question and wondered if any attempt has been made to obtain answers from the present company with respect to legislation as to the exact course that they will follow. If the need for legislation is strictly to remove the present company from distributing the power, the substitution for whatever they have now should be ready. This should be looked into to find just what alternative source they are going to use before they take this step. He sympathized with the Member for the struggle they have had over the years and thought they should give this matter much thought and discuss it thoroughly with the Administration.

Mr. Shaw said this is exactly the stand he had taken. They should start a concrete effort to try to ameliorate the situation. However he also felt that if no satisfaction was obtained they would have to use a much stronger method. He thought negotiations should be entered into to see that this does not recur.

Mr. McKinnon asked Mr. Hughes whether any action could be taken under Section 5 of the Ordinance Mr. Shaw referred to.

Mr. Hughes (Legal Advisor) said it would perhaps be regarded as unfair of Council to take the position that the company are at fault and he added they had the right of repealing the Ordinance.

Mr. Shaw said he was very pleased they had taken an interest in this. He wanted to say that Commissioner Cameron had indicated to him that he was prepared to do everything he can to assist in this. He felt certain that Council's attitude and acceptance of this problem will assist him in carrying forth the general intention of Council in trying to improve this situation. He asked Commissioner Cameron if this was correct?

Commissioner Cameron agreed and said it is essential that power is supplied and if private enterprises will not take it then it falls back on them.

Committee adjourned at 12:00 o'clock Noon.

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Thursday, November 21, 1963
2:00 o'clock P.M.

Committee proceeded to discuss education with Commissioner Cameron, Mr. Thompson (Superintendent of Schools) and Mr. Baker (Territorial Engineer) present.

Discussion Construction New Schools

Mr. Taylor (with Mr. Shaw in the Chair) asked Mr. Baker if there was any way Council could assist the Administration in getting construction projects underway so that the contractors could do the work during the summer of the year in which the money is appropriated. He stated that according to the contractors and subcontractors, bids on the construction of the three schools in this area last year had cost the industry $10,000.00 and then the bids were thrown out and the jobs retendered.

Mr. Baker said they could start earlier providing decisions were made in the fall and the funds approved. The architects could be requested to prepare the drawings in the fall and winter, which would allow for calling of tenders in January or February, and everything could be ready for a construction start in May.

Mr. Taylor raised the question of architecture, and said it seemed to him if you contemplated a new school or other capital project you would have something in mind as to its size, the number of rooms and what they would be used for. He wondered if it would not be proper to submit the proposal of a project to three or four different architects and ask for sketches and cost estimates. He said perhaps the problem could be resolved by looking after the budget in the fall or in January, so it would not take until midsummer to get the projects under way.

Mr. Baker agreed that they should get onto these construction projects in the fall of the year for construction the following summer.

Commissioner Cameron said the situation over the three schools last year was unfortunate but in the final analysis there was a good saving of the taxpayers dollar involved. It is also providing some winter employment. He said it does cost contractors money to bid these jobs but that is part of the anticipated cost of the trade. Their concern is with the taxpayers money. He continued to say that in the past few years they had built schools as they felt schools were required, and when the school was completed or near completion they went to the Federal Government and asked if they would contact the different departments - National Defence, Indian Affairs, R.C.M.P., D. O. T. etc. and pay their share of the cost. When he was in Ottawa the other day he was asked to submit plans for approval before going ahead with these schools so that the plans could be changed if necessary. This does not tend to speed up the building process. With respect to getting estimates from various architects he said that this would cost more. They had, in the case of schools, used a particular architect for the last three or four years because they found they received the best dollar value from this particular concern. It is very difficult to get money in the fall to build new schools on supplementary billings. If it could be foreseen this year what was wanted in 1965 there would be no problem.

Mr. Watt asked Mr. Baker if the plans are obtained from the architect before or after the request for money is submitted to Council.

Mr. Baker said first of all Mr. Thompson tells them what the requirements are and the sketch is drawn up in their own office. Then it is sent to the architect and when his plans are acceptable they ask him what the cost will be; this is the amount that is put in the estimates.

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Mr. Watt said that last year the local newspapers stated the contracts on the three schools were held up because Council was late in voting the money.

Mr. Baker said in the case of the three schools the money was apparently placed in the estimates without any proper planning being done, but normally the procedure is as he had previously described.

Mr. Taylor wondered if a project is given budget approval in April would the months of May and June not be sufficient to get the tenders in and arrangements made to have the projects rolling some time in July.

Mr. Baker said that on the first go at the three schools tenders were closed on July 18, which would indicate this sort of timing can be met. But he felt that July is too late to receive tenders, they should be received in April or May to allow the contractors the advantage of all the warm weather during the summer.

Commissioner Cameron, elaborating on Mr. Baker's point, said in addition they get a much truer cost picture if they can go to the contractor in the very early parts of the year when he does not have his summer planned. He pointed out that they are now talking about schools, but there are many projects that go through on main estimates immediately assent is given.

Mr. Livesey wondered why the Federal Government has just now become interested to such an extent in capital expenditures as far as education buildings are concerned and he asked for an explanation of why the three schools were more or less lumped together.

Commissioner Cameron said he had no answer to the first question except that they now realize they are paying out a lot of money. From here on they want to have a little more say as to how the money is spent. The reason the three schools were lumped together was strictly to get a better price.

Mr. Taylor, regarding Ottawa's perusal of the project plans, asked whether arrangements could be made with the local office of the Federal Department of Public Works to do the work on behalf of Ottawa.

Commissioner Cameron said it would not work because the people in Ottawa who peruse the plans are individuals in the Department of Education who specialize in school construction and efficiency of operation.

Mr. Shaw (with Mr. Boyd in the Chair) said that the Administration should know in the fall of the year what school facilities are required for the following year and once they have established their requirements they could draw out a sketch and the necessary approval obtained from Ottawa before spring when it could be voted on by Council.

Mr. Thompson said there was considerable amount of consultation done with the Department of Labor, Vocational Training Branch, in connection with the Vocational School because they paid 75% of the capital cost, and also it was felt that as experts in vocational training they were better qualified to approve the final plans. In regard to what Mr. Shaw said, it is true

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they know in the fall what the school requirements will be but sometimes when it is felt that the addition of a classroom is all that is needed, it is later found that this is impractical or impossible and an entire school will have to be built.

Mr. Chairman suggested that every consideration be given to this problem with a view to speeding up the process.

Mr. Thompson was excused from Committee.

A discussion followed on Radio Communication in the Yukon Territory.

Discussion Radio Communication in the Yukon

Mr. McKamey said he has noticed in the budget there are considerable amounts appropriated through various departments to provide for communication. There is need for a V.H.F. (very high frequency) radio system in the Yukon Territory as during certain times of the year there are total"blank outs" in the bush for several weeks at a time. Would the Committee concur in giving the Administration some directive to make a very thorough study and come up with suggestions and possibly make arrangements for a joint effort with other branches of the Government such as the R.C.M.P. and Forestry. He knew no mining company would hesitate to pay for the use of such a communication system and they would be providing a greater incentive for companies to invest in the Territory as well as complying with their own Ordinance.

Mr. Taylor agreed that an efficient radio system would be a good thing in the Yukon but a V.H.F. would not work because it is strictly a line of sight proposition and they would have to go to a higher intermediate frequency. He thought the solution lies in bringing back the Army Signals which have served the Yukon well for years.

Commissioner Cameron said a study is going on with respect to the communications system in Forestry and in the Yukon Territorial Government. The Forestry system, although it works quite well, is still not ideal and the equipment is quite old. They felt they have to go into the newer V.H.F. or U.H.F. systems and plans are being made to tie in the Territorial service with this Forestry service. Reports have been put into the Federal Government and the costs estimated so far are, without the Territorial participation, $144,000.00 for new equipment. Further consideration will be given the C.N.T. operation which would work on a different basis, i.e. mobile units and an automobile. Forestry is very anxious to have this done as soon as possible. There are however, still some physical tests to be made on certain locations as to the type of equipment best suited for the Territory.

A point by point discussion followed on Sessional Paper No. 52 regarding the Signs Committee Report.

Discussion Sessional Paper #52 Sign Committee Report

Mr. Watt asked the Chairman of the Sign Committee if he was right in assuming that these regulations were in force before the regulation came out on sign removal on the Alaska Highway.

Mr. Livesey said that recommendation No. 1 is a means to bring into force the continuation of the existing regulations and merely stipulates that those not otherwise described in this report should remain in the regulations.

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Mr. Livesey, referring to point No. 2, said when the committee met to discuss this question they saw the necessity for an elimination of the present multiple sign system that is in operation today. They understood that not only were there an excessive number of signs in existence but there were additional requests for more signs which would further complicate the situation. The Committee has suggested that in this ten mile area, instead of having ten separate signs they put ten signs on one board.

Mr. Watt asked for an explanation to point No. 5.

Mr. Livesey said this is merely a recommendation but felt that if this were taken up with the Vocational School authorities they would be quite receptive to having the young students make up the signboards for this purpose.

Mr. McKamey questioned the suggestion of the Vocational School making signs for businesses.

Mr. Livesey said all that is intended is the actual back board but not the advertising.

Mr. Watt wanted an explanation to point No. 6.

Mr. Livesey replied that this recommendation has been put here for the Administration to discuss, with the Corrections Committee, who might be looking for projects that can be worked on by those on a minimum security sentence and it would be one way to provide the Yukon with park-like stopping areas for tourists. Regarding point No. 7 he said the Committee felt the present sign system should be left until a more acceptable system could be organized to replace it. Recommendation No. 8 is really an added clarification to No. 7 and would show the new people taking over the maintenance of the Alaska Highway that Council is willing to sit down and discuss with them any problems in connection with signs.

Mr. Shaw wondered how these recommendations would affect the Administration.

Commissioner Cameron said he had no comments to make on it at all as they had not given the sign situation any further consideration since the official announcement of the change-over of the Alaska Highway and until such time as the change-over is in effect there will be nothing further done on it. Eventually when they do take over the maintenance and operation of it some time next year, either as an agent for the Department of Public Works or otherwise, anything that is done with signs will have to be done on a Territorial scale.

Mr. Watt asked Commissioner Cameron what the present situation is as a result of the sign removal regulation.

Commissioner Cameron said it was never instituted though a number of business people took signs down themselves. With the changeover of maintenance of the Alaska Highway the Army are no longer interested in this.

Mr. Taylor asked if it is the intention of the Administration to withdraw Order No. 1963-82.

Commissioner Cameron said he hadn't given it any particular thought but would do so if they found it necessary. He thought everyone is of the same opinion that there is no use carrying the plans, as established by the Northwest Highway System, any further.

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Mr. Livesey moved, seconded by Mr. Boyd, that they adopt the Sign Committee Report.

Motion re Adoption of Signs Committee Report

Motion Carried with Mr. Watt opposed.

Committee proceeded to discuss a mace for Council.

Discussion Motion #11

Mr. McKinnon said the only thing to do at this time, because it involves an expenditure of money, would be to contact Mr. Alan Beddoe, who is the expert in heraldry and has done the beautiful mace for the Northwest Territories, and see if he would be kind enough to design a suitable mace for the Yukon Territory. If they approve it perhaps money could be found to purchase it as the mace is the symbol of authority and would be a desirable addition to the House.

Commissioner Cameron said he would be quite happy to contact Mr. Beddoe and find out the procedures and the cost. He understood there was approximately $7,000.00 involved in the Northwest Territories Mace and its replica. The replica which is used in the Council Sessions was over $3,000.00.

Mr. Shaw thought the design should be practical rather than heraldic.

Mr. Livesey said he could only support the motion made by Mr. McKinnon for the reason that the mace is part of parliamentary institution and of the institution of the people's government by the people for the last five or six hundred years. He felt that after the mace comes a recognized legislative chamber for the Yukon Territory. He suggested that this could be an item for consideration as a project for the 1967 Centennial celebrations.

Discussion Bill #7

Discussion followed on Bill No. 7 respecting an item under Education in the amount of $200,477.00 (Schedule A) and $136,532.00 (Schedule B).

Committee Agreed

Motion Bill #7

Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 7 be reported out of Committee without amendment.

Motion Carried

Discussion Bill #12

Committee proceeded to discuss Bill No. 12.

Mr. McKinnon said his stand remains the same as it was at the last Session, that as soon as the Federal Government lives up to their part of the financial agreement he would be happy to move passage of this Bill.

Mr. Livesey said his stand is the same as Mr. McKinnon's. He feels the Bill on one hand denudes the Council of any responsibility whatsoever and by merely placing an amount in the budget for the expenditure on Police funds or for the policing of the Territory with one hand and providing them with a Bill which takes away all authority to inquire into its operation and expenditure is only making a farce of the government and he is opposed to it.

Discussion Bill #15

A discussion then took place on Bill No. 15.

Mr. Livesey said his opinion is the same as it was in 1958. The power to legislate is given to the Commissioner-in-Council and that means the Commissioner by and with the advice and consent of the Council. The Council in its previous efforts were merely thinking of the rights of the constituents in the areas governed by a franchise and without the words Commissioner-in-Council the

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constituents have no power over something to which they have to contribute on a day to day basis. The words Commissioner-in-Council gave a representation for the users of the franchise, those people who are most important in any franchise are the ones that pay the bill, without the users there would be no need for a franchise in the first place.

Mr. Shaw said if they use the words Commissioner-in-Council it means that no decision can be made before it is brought before the Council. Recently Yukon Electric reduced the rates but he questioned the legality of them being able to do this insofar as it is Commissioner-in-Council, in other words it must report before the Council before a change can be made.

Mr. McKamey said perhaps it was illegal but a lot of the Territorial Ordinances and probably a lot of the Federal Statute Regulations are violated every day. Council sits twice a year at least and this should not present a problem at this time.

Mr. Taylor (with Mr. Shaw in the Chair) said he still feels they are handing away any power that the people have but on the other hand he has to work on behalf of his constituents who are quite amenable to this other arrangement, so he would vote for the Bill but he did not agree with the principle of taking power away from the people in this regard.

Mr. McKinnon could not agree that this is taking power away from the people. He said it is just an Administrative help if Commissioner is in instead of Commissioner-in-Council. The Administration has recognized the difficulty that they are so often faced with, that they feel they are encroaching on their responsibilities. They have come up with a very sensible compromise in the amendment to the Bill.

Motion Bill #15

Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 15 be reported out of Committee without amendment.

Motion Carried with Mr. Livesey and Mr. McKamey opposed.

Discussion Sessional Paper #49 Area Development

A discussion followed on Sessional Paper No. 49 in answer to Question No. 15 respecting Area Development.

Mr. Watt said since the Whitehorse Metropolitan Plan has been laid out and studied there has been quite a change in the Whitehorse Area and he was wondering what the position of the plan is now. He had expected legislation to be before Council at this Session. Construction is being held up in Whitehorse because of lack of approval of the plan or part of it.

Mr. Shaw thought Mr. Watt had brought up a very good question. In this plan they have certain areas that are Department of National Defence property and if the services are leaving the area, are they going to turn this property over to the Territory or the Federal Government or are they going to retain it?

Mr. Boyd said working arrangements are being carried on right now in Whitehorse and it is just too early to expect any answers.

Mr. Watt said the question regarding the large areas tied up by the Department of National Defence should be raised now so that the answers can be available in the spring. He felt an appendix should be added to the Whitehorse Metropolitan Plan so they would know that the great changes that have taken place in landholding in Whitehorse in the last couple of months have been taken into consideration.

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Mr. Boyd said in the first place the plan is not instigated at all and in the second place it is a twenty year plan subject to revision at all time and until they see what is before them in the spring they can hardly answer any questions that might make sense.

Mr. Watt said if they can settle this now it may make the difference between a couple of hundred dollars worth of construction taking place right here in Whitehorse next summer. If they have to throw this Ordinance back to Ottawa in the spring and say it has not been drafted properly, taking the new situation into consideration, they lose a full construction season.

Mr. McKinnon said it would seem that Mr. Watt is worried that neither the C.M.H.C. nor the Department of Justice, who will be drafting the Bill, are aware that the Department of Public Works are taking over the jurisdiction of the Alaska Highway. He felt they were and would certainly bear it in mind.

Mr. Boyd said he is not in a position to state, criticize or request anything until he sees the Bill.

Mr. McKamey moved, seconded by Mr. Boyd, that Mr. Speaker do now resume the Chair and hear the report of the Chairman of Committees.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported:

Committee Report

Committee convened at 10:40 a.m. to discuss bills, memoranda and sessional papers and those items on the agenda. Committee first discussed problems related to Dawson City Utilities with Commissioner Cameron in attendance. Committee recessed at 12:00 Noon and reconvened at 2:00 p.m. Committee then discussed matters related to education with Commissioner Cameron, Mr. Thompson and Mr. Baker in attendance. Following these discussions Committee dealt with topics related to Radio Communications. Mr. Livesey moved, seconded by Mr. Boyd, the adoption of the Sign Committee Report. Motion Carried with Mr. Watt opposed. Committee then discussed the acquisition of a mace for the Yukon Territory. Following a short recess Committee considered bills still in Committee. Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 7 be reported out of Committee without amendment. Motion Carried. Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 15 be reported out of Committee without amendment. Motion Carried. with Mr. Livesey and Mr. McKamey opposed.

Council accepted the report of the Committee and adjourned until 10:00 o'clock a.m., Friday, November 22, 1963.

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Friday, November 22, 1963
10:00 o'clock A.M.

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

THIRD Reading was given to the following Bills:

Bill No. 7, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (First Supplementary Appropriation 63-64) — Third Reading Bill #7

Bill No. 15, An Ordinance to Amend an Ordinance Empowering the Commissioner of the Yukon Territory to Grant a Franchise to the Yukon Electrical Company Limited to Sell and Distribute Electrical Energy in the Teslin Area, Yukon Territory — Third Reading Bill #15
Mr. McKamey was opposed.

Mr. Speaker said they have reached the hour of prorogation and as usual, at this time, he would call for their replies to the speech from the Throne.

Mr. Taylor gave his reply. (Set out as Sessional Paper No. 53) — Sessional Paper #53

Mr. Watt's reply. (Set out as Sessional Paper No. 54) — Sessional Paper #54

Mr. Shaw gave his reply. (Set out as Sessional Paper No. 55) — Sessional Paper #55

Mr. Livesey (with Deputy Speaker in the Chair) gave his reply to the Throne. (Set out as Sessional Paper No. 56) — Sessional Paper #56

Council adjourned until 2:00 o'clock P.M.

2:00 o'clock p.m.

Mr. Speaker called Council to order.

Mr. Livesey: Commissioner Cameron, the Council of the Yukon Territory has, at its present sittings thereof, passed a number of bills to which, in the name and on behalf of the said Council, I respectfully request your assent.

Clerk-in-Council said: The bills requiring assent are -

Bill No. 1 - AN ORDINANCE RESPECTING THE TAKING AND RECORDING OF EVIDENCE BY SOUND RECORDING APPARATUS

Bill No. 2 - AN ORDINANCE TO AMEND THE INSURANCE ORDINANCE

Bill No. 3 - AN ORDINANCE TO AMEND THE CORPORATION SECURITIES REGISTRATION ORDINANCE

Bill No. 4 - AN ORDINANCE TO REPEAL AN ORDINANCE TO INCORPORATE THE NORTH STAR ATHLETIC ASSOCIATION LIMITED

Bill No. 5 - AN ORDINANCE TO AMEND THE MEDICAL PROFESSION ORDINANCE

Bill No. 6 - AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY (Fifth Supplementary Appropriation 62-63)

Bill No. 7 - AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY (First Supplementary Appropriation 63-64)

Bill No. 8 - AN ORDINANCE RESPECTING THE SUMMARY RECOVERY OF WAGES BY EMPLOYEES

Bill No. 9 - AN ORDINANCE TO AMEND THE AREA DEVELOPMENT ORDINANCE

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Bill No. 10 - AN ORDINANCE TO PREVENT DISCRIMINATION IN REGARD TO ACCOMMODATION AND EMPLOYMENT AND IN REGARD TO MEMBERSHIP IN TRADE UNIONS BY REASON OF RACE, RELIGION, RELIGIOUS CREED, COLOUR, ANCESTRY, OR ETHNIC OR NATIONAL ORIGIN

Bill No. 11 - AN ORDINANCE TO AUTHORIZE THE COMMISSIONER OF THE YUKON TERRITORY TO ENTER INTO AND EXECUTE AN AGREEMENT WITH THE GOVERNMENT OF CANADA RESPECTING THE SEAPLANE BASE AT MAYO AIRPORT

Bill No. 13 - AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE

Bill No. 14 - AN ORDINANCE TO AMEND AN ORDINANCE TO PROHIBIT CHILDREN BEING ON THE STREETS AFTER NIGHTFALL

Bill No. 15 - AN ORDINANCE TO AMEND AN ORDINANCE EMPOWERING THE COMMISSIONER OF THE YUKON TERRITORY TO GRANT A FRANCHISE TO THE YUKON ELECTRICAL COMPANY LIMITED TO SELL AND DISTRIBUTE ELECTRICAL ENERGY IN THE TESLIN AREA, YUKON TERRITORY

Bill No. 16 - AN ORDINANCE TO AMEND THE LABOUR PROVISIONS ORDINANCE

Sessional Paper #57

Commissioner Cameron gave his proroguing address. (Set out as Sessional Paper No. 57)

Mr. Livesey: "On behalf of all Members of the House I take great pleasure in offering to the Commissioner and his staff our sincere appreciation for all assistance given during this fall session. Looking at the National scene we all felt the impact of the news pertaining to the death of the President of the United States. On behalf of the House and the people of the Yukon Territory - whom we represent - I extend to the family of the President and the people of the United States our heartfelt sympathy at this time of home and National bereavement."

Clerk-in-Council: "It is Commissioner Cameron's will and pleasure that this Council be now prorogued and this Council is accordingly prorogued."

Council prorogued November 22, 1963.

YUKON TERRITORIAL COUNCIL

SECOND SESSION 1963

Votes and Proceedings

Volume II.

(Sessional Papers)

Whitehorse, Y.T.,
28 October, 1963.

SESSIONAL PAPER NO. 12. - 1963 (Second Session)

Mr. Speaker:

Members of the Council.

Corrections Program and Custodial Facilities
Yukon Territory

1. Consequent upon Motion No. 19, Passed at the First Session (1963) of of the Council, a Corrections Committee was duly formed composed of myself, as Chairman; a member of Council in the person of Mr. H. E. Boyd; the Officer Commanding Yukon Sub-Division of the R.C.M. Police; the Zone Superintendent of Northern Health Services; the Legal Adviser; the Territorial Treasurer; the Territorial Engineer; and the Director of Welfare. My Executive Assistant acts as Secretary of the Committee.

2. It is proposed also to extend an invitation to the Police Magistrate and to the Director of Vocational Training to become members of the Committee as well.

3. Three meetings were held. The Committee took the view that the Motion of Council authorized the Committee to execute the decisions of Council as enumerated in the text of the Resolution.

4. Consequently, steps have been taken to invite applications from candidates for appointment as Probation Officer. Moreover, various sites were considered for the proposed new Jail and the area in the valley immediately to the north-east of the Whitehorse General hospital was considered the best. This particular area is contiguous to the hospital grounds and in fact encroaches slightly on the hospital area. The Territorial jail when erected would be approximately 300 feet from the hospital at its nearest point. Steps are being taken to acquire from the Department of National Health and Welfare the small portion of land which encroaches on the hospital area and discussions are also being held with this Department in regard to access roads as well as the use of hospital facilities such as laundry, catering, heating, sewer and water, electricity for use in the Jail. This selection of a building site was referred to Central Mortgage and Housing Corporation. They have no serious objections to the proposed site in relation to the Town Plan for Whitehorse.

5. The Committee had hoped to have the project underway in order to provide winter employment this year but it has proven impossible to complete plans for the tender call and construction of the Jail in time to commence work during the present winter. As members of Council are aware, the cost of building the prison is a Federal responsibility and, consequently, tenders will be called by the Federal Department of Public Works who will be in charge of construction. An architectural plan of the strcture has been shown to members of the Committee and explained to them in detail.

6. The Committee asks that Council confirm the understanding set forth in paragraph three above, that the Committee is, in fact, authorized, by reason of the Motion of Council, to execute and give effect to the aims of the Resolution.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER NO. 13-1963 (Second Session)

Whitehorse, Y.T.
October 29, 1963.

1-8-35
1-61-30

Mr. Speaker

Members of Council.

Safety Belts in Motor Vehicles.

In a letter from Doctor Buchan, he pointed out a number of facts in connection with motor vehicle accidents:

1. There is a large number of roll-over automobile accidents in the Yukon.

2. The injuries and fatalaties from these accidents have usually been to persons thrown out of the vehicle.

3. Not one of the injured or dead was wearing a safety belt.

Doctor Buchan goes on to state that these facts make it obvious there is not enough effort being made to prevent these accidents, and among the things he recommends is more publicity in favour of seat belts orientated to Yukon experience.

The Administration has had under consideration for sometime the question of whether or not seat belts should be made compulsory. There are a number of difficulties in connection with such regulations, and the points which have been brought to the Administration's attention are as follows:

1. Even if seat belts are made compulsory, people cannot be compelled to wear them.

2. On the basis of the statistics available and professional advice, it appears likely that a large proportion of present injuries and deaths occurring as a result of motor vehicle accidents could be prevented by the use of seat belts. The cost of two sets of seat belts in the front seat is approximately $20.00 installed.

3. It is understood that 1964 models will be supplied with anchor bolts and seat belts as standard equipment on a delete-option basis so they can be removed if the purchaser does not wish to have them.

4. If seat belts are to be made compulsory, should it be compulsory to have them installed in all vehicles, or only on the new 1964 models?

5. If seat belts are to be made compulsory, should it also be compulsory to have them installed in pickup trucks and other motor vehicles? It is the view of the Administration that they should be installed in pickup trucks, if they are made compulsory in automobiles, but it is difficult to determine whether it should be compulsory to have them installed in all heavy trucks above a certain weight. For example, should it be necessary to have seat belts installed in Kenworth Dump Trucks and/or trucks, and if so, is it necessary to have belts only on the driver's side or on both sides of the front seat?

The Administration requests the views of the Council on the foregoing points.

G.R. Cameron

G.R. Cameron,
Commissioner.

Whitehorse, Y.T.
October 29, 1963.

Mr. Speaker

Members of Council.

Mayo Airport.

In a memorandum to the Council dated January 18, 1963, you were informed that we had received a reply from the Deputy Minister of the Department of Transport that the Department had no plans for constructing a new airport at Mayo or for reconstructing the existing airport. This was followed by another memorandum stating that we were gathering further information to ascertain whether or not there might be sufficient savings from landing larger aircraft at Mayo to make a new airport economically justifiable. Since that time a great deal of additional information has been obtained through the courtesy of the White Pass and Yukon Railway and Crest Exploration Limited. This material has been forwarded to the Department of Northern Affairs in Ottawa for consideration by the Economic Division and by the Department of Transport.

In August we were informed that the material forwarded to the Department had been analysed by the Economic Division and that on the basis of the data provided, it appeared that the suggested improvements to the Mayo airport would do no more than put Mayo in a competitive position with Norman Wells in relation to the cost of air freight of the fuels being carried to Snake River. The cost from Mayo might be a little less because, although the White Pass data indicated Mayo and Norman Wells were equally distant from Snake River, the relative distances are actually believed to be one hundred and forty-two miles and one hundred and eighty miles respectively. However, if one takes into consideration the cost of fuel at Mayo and Norman Wells, the laid down cost at Snake River is less if flown from Norman Wells. The airport there does not require extensive improvements in order to handle larger aircraft. Consequently, it is difficult to support the argument to improve the Mayo airport.

Because of its location, Mayo would seem to have at least one important advantage over other airports with regard to the cost of general air freight movements to Snake River: it is the nearest established airport to the Crest property which is accessable to year round surface transportation. The data received adequately demonstrates that the use of Whitehorse for surface - airtrans-shipment would mean higher total transport costs to the Crest property. The use of Norman Wells would mean a highly seasonal inflow of goods to Snake River with resulting higher inventory costs since Norman Wells may be reached by surface transport (barges) only during the short summer shipping season. However, this apparent advantage of Mayo might be of no real consequence if a good all weather road or railroad was to be built to the Crest site. If a mining operation is developed, there is a good chance that an all weather road would follow and that the Federal Government would probably contribute funds under the Mine Access Roads Program.

Also to be considered is the fact that an adequate airport at Mayo is not an inexpensive matter. The Department of Transport admits the present location of the airport is unsatisfactory, but the estimated cost for relocated 5000 ft. cross runways, built to a minimum gravelled standard, would cost $350,000. with an additional $150,000 for paving. There would be further costs for service buildings, runway lighting and other facilities. Some years ago proposals were made to improve or relocate the airport, but these proposals were rejected because

SESSIONAL PAPER No. 14-1963 (Second Session)

Whitehorse, Y.T.
October 29, 1963.

1-8-35
1-11-5
1-11

Mr. Speaker

Members of Council.

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Whitehorse, Y.T.
October 29, 1963.

SESSIONAL PAPER NO. 13-1963 (Second Session)

Mr. Speaker

Members of Council.

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1. There is a large number of roll-over automobile accidents in the Yukon.

2. The injuries and fatalaties from these accidents have usually been to persons thrown out of the vehicle.

3. Not one of the injured or dead was wearing a safety belt.

Doctor Buchan goes on to state that these facts make it obvious there is not enough effort being made to prevent these accidents, and among the things he recommends is more publicity in favour of seat belts orientated to Yukon experience.

The Administration has had under consideration for sometime the question of whether or not seat belts should be made compulsory. There are a number of difficulties in connection with such regulations, and the points which have been brought to the Administration's attention are as follows:

1. Even if seat belts are made compulsory, people cannot be compelled to wear them.

2. On the basis of the statistics available and professional advice, it appears likely that a large proportion of present injuries and deaths occurring as a result of motor vehicle accidents could be prevented by the use of seat belts. The cost of two sets of seat belts in the front seat is approximately $20.00 installed.

3. It is understood that 1964 models will be supplied with anchor bolts and seat belts as standard equipment on a delete-option basis so they can be removed if the purchaser does not wish to have them.

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The Administration requests the views of the Council on the foregoing points.

G.R. Cameron,
Commissioner.

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In view of the above considerations, it would appear unlikely that there is an immediate prospect of having a new airport constructed at Mayo. We are, however, looking further into the question to see if some of the difficulties in the matter of costs can b e resolved. I shall make available to you any further information that might become available.

G.R. Cameron

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 15- 1963 (Second Session)

Whitehorse, Y.T.
October 29, 1963.

Mr. Speaker

Members of Council.

Labour Legislation.

The question of appropriate Labour Legislation for the Yukon Territory has been raised on several occasions by members of the Council, and it is the view of the Administration that the complexity and the length of t i me required to prepare such legislation makes it necessary to work out some sort of schedule. Studies are presently under way in connection with the levels of coverage under the Workmen's Compensation Ordinance, and it is hoped that a suitable bill can be prepared in time for the Fall Session. It is hoped a new Wages Recovery Ordinance will be introduced at the forthcoming session to replace the present Masters and Servants Ordinance.

The present Labour Provisions Ordinance is inadequate in several respects, and it is felt that a number of changes are required. In the first place, the rigid limitation on the number of hours it is permissable for an employee to work is unrealistic in view of the very short summer work season in the Yukon, but before a major change is undertaken in this connection, it is considered advisable to make a careful study of the industries to be affected by the changes proposed. Similarly, the Public Service Ordinance is very much out of date, and it is proposed that a completely new Ordinance be drafted and introduced as quickly as possible. Mr. W. Luyendyk, Chief of Personnel f o r the Department of Northern Affairs and National Resources, has recently completed a survey of the Federal and Territorial sections of the Yukon Administration, and it is hoped that he w i ll be able to let us have a detailed report within the next few weeks. As soon as we have received his report, we hope to be able to proceed w i t h the preparation of detailed instructions to a draftsman for the preparation of an appropriate bill. Since this legislation will deal with all aspects of hours of work, overtime, etc., within the public service of the Yukon Territory, it is recommended that piecemeal amendments be held in abeyance. It is the intention of the Administration, as far as possible, to bring the Public Service Ordinance and the Labour Provisions Ordinance as closely into line as possible because it is felt there should not be any distinction between the rules applicable to the Territorial Government and the rules applicable in private industry.

At the last session of the Council, you were informed that a detailed report on labour legislation had recently been submitted to the Council of the Northwest Territories, and your Administration undertook to obtain copies. These reports are attached. It will be noted that in the Northwest Territories the Territorial Council has remained completely out of the labour relations field because it was considered impractical to establish a Labour Relations Board, and the industries that are organized at present can negotiate collective agreements under Federal legislation. In view of the highly specialized nature of labour legislation and the complexities involved, not to mention the lack of properly qualified specialists in the Yukon Administration, it is recommended that the Council of the Yukon Territory, after reviewing the attached papers, suggest those items of labour legislation which they think are most pressing in the Yukon. The Administration can then discuss these suggestions with the Northern Administration Branch in Ottawa with a view to having them discussed further with the Department of Labour. Possibly there would be certain advantages in having a specialist from the Department of Labour come to the Yukon to discuss proposed labour legislation

SESSIONAL PAPER No. 15 1963 (Second Session)

Whitehorse, Y.T.
October 29, 1963.

Mr. Speaker

Members of Council.

1-8-35
1-61-108

Labour Legislation.

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G.R. Cameron,
Commissioner.

with the Council.

If the Council should feel that early action is necessary on one or two more pressing items of labour legislation, it is suggested that the attached draft of instructions concerning a Labour Relations Ordinance be considered. Consideration might also be given to having a delegate from the Government of the Yukon Territory attend the annual conference of the Canadian Association of Administrators of Labour Legislation. This group, consisting of representatives from the Provincial Departments of Labour and of the Federal Labour Department, meets annually to promote uniformity in provincial labour laws. In discussions held with delegates, and in conferences with members of the Federal Department of Labour, it has been strongly recommended to Northern Administration that jurisdictions with limited labour problems proceed slowly in introducing new legislation to ensure that it can be effectively enforced before being promulgated. It is the view of the Yukon Administration that very great care must be taken before embarking on detailed legislation in the labour field before adequate specialized analysis has been carried out.

The Administration request the views of the Council on the foregoing suggestions.

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 16 - 1963 (Second Session)

Whitehorse, Y.T.,
4 November, 1963.

Mr. Speaker,

Members of Council.

With respect to the Yukon's participation in the 1967 Canadian Centennial Celebrations, this paper is submitted to outline the situation to date and to ask for the Council's suggestions and recommendations.

The Commissioner of the Yukon was appointed to the National Centennial Committee to represent the Territory, and attended the First National Conference on Canada's Centennial in Ottawa, on October 15th and 16th, 1963.

A number of suggestions and discussions were brought up and it was generally acknowledged there are only three short years left in which to prepare for the celebrations. Some Provinces have made considerable progress along this line while others, including the Northwest Territories and Yukon, are just beginning to lay the groundwork.

Upon the Commissioner's return from Ottawa, press releases and radio announcements were issued, and letters were written to over 100 organizations and community clubs throughout the Territory, asking for their suggestions as to how the Yukon should celebrate Canada's birthday. It is felt that as many ideas as possible should be obtained, and then try to arrive at what appears to be a logical and lasting project. The Territorial Council is being asked for their recommendations as well. The proposed project or projects must be cleared with Council before any definite arrangements can be made with the Federal Government for matching grants.

Concerning the Federal Grants for Local Centennial Projects:

The standard agreement normally drawn up with the Provinces states in part:

(1) Applications for a Federal grant towards a local Centennial project must be made to the Province. (The name of the Provincial Minister responsible for centennial affairs is indicated. In the case of the Yukon, it is The Commissioner of the Yukon Territory.)
(2) The Province must approve of the project and must assure the National Centennial Administration that 2/3 of the cost will be met jointly by the Province and the initiating agency.
(3) The National Centennial Administration will pay up to 1/3 of the estimated cost of approved projects, the grant being made to the Province.
(4) A project which is eligible for other forms of Federal aid will also be eligible for a Centennial Grant provided that the aggregate Federal contribution does not exceed 50% of the cost.
(5) The total amount available under this programme will be $1.00 per capita of the Province based on the population at June 1, 1963.
(6) The project must have a reasonable prospect of being completed by the time of the Centennial Observances.
(7) Anticipated revenues from a project will be taken into consideration in determining the amount of the Federal contribution.

It was felt that as far as the Yukon is concerned, the dollar per capita cost-sharing basis is unrealistic. The Centennial Committee agreed that the Yukon's problem was different from that of the Provinces, and felt that there was definite justification for the Territory to negotiate other arrangements than those laid down in the standard agreement.

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SUGGESTED PROJECTS

A project must be of a lasting nature and might include for example:

1) the acquisition and construction of buildings, parks, and other capital works,
2) the acquisition of buildings of historic or architectural merit,
3) the restoration of buildings of historic or architectural merit,
4) the writing and publishing of books,
5) the composition of musical works and,
6) the creation and completion of paintings, sculpture and other works of art,

but does not include any part of pageants or celebrations or administrative expenses of local committees.

Officials of the National Centennial Administration have suggested other ways, where no government grants are called for, in which Canadians may celebrate their birthday. These have included:

(a) historical displays from communities to be put aboard 'travelling exhibit' trains to traverse the country.
(b) cultural exchange.
(c) travel scholarships.
(d) the 'twinning' of cities from east and west. For example, the citizens of Calgary and Quebec city plan to visit each other's Winter Carnival and Stampede.
(e) face-lifting operations, where streets are made more attractive, trees are planted and individual properties are improved.

It has been stressed many times by the National Centennial Committee, that the celebrations should come from the grass-roots level -- a participation by every person in Canada in Canada's birthday.

It is felt that the Yukon Territory has an added incentive to work toward Centennial Celebrations, for the State of Alaska also has a centennial the same year. Officials in Alaska should be kept informed of the Yukon's plans and, where possible, participate for the common good of both areas.

The important element now is time. A report to the National Centennial Committee in Ottawa is required in December. Before negotiations can begin with the Federal Government concerning matching grants, a concrete plan, suggested by the people of the Yukon, and endorsed by the Council, must be submitted.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 17 - (1963 Second Session)

Whitehorse, Y.T.
6th November, 1963.

Mr. Speaker,

Members of Council.

Re Workmen's Compensation Ordinance-
Doherty Claim

Further to information contained on Sessional Paper No. 1, the following is the situation as it now stands.

Pursuant to section 18 of the Workmen's Compensation Ordinance, the referees have forwarded to Mr. Doherty a list of medical practitioners nominated and are now awaiting the choice of Doctor. This choice must be made by the claimant within 30 days pursuant to this section of the Ordinance. It is anticipated further that this medical review will take place some time this month.

We have notified Edmonton office that the moment any further information is available, we should be advised so that I may keep you up-to-date on this claim.

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 18 - 1963(Second Session)

7th November, 1963.

1-8-35

1-5-1-0-1

Mr. Speaker,

Members of Council.

Re: Question No. 1.

Regarding Question No. 1 addressed to Administration by Mr. McKinnon on November 5th, I submit the following information:

I have this date discussed with Mr. Williams, the Assistant Deputy Minister of Public Works, the possibility of appearing before Council. He has informed me that although this is a fact-finding mission only, and he has at the present time very little information available, he would be quite happy to meet with Council. I am unable at this time to say exactly when this meeting could take place but if Council approved, I shall attempt to have Mr. Williams meet with you sometime during Friday morning.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 19 - 1963(Second Session)

1-8-35

1-31-5-12-245

Whitehorse, Yukon
November 8th, 1963

Mr. Speaker

Members of Council:

Re: Motion for Production of Papers #5
Interdiction respecting Nazar Zinchuk,
Watson Lake

In reply to Councillor Taylor's motion for production of papers #5 concerning Mr. Zinchuk's interdiction order, the following to the best of my knowledge are the facts which led up to this unfortunate situation:

(1) The local Justice of the Peace on the date on which Mr. Zinchuk was interdicted had approximately four cases which it was expected would result in interdiction orders. When the cases were completed one of the expected interdiction orders had not been made by the Justice. However, the papers had been prepared before hand and at the completion of the trial the Justice of the Peace inadvertently signed all of the interdiction orders.

(2) These interdiction orders were then forwarded to the Territorial Secretary's Office in the normal manner who in turn prepared and mailed out to all liquor outlets, Territorial Agents, etc. a notice stating the facts as to the interdiction order having been issued.

(3) When the local Justice of the Peace was made aware of this fact, he made inquiries of the Territorial Secretary's Office as to how this interdiction order having been issued in error could be cancelled. The Territorial Secretary advised the Justice of the Peace that the interdiction order having been issued, it would be necessary to issue a revocation order, forward same to the Commissioner with the pertinent facts and notices would be sent out to all liquor outlets notifying them of the revocation of the order.

(4) The revocation order was accordingly completed and forwarded to the Commissioner. The Administration erred in that they forwarded the revocation order to the Liquor Controller rather than to the Territorial Secretary. The Liquor Controller noting that the interdiction order had not stood for the required twelve months before a revocation order could be issued then forwarded the revocation order to the Legal Advisor requesting his advice. The Legal Advisor in turn advised the Liquor Controller that the revocation order was not a good order and that he would advise the Justice of the Peace of this fact on his next visit to Watson Lake. The Liquor Controller then returned the file to central registry and the matter rested until the point was raised by the local Councillor.

In conclusion, I am very happy to state that the revocation order has been issued as of this date and I would like to take this opportunity to thank the Councillor for bringing this unfortunate situation to my attention.

G.R. Cameron

G.R. Cameron,
Commissioner.

SESSIONAL PAPER NO. 20
(1963 - Second Session)

MINUTES of the Seventh Meeting of the Advisory Committee on Finance of the Council of Yukon Territory, held in the Federal Building, Whitehorse, on Tuesday the 1st of October, 1963.

1-8-35
1-8-5-5
1-5-1-1-22

Present:	Mr. R.L. McKamey,	Member - Mayo District (Chairman)
	Mr. J.O. Livesey,	Member - Carmacks - Kluane Lake District
	Mr. H.E. Boyd,	Member - Whitehorse East District
In Attendance:	Mr. G.R. Cameron,	Commissioner, Yukon Territory
	Mr. F. Delaute,	Executive Assistant
	Mr. C.P. Hughes,	Legal Advisor
	Mr. H. Thompson,	Superintendent of Schools
	Mr. W. Holland,	Director of Vocational Training
	Mr. K. MacKenzie	Territorial Treasurer

PURPOSE OF MEETING — The meeting had been convened by the Commissioner for the purpose of discussing the Supplementary Territorial Estimates of Revenue and Expenditure for the fiscal year which commenced on the 1st of April, 1963.

FINANCIAL POSITION OF TERRITORY — The meeting was opened by the Commissioner at 10:15 a.m. Before giving attention to the Supplementary Estimates, the Committee was informed by the Territorial Treasurer of the results of operations for the year ended 31st of March, 1963. Under Operation and Maintenance, the deficit grant received from the Federal Government amounting to $1,251,782.00 had proved to be in excess of requirements by the sum of $551,402.01. This had been because revenue was higher than estimated and expenditure lower. The deficit grant surplus represented a useful reserve for the current and future years.

To meet Project Capital requirements the Territory had borrowed from the Federal Government $2,833,000.00 an amount which proved to be in excess of need by $746,507.49. This was due to completed projects costing less than estimated and to projects not completed during 1962/63. The excess amount borrowed would be applied against the Territory's Project Capital requirements for the year 1963/64.

SUPPLEMENTARY ESTIMATES NO.1 — On Page 1 of the Supplementary Estimates it was indicated that additional operation and maintenance expenditure was required in the amount of $206,618.00. This would be off-set by revenue and recoveries totalling $126,780.00 resulting in an increase in the Operating Deficit of $79,838.00. The Operating Deficit thus predicted by the Main and Supplementary Estimates totalled $1,632,061.24 which compared with the Operating Deficit Grant to be received from the Federal Government of $1,609,131.00. The Territorial Treasurer stated that the excess of $22,930.24 would be off-set by lapsing funds.

Under Capital, Page 1 of Supplementary Estimates indicated additional Project Capital Expenditure of $579,653.00 to be off-set by recoveries of $296,221.00. This meant an increase in net Project Capital requirements of $283,432.00. These requirements were amply provided for in the Federal Territorial Financial Relations Agreement.

VOTE 2 — Additional requirements of $13,678.00 for the Department of the Territorial Treasurer were considered and approved for submission to Council.

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VOTE 5

In the Health section of Vote 5 expenditure of $47,523.00 was estimated for St. Mary's Hospital, Dawson. This hospital had been taken over by the Territorial Government from the Order of the Sister's of St. Ann and was to be operated on a nursing station status. The expenditure estimated was approved for submission to Council with Mr. J.O. Livesey speaking in protest on the length of time that had been taken to make the necessary structural changes in the building.

In the Welfare section of Vote 5 additional expenditure had been estimated at $41,223.00, the principal item being St. Mary's Nursing Home, Dawson. This was the Aged Mens' Home the administration of which had been taken over by the Territorial Government from the Order of the Sister's of St. Ann. The Estimates were approved for submission to Council. Committee members were opposed to Welfare Expenditure without justification in the form of work and expressed the view that consideration should be given to this aspect of the matter.

The time being 12:00 noon the meeting adjourned for lunch.

OVERTIME

At 1:30 p.m. the meeting was resumed with a discussion of the arrangements under which hourly rated Territorial employees worked overtime. It was considered that the arrangements were unsatisfactory and that the question should receive attention at the Fall Session of Council.

VOTE 6

The Supplementary Estimates for Vote 6, Municipal and Area Development Administration, represented a reduction to meet procedural requirements. The Estimates were approved for submission to Council.

VOTE 8

The Supplementary Estimates for Vote 8, General included various items totalling $73,201.00 which were approved for submission to Council after due consideration. In regard to the Alaska-B.C.-Yukon Conference for which additional monies were required, Members of Council were to be asked to supply their delegate, Mr. John Watt, with a paper setting out points to be raised. On the question of a delegate Mr. F. Delaute informed the Committee of the position.

VOTE 9

Additional expenditures estimated for Vote 9, Road, Bridges and Public Works, were considered and approved for submission to Council no change being required. Maintenance of the Alaska Highway by the Territorial Government instead of by the Department of National Defence at present was discussed and recommended.

VOTE 12

On Travel and Publicity, Vote 12 it was estimated that an additional $17,467.00 was required over the sum of $41,198.00 provided in the Main Estimates. In the discussion which took place on this supplementary requirement, Mr. W.J.H. Gibson the Director of Travel supplied explanation necessary. The Supplementary Estimates were approved for submission to Council, Mr. J.O. Livesey expressing dissatisfaction with the results achieved for the expenditure incurred.

The time being 5:00 p.m. the meeting adjourned for the day.

REVENUE

The meeting resumed at 9:00 a.m. on Wednesday, the 2nd of October, 1963 with consideration being given to Operation and Maintenance Revenue and Recoveries totalling $126,780.00. Necessary explanations were provided and the Estimates were approved for submission to Council.

VOTE 10

Arising out of the consideration of supplementary requirements for Vote 10, Capital, committee members expressed the view that the purchase of office equipment might be better effected through one supplier by means of a contract for a fixed period of say one year rather than by means of individual purchases from various suppliers according to quotations as and when required.

VOTE 8

With Mr. W. Holland the Director of Vocational Training present, the committee considered the Supple mentary Estimates for the Whitehorse Vocational Training School and Dormitory. Necessary explanations were supplied and the Estimates were approved for submission to Council.

The time being 12:00 noon the meeting adjourned for lunch.

At 1:00 p.m. the meeting resumed.

VOTE 10

The Committee considered the Estimates for additional Capital Expenditure on Education, in particular the additional funds needed to pay for extentions to existing schools. With Mr. H. Thompson the Superintendent of Schools in attendence it appeared in discussion that there had been a change of policy on the part of the Department of Citizenship and Immigration which is responsible for Indian Affairs. Some time ago it had been understood that pupils of Indian status would attend Territorial Public Schools in fulfillment of a policy of integration. This in time would bring about the disuse of separate Indian Schools. As a result of that understanding a number of Territorial Public Schools had been and were scheduled to be enlarged and substantial Capital Expenditure had been and was to be incurred.

It now appeared that this policy had been changed by a person or persons unknown with the object of continuing the extensive use of separate Indian Schools and the withdrawal of Indian pupils from Territorial Public Schools. The Commissioner reported to the Committee that the matter had been taken up with Ottawa and that a reply to his memorandum on the subject was awaited. As a result of this, approval of the proposed Supplementary Expenditures on Territorial Public Schools necessary to provide additional space for classrooms was deferred for the time being. The matter would receive further consideration at the Fall Session of Council by which time it was hoped that the matter would have been cleared up with Ottawa. The remaining items of expenditure in the Supplementary Estimates for Capital were approved for submission to Council.

PROJECT CAPITAL RECOVERIES

The Committee examined the Supplementary Estimates detailing Capital Recoveries off-setting Supplementary Expenditures approved. The recovery figures were approved for submission to Council.

The time being 5:00 p.m. the meeting adjourned for the day.

The meeting resumed at 9:00 a.m. on Thursday the 3rd of October, 1963 with consideration by members of Supplementary Estimate Number 5 for the year 1962/63. This Estimate covered additional Operation and Maintenance Expenditure on roads, bridges, and public works with off-setting recoveries. The expenditure figure amounted to $59,475.61 and the recovery figure $50,554.27. This Supplementary Estimate was necessitated by over-expenditure during the year 1962/63 to the extent indicated on the Dawson-Stewart Crossing Road and the Flat Creek-Eagle Plains Road. The cause of the over-expenditure was the reduction in the Main Territorial Estimates to off-set the Federal Austerity cutback of 10% during the summer of 1962 and the carry over of expenditure for 1961/62. Circumstances made it impossible for Territorial expenditure on the two roads stated to be reduced within the limits prescribed by the reductions made in the Main Territorial Estimates. The expenditure in the Supplementary Estimates being considered had been incurred and the recovery from the Federal Government effected. The Committee approved the Supplementary Estimates for submission to Council.

STAFF HOUSING

Attention was given by the Committee to a paper prepared by the administration proposing that rentals payable by employees of the Territorial Government living in housing owned by the Territorial Government be increased so as to eliminate the subsidy factor. This action had been taken by the administration upon the representations of Council last year, the present practice of charging rentals which were below cost and below market rates being considered unsatisfactory and discriminatory against those Territorial employees who lived in privately owned housing. This recommendation had the full support of the administration who had been considering the problem for some time.

The paper prepared by the administration contained figures which were submitted as a basis for discussion with the intention of arriving at acceptable alternative methods of computing the rentals to be paid. The discussion was fruitful in that suggestions were made for calculating rentals which would be satisfactory to all concerned and the position of committee members was that the matter should receive the further consideration of the administration.

TEACHERS' SALARIES

Discussion of the Staff Housing question raised a point related to teachers' salaries and the possible need for legislation to cover the formation of the Teachers' Association. It was questioned as to whether there should be negotiating machinery. At the request of the members the Legal Advisor, Mr. C.P. Hughes attended the Committee and after discussion it was decided that the Legal Advisor should investigate the situation and report back. A further point on which the Committee was decided was that present labour laws which appeared in various ordinances should be consolidated in one ordinance.

The Chairman delcared that the Committee had concluded its business and the Commissioner terminated the meeting.

"K. MacKenzie"
Territorial Treasurer

SESSIONAL PAPER No. 21 - 1963(Second Session)

November 8, 1963.

Mr. Speaker

Members of Council.

Question No. 2
Land Titles.

In question No. 2, November 6, 1963, Mr. Taylor made the following inquiry:

> "In view of the new land policy respecting Watson Lake, has the Administration proceeded to give title to lot owners in other Territorial Sub-Divisions upon purchase of such lots and if not would the Administration please explain why not."

The Administration has adopted the policy of permitting the regulations under the Area Development Ordinance which apply in each individual Sub-Division to be determined by the Citizens' Association of each Sub-Division. Since the citizens of Watson Lake are the only ones who have asked to have land disposed of out right without any conditions requiring that use be made of the land, no action has been taken in any of the other Sub-Divisions. For your information, the conditions set out in the Agreements of Sale used in the Sub-Divisions other than Watson Lake are as follows:

1. Mayo - $5,000.00 worth of improvements within two years (in the new Sub-Division).

2. Haines Junction - $2,500.00 worth of improvements within two years.

3. Crestview - $3500.00 worth of improvements within two years.

4. Porter Creek - $3500.00 worth of improvements within two years.

5. Teslin - $2500.00 worth of improvements within two years.

6. Watson Lake - $3500.00 worth of improvements within two years (for commercial lots and for any residential lots in addition to the first one purchased).

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 22 - 1963(Second Session)

Whitehorse, Y.T.,
7 November, 1963.

Mr. Speaker,

Members of Council:

Motion for the Production of Papers No. 2

The following is submitted in reply to the above Motion for Production of Papers:

A) Liquor Profits (Net) Liquor Tax excluded)		$ 922,252,14
B) Fuel Tax		343,860.83
C) Taxation of real property		
Territorial-General and school tax	$ 161,609.71	
Municipal school tax	87,945.66	249,555.37
D) Federal grants:		
Operating deficit grant	1,251,782.00	
Loan amortization grant	82,838.02	1,334,620.02
E) License revenue:		
Motor vehicles ordinance	206,820.57	
Liquor ordinance	10,120.00	
Business and Professional	16,659.00	
Game Ordinance	24,946,12	
Miscellaneous (Marriage)	260.25	258,805.94
F) Sale of land(Government & sub-division)		
Riverdale sub-division	42,900.00	
Crestview	3,147.80	
Watson Lake	3,084.76	
Haines Junction	313.40	
Teslin	812.60	
Porter Creek	8,841.88	
Mayo	290.00	
Canyon Crescent (Net Refunds)	787.00	
Total Sales - sub-divisions	58,603.44	
Other lands	202.00	$ 58,805.44

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 23 - 1963(Second Session)

Whitehorse, Y.T.,
12 November, 1963.

Mr. Speaker,

Members of Council.

Question No. 3

The above motion regarding removal of Lewes River Dam was referred to the Territorial Engineer, who submitted the following information:

"This project has been included in the 1964/65 Federal Estimates and tenders for demolition will be called in the spring of 1964.

Funds have not been provided in the 1963/64 estimates for this project therefore it cannot be undertaken this winter unless Ottawa can provide funds by transfer."

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 24 - 1963(Second Session)

"A"

November 12, 1963.

Mr. Speaker,

Members of Council

Corrections Committee
Motion No. 19, First Session, 1963

It has been conveyed to the members of the Corrections Committee that Council desires a further report and in registering this request has expressed through some members, disagreement with the function that the Committee has performed to date. Further, there has been criticism of the composition of the Committee.

The Committee submits herewith copies of the minutes of its meetings on which was based the progress report tabled as Sessional Paper No. 12, dated the 28th of October, 1963. These minutes will serve to supplement the progress report.

The Committee, through me, expresses its firm view that it has acted properly and in good faith, within its terms of reference. The Committee further is of the opinion that the work done by the Committee was the only way in which the Committee could function and desires me to add that it is only on the basis of this understanding that the Committee will be able to continue to operate.

If it is the view of Council, as a whole, that the Committee has erred, then I have to remind Council that, with the disappearance of the Committee, the whole of Motion 19 is vitiated. It is a matter of record that the Federal Government, before building a jail, has sought to ascertain the views of the Territorial Government about the location, dimension, and programme for the jail. It was believed to be the intention of Council that the Committee should be vigilant at all times, to ensure faithful attention was paid to the qualities set out in the preamble and first thirteen points of Motion 19. This the Committee has conscientiously endeavoured to do.

If the Committee is compelled to resign by a rejection of its underlying philosophy, then the only apparent way in which the project can come to fruition is for the Federal Government to proceed, on its own initiative, with the implementation of the Corrections Programme, including the construction of the jail.

The Committee reiterates its desire to serve the Council; but it can only do so if it is confident that it has the full support of all the Council. With such support of Council, the Committee will be happy to see the project through to its completion.

G. R. Cameron,
Commissioner.

MINUTES OF THE FIRST MEETING

OF THE CORRECTIONS COMMITTEE

PLACE: OFFICE OF COMMISSIONER G. R. CAMERON

TIME: 1:30 P.M., June 12, 1963.

IN ATTENDANCE:

Commissioner G. R. Cameron	Chairman
Mr. J. F. Delaute,	Secretary
Mr. H. E. Boyd	
Mr. K. Baker	
Miss J. M. Riddell	
Mr. C. P. Hughes	
Inspector J. L. Vachon	
Mr. K. MacKenzie	

NOTE: The Commissioner is planning to invite the Zone Superintendent, Northern Health Services, Dr. D. R. Kinloch, to serve as a member of the Committee.

1. The Chairman asked Mr. Duncan Clark to comment on the duties of the Corrections Committee. Mr. Clark explained the procedure followed in the Northwest Territories and indicated that the proposed plan for a Corrections Institution there had been examined by Officers of the Northern Health Services in Ottawa. They had expressed the opinion that standard medical requirements had been met. He assumed, therefore, that the Yukon Zone Superintendent also found the plan acceptable--although later in the discussion it was reported Doctor Butler had urged that isolation rooms be provided in the plans for male as well as female inmates. Mr. Clark went on to say that a site had been chosen in Yellowknife; that an architect from the Engineering Division would be preparing blue-prints for submission to the Department of Public Works who would be responsible for construction of the building in accordance with the requirements of the Corrections Committee appointed by the Northwest Territories Council. It was expected that construction of the building would be completed in the late fall of 1964.

Mr. Clark felt that the first step to be taken by the Yukon Corrections Committee was to choose a site and plan the building.

He suggested, however, that the Yukon Administration need not wait until the new Institution was built before introducing a Probationary Program and appointing a Probationary Officer.

Mr. Clark indicated that there had been no change in what had been agreed upon in the 5-year Financial Agreement with the Yukon. However, there is one difference and that is that the Yukon Corrections Committee will now have a definite say in planning the requirements of the Institution.

2. Inspector Vachon enquired as to what were the Terms of Reference and what were the powers of the Yukon Corrections Committee. This point was discussed at some lenghth. It was felt at first that the Committee was advisory only. However, a careful analysis of the text of the motion of the Territorial Council indicated that the motion does, in fact, authorize the Committee to execute the decisions of Council as enumerated in the text of the resolution. The Committee would be answerable to the Yukon Territorial Council for its actions.

3. There was considerable discussion on the question of engaging the services of a Probationary Officer. Some of the points raised dealt with the availability of funds for this purpose; who would be responsible for the administration of the Institution, as well as the Probationary Program; what staff would be required to operate the Institution? The Acting Director of Welfare indicated that she had already recorded her reservations as to role of welfare in this connection. The Territorial Treasurer, who was present at the meeting, indicated that funds were available for the purpose of engaging the services of a Probationary Officer and other personnel, if and when needed.

In regard to the reference in the 5-year Agreement to the appointment of a Senior Legal Officer, it was not too clear whether he would in fact be responsible for "the Administration of Jails" and whether the proposed Corrections Institution would come under his jurisdiction. This point will need to be cleared up.

4. Mr. Clark was asked to furnish the Chairman with the list of qualifications of a Probationary Officer; his duties; salary expected to be paid.

It was moved and seconded that the necessary arrangements be made to select a Probationary Officer on terms to be agreed upon by Members of the Yukon Corrections Committee.

CARRIED

5. The Territorial Engineer undertook to inspect the latest site for the Institution, i.e. behind the Whitehorse General Hospital.

6. The Meeting Adjourned at 2:00 P.M.

CORRECTIONS COMMITTEE

(Second Meeting)

A meeting of the Committee was held in the office of the Commissioner at 2:00 P. M. on June 24, 1963. The following persons were present:-

Commissioner Cameron — Chairman
Mr. K. Baker, Territorial Engineer
Mr. H. E. Boyd, Member of Council
S/S Clark, R. C. M. P.
Mr. C. P. Hughes, Legal Adviser
Mr. K. MacKenzie, Territorial Treasurer.
Dr. D. R. Kinloch, Zone Superintendent, National Health & Welfare.
Miss M. Riddell, A/Director of Welfare,
Mr. F. B. Fingland — Secretary.

1. The Commissioner pointed out that various sites had been considered for the proposed new prison and, subject to the views of the Committee, the area in the valley immediately to the northeast of the hospital was considered the best. This area appeared more suitable than any of the other possible locations because it was relatively easier to service with water and sewer and electricity, and road access could be obtained from the existing hospital road network at very little cost. Moreover, the land in question could not likely be used for any other purpose whereas the other areas considered were potential residential areas of some considerable value. The circle of hills behind the hospital provided a natural barrier on three sides and made it possible to construct the prison so that it would not be in the public eye and yet remain within easy access of the rest of the community.

2. Doctor Kinloch raised the question of the possibility of having the hospital provide laundry and kitchen facilities for the new prison. The Commissioner explained that Mr. Clark, the Corrections Officer for the Northwest Territories, had suggested that perhaps the hospital facilities could be used for the prison, but that in the new building, adequate space should be provided for laundry and kitchen facilities so that if the day came when the hospital was no longer in a position to provide these facilities, the necessary equipment could be installed in the prison without having to construct an addition to the building.

3. Doctor Kinloch expressed some concern about having the access road pass right behind the hospital. Mr. Hughes said the new traffic would not be twenty per cent of the present traffic. There was some discussion about the possibility of building a road from the reservoir area, and Mr. Boyd suggested that the prisoners could build such a road as a special project and this would reduce the expense. It was pointed out that the cost-sharing arrangements with Ottawa included the cost of necessary access roads. Dr. Kinloch stated that the construction phase would require immediate access, and this would have to be through the hospital grounds. Mr. Hughes pointed out that the noise and confusion resulting from the construction phase would be the same if an extension were to be built to the present hospital building.

4. Mr. Hughes was excused from the meeting.

5. The Committee adjourned to enable the members to visit the proposed site.

6. The Committee resumed discussion of the proposed site. The Committee considered the site quite suitable for the new prison. Miss Riddell stated there might be some problem as far as sunlight is concerned but the Committee did not consider this a major difficulty. It was agreed that the sites selected by the Committee should be indicated on aerial photographs, and copies should then be sent with an explanatory memorandum to the Director of the Northern Administration Branch with a request that the Committee's decision

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be discussed with C.M.H.C.

7. Doctor Kinloch indicated that the building should be located in such a way that it would not cut off the area most suitable for future hospital expansion. It was agreed that the new prison should be sited so that as little as possible of the present National Health and Welfare reserve would be required.

8. Mr. Baker stated that the new building should be placed as close as possible to the hospital building to reduce the cost of water and sewer services and the cost of road access. The Committee agreed that if a screen of trees about five hundred feet wide were left between the hospital and the new prison, this would be adequate. The Committee concluded that the new building could be situated in such a way that it would not interfere with the interests of the Department of National Health and Welfare.

9. Mr. Baker stated that it would be necessary to arrange with National Health and Welfare for an access road through their reserve. It was decided that an agreement between the Territorial Government and National Health and Welfare dealing with ingress and egress would be sufficient, and this could be handled simply by means of an exchange of letters.

10. The Commissioner suggested, and the Committee concurred, that the Director should be requested to have the architect look at the site on the ground.

11. The Committee agreed that an early start should be made on the construction of the new building with a view to providing winter employment in the Whitehorse area during 1963-64.

12. Doctor Kinloch inquired if a central maximum security block in the proposed new building was justifiable. S/S Clark indicated that this sort of detention area was necessary because they had at least one prisoner of this kind all the time.

13. It was agreed that copies of the correspondence in connection with the jail be made available to all members of the Committee.

F. B. Fingland,
Secretary.

CORRECTIONS COMMITTEE

(Third Meeting)

PLACE: Office of Commissioner G. R. Cameron

TIME: 2:00 P. M.

DATE: October 17, 1963.

PRESENT: Mr. J. F. Delaute Acting Chairman (in absence of Commissioner)
Dr. D. R. Kinloch
Mr. H. E. Boyd
Mr. A. G. Heisler
Mr. C. B. H. Murphy
Mr. C. P. Hughes
Mr. K. Baker
Mr. K. J. Sandbrook
Inspector J. L. Vachon
Mrs. J. M. Veinott Acting Secretary
Mr. W. Holland (in attendance)

1. The Chairman - Queried meeting as to acceptance of form of Agenda. Accepted by meeting.
- The Minutes of previous meetings were taken as read.

2. (a) Mr. Sandbrook
- Architect of Northern Affairs & National Resources, introduced to the meeting by the Chairman.

(b) The Chairman
- read letter dated September 13, 1963, to the Chief Architect, Department of Public Works, from the Director, outlining views of C.M.H.C., as follows:-

"Mr. Nordman does not appear to have any serious objections to this site provided (a) access to the Jail will be by way of the periphery of the Hospital Area, and (b) consideration be given to a future access roadway to the Jail which would avoid passage through any future residential district."

(c) - Advised that the Supervisor of Lands had been given an opportunity to peruse the files in relation to proposed prison and made the following comments:-

1) No agricultural land that could be used by inmates on proposed Riverdale site;
2) No play fields or recreational area;
3) Where would gallows be situated;
4) Value of land in Riverdale would be assessed lower due to location of prison.

- Discussion held in relation to views expressed by Supervisor of Lands and views of Committee members requested.

3. Inspector Vachon
- stated topography of land answered query in relation to proximity of Riverdale.

4. Mr. Boyd

- stated he could not see it having any effect on value of land.

5. Mr. Sandbrook

- advised that the site at Yellowknife, N.W.T. was 1 and 1/5 miles from the town and that the nearest house was 1/2 mile from the site.

- Discussion held in relation to availability of land for agriculture at proposed site.

6. Mr. Hughes

- queried whether a viewpoint should be obtained in relation to this aspect. Also queried whether or not Mr. Sandbrook had in fact visited other potential sites.

7. Mr. Sandbrook

- stated he had not visited other sites, but would do so and felt that while agricultural location was mentioned in relation to Yellowknife proposed site, it might be that this would not be practicable in Whitehorse and in fact other types of work by prisoners may be used such as road construction or forestry.

8. Mr. Sandbrook

- said that D.P.W. had no instructions yet in relation to making a survey or to boring, but advised a wire had been sent to the Director stating that D.P.W. Engineers were still awaiting instructions and that they had a crew available to start work when so instructed. Mr. Sandbrook also stated a road was already available which could be utilized as a construction road.

9. Mr. Murphy

- advised the meeting that an advertisement had been placed in various newspapers and periodicals in relation to a Probation Officer. Advertisement read to meeting. He stated the problem in relation to this position was whether a Director of Corrections was also required to organize matters in the first stages or simply a qualified Probation Officer.

- Discussion held in relation to this query and it was decided by the meeting that a Probation Officer was required at present.

- Moved by Mr. Hughes and seconded by Mr. Baker that Mr. Murphy correspond with Mr. Clark raising the points of difficulty in relation to the duties of a Probation Officer and Corrections Director and who is to have supervision of these persons and the Jail.

CARRIED

10. - Meeting advised by Mr. Sandbrook and Mr. Baker that tenders would be called by the Federal Government as D.P.W. were responsible. Territorial Engineer not involved.

11. - A sketch (Scheme "D" - revised July 9, 1963) of the proposed minimum security jail was brought forth and explained to the meeting by Mr. Sandbrook. At this time a lengthy discussion was held and queries made in relation to various aspects of the building. Some uncertainty was entertained as to which way this building would face in relation to the topography and the prevailing winds.

12. Mr. Sandbrook

- stated the building would be located approximately 300 feet from the Whitehorse General Hospital. A security fence of approximately ten feet in height would surround the building. It was noted no living accommodation was provided for Staff and Mr. Sandbrook stated it was anticipated provision for same would be made elsewhere for the Warden, Assistant Warden and Chief Engineer.

- The original cost of $715,000 had been cut down to $450,000 due to changes. If necessary the vocational facilities, as well as laundry and kitchen facilities could be dispensed with in the event the Hospital facilities were utilized. It is anticipated the water, electricity and heating facilities of the Hospital could be brought in and utilized at the Prison.

13. Mr. Heisler

- stated that the cost of building the Prison was strictly a Federal responsibility and that the Territory was responsible to the extent of $175,000 per year for maintenance and operation.

- Monies saved by utilizing Hospital facilities could perhaps be utilized in the construction of an access road.

14. Mr. Hughes

- stated he was not particularly anxious to see any plan accepted until an estimate of maintenance cost had been worked out. It was false economy to go for low outlay and high maintenance. Mr. Hughes asked Mr. Sandbrook if an evaluation had been made of other sites and also if he had checked the newly built schools. He was advised that no time had been spent elsewhere, but it was Mr. Sandbrook's intention to do so.

15. Mr. Sandbrook

- stated, in answer to Mr. Hughes' queries, the proposed building would be all concrete, have a slanted roof

  and the windows would be composed of a double-layer of glass which would be specially made up to prevent heat loss.

16. Mr. Hughes

- asked whether, in the event the Hospital heating facilities were not used, Mr. Sandbrook had considered the method of heating - by coal, oil or wood. Mr. Sandbrook stated in this event oil heating is the very best method and that wood fuel was out of the question.

17. Mr. Sandbrook
- stated, in answer to a query from Mr. Boyd, a plastic material would be used over a sloping cement roof to avoid formation of ice.

18. Mr. Hughes
- inquired how it was proposed snow be removed from exercise compound and was advised by means of a manhole located within the compound.

19. Mr. Sandbrook
- upon query in relation to storage facilities for prison vehicles and parking for staff and visitors, advised vehicles would not be necessary as it was anticipated local facilities such as taxis could be rented.

20. Inspector Vachon
- stated it is almost impossible to operate a prison without vehicles at the site and Mr. Sandbrook stated a garage could be provided upon definite determination.

21. - A discussion was held in relation to using the present Vocational School by the inmates of the prison, and Mr. Holland was requested to attend the meeting. (See Item 31)

22. - A disuccsion was held in relation to a road to the site and Doctor Kinloch queried whether the road would be constructed prior to preliminary work being done on the site. In addition Doctor Kinloch stated he was certain his Director would not stand for any further encroachment on thier land in the event additions were made on the open ends of the prison. Doctor Kinloch was advised by Mr. Baker that the road would be completed first and would take off to the south of the residence area, up the hill and follow down to the site which would not in any way come in contact with the Hospital area. He also advised that in the event of additions to the prison the additions would be made away from the Hsopital and not toward it. Doctor Kinloch stated he was reporting to his Director what progress had been made in relation to the prison and was keeping him informed of developments.

23. The Chairman
- queried Mr. Hughes as to whether or not he still wished Mr. Sandbrook to check over the alternative sites in the event the present one was not acceptable. Mr. Hughes said he thought it was desirable. Mr. Sandbrook stated he would make a point of doing so.

24. - A discussion was held in relation to a Golf Club which proposed setting up in the vicinity of the proposed prison.

25. Mr. Hughes
- asked if Mr. Baker could outline the area required for the prison and submit it to the Superintendent of Lands. Mr. Baker stated he would attend to the completion of forms and submit them to Mr. McCall to reserve the proposed site at Riverdale, Hospital area, for the prison.

26. Mr. Baker

- Suggested a formal directive to the Director, Department of National Health and Welfare, be submitted requesting the use of hospital facilities, and also asked when the prison plan would be approved.

27. Mr. Sandbrook

- advised the meeting that approval would have to come from Treasury after which the Architect from a private firm would be brought in and tenders called. It is anticipated it will take about three months to obtain approval from Treasury, after which time the contract will be let in or about May, 1964, with completion approximately one year later.

28. Inspector Vachon

- excused from meeting at 4:00 P.M.

29. Mr. W. Holland,

- Director of Vocation School, joined the meeting at 4:00 P.M.

30. The Chairman

- advised Mr. Holland that the meeting had been discussing the possibilities of using the facilities of the Vocational School in lieu of having a vocational room set aside at the new prison and requested his views.

31. Mr. Holland

- stated this would of course present certain problems one of which is the fact that the courses presented by theVocational School begin in September and in February, and it would not be practicable to have prison inmates enter a course in the middle of a term. Security was also a problem and provision would have to be made for a permanent person to check inmates as they left in order to ensure no tools were being taken out.

- Upon query as to whether this system was used in any other locality Mr. Holland stated he was unaware of such an arrangement. He also stated that a Vocational "Exploratory" shop would still be a necessity in the prison which shop should be approximately 1500 to 2000 square feet in size and which could have a bare minimum of equipment in order to ascertain what course a person would be accustomed to. Mr. Holland also recommended that any inmate who had been given an indefinite sentence could be given a course while on parole.

32. The Chairman

- thanked Mr. Holland for his views and Mr. Holland was excused from the meeting at 4:25 P.M.

33. The Chairman

- then read a draft sessional paper to be directed to the Territorial Council reporting on progress of Corrections Committee. Members of Committee agreed with draft report as read with required amendments bringing report up to date.

34. Doctor Kinloch

- queried whether it would be in order to add Mr. Holland as a member of this Committee. It is to be suggested to the Commissioner that this be done.

35. Mr. Murphy

- inquired about Police Magistrate Trainor also being a member of the Committee and this also was agreed to by the members.

- Moved by Mr. Baker, seconded by Mr. Murphy that meeting adjourn.

- Meeting adjourned at 4:40 P.M.

DISTRIBUTION

Commissioner of the Yukon (1)
Member of Yukon Corrections Committee (7)
Director, Northern Administration Branch
Department of Northern Affairs & National Resources,
Ottawa
Corrections Officer, Northern Administration Branch
Department of Northern Affairs &
National Resources,
Ottawa
Executive Assistant to Commissioner (1)

For information

Mr. K. J. Sandbrook, Architect, Northern Administration Branch,
Department of Northern Affairs & National
Resources, Ottawa.

SESSIONAL PAPER No.25 - 1963(Second Session)

Whitehorse, Y.T.,
12 November, 1963.

MR. SPEAKER,

MEMBERS OF COUNCIL.

Police Services Agreement

At the Spring session of Council the Bill covering the services in the Yukon Territory of the Royal Canadian Mounted Police was rejected. The Administration was requested to approach Ottawa and obtain full information so that the Bill and Agreement could be satisfactorily discussed at the fall session of Council.

This matter, in addition to being the subject of correspondence with the Department of Northern Affairs and National Resources was taken up with the Director during my October visit to Ottawa. The Director stated that details required by Council could not be supplied and that the Royal Canadian Mounted Police were generous in agreeing to a 40%/60% division of costs. The Director further stated that an R.C.M.Police representative would appear before Council once each year for the purpose of answering any questions which might be raised relating to services rendered by the Police; that theagreement represents a step on the road to provincial autonomy and that if it is not signed, the R.C.M. Police will be in a position to act as they see fit and Council will have no say in Police Administration.

The following information was also obtained:

1. The 40% charged to the Territory is supported by enclosure A from which it will be seen that in respect of the fiscal year 1962/63 the amount actually chargeable to the Territory according to the formula in the Agreement would have been $229,804.13. Under the Agreement, the maximum amount payable in respect of 1962/63 was $170,215.00.

2. Enclosure B provides information on the Man-year and percentage workload breakdown by function.

3. In explanation of the figure in the Territorial Estimates for the cost of administration and maintenance of the jail I think that Council might be informed of the following. This, although relating to the Northwest Territories, was taken as the basis for estimating costs applicable to the Yukon.

> "The Penitentiaries Branch has now advised that the national average cost of the administration and maintenance of jails in Canada is approximately $2,500 per inmate per year. Because of the high operating costs in the Northwest Territories the Branch Officers felt that the equivalent costs in the Northwest Territories would be approximately $3,500 per year for each inmate. The number of cells which the Penitentiaries Branch advised should be provided in the Northwest Territories is 50 and at this time there has been no estimate of the average number persons to be accommodated.
>
> On the basis of the number of cells estimated and the cost per inmate of $3,500 the annual payment to the Department of Justice for these facilities would be $175,000 per year."

4. Despite the fact that the Police Agreement has not been signed it has been in effect since the 1st of April, 1962. Our experience during the first year of its life is set out in Enclosure C."

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 26 - 1963(Second Session)

Whitehorse, Y.T.,
November 13, 1963.

Mr. Speaker,

Members of Council.

Re: Motion No. 2-Safety on the Two Mile Hill.

At the present time the Territorial Engineering Department and the R.C.M. Police have an understanding and working agreement whereby regardless of the hour of day or night the Engineering Department are notified of conditions on the Two Mile Hill, the Engineering Department have arranged within their own organization to have calcium chloride or sand placed on the road whenever notification is received. The Department of Public Works have nothing whatsoever to do with this road and I am sure are not interested in becoming involved in its day to day maintenance. The guard rail is being considered but time is required in order that proper settling and hardening of road shoulders is completed before such a protection is installed. It must also be remembered that the alternate route must be available for diversion of traffic should major repairs compel closure of the main hill for one reason or another. As this stretch of road has just been built up and paved it will take time to determine whether or not widening is necessary. The painting of white lines will be attended to this coming summer but could not be done this year due to the lateness in project completion. The approaches to the Two Mile Hill road, particularly from the service areas, will be signed as required in consultation between the Territorial Engineering Department and the R.C.M. Police. Any additional signs requested by anyone will be given every consideration as to their necessity.

I should point out at this time that it appears likely the City of Whitehorse will be extending its boundaries to include the Camp Takhini area. This, we hope, may be done by April 1st of next year, in which case the City may take over the maintenance of the Two Mile Hill and therefore the questions raised in the Motion would come under City By-laws and Regulations.

In view of the above information I feel that a three-man committee as suggested is not really necessary but you may be assured that every consideration by all Departments of Government will be used in order to maintain smooth, safe and uninterrupted flow of traffic on this particular stretch of road.

G R Cameron.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 27 - 1963(Second Session)

Whitehorse, Y.T.,
14 November, 1963.

Mr. Speaker.

Members of Council.

You will recall that on Saturday morning November 9th, 1963, I asked that you withhold further discussions on certain subjects in order that I may communicate with Ottawa and pass on your requests. I have just now received the following wire from Ottawa regarding the various subjects:

> "Reurtel November 12th Department of Transport advise pleased to consider brief on Mayo Airport but does not intend sending Departmental Officer meet with Yukon Council. Department of Labour request you contact GR Currie Industrial Relations Officer Department of Labour Federal Building Vancouver who will give any information possible but would have to be persuaded of usefulness in Whitehorse at Territorial expense. Competition for senior Legal Officer unsuccessful to date. Department of Justice recommending increased salary level and every effort being made to find suitable candidate."

Your advice on the above will be appreciated.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 28 - 1963 (Second Session)

P. O. Box 2703,
Whitehorse, Y. T.
13th November, 1963.

Mr. Speaker

Members of Council.

Motion No. 15 - Spring Session 1963
Page 286 - Vol 2 Votes and Proceedings.

I present herewith a study which has been assembled setting out the early history and general considerations which occurred to the Administration in reviewing Motion No. 15.

With the material there is also a copy of a memorandum from the Territorial Treasurer to myself dated the 12th November, emphasizing the matters which no doubt you will wish to bear in mind when reviewing the material.

G. R. Cameron

G. R. Cameron
Commissioner

COPY

MEMORANDUM TO : The Commissioner

FROM : Territorial Treasurer

SUBJECT : Community Centres Ordinance

DATE : November 12, 1963

I have read the attached draft paper for Council dealing with Motion Number 15 Spring Session 1963 and as I mentioned to you this morning I think that the following points should receive consideration :

1. Present arrangements for handling Community Development Grants are irregular. At one of the Council Session's here last year Mr. Frank Carter of the Department of Northern Affairs stated that they were unconstitutional. The basis for these statements is that present arrangements make available for each Councillor the sum of $8,000.00 a year from public funds for expenditure in his electoral district according to his recommendation provided that the Administration approves his recommendation.

2. The proper procedure for assisting Community Development by way of Grants is to include each Grant in the Estimates for Council as a whole to pass judgement on. In other words if the representative of the Dawson electoral district wishes to assist say three Community Clubs during a fiscal year the names of those Clubs and the amounts of the Grants to be made to them should appear separately in the Estimates. They would of course first have to be approved by the Administration both as to amount and purpose.

3. Whilst it is in order under present arrangements for the unused balance of $8,000.00 each year per electoral district to be carried forward into the next year, accumulated funds should be disposed of before the next election. Funds not so disposed of should be put back into the consolidated revenue fund.

"K. MacKenzie"

Motion No. 15 - Spring Session 1963
Page 286 - Vol. 2 Votes and Proceedings.

Motion No. 15 - Spring Session 1963 "Mr. McKinnon moved, seconded by Mr. Boyd, that a Community Centres Ordinance be tabled before the Territorial Council at the earliest opportunity. He stated he had some research to do and requested this be discussed in Committee at the beginning of next week. Mr. McKamey stated he had a copy of a Community Centre Ordinance from the Northwest Territories and he wondered if copies could be made for each member and be tabled.

Mr. Speaker stated he would look into it."

For the convenience of Council I attach copies of pages 395 to 398 of the Votes and Proceedings, which set out the discussion on Motion No. 15.

It will be noted that on page 398, Councillor Boyd is reported moving an amendment to Motion No. 15 but there is no seconder to the motion and Council might like to consider whether the motion was properly amended.

Perhaps it will be helpful to the Councillors to re-state some of the early history of the community development monies :

"Report of Interdepartmental Committee on Territorial Financial Problems 1952 - Page 27.

For the period 1948-52, a limitation had been placed on the use of liquor profits. Any amount of annual profit in excess of $185,000 was to be placed in a fund to be known as the "Yukon Development Fund" and used solely for the purpose of providing roads, bridges and other public works to assist in the development of natural resources."

"File 1-23-0-2 Letter dated January 15, 1953 - to the Members of Council from the Commissioner.

"A new tax was imposed on the sale of liquor in 1952 for the purpose of raising additional funds for education and for community public welfare purposes. The first $40,000. of the revenue was to be specifically allocated for general educational purposes and the excess over this amount was to be available for division among the Yukon communities.""

"Letter dated February 26, 1953 from the Commissioner to a member of the Yukon Council.

"In regard to the allocation of the special funds from the liquor profits which have been set aside for community purposes,

so/.....

so far as I am aware, there is no commitment that there will be any specific amount allocated to any particular community from year to year. I believe the object behind this special fund was to take care of certain community improvements and social benefits which the Government might be called upon from time to time to provide and for which there was otherwise no funds available from our normal revenues.

I, therefore, take it that, with the exception of certain specific commitments which you mention such as Whitehorse, the funds will be used from year to year to the best advantage, and to meet the needs of the various communities in the Territory. I will be guided by the directions of the Council Members in regard to the use of these funds.""

"Letter dated November 24, 1954 from the Commissioner to a member of the Yukon Council with which he transmits a summary of the funds available under the "Special Welfare Tax". The sum of $27,850. appeared to be available in the budget of 1954-55 for the Whitehorse district and the Commissioner was pointing out to the member that it appeared to him that this was an exceptionally large amount of money to be spent for "This particular type of community welfare, and I would suggest that consideration be given not only to what good purpose these funds could be put to under the present policy, but as to whether or not the time has not come when the policy should be revised and possibly these funds made available for other community requirements, such as capital requirements for equipment, that is road equipment, fire equipment, etc. which, although they may be a direct municipal responsibility in the city of Whitehorse, are at the same time something which is in the interests of all the people.""

"From a communication from the Commissioner dated December 1, 1959, to the Speaker and Members of Council dealing with :

"Distribution of Liquor Tax:

In our discussions yesterday I promised to submit a proposal for a more equitable distribution of the liquor tax for community efforts throughout the Territory, and also divest myself of some of the responsibilities in connection therewith which, under the circumstances, I am unable to properly perform.

As you know, in accordance with the previous policy and the Five-year Tax Rental Agreement, the first $40,000.00 of this tax is allocated to education and must so remain. The balance, normally in the neighbourhood of $30,000.00 to $35,000.00 is available for capital expenditures on community effort throughout the Territory based on the recommendations of the Councillor for the district involved. A further provision is that monies remaining in the fund and unspent at the end of any one fiscal year can be carried forward into the following year, then disbursed. The formula at present in vogue for the distribution of these tax receipts is predicted in population, it being considered that such indicates in some fairness the source of the funds involved. However, I do not think this to be, in all respects, desirable for the reason that it is the more remote and sparsely populated areas which require the most assistance in the provision of those recreational and cultural facilities which are the basis of community club effort to which the funds should be applied.

I suggest, therefore, that these funds be a matter of initial allocation to electoral districts made by the Councillors themselves at the Fall Session of each Council. The allocation decided upon would be for capital construction in the following fiscal year based

on/.....

on the tax receipts of the current fiscal year. In other words, the funds would be distributed in arrears after the exact amount was known for the year in question.

Following this allocation of funds to electoral districts made by discussion between Council members and mutually agreed upon, those organizations meeting the requirements of the Societies Ordinanceand the definition of a "community club" would submit to the Councillor of their district their proposals for the capital expenditures to be made. The Council member would then review the application and perhaps discuss it with the organization concerned, following which, if he approved, he would forward the application of the organization to the Administration with his recommendation for the provision of funds to the organization concerned. If he disapproved, the matter would die there and the administration would not be involved in the matter.

The foregoing is a bald outline of my proposal which I have discussed with the Territorial Treasurer who is in agreement with the procedure stated. We both think that it constitutes a reasonable approach to the problem, affords both Councillor and constituents every opportunity for the making of wise and equitable decisions plus extricating the Administration from a situation which, to say the least, has been very confusing and will continue to be more so as more and more organizations indicate their need for assistance from this source.""

"From a letter dated January 19, 1960, from the Commissioner to the Speaker of the Yukon Legislative Council on the subject of:

Welfare Grants:

Welfare Grants are paid out of liquor tax revenue and the total amount of liquor tax collected in any one fiscal year governs the sum of money available for distribution in the form of Welfare Grants during the following fiscal year. As you know, distribution is in the hands of Council and should receive consideration at their spring session.

In the case of the fiscal year 1958/59, the sum of $13,623.68 remains undistributed and the instructions of Council are awaited. In my letter dated December 30, 1959, I advised that this sum would be carried forward into the fiscal year 1959/60 for distribution by Council then. ..... Dealing with the points raised in paragraph 3 of your letter, I think that the answer is contained in paragraph 2 above. Distribution of liquor tax revenue available for Welfare Grant purposes is in the hands of Council. The amount of liquor tax collected in any one district need not govern the size of a welfare grant to be paid to that district. The size of individual Welfare Grants is entirely at the discretion of Council, the governing factors being the claims of other districts in the total sum available for distribution.""

"In dealing with an inquiry from Councillor H. E. Boyd on the subject of a request for a grant from the Midnight Sun Pipe Band Incorporated, the Territorial Treasurer informed Mr. Boyd on the 29th May, 1962, in part as follows :

"I have now to advise the receipt of a letter from Mr. Livesey in which he confirms my feeling which is that the Community Development Grant monies are intended principally to meet the capital cost of buildings with a small percentage permissible for maintenance. This would seem to rule out payment to the Midnight Sun Pipe Band Incorporated. Mr. Livesey suggests that the payment you wish made should be regarded as similar to payments that the Territorial

Government/.....

Government makes to Boy Scouts Association and Girl Guides Association. These payments, as you know, are shown separately in the Territorial estimates and do not come out of Community Development funds.""

"From the report of the Interdepartmental Committee on Federal Territorial Financial Relations 1962 revised page 41, paragraph 4:

"The surcharge on the sale of spirits, wines and beer has yielded revenue in the vicinity of $75,000 annually during the last five years. Of this revenue 50% or $40,000, whichever is the greater, was applied against education costs and the remainder was used for Community Development purposes. The committee considers that this allocation of this tax towards education and community development is no longer realistic, that it would be better to apply this revenue to the Consolidated Revenue Account and that education and community development costs should be met from general revenue.""

"The following extract is from the Votes and Proceedings, Yukon Territorial Council, 1961, Third Session, page 34 and etseq. for Thursday, November 9, 1961:

"On this occasion Mr. Carter, Assistant Director of Northern Administration attended a sitting of Council to explain various features of the Financial Agreement between the two governments. He went to some length to explain the item referred to above on the subject of the allocation of the liquor tax.

Subsequently Council passed a resolution on the subject which appears in Sessional Paper No. 26 - 1961, Third Session entitled Council Recommendations re Interdepartmental Agreement and is found at Item No. 9 in this paper and reads as follows :

"Committee Recommended that all tax revenue derived from the liquor tax be directed to Community Development during the period of this agreement on the same basis of distribution as heretofore."

The following year at the First Session, 1962, of the Yukon Territorial Council, Mr. Carter again appeared at a sitting of the Council for Thursday, April 5, 1962, to explain provisions of the agreement in greater detail to Members of Council. At page 63, one finds more information on the subject of the liquor tax in the afternoon session. The discussion was fairly extensive but the following extracts may be relevant :

"Page 63, Mr. Carter replied that the committee's original view was that $35,000 would be ample. These views were brought very forcefully to the Interdepartmental Committee's attention and the net that they would allow was $8,000 for each electoral district."

Page 64, "Mr. McKinnon thought the real main bone of contention was that this money that Council had a direct hand in and the spending of, and this was what they want to maintain."

Page 64, Commissioner Collins explained to Mr. Carter how this $56,000 a year is handled, that if one community wishes to spend more than the $8,000 allotted to it in one year it may borrow from its neighbour one year and pay it back the next. The people of the community go to their representative with the estimates of their requirement and the representative submits this to the Administration. If the Administration feels that the estimates might be too low for the building that is being contemplated, the Engineering Department checks it and if it is too much it goes back to the representative, if the estimates are right, then it is approved by the Administration.

Page/.....

Page 64, Mr. Carter replied, "The way it is set up at the moment, there is an allowance made in the total capital borrowing of the Territory for money for this purpose and you can certainly juggle this from year to year by yourselves, as long as over the total five year period you come out at an average of $56,000 this would be acceptable. If you ended up with $57,000 or $58,000 this might be acceptable. You have a flexibility from year to year, plus a flexibility in the way you divide it up, if two of these electoral districts wanted one year and two another.

Page 65, "Mr. Shaw said that he is also of the understanding that for example in his area they want to renew the swimming pool. That will take large expenditure. Mr. Shaw wants to leave a balance over until next year and this can be left over until the next year as long as they do not use it. Mr. Shaw has X number of dollars that Council can recommend and if the Administration o.k's it, fine. My district has a big project coming up next year for $9,000, is the $1,000 my district did not spend this year left over until the next year?

Commissioner Collins said Yes, these amounts are left over. There is one other thing, Commissioner said, they should not be carried over into another term of Council. What you can talk people into might be thrown into your face if you are defeated at the next election. You should try to get it done within the term of your Council. Another thing was knowing that this money will be forthcoming, you can borrow on this money."

Page 66, Mr. Carter....."As the Commissioner said, you would have to limit this to the life of the present Council of course.""

At one time it appeared that the Advisory Committee had not had a proper explanation of the item of $56,000 for community recreation development. In deciding the amount which it would include the Interdepartmental Committee agreed that there should be provision for the seven constituencies on the same basis as for the five constituencies previously, plus a small increase. Accordingly the figure of $56,000 was used in the estimates by which the Territory's capital requirements over the five year period were calculated. There are no restrictions in distribution among the constituencies of the amount voted by Council for this purpose.

One thing emerges from the consideration of the history of these monies and that is that Council itself really seems to have had a clear cut concept of what monies should be available and how they should be distributed, i.e. whether there should be a pool from which appropriate amounts are taken for approved projects or whether each Councillor should be allocated a set sum each year. This uncertainty must of course make drafting of adequate legislation extremely difficult.

Council should not lose sight of the fact that while analogies may be drawn from the Northwest Territories there are essential differences in the financing of the Yukon and the Northwest Territories. In the Yukon for instance the cost of indigent relief and the care of neglected children is borne by the Territorial Government and not shared by the municipalities, whereas in the Northwest Territories and the provinces there is a division of these costs as between the Government and the municipalities. When considering the implications of diverting more direct Government money to form a Community Centre Pool perhaps the allocation of money for relief willhave to be re-channelled to correspond to the Northwest Territories pattern.

Your Administration has welcomed Motion No. 15 since it affords an opportunity of reviewing the history that is popularly (and inaccurately) known as the Liquor Fund.

Attached/....

Attached to these papers are copies of a Reference for Advice on Community Centres dated 7th July 1960, presented by the Commissioner to the Council of the Northwest Territories, and Sessional Paper No. 14 1961 (Second Session).

From a report of discussions it appears that some thought was entertained a Community Centre Fund would be developed by matching contributions by the Federal Government and the Territorial Government and the Councillors. This would mean that the $56,000 held by the Councillors would be supplemented by another $112,000 from Federal and Territorial governmental sources.

This is not the way matters are arranged in the Northwest Territories and the report of the Commissioner of the Northwest Territories, 1961/62, page 24, in reporting on Yellowknife says :

"The Municipal District undertook the renovation and extension of the municipal arena at a cost of $40,000 Of this amount $5,000 was raised by local contribution, $15,000 was loaned to the Municipal District by the Territorial Government on a debenture and $20,000 was contributed as a Territorial Government Grant, under the Territorial policy of assistance to community centres."

It is also instructive to look at the Appropriation Ordinance, 1962 (First Session) N.W.T., page 33, Item 5008, where grants towards community centres are shown in an amount of $57,750.

One Councillor on page 286 of the Yukon Votes and Proceedings, 1963 (First Session) stated that he had a copy of a Community Centres Ordinance from the Northwest Territories. Unfortunately this document was not deposited and consequently copies have not been prepared. However, while we cannot readily draw on the Northwest Territories Ordinance referred to Council may find it helpful to consider the provisions of the Community Centres Act, c. 60 R.S.O. 1960 as a typical example of this type of legislation. This appears as a copy with this memorandum.

It will be seen immediately that there is implicit in the Ontario legislation the tacit assumption of greater municipal development. In the Yukon we only have two municipal councils competent to pass by-laws.

If Council affirms the desire (which may have been recorded on an invalid vote) for community centre legislation will Council please advise the Administration specifically regarding its views on the following points :

(a) Source of money.
(b) The amount of money.
(c) The control of expenditure.
(d) Whether accumulation will be permitted.
(e) A five year blue print of expenditures contemplated and recommended.
(f) Allocation of profits or income from community centres, e.g. should income go to Consolidated Revenue Fund.
(g) The formation of local committees to manage and be responsible for development of community centres.
(h) Ownership of property.

Council will of course have to consider how money will be provided to implement such legislation.

G. R. Cameron
Commissioner.

Attachments

REVISED ORDINANCES OF ONTARIO 1960

CHAPTER 60

THE COMMUNITY CENTRES ACT

1. In this Act,

(a) "community centre" means a community hall, athletic field, indoor or outdoor swimming pool, skating arena or outdoor skating rink;

(b) "Minister" means the Minister of Agriculture:

(c) "regulations" means the regulations made under this Act.

2. (1) The Minister may grant aid to any municipality to assist in the establishment of a community centre, but no grant shall exceed $5,000 or 25 per cent of the cost of a building or that part of a building designed for a community hall, indoor swimming pool or skating arena, or of the cost of an athletic field, outdoor swimming pool or outdoor skating rink.

(2) Grants may be made to assist in the establishment by any municipality of more than one community centre.

(3) Notwithstanding subsection 1, where a building is designed to include both a community hall and an indoor swimming pool or a skating arena, the Minister may make a grant not exceeding $10,000 or 25 per cent of the total cost of the building or that part of the building designed for the community hall and indoor swimming pool or skating arena.

(4) The grants are payable out of the moneys appropriated therefor by the Legislature.

3. All property acquired for the purposes of this Act shall, except as hereinafter provided, be vested in the municipality.

4. (1) The council of any municipality may by by-law provide for the establishment of one or more community centres in accordance with this Act, and may acquire by purchase or otherwise real and personal property for that purpose, and may enter into an agreement with the council of any adjoining municipality for the joint use of a community centre by the inhabitants of the municipalities upon such terms as to contribution to the cost of the community centre and as to the maintenance thereof as may be agreed upon, but, notwithstanding any such agreement, the aid granted under this Act shall not exceed the amount mentioned in section 2.

(2) The by-law may provide for acquiring land and establishing a community centre in an adjacent or contiguous municipality, but real property so acquired or held in an adjacent or contiguous municipality is not exempt from taxation by the municipality in which it is situate unless the council of the last-mentioned municipality by by-law declares that it is exempt.

(3) The council of a municipality in which a community centre is established by the council of another municipality may grant such total or partial exemption from taxation as the council deems proper and may enter into an agreement with the municipality establishing the community centre for granting such exemption.

(4) A municipality may issue debentures for the purposes of subsection 1 in the manner provided by The Municipal Act.

In/.....

5. (1) In this section, "ratepayers" means persons assessed and liable to taxation for general municipal purposes.

(2) Upon a petition being presented to the council of a township, signed by more than one-half the number of ratepayers in a school section or by more than one-half the number of ratepayers in each of two or more school sections or parts thereof in the township, praying that the council pass a by-law for the establishment of a community centre for such school section or sections or parts, the council may pass a by-law for the establishment of such community centre in any school section or in any village adjacent or contiguous thereto.

(3) The moneys required for the establishment of a community centre under this section may be raised by the issue of debentures of the township in the manner provided by The Municipal Act, but it is not necessary to procure the assent of the ratepayers for the passing of a by-law for the issue of such debentures, and all moneys required to provide for principal and interest on the debentures issued under this section or for any other purpose in connection with the establishment of a community centre for a school section shall be raised by special rate upon all property subject to municipal taxation in the school section or sections or parts.

(4) Notwithstanding subsection 3, where there are profits from the operations of a community centre, the board of management may apply the profits or part of the profits to the principal and interest on any debentures issued under this section.

(5) Where debentures are issued under this section, such debentures constitute a debt of the corporation of the township to the holder of the debentures, and the property liable to assessment and taxation in the school section or sections or parts is liable to the township as a whole for any amounts paid by the township on account of the debentures or interest thereon.

(6) Where a township council has passed a by-law for establishing a community centre for a school section, the township council by by-law, upon request of the board of school trustees, may vest the property in the board which thereupon has power to hold the property and shall perform the functions of the board of management as set forth in section 6.

(7) In the case of a union school section composed of parts of two adjacent counties, the council of the municipality that passes the by-law for the establishment of a community centre has all the powers and shall perform all the duties that may be exercised or are to be performed under this Act in the same manner as if the whole of the school section were within the said municipality, and the lands in the union school section shall, for the purposes of this Act, be deemed to lie wholly within and to be under the exclusive jurisdiction of the council passing the by-law.

(8) The clerk of the municipality shall, forthwith after the passing of the by-law imposing the special rate to pay the cost of the establishment of a community centre, deliver or transmit by registered mail to the clerk of every municipality in which is situate any land upon which a special rate has been imposed a certified copy of the by-law.

(9) The rates required by the by-law to be levied and collected in any year upon land in a municipality, other than that by the council of which the by-law is passed, shall be collected by the council of such municipality in like manner as if the rates had been imposed by that council.

The/.....

(10) The muncipality, other than that by the council of which the by-law is passed, shall pay to the last-mentioned municipality the sums that are to be levied and collected in that year under subsection 9, and such payments shall be made on demand therefor at any time after the 14th day of December in that year, and shall be made whether or not such rates have been collected from the persons liable to pay them.

(11) Such payments shall not relieve any lands specially assessed from the special rate thereon, and such lands remain liable for the special rate until it is paid.

(12) Where a township school area has been established, this section applies mutatis mutandis to the area or any part thereof.

6. (1) Every community centre established by a municipality under this Act shall be under the management and control of a board appointed by the council of the municipality and composed of not fewer than three and not more than seven persons who are qualified to be elected as members of the council and, where the board is composed of five or more persons, at least two shall be members of the council.

(2) The council may appoint one board in the manner provided in subsection 1 to manage and control any or all community centres established by the municipality.

(3) The members of the board shall be appointed annually by the council.

(4) A majority of the members of the board shall be a quorum.

(5) The board of a community centre may make such rules as it deems necessary relating to the management and control thereof and may fix such charges for the use of the community centre as it deems advisable.

7. Any municipality entering into an agreement for the joint use of a community centre, and any of the societies or other bodies by which a community centre may be used under the regulations, may make grants out of any moneys in their hands in aid of the erection and maintenance of a community centre established under this Act.

8. The Minister may make grants to a public, separate, continuation or high school board, or board of education, to provide for an athletic field of satisfactory area, an outdoor swimming pool or an outdoor skating rink, on the same terms as set forth in this Act, except that such fields, pools and rinks shall be managed and conducted by the school board or board of education under the regulations of the Department of Education, and such property shall be vested in the school board or board of education, provided always that such fields, pools and rinks shall be available for the purposes permitted by the regulations.

9. Where aid has been granted under this Act to assist in building a community centre out of moneys appropriated by the Legislature, the community centre shall not be sold or disposed of within twenty years from the time the aid was last granted without the approval of the Minister.

10. The Lieutenant Governor in Council may make regulations,

(a) prescribing the terms and conditions upon which aid may be granted under this Act:

(b) prescribing the uses to which a community centre

.....

may/.....

may be put and the accommodation that may be provided therein;

(c) prescribing the powers and duties of boards of management and providing for the appointment of officers of such boards;

(d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

NORTHWEST TERRITORIES

REFERENCE FOR ADVICE

COMMUNITY CENTRES

The Commissioner requests the advice of the Council regarding assistance to Community Centres in the Northwest Territories

Community Centres

1. In years past the Council of the Northwest Territories has on several occasions discussed the matter of government assistance towards Community Centres. Main arguments in support of Community Centres are:

I. Isolation and climate make many recreational activities difficult or impossible; consequently Community Centres can play an important part in community life.

II. Through the use of Community Centres citizens of various origins and backgrounds can enrich their cultural lives, enhance community life and work towards eliminating any of the natural barriers to a common society.

III. In a number of instances there has been considerable energy and initiative demonstrated locally in many parts of the North by people with every background with respect to group community activities. However, local financial resources are usually somewhat limited, consequently Community Centres have not been established to as great an extent as appears desirable.

2. To date there has been no established policy of Territorial Government assistance to Community Centres. A number of years ago a grant was made out of the so-called "Liquor Fund" for the Yellowknife Arena. This was based mainly on the concept that the arena would provide recreational facilities for the school children.

3. Attached is a copy of a Submission to Treasury Board by the Minister of Northern Affairs and National Resources dated the 5th of February, 1960. This Submission covers a proposal that the Federal Government offer to collaborate with the Government of the Northwest Territories in a program for financial support to Community Centres. The proposal has been approved in principle by Treasury Board for a two year trial period on the understanding that no funds would be provided in the 1960-61 Estimates for this purpose. Essentials of the proposed program are:

I. A Community Group to be organized by local residents and registered under the Societies Ordinance of the Northwest Territories.

II. A joint Federal Territorial contribution to such incorporated society up to a maximum of 50% of the capital cost of an approved Community Centre.

III. The joint Federal Territorial contribution to any one Community Centre not to exceed $20,000.00 in any one year, or $50,000.00 in total.

IV. The community itself to contribute an equal amount raised from private sources.

V. The facilities to be available for use of all members of the community.

VI. Of the Government contribution the proportion borne by the Federal and Territorial Governments would be based on racial composition of the population, with the Federal

Government paying a share in proportion to the number of Indians or Eskimos in the community, except that the Government having the predominant interest would pay the whole of the Government's share in communities where the racial minority is less than 5%.

VII. A total Federal outlay not to exceed $75,000.00 annually for the two year trial period commencing 1961-62.

VIII. Each individual proposal involving Federal outlay to be submitted for Treasury Board approval.

4. The Territorial Government in addition to its general role of administration has responsibility for the health and welfare of non-Indian and non-Eskimo people in the Territories. Consequently it is suggested that Territorial Council give serious consideration to authorizing Territorial participation upon the basis outlined in the Federal proposal contained in paragraph 3 above. The following are suggested as conditions for Territorial participation:

I. Initial action for a Community Centre to be undertaken at the local level.

II. Territorial contribution to be by way of grant to an established local organization to an extent not exceeding the equal of the local effort.

III. "Local Organization" should be defined as:

(a) A Municipal District; or

(b) Where no Municipal District exists a Community Association established under the Societies Ordinance under a constitution embodying principles that membership is not restricted to any one race or group; and that representatives of every group are encouraged to participate actively in the management of the affairs of the Society.

IV. "Community Centre" to be defined as:

(a) A Community Hall;

(b) An Athletic Field;

(c) A Skating Arena;

(d) Outdoor Skating Rink;

(e) Indoor Swimming Pool; or

(f) Outdoor Swimming Pool.

In listing the types of facilities that might form part of government-assisted Community Centres, priority has been given to those activities likely to be most widely supported and participated in by all segments of northern communities. There are other activities, of greater interest to one or another of the ethnic groups in the community, which might also be carried on using the facilities of the Community Centre, providing the Centre

was available primarily for the activities for which it was designed. For example, it might be possible for the body operating the Community Centre to allow curling to be carried on in a skating arena if curling were open to all and it was clearly understood that the arena was to be used primarily for skating or hockey.

V. In computing the amount of the local contribution for grant purposes consideration to be given to the value of voluntary services and the loan of construction equipment.

VI. A grant to be paid on the basis of certified expenditures, submitted by the appropriate officers of the local organization.

VII. The grant to be paid by instalments; in the case of land the first payment to be made when the basic expenditures have been incurred such as purchase of land, draining, clearing, grading, fencing or other similar improvement. In the case of buildings the first instalment to be paid when superstructure has been erected and progressive payments made until the project is completed.

VIII. A plan of the proposed centre must be submitted for approval of the Commissioner before the project gets under way.

5. For the sake of uniformity in administration it it proposed that the Territorial Government should have primary responsibility for assessing and evaluating applications, and for co-ordination of Territorial and Federal participation. No payments can be made until an application has been received and the project approved in principle.

6. The following communities have applied for assistance with the construction of Community Centres:

Fort Simpson - Construction has commenced on Mission property of an indoor skating rink for use of the school students and the public by the Sacred Heart Mission at Fort Simpson. While the public has been invited to contribute, ownership of the land and buildings is vested in the Mission and Administration is under the Superior assisted by an appointed Advisory Committee of ten local citizens. The Council rejected a request at its January 1960 Session for assistance to this project on the grounds that Territorial funds could not be provided to assist a community association that might be considered restrictive in terms of membership.

Fort Smith - A community society called the Fort Smith Community Society has applied to be incorporated under the Societies Ordinance. This Society has organized a fund drive to raise $5,000.00 to begin construction of a building shell and have asked for a grant from the Territorial Government to assist them with their project. Primary facilities would probably provide for indoor winter recreational activities. The Fort Smith Community Society has suggested that a curling rink be built in the first phase, and a skating rink in the second phase. The Administration is preparing a Sessional

Paper on this project dealing with the land requirements, the type of buildings proposed, and possibly financing of the centre. This paper will be tabled at the July Session of the Council.

RECOMMENDATION:

That funds be provided in the Supplementary Appropriations for grants not exceeding the equal of the local effort to a maximum of $5,000.00 to assist community societies registered under the Societies Ordinance or Municipalities with the construction of Community Centres, as defined in this paper.

July 7, 1960

APPENDIX I

TO THE HONOURABLE
THE TREASURY BOARD

The undersigned has the honour to report:

THAT in far northern communities where geography makes many recreational activities difficult or impossible, community centres can play an important part in community life;

THAT in the Northwest Territories where there are particular problems in the integration of Eskimos, Indians and whites, a community centre has an especially significant part in development programmes since it is there that citizens of various races can break cultural and racial barriers and meet together on common ground;

THAT there has been a real local initiative towards the development of northern community halls, but the high proportion of Eskimos or Indians of very low income makes effective community action difficult or impossible;

THAT the Federal Government, in addition to its general role in northern development, has specific responsibility for the welfare of Indians and Eskimos;

THAT some contribution by the Federal Government towards community centres on behalf of Indian and Eskimo residents would make it possible for local organizations to realize their plans by collecting money themselves and possibly by securing additional assistance from the Territorial Government.

The undersigned, therefore, has the honour to request:

1. THAT upon the request of a duly organized community group, registered under the Societies Ordinance of the Northwest Territories, the Federal and Territorial Governments be prepared to provide jointly up to a maximum of 50% of the capital costs of <u>community centres</u>, provided that the contribution to any one community would not exceed $20,000.00 per annum or $50,000.00 in total, that the community itself would contribute an equal amount raised from private sources; and that the facilities so financed would be available for the use of all members of the community;

2. THAT of the government's contribution, the proportion borne by the Federal or Territorial Government would be based on the racial composition of the local population, with the Federal Government paying a share in proportion to the number of Indians or Eskimos in the community except that the government having the predominant interest would pay the whole of the government's share in communities where the racial minority is less than 5%;

3. THAT commencing 1961-62 and subsequently for a two-year trial period, the sum of $75,000 be annually included in the Estimates of the Department of Northern Affairs and National Resources to provide assistance towards the capital cost of community centres; that if contributions are not made from the Territorial Government, the Federal contribution would be limited to the percentage

determined by the formula in paragraph 2 above;

4. THAT if the community applies to proceed with the construction of any approved centre during 1960-61, the Department of Northern Affairs and National Resources would be given authority to guarantee a contribution in subsequent years under the conditions outlined above, subject to the funds being voted by Parliament.

Respectfully submitted,

Minister of Northern Affairs
and National Resources

APPENDIX 2

TREASURY BOARD

T.B. 561410

Ottawa, April 11, 1960

Mr. R. G. Robertson,
Deputy Minister of N.A. & N.R.,
Ottawa.

Dear Mr. Robertson:

In your Minister's submission of Feb. 18, 1960, approval is recommended of a program relating to federal contributions toward the capital costs of future community centres in the Northwest Territories.

At its meeting of April 7, 1960, the Treasury Board considered this recommendation and agreed in principle to the implementation of the program for a two year trial period along the lines proposed, on the understanding that no funds would be provided in 1960-61 Estimates for this purpose. In order to permit adequate assessment of the progress of the proposed program, the Board directed that each individual proposal be submitted for Treasury Board approval.

Yours truly,

(sgd) G.G.E. Steele,

Secretary

NORTHWEST TERRITORIES

SESSIONAL PAPER NO. 14, 1961 (Second Session)

EXTENSION TO COMMUNITY CENTRES PROGRAM

Existing Policy

At the July, 1960, Session of the Northwest Territories Council, a Reference for Advise regarding Territorial Government assistance towards the capital cost of community centres was adopted by Council. Essentials of the program are:

(a) initiative is to come from the Community. Where a Municipal District exists, the Municipal District makes the application; elsewhere, an Incorporated Community Society will make the application;

(b) Territorial participation is approved in a joint Federal-Territorial program; the proportion of respective government contribution being based on the racial composition of the population of the settlement concerned. The Federal Government will pay its share in an approved project, in proportion to the percentage of Eskimos and Indians resident in the community; and the Territorial Government will pay the proportion attributable to the percentage of other residents. Where the minority racial interest is less than 5 per cent, the Government having responsibility for the majority interest will bear the entire government share;

(c) the government contribution (Federal, Territorial, or, where applicable, partly Federal and partly Territorial) will be up to 50 per cent of the total approved capital expenditure;

(d) an initial amount of $5,000 was provided as the extent of Territorial expenditure for this purpose in the year 1960-61. An application for this amount from the Fort Smith Community Society was approved in principle.

Territorial Grants made under Community Centres Program

The Fort Smith Community Association went ahead in the fall of 1960 with construction of their curling rink and applied for a Territorial grant accordingly. The amount requested was $5,000, which represented less than 50 per cent of the total outlay, the balance being contributed locally in cash, labour and services. The building was inspected and passed by Departmental engineers and the grant of $5,000 was paid to the Community Association. The proportion of Indians in the population was about 7 per cent; however, in view of this comparatively small percentage of Federal interest, it was not considered desirable to apply for a Federal contribution, consequently the entire $5,000 was accepted as a Territorial outlay.

Territorial Appropriations for Community Centres - 1961-62

In the main Territorial Appropriations for 1961-62, the sum of $25,000 was provided for grants toward Community Centres. At the time this item was approved by Council, this amount was thought to be sufficient for the year 1961-62, and the item, as approved, so stated.

Grant Applications Now on Hand or Anticipated

No payments have yet been made out of the $25,000 provided for 1961-62. Information received indicates that several Community Societies will be applying for grants. Details of the proposed expenditures for Community Centres have not been received.

However, estimated amounts of grant applications to be received from Community Societies are:

Fort Simpson Community Society	$8,000	
Fort McPherson Community Society	500	
Inuvik Community Society	3,000	
		$11,500

Applications on hand from Municipal Districts for Community Centre grants are:

Hay River	$50,000	
Yellowknife	20,000	
		$70,000
Total of grant applications, anticipated and on hand		$81,500

In all cases, the amounts represent 50 per cent of the total anticipated outlay, leaving an equal amount to be raised locally. In connection with raising their local shares, both the Municipal Districts of Hay River and Yellowknife have requested authority to borrow all or part of the local share, from the Territorial Government by way of debenture.

These applications from the Municipal Districts make it necessary to consider two aspects:

(a) whether the limit of $25,000 on Territorial grants for Community Centres should be lifted, and supplementary funds provided to take care of the anticipated requirements for grant funds, now expected to total $81,500;

(b) whether the Territorial Government should establish a policy of debenture loans to Municipal Districts for all or part of the local share of the capital costs of Community Centres.

Dealing first with the grant limitation of $25,000 set by Council in the main Appropriations for 1961-62, this limitation was suggested at that time since the program was new and it was not known what response would result.

It is desirable to encourage permanent and substantial construction where the economy of the community justifies such investment. Both these applications from Municipal Districts are for a good standard of construction. Hay River has requested assistance towards the capital cost of a covered arena, and Yellowknife contemplates an addition to its existing town arena.

However, the broad acceptance and lively interest now being shown appear to justify considering increasing the scope of the program to meet these requests.

Applications by Municipal Districts for Debenture Loans for Community Centres

The use of debenture loans is a normal method of financing expenditures in Municipalities. This is the method which makes use of existing local taxation procedures and thus provides a reasonably fair basis of distribution of cost among ratepayers. Also by spreading repayment over a period of years, during which the building is being used, the present residents are relieved of having to find the entire local share at once, which, in the case of these municipal projects, would represent a considerable outlay. Finally, the debenture procedure, requiring approval of the ratepayers at a plebiscite, ensures that the program is passed upon by the ratepayers.

On the other hand, it should be kept in mind that debentures are a charge against local tax revenue, and that only ratepayers are affected by repayment costs. Consequently, in order that transients, Civil Servants and others who do not usually pay local taxes, can participate in financing the cost, a part at least of the local share should be contributed by direct contribution of cash, labour or services. In the case of Municipal Districts, the collection of contributions, organizing of volunteer workers and so on, should not be handled by the Municipal District itself, but should be taken on by a service club or organization of some kind. Handling voluntary contributions might involve the Municipality in legal and accounting problems.

In the case of Municipal Districts, the local share should be met partly by a debenture loan, and partly by a direct local contribution of cash, labour and services. Regarding the proportions of the local share to be financed by debenture and by direct contribution, the direct contribution should be enough to indicate a substantial local interest and effort, but not so high as to present an insurmountable obstacle which would prevent a worthwhile project from going ahead.

The present municipal applications entail total outlays of $100,000 (at Hay River) and $40,000 (at Yellowknife). This means that the total local share to be raised at Hay River is $50,000 and at Yellowknife is $20,000. It is desirable that some thought be given to the question whether these Municipalities are in a financial position to undertake raising these amounts. There is

little doubt that Yellowknife can accept responsibility for its $20,000 without undue strain. Hay River, which has a very low municipal debt, could accept responsibility for raising the $50,000, under existing conditions. However, the Separate School District has now been formed at Hay River, and this will mean increased local taxation for Separate School supporters; also, under the draft Federal-Territorial Financial Agreement, a Territorial tax of 10 mills on non-Separate School supporters at Hay River has been recommended. Nevertheless, the economy of Hay River is sufficiently buoyant to permit taking on this Community Centre responsibility, if the residents so desire. However, the ratepayers of Hay River, if they are called upon to vote on a debenture by-law for a community centre, will have to consider very carefully whether they wish to take on this responsibility.

Recommendations

1. That when a Municipal District applies for a Community Centre Grant, the Municipal District should be permitted to finance its local share of an approved project either

   (a) by direct contribution of cash, labour and services, or

   (b) partly by direct contribution of cash, labour and services and partly by debenture; provided that the direct contribution shall be at least 25 per cent of the local share.

2. That additional funds now be made available by the Territorial Government for Grants and Debenture Loans for Community Centres, as follows:

   (a) Grants - Increase from $25,000 (already voted in 1961-62 Estimates) to $81,500 to take care of existing and anticipated requests.
   Amount required -- $56,500

   (b) Debenture Loans - Provision of 75 per cent of local share of Municipal Districts:

(i) Yellowknife	$15,000
(ii) Hay River	37,500
	$52,500

July 1, 1961

SCHEDULE

Requirements for Territorial Assistance to Community Centres.

1. Initial Action for a community centre must be taken at the local level and application for assistance submitted through the Area or Regional Administrator with his comments.

2. A local organization is defined as :

   (a) A Municipal District;
   (b) Where no Municipal District exists a Community Association established under the Societies Ordinance with a constitution embodying the principles that membership is not restricted to any one race or group; and that representatives of every group are encouraged to participate actively in the management of the affairs of the Society.

3. "Community Centre" is defined as :

   (a) A Community Hall;
   (b) An Athletic Field;
   (c) A Skating Arena;
   (d) Outdoor Skating Rink;
   (e) Indoor Swimming Pool;
   (f) Outdoor Swimming Pool; or
   (g) Other approved uses.

   In listing the types of facilities that might form part of government-assisted Community Centres, priority has been given to those activities likely to be most widely supported and participated in by all segments of northern communities. There are other activities, of greater interest to one or another of the social groups in the community, which may also be carried on, using the facilities of the Community Centre, providing the Centre is available primarily for the activities for which it was designed. For example, it may be possible for the body operating the Community Centre to allow curling to be carried on in a skating arena if curling is open to all and it is clearly understood that the arena is used primarily for skating or hockey.

4. A plan of the proposed centre must be submitted for the approval of the Commissioner before the project gets under way.

5. The Territorial contribution will be by way of a grant to an established local community organization to an extent not exceeding the equal of the local effort, i.e., no more than 50% of the accepted costs will be paid by the Territorial Government.

6. In computing the amount of the local contribution for grant purposes, consideration will be given to the value of voluntary services and the loan of construction equipment.

7. A grant will be paid on the basis of certified expenditures, submitted by the appropriate officers of the local organization.

8. The grant will be paid by instalments. In the case of land, the first payment will be made when the basic expenditures have been incurred, such as purchase of land, draining, clearing, grading, fencing or other similar improvement. In the case of buildings, the first instalment will be paid when the super-structure has been erected and progressive payments made, until the project is completed.

No/....

9. No payments can be made until an application has been received and the project approved in principle. For the sake of uniformity in administration, it is proposed that the Territorial Government should have primary responsibility for assessing and evaluating applications, and for co-ordination of Territorial and Federal participation.

Procedure for Payment of Territorial Grants

1. A Community Society must be accepted and incorporated under the Societies Ordinance of the Northwest Territories and meet the Requirements for Territorial Assistance as outlined above.

2. Grants will be paid to any eligible Community Society or Municipal District as a corporate entity for an accepted project on the basis of receipted invoices certified by the Society's signing officer, the Regional or Area Administrator and the District Engineer and approved for payment by the District Administrator in a manner similar to that used for the processing of School District Construction Grant payments.

3. Grants will be paid on eligible claims on the basis of 50% of the amount of certified receipted invoices, subject to holdbacks if deemed advisable by field officers.

4. All costs of maintenance and operation are the responsibility of the Community Society and no grant is payable for such costs.

SESSIONAL PAPER NO 29 - 1963(Second Session)

Whitehorse, Y.T.,
14 November, 1963.

Mr. Speaker,

Members of Council

Question No. 9 - Beaver Trapping Season.

It was asked by Mr. Taylor in Question No. 9:

"Would the Administration consider extending the Beaver Trapping Season to commence on November 1st rather than January 1st?".

The beaver trapping season was recently changed from March first to January first. This did not result in any appreciable number of beaver being trapped through the winter months.

In the matter of having the beaver season advanced to November first, I should mention this question arose a few months ago and certain inquiries were made in an effort to learn if such a move would benefit our trappers to any great extent.

The information derived from such inquiries was to the effect the beaver are not prime during November, and further that a goodly number of beaver taken during November would not be in the mature range and would result in small beaver being killed that would bring very little revenue to the trapper.

In the final analysis I feel if our trappers benefit financially from such a move, then the season should be advanced. However, as the beaver are prime in March and bring the best price then, it seems to me the trapper would be cutting into his resource by taking inferior beaver in November.

G. R. Cameron

G. R. Cameron,
Commissioner.

Whitehorse, Y.T.,
14 November, 1963.

Mr. Speaker,

6 Members of Council.

Question No. 5-Emergency Water Supply
(Haines Junction)

It was asked by Mr. Livesey in Question No. 5:

"(a) Would the Administration please inform the house if any consideration has been given to the opening up of an emergency water supply adjacent to the bridge over the Alsek River in Haines Junction to facilitate the immediate requirements of the fire chief in the community?
(b) Is it the intention of the Administration to build a suitable fire hall in Haines Junction to house the fire truck and equipment large enough to contain suitable stores and drying fire hoses together with a meeting room for all those interested in this worthwhile community service?"

The Administration is not aware of a problem respecting the water supply for fire fighting purposes at Haines Junction. It is our understanding that in the past the old army well was used for this purpose and we have not been informed by the fire chief that this source is inadequate. Consequently, no plans have been made to supplement the existing facility.

It is recognized thar the present garage housing the fire truck at Haines Junction is in poor repair and is inadequately heated by an oil-fired space heater. Consideration is being given to the replacement of this garage with adequate space for drying hose in cold or wet weather. However, it is not considered advisable to proceed with the construction of an alternative building until it has been possible to obtain the recommendations of the Fire Marshal who is presently preparing recommendations with respect to all communities in the Yukon Territory. These recommendations will inform us of the minimum requirements necessary to bring all communities up to the desired standard. When the Fire Marshal's recommendations have been received it will be possible for us to proceed with a definite programme.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No 31 - 1963(Second Session)

P. O. Box 2703,
Whitehorse, Y. T.
14th November, 1963.

Mr. Speaker,

Members of Council.

1. Answer to Question No. 11 re Motion No. 21 Spring Session 1963 - Training for the office of Justice of the Peace.

2. Reference is also made to Motion No. 22 Spring Session 1963 - Court Facilities.

Motion No. 21: "Mr. Livesey, with Deputy Speaker in the Chair, moved, seconded by Mr. Taylor that, the Department of Justice and the Administration of the Government of the Yukon Territory, be respectfully requested to give serious consideration to a proposal to draft, organize and carry out a program of special training for all residents of the Yukon Territory selected to fill the office of Justice of the Peace."

Motion No. 22: "Mr. Taylor moved, seconded by Mr. Livesey, that in the opinion of Council, all court proceedings in outlying settlements that are presently conducted in Police Detachments, be conducted in a public place other than such Detachments, and that all such proceedings be open to the public at all times."

The Legal Adviser has not been able to make a tour of outlying courts as was proposed at the Spring Session but he prepared a questionnaire which was sent to all justices in the form attached. A typical series of answers appears in the McDonald questionnaire and the McIntyre questionnaire.

Despite the reported dissatisfaction regarding court accommodation analysis of the replies from the justices suggests that the problem is not as grave as was first feared. In answer to the question whether facilities were suitable there were six negatives and eight affirmatives.

Court is not held frequently in most centres and at Mayo and Watson Lake it was felt that if improvement was necessary some allocation of funds could be made from Territorial sources, if available. The Legal Adviser wrote to the justices at Watson Lake and Mayo enquiring what would be the yearly estimated rental costs for the rental of adequate space as and when more space was needed. He wrote on the 9th October 1963 to Messrs. Bremner and Couture at Watson Lake and Mr. McIntyre at Mayo. No reply has been received from the justices at Watson Lake and despite the fact that Mr. McIntyre in his answer to the question indicated dissatisfaction with existing facilities, his reply of the 15th October read as follows :

> "I normally use the RCMP Detachment office for hearings under Part XXIV of the Criminal Code. As I do not anticipate need for any "larger" accommodation, my estimate of the annual costs for such accommodation is nil."

The/.....

The foregoing is noted as part of the review of enquiries that have been made into the administration of justice in the Yukon Territory.

Specifically, in answer to Question 11 the appointment of justices is the function of the Department of Justice. So far as it has been possible for the Legal Adviser, without invading the function of the Department of Justice, he has indicated that if justices are faced with a problem he will do his best to assist. It is to be assumed that the Department of Justice in its selection of justices is satisfied regarding the ability of the gentleman concerned and with the instructional material that it supplies for the guidance of the justices.

Council is aware that copies of Votes and Proceedings are filed with the Department in Ottawa and the representations made by Council will have been noted in the usual way.

If Council desires me to make further representations I shall be glad to receive an appropriate resolution.

G. R. Cameron
Commissioner.

Attachments.

COPY

File 1-20

GOVERNMENT OF THE YUKON TERRITORY

Whitehorse, Y. T.
7th June, 1963.

Mr. Holly J. McDonald,
Justice of the Peace,
Pelly Crossing, Y. T.

Dear Sir,

From time to time I have received reports regarding the difficulty of administering justice because of lack of court room facilities. In making a review of the problem I need specific information and I would be obliged if you can return this letter with the questions at the end answered. You are invited to add your own comments but I do want certain standard information which you can furnish by answering the questions.

Yours truly,

"G.R. Cameron"
Commissioner.

How often do you hold court? In the past, whenever the Police came with the people involved

When? .....a.m. / ..... p.m. At any time.....

Where? In our own office or at RCMP Barracks, Carmacks.

Comment on suitability & size. These suited at the time.

Are there toilets & retiring rooms for witnesses? Only in the R.C.M.P.Barracks.

Are there any other better premises nearby? Yes

Why are they not used? Never requested.

What is cost of using present premises? N/A

What can be done to provide better facilities? For most public functions here, the Priest makes available the R.C. Church which is in the settlement and has outdoor privies only. This is a new, well lighted building and can be supplied with electricity.

What would it cost? No charge, but will take whatever is offered, usually a going rate is stipulated by the dept's using it.

Where does the Coroner hold his inquest? Personally I have only held three, all in the home or tent of the deceased.

NOTE: The R.C. Church above mentioned is under the custody of Mr. Svend Larsen, a member of the Lutheran Faith, but who is a good friend of the local Priest, Fr. J.P. Tanguay, who resides at Carmacks, coming down here once weekly. At present Fr. Tanguay is away on holidays until August. Any requests therefore I understand will be directed to the A/N Mr. Larsen.

"H.J. McDonald" J.P.(2)

COPY

GOVERNMENT OF THE YUKON TERRITORY

File 1-20

Whitehorse, Y. T.
7th June, 1963.

Mr. Gordon A. McIntyre,
Justice of the Peace,
Mayo, Y. T.

Dear Sir,

From time to time I have received reports regarding the difficulty of administering justice because of lack of court room facilities. In making a review of the problem I need specific information and I would be obliged if you can return this letter with the questions at the end answered. You are invited to add your own comments but I do want certain standard information which you can furnish by answering the questions.

Yours truly,

"G.R. Cameron"
Commissioner.

How often do you hold court? Depending on the activity of the RCMP incumbents from 1 to 5 times a week

When? 10 a.m. ..... p.m.

Where ? Police Station Office

Comment on suitability & size. Not particularly suitable. Could be larger.

Are there toilets & retiring rooms for witnesses? No.

Are there any other better premises nearby? Yes

Why are they not used? No authority to pay rent for them.

What is cost of using present premises? Nil

What can be done to provide better facilities? Rent suitable space in community hall.

What would it cost? $75.00 per month which would cover daytime use of the space provided for both JP court and Territorial Court when sitting in Mayo.

Where does the Coroner hold his inquests? Inquests into mine fatalities are held on the mine premises where suitable facilities are available. Other inquests are held in police station office.

"G.A. McIntyre"
Justice of the Peace (2)

SESSIONAL PAPER No. 32 - 1963 (Second Session)

Whitehorse, Y.T.,
15, November, 1963.

Mr. Speaker,

Members of Council.

Question No. 6-Sewer & Water Supplies for Territorial Communities

The following question has been put to the Administration:-

"Would the Administration supply to the House information which would clearly indicate the immediate present position in relation to the supply of sewer and water facilities to communities in the Territory as such position may be related to a decision or pending decision to commence work on any or all project previously discussed by Council?"

The information called for is supplied in the following paragraphs:

1. The question of financing the installation and operation of sewer and water systems in smaller communities in the Territory different from the proposals outlined in the blue report of the Inter-departmental Committee on Federal-Territorial Financial Relations was taken up with the Department of Northern Affairs and National Resources during my visit to Ottawa last month. I was advised that the Territory should stay within the recommendations of the report which forms the basis for the five year financial agreement and that if the Territory wished to diverge from those recommendations it will have to obtain necessary additional finance from its own sources.

2. The five year financial agreement provides for the installation of partial systems in ten communities by the 31st March, 1967. For capital expenditure the sum of $700,000 has been provided and for operating costs the sum of $375,000. These are gross figures. The federal government will pay 100% of Capital and Operating costs for services for which it is responsible and this means $300,000 for Capital and $160,700 for Operating.

3. As a preparatory measure, the sum of $16,273.51 has been spent this year on a survey carried out by Associated Engineering Services Limited should therefore be in a position to prepare detailed plans and specifications necessary for the invitation of bids should it be decided to install full sewer and water systems in any of those communities. The sum of $16,273.51 referred to has been taken from the Capital provision referred to in paragraph No. 2 above.

4. Delivery of water by truck has been effected this year to the communities of Porter Creek, Crestivew, Transient Area, Two Mile Hill, etc. Also, a sewage eductor unit has been put into operation for these and nother communities and has been made use of to some extent. For both these services Capital Expenditures have been incurred totalling $27,630.00. This also has been taken out of the Capital provision referred to in paragraph 2 above.

To sum up, the position is that the Territory must be careful not to incurr expenditure which has not been provided for in the financial agreement. If we wish to do so, then we have to find the money ourselves. We should also bear in mind that the 5 year agreement provides funds for sewer and water services in ten smaller communities. We should not spend the money that has been so provided on only two or three communities. If we do so we shall be obliged to find necessary funds for the remainder.

I think that should it be desired and recommended that we diverge from the proposals outlined in the financial agreement, appropriate advice should be sent to the Department of Northern Affairs and National Resources so that they may be informed of the position and be given the opportunity of stating their position in writing.

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Further to the above, the reports received from Associated Engineering show that the total costs of four of the ten communities under study involved a capital outlay of $1,200,000.00 is $500,000.00 more than presently available. By spending the $700,000.00 now available on four out of the ten communities would mean that the remainder of the settlements would be left with no possibility of water and sewer assistance, The Territorial Treasurer and myself should be pleased to discuss with you in committee at your convenience.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 32A - 1963 (Second Session)

Whitehorse, Y.T.,
19th November, 1963.

Mr. Speaker,

Members of Council.

Question #6 - Sewer & Water Supplies for Territorial Communities

The following Question has been put to Administration:-

"Would the Administration supply to the House information which would clearly indicate the immediate present position in relation to the supply of sewer and water facilities to communities in the Territory as such position may be related to a decision or pending decision to commence work on any or all projects previously discussed by Council?"

In relation to the above, the answer to which was tabled Tuesday, November 19th, 1963, set out as Sessional Paper No 32 , please delete paragraph 3 in the original and substitute the following:-

"3. As a preparatory measure, the sum of $16,273.51 has been spent this year on a survey carried out by Associated Engineering Services Limited of Vancouver in four communities in the Territory namely Porter Creek, Watson Lake, Mayo and Haines Junction. Wells have been dug there and completed*. Associated Engineering Services Limited should therefore be in a position to prepare detailed plans and specifications necessary for the invitation of bids should it be decided to install full sewer and water systems in any of those communities. The sum of $16,273.51 referred to has been taken from the Capital provision referred to in paragraph number 2 above."

* Test wells - the one at Haines Junction was not satisfactory.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 33 - 1963 (Second Session)

Whitehorse, Y.T.,
15 November, 1963.

Mr. Speaker,

Members of Council.

Low Cost Housing

In Question No. 7, November 13, 1963, Mr. McKinnon inquired if the Administration has given any consideration to Motions #27 and #31 passed at the First Session, 1963. You will recall that Motion #31 at the last session read as follows:

"Be it resolved therefore: that the Administration be respectfully urged to enter into discussions with the Department of Northern Affairs with a view to establishing the following programme:

1) A system of low cost houses of prefabricated material or log construction as strictly functional units, with facilities such as utilities to be in line with conditions prevailing in the locality in which each such home is so constructed.
2) That each unit so constructed to be considered as a low rental home.
3) That preference of occupation be given to those of large families in the low income group who are unable to construct their own homes.
4) That the cost of utilities be borne by the tenant.
5) These homes to be made available in different areas of the Yukon."

This Motion was referred to Committee of the Whole where the question of low rental homes was discussed with Mr. George Maczinski of the Department of Welfare and Mr. Spray of the Department of Housing and Area Development. Motion #31 was carried in Committee. In motion #27 it was moved by Mr. Watt and seconded by Mr. Boyd that the Administration fully investigage the feasibility of a low income purchase development plan embodying the following main principles:

1) Moderately priced homes would be constructed by the government on government land by a proficient contractor.
2) The principle of contracting out a large group of houses in a single contract would be used. Letting out contracts of ten or fifteen houses at a time would reduce their per unit cost.
3) Wherever possible these homes would be located on properly surveyed average sized lots connected to existing water and sewage facilities.
4) In all cases the housing developments would be located as close as possible to existing services such as schools, hospitals, piped and partial water systems depending upon which is available in the particular area that the housing development is needed.
5) If possible the price range of the houses would be such that they would fall within the requirements of the low cost housing ordinance.
6) If money is not available through the Low Cost Housing Ordinance then it would be provided by a Territorial second mortgage loan agreement in conjunction with a rental purchase agreement.
7) Rental purchase payments for homes would not exceed fifty dollars per month.
8) The initial down payment would not exceed five hundred dollars.
9) Clear title to the home and property would be given to the purchaser when the agreement is completed and all monies paid.
10) A fair order of preference would be given to applicants for Low Income Purchase Rental Houses. This order of preference of applicants will take into consideration the following points :
    a) inability to obtain loans under the regular C.M.H.C. plan;
    b) ability to make the required payments and a desire to keep a home in proper repair;
    c) consideration would be given to families with several children;
    d) consideration would be given to those who are presently classified as squatters on both crown and B.Y.N. land.

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I am pleased to report that the Administration, since the last Session, has explored several possibilities in order to determine the best means of overcoming some of the more serious housing problems in the Territory. It is our view that the population of the Territory, for housing purposes, can be divided into roughly four major categories. The first consists of those who can finance a house on their own or through a conventional C.M.H.C. loan. The second group includes people who cannot obtain a C.M.H.C. loan but are able to finance a loan under the existing low cost housing programme. Both these categories are not of immediate concern.

The third category is made up of people who have some income but not enough to enable them to obtain financing under existing housing programmes. Normally these are people who can obtain employment seasonally but are unemployed during the winter months and are usually in need of assistance from the Welfare Department from time to time. Many of these people are living in sub-standard housing. The fourth category consists of those who are completely dependent and who can make no contribution, or so little as to be insignificant, towards the rental or the purchase of adequate housing. These people are normally under the constant care of the Department of Welfare. The third and fourth categories are the two with which Administration feels we should be concerned. The discussion at the last Session of Council would appear to bear out this conclusion.

The Administration's investigations have resulted in three tentative proposals, any one of which might be adequate in itself or might reasonably be combined in whole or in part with the other solutions considered. The first possibility considered was adapting the existing Indian Affairs programme to meet our requirements. To this end, informal discussions were begun with the local representative of the Indian Affairs Branch to determine whether Indian Affairs would be prepared to permit participation on the part of the Territorial Government. One of the main advantages of this proposal is the fact that it is already well established and is apparently quite successful. It would also enable the Administration to provide housing for families containing individuals of Indian status which are ineligible for Indian Affairs housing because the head of the household is of white status. If suitable arrangements can be made with Indian Affairs, advantage could be taken of their programme with a minimum of administrative overhead. If Indian Affairs can make their programme available for families of mixed status, it is suggested that the Territory and Indian Affairs share the cost of such housing in proportion to the racial composition of the families for whom the housing is constructed. Conversely, rents or purchase payments would be shared by the Territorial Government and the Indian Affairs Branch in the same proportion as their respective shares of the cost of the buildings.

The second possibility examined by the Administration was a housing construction scheme undertaken as part of a corrections programme. Those engaged in such a programme could cut the logs in suitable areas selected by the Yukon Forest Service, thereby obtaining practice in logging skills, and with the logs, minimum standard residential buildings could be constructed. The construction of the buildings would also make available a means of teaching a trade so that both the log-cutting and the building construction would contribute towards the rehabilitation programme because it would offer a major source of useful work for those involved as well as teaching a trade. It is suggested that any such programme should be carefully coordinated between those in charge of the corrections scheme and the Directory of Vocational Training. The precise terms of such a programme will require a great deal more study.

The third possibility looked into by the Administration is a scheme which would adapt the existing low cost housing programme to the requirements of those who are unable to finance a house of their own or who can only partially finance such a building. This scheme envisages the Welfare Department applying for low cost houses under the low cost housing programme and in turn renting them to people unable to finance their own housing in the normal way. Those who are completely indigent would have to remain a charge on the Welfare Department. Those wou could make some financial contribution would be permitted to build up an equity in the building, even though such payments were irregular, so that after a certain length of time enough would have been paid to enable the occupants to obtain ownership of their own homes. The possibility of /3

ultimate ownership would provide some incentive to pay as much as possible and to take some interest in maintaining the building. A scheme of this kind would have to be administered with great care and applicants would have to be carefully screened but it is likely that as a result major inroads could be made on some of the more serious social problems caused by bad housing.

An independent investigation has been carried out jointly between the Department of Housing and Area Department and the Territorial Engineering Department on the minimum cost of houses in the Yukon. The prices arrived at are based on costs in Whitehorse which, of course, must be adjusted for outlying communities. It has been found that a frame dwelling with a floor space of 572 square feet built to minimum National Building Code specifications would cost approximately $6,500. This figure includes the cost of concrete footings, bathroom fixtures, floor covering and a space heater. It also includes the cost of labour which, if carried out by the person for whom the building was being constructed, would reduce the cost to approximately $4,500. The cost of a log dwelling with 480 square feet, built to minimum National Building Code specifications, is estimated at $2,500 excluding the cost of logs and the cost of labour. It is the view of Administration that long buildings of this kind could be built by those in need of housing, if they were to cut their own logs, perhaps in conjunction with a vocational training programme, and provide their own labour. The cost of this dwelling does not include lining which is advisable but it does include footings, bathroom fixtures and space heater.

One further possible approach to our difficulty is a system of housing cooperatives. The administration has not explored this particular solution, but it has been used elsewhere in Canada, as well as abroad, with considerable success.

It is the view of Administration that we should retain as much flexibility of approach as possible in order to arrive at the best possible solution. The transfer of Army personnel from the Whitehorse area is likely to make available to the community, in one form or another, a number of residential buildings which should go a long way towards relieving some of the more serious housing difficulties in the community. As a result of this move there may be sufficient adjustment throughout the community that those living in inadequate housing could obtain housing of a better standard. There are also multiple dwelling units in the military areas which might make it unnecessary, in the Whitehorse area, to provide alternative accommodation for those who are completely indigent. Until the negotiations presently being carried on by the Army and the Department of Public Works have been completed and we are in a position to know how the housing in Camp Takhini will be used, it is recommended that final decisions on a housing programme for the Whitehorse area be held in abeyance. In the meantime, the Administration proposes to continue its investigations and to continue discussions with Indian Affairs. Formal approval of any programme worked, including any scheme worked out with Indian Affairs will, of course, require your approval.

You may find the foregoing information helpful.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 34 - 1963(Second Session)

Whitehorse, Y.T.,
15 November, 1963.

Mr. Speaker,

Members of Council

Re: Motion for the Production of Papers #6-Yukon Territorial Council-Plans & Progress on the Escarpment Stabilization Programme

In answering Council's request for information on the Whitehorse escarpment programme, I believe it is important to outline briefly the original plans set out a number of years ago. Several reports were written in the late 1950's and the most important, from our point of view, was a report by the Department of Forestry (Stiell and Jones) concerning means to establish forest cover on the area. Their recommendations were as follows:

1. Collect and process local Lodgepole pine and White spruce seed.
2. Plant local willow and poplar cuttings on all open areas of the escarpment at the spacing of approximately 5x5 feet. This is equivalent to 1,742 cuttings per acre.
3. In order to protect the cuttings, place wattles or rows of coniferous brush along the escarpment to prevent movement of dry sand until the cuttings have become rooted.
4. After planting of cuttings, raise conifer stock at an outside nursery.
5. Place a protective barrier or fence along the top edge of the escarpment.
6. After cuttings have become established, around 4 years later, plant the conifer stock on the escarpment face and, also as a shelter belt, along the top edge.

These general steps would be carried out over a 5 or 6 year period but no work should be done until improper drainage conditions have been corrected on the airport surface and grasses sewn between the runways.

Conifer cones were collected by the Forest Service a number of years ago and the seed is now in storage at the Petawawa Forest Experimental Station. In the fall of 1963, protectiverows of brush were placed on two areas of the escarpment. These can be seen from Main Street. Also, a few pine and spruce seedlings were planted along the top edge of the escarpment. The expenditure for this work was approximately $510. Normally this work would be done at the time of planting, however, it is not possible to plant in the fall and it was considered that some valuable experience could be obtained by trying this work in the Fall. Also, these barriers will remain in suitable condition to provide protection for future planting next spring.

It is proposed to vary the original plans slightly and try a number of species of cuttings and grasses on an experimental basis. Arrangements have been made with the Experimental Farm Service of the Department of Agriculture to obtain cuttings of lilac and other hardwoods that are not normally found in this region. A combination of grasses will also be tried on the airport surface and on the escarpment. This will not likely give as permanent a protection as forest cover, but we consider that it would serve a valuable purpose for the first few years.

The Forest Service will also be establishing a small experimental nursery, partly for the purpose of gaining experience, but also to provide some stock for the escarpment and any other areas that may need replanting. Local pine and spruce seed will be planted but we will also be trying species from other areas. These will not likely produce merchantable sized trees, but they may be useful for soil stabilization work.

/2

Although work for next year will be more or less of an experimental nature, we hope to be able to cover much of the escarpment area. This, however, will depend on the amount of funds made available for next year. At present, only $1,000.00 has been provided in Estimates by the Department of Northern Affairs.

The Department of Transport has largely completed its phases of the project so that we are now in a position to carry out planting. However, it must be emphasized that the entire project is rather experimental and that there is absolutely no guarantee that tree planting will be successful in correcting the errosion. All we can do is try and hope for the best. This is another reason why a variety of species will be tried in hopes that we are able to access the most suitable.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 35 - 1963(Second Session)

Whitehorse, Y.T.,
15 November, 1963.

Mr. Speaker,

Members of Council.

Question No. 4 - School Teachers

On November 8th, 1963, Mr. Boyd asked the following questions:

"What school teachers are employed by the Department of Education who are income tax exempt?

What is their status - married or single?

What is the salary paid each teacher in the above category?"

It is understood that these questions are aimed at those employed by the Government of the Yukon Territory who are members of religious orders. There are three such employees. Their names are Sister Annella, Principal of Christ the King Elementary School, Sister Agnes Dolores, Principal of Christ the King High School and Sister Mary Deigna, Teacher at Christ the King High School. It is not in the public interest, nor is it fair to the employees concerned, that their individual salaries should be made public.

The Income Tax Act of Canada does not specifically exempt members of religious orders from income tax. It does provide, however, that if an employee of a religious order has taken a vow of perpetual poverty, they may deduct from their income for income tax purposes, the full amount of their gifts to their religious order.

It should be pointed out these questions concern the status of employees of the Government of the Yukon Territory, under the Income Tax Act of Canada, which is a Federal Statute, and as such is completely beyond the purview of the Government and the Council of the Yukon Territory.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 36 - 1963 (Second Session)

Whitehorse, Y.T.,
18 November, 1963.

Mr. Speaker,

Members of Council.

Re: Motion #4, Fuel Tax

Mr. Boyd moved, and seconded by Mr. Livesey that in the opinion of Council, fuel used in the operation of farm tractors for farming purposes be exempt from the Provisions of the Fuel Oil Tax Ordinance.

In this connection I would express the view that whilst it would be desirable to assist the farming community to the extent indicated, it would be undesirable to reduce the Territory's revenues by the amount of fuel tax involved, however small.

The trend in Territorial expenditure is upward and we must ensure that along with a rise in expenditure we achieve a rise in revenue.

The purpose behind the new Fuel Oil Tax Ordinance was to eliminate the exemptions which were provided for in the old Motor Vehicle Fuel Tax Ordinance. Such elimination was designed to produce additional revenue. We should not entertain a sugg estion for an increase in the exemptions outlined in the present Fuel Oil Tax Ordinance. Essential revenue would be reduced by such an increase and the Ordinance made more difficult to administer.

I regret, therefore, that I cannot agree with the opinion expressed in the above-mentioned motion.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 37 - 1963 (Second Session)

Whitehorse, Y.T.,
18 November, 1963

Mr. Speaker,
M
Members of Council.

Re: Motion for the Production of Papers #1

Regarding Motion for the Production of Papers #1,-"That the Administration is respectfully requested to provide Council with a breakdown of resource revenues accruing to the Federal Government from Administration of natural resources in the Yukon Territory for the fiscal years 1960-61 & 1962", following is the required information:

REVENUE RECEIVEC 1960-61

Oil & Gas		
Assignment fees		$ 525,00
Forfeitures		5,371.21
Miscellaneous		19.70
	Total	$ 5,915.91
Mining		
Export Tax on Gold		20,308.78
Placer Mining Fees		18,962.95
	Placer total	$39,271.73
Quartz Mining Fees		25,144.08
Quartz Mining Leases		5,160.00
Quarts Mining Royalties		39,893.65
	Quartz total	$70,197.73
Lands		
Letters patent		18,644.58
Sale of Lands		88,293.00
	Total	106,937.58

REVENUE RECEIVED 1961-62

Oil and Gas		
Permit fees		$ 4,500.00
Forfeitures		88.33
Bonus		171,626.23
	Total	$176,214.56
Mining		
Export tax on gold		17,994.61
Placer Mining Fees		24,703.82
	Placer total	$42,698.43
Quartz Mining fees)		
" " leases)		$50,679.42
" " royalties		25,928.28
Miscellaneous		1,027.55
	Quartz total	$77,635.25
Lands		
Letters Patent		9,018.95
Land sales		49,004.74
	total	$58,023.69

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 38 - 1963 (Second Session)

Whitehorse, Y.T.,
18 November, 1963.

Mr. Speaker,

Members of Council.

Re: Motion #7, Teslin Medical Facility

"That in the opinion of Council that administration give earnest consideration to conversion of the spare classroom at the old Teslin school to serve as a nurses quarters and clinic room."

The above subject has been discussed with the Chief Medical Health Officer for the Yukon Territory and consideration will be given to this project. At the present time this school is still being used but in view of the fact that upon completion of the new school and the partial use only of the present school as residence, the suggestion in the Motion appears quite feasible.

G.R. Cameron

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 39 - 1963 (Second Session)

Whitehorse, Y.T.,
18 November, 1963.

Mr. Speaker,

Members of Council.

Re: Question No. 10-Local Forest Products

Councillor D. Taylor put forth the following question: "Would the Administration advise Council as to why more extensive use of local forest products is not encouraged in Territorial Government contracts."

In discussing the question of encouraging the use of local forest products in the Yukon, a clear distinction must be made between "encouraging the use of lumber and the actual use of this lumber". At present the Government does to some extent, encourage the use of local lumber except for structural components. Local lumber is permitted for a number of contracts, although it must reach certain specifications. This is the difficulty. Local lumber is acceptable for many purposes but it must be of proper dimension and of a relatively low moisture content. These factors must be controlled by the Sawmill operator.

In certain larger buildings where plans and specifications may be drawn up outside the Territory, Douglas fir is often specified throughout. One of the main reasons for this is that there is quality control of the product and the user is fairly certain of what he is getting. Also, Douglas fir has superior structural qualities to White spruce.

In line with this subject, I recently received a copy of a letter from the Commissioner of the Northwest Territories to the Assistant Deputy Minister of Public Works. The text of this letter is as follows:

"The history behind the approval of the use of local lumber for Government projects goes back a long way and I have been referring to correspondence on file between our two Departments going back to the year 1956. In early 1958 certain tests were made by the Forest Products Laboratories and their Colonel Jenkins at that time made a report favouring the use of the western white spruce for certain purposes. Concurrently construction was in progress on the new town of Inuvik and your Department agreed and allowed for the use of this local material.

I have consulted with my engineers and have ascertained that the material generally available (in the MacKenzie District) is a western white spruce of a somewhat dense variety. The physical characteristics of this material are the same as those of the material tested in 1958 because it is the same species. It can be specified that the material must be seasoned. You will realize that most sawmills in the Territories are presently small operations. They cannot, therefore, provide for the standard grading normally required because they cannot afford to have a qualified and certified grader on their staff. Ungraded lumber can be used, however, for a variety of purposes with the approval of the Engineer or Inspector."

This situation is similar in the Yukon Territory as the species and growing characteristics are much the same as in the MacKenzie Valley.

"The following reference is sually included by the Department of Northern Affairs and National Resources and seems to be quite reasonable:

> 'Local lumbermay be used for non-structural members such as studs, trimmers, bridging, bucks, furring and sheathing. Such local lumber is subject to the approval of the Engineer and must be sound, well seasoned and reasonably free from pitch-pockets, knots, splits, shakes and wane. All lumber shall conform to standard dimensions as required for finished or rough sawn lumber.'"

The Yukon Forest Service is attempting to promote greater use of local lumber

..2

through improvement of various phases of the logging and saw milling processes, and ultimately the final product. A number of years ago, a sawmill training course was held in the Territory in co-operation with the Department of Forestry, Forest Products Laboratoty. This course outlined various ways of improving lumber quality, but it is up to the individual operators to put this knowledge into practise. Arrangements are also being made with the Northern Interior Lumbermen's Association of B.C. to provide lumber grading instruction and check grading services in the Territory. Last spring, three Rangers from the Yukon Forest Service attended a lumber grading school at Fort St. John, and this will be continued again next year. Attempts are being made to have a course held in the Territory so that more individual operators could attend. Eventually, when individual operators commence lumber grading, the Forest Service may provide the necessary check grading service which is presently not possible through the Lumbermen's Association. When lumber seasoning (air drying) is adopted in the Territory, the use of local lumber will very likely increase. Government agencies can assist in this regard but the onus is with the individual operator.

In the 1962-63 fiscal year, timber production reached a post-war high of approximately eight million f.b.m. of lumber, two million lineal feet of round timber, and 6,000 cores of fuel wood. Present indications are that this production will be further increased in the current year. It is agreed that much can be done to improve and promote the use of local forest produce, but some marked improvements are already taking place.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 40 - 1963 (Second Session)

Whitehorse, Y.T.
November 19, 1963

Mr. Speaker,

Members of Council.

Re: Question No. 8, Wide Load Permits

Councillors will recall that under Commissioner's Order No. 1962-112, dated July 12, 1962, the regulations dealing with wide loads were amended to relieve construction companies of the necessity of obtaining a permit to move loads up to a maximum of ten feet in width.

This has relieved the situation to quite a considerable extent, however, if Council feels that further relief is required, an arrangement could be made whereby these permits could be issued to cover a certain period of time on the condition, of course, that all necessary precautions were taken as outlined in the regulations mentioned above.

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 41 - 1963 (Second Session)

Whitehorse, Y.T.,
18 November, 1963.

Mr. Speaker,

Members of Council.

Re: Motion for the Production of Papers #7

Mr. McKinnon moved that the Administration provide Councillors with application forms needed to apply for Physical Fitness and Amateur Sport Grants and also information as to what the programme has accomplished to date this year.

1/ A letter from an organization, giving full details of a project, constitutes an application under the Fitness and Amateur Sport Programme. There are no prescribed forms of application.

2/ By means of advertisements in the press and by means of correspondence as well, submissions of projects were invited by the Commissioner from organizations, agencies or groups in the Yukon seeking assistance for their fitness programms.

Under the present agreement covering the fiscal year 1963-64 the following projects have been submitted; those with an asterisk have been approved, others are pending.

Project	Description		Amount
* #1	Appointment of Fitness Co-Ordinator for the Yukon, staff, office supplies	-	$11,800.00
* #2	Recreation Director for Skookum Jim Memorial Hall	-	5,400.00
#3	Whitehorse Lions Club Swimming Instructor and Life Guard Services	-	3,550.00
* #4	Yukon Curlers Association-Yukon Championships	-	2,245.00
#5	Shakwak Valley Community Club, track meet, broom ball, curling, etc. competitions	-	673.00
#6	Yukon Ladies Curling Assoc., Yukon Play-offs and High school curling	-	4,607.40
#7	Whitehorse Ski Club-Participation in local competitions & outside training courses	-	883.00

3/ Project #1 has not yet been implemented, pending discussions with the member for Whitehorse North, Mr. K. McKinnon, who was designated by Council to advise the Commissioner in matters relating to fitness and amateur sport.

G.R. Cameron

G.R. Cameron,
Commissioner.

SESSIONAL PAPER No. 42 - 1963 (Second Session) Whitehorse, Y.T.,
November 18, 1963.

Mr. Speaker,

Members of Council.

Re: Question No. 13, Legislation Committee

On November 14, 1963, Councillor D. Taylor asked the following question:

"Would the administration provide Council with the names of those persons serving on the Yukon Legislative Programming Committee."

This Committee consists of the officers holding the following positions in the Yukon Administration: 1) Executive Assistant to the Commissioner - Chairman 2) Administrative Assistant to the Commissioner - Secretary 3) Legal Advisor 4) Territorial Secretary 5) Territorial Treasurer 6) Individual Department heads as required.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 43 - 1963 (Second Session)

Whitehorse, Y.T.,
18 November, 1963.

Mr. Speaker,

Members of Council.

Question #14 - Dental Problems

Question #14 to Administration by Councillor Shaw: "Would it be possible for Doctor Kinloch to attend committee of Council to discuss dental problems of the City of Dawson?"

Doctor Kinloch will be happ y to meet with Council in Committee at 11 A.M. Tuesday, November 19th, 1963.

G. R. Cameron

G. R.Cameron,
Commissioner.

SESSIONAL PAPER No. 44 - 1963 (Second Session)

Whitehorse, Y.T.,
19 November, 1963.

Mr. Speaker,

Members of Council:

Further to a Council Motion requesting the attendance of a senior official of the Department of Transport and the wire received whereby you were informed no one could attend at this time, I submit the following information which I have just received.

I have been informed by Ottawa that senior officers of the Department of Transport do not appear before Councils as they would not be able to make any commitment whatsoever. If they did so it is felt this would immediately set in motion a similar approach by municipalities, airlines, etc. It is further quoted that the standard procedure for initiating action towards improved airport facilities is for the interested party to submit a well documented brief to the Department of Transport for its consideration. These briefs are carefully considered by the Department of Transport and quite naturally the requests for expenditure always exceed the funds available. As a result many proposals have to be delayed or set aside to permit expenditures where the need is greater. The letter further states "I recommend to you that Council give more consideration to setting forth the proven need for extended facilities at Mayo rather than just expressing its desire that the Federal Government build a new airport there. The financial advisory committee might wish to present such a brief when it is in Ottawa next February. I have not discussed this with the officials of the Department of Transport but I would be very happy to do so if Council should wish me to".

I hope the above additional information may be of value to the Council.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 45 - 1963 (Second Session)

Whitehorse, Y.T.,
20 November, 1963.

Mr. Speaker,

Members of Council.

Re: Motion for the Production of Papers #4
N.W.T. University Students Assistance
Programme

The basis for the consideration by the Council of the Northwest Territories of its present Higher Education Assistance Policy is contained in a Reference for Advice to the Northwest Territories Council on the subject.

The plan of financial assistance for higher education in the Northwest Territories was adopted at the January, 1963 Session of the Council and the first applications were received for the year 1963-64. The Commissioner of the Northwest Territories made an announcement of the policy, the text of which is attached as Appendix 1. To date, sixteen applicants have been approved for financial assistance in respect of grants for education and transportation, and eight applicants have been approved for both grants for education and transportation, and loans for board and lodging, making a total of twenty-four students who are presently receiving financial assistance. The amount of grant cannot exceed the actual cost of education and transportation. The maximum loan to any applicant for any one year can only be the actual net cost of board and lodging as approved by a Committee. The estimated costs in grants and loans for those presently being assisted is $18,000.00.

The procedure for obtaining assistance is as follows:-
The school superintendent provides principals of schools with the directions and application forms. Students make up the application forms and have a statement completed by the school principal, declaring that the applicant was a full-time student during the school year and proved to be a person of good character and exhibited scholastic aptitude and industry, thus giving promise of being a successful University student; or by the University registrar, declaring that at the end of an academic year the applicant obtained the necessary standing to enter into a stated year of a course in a stated faculty. The application is then returned to the district school superintendent. When the application is checked he makes his recommendations and forwards the application form to Ottawa, for the attention of the Committee on Higher Education. This Committee is composed of three members including the Chief of the Education Division, the Assistant Chief Territorial Division, and the head of the School Services Section. The Committee considers applications in the light of the recommendations received from the field and advises the Commissioner accordingly.

I trust that this information will be of assistance to members of Council. If additional details are required I shall be glad to obtain them.

G. R. Cameron,
Commissioner.

Council
of
The Northwest Territories
Financial Assistance to Students
for
Higher Education
1963-64

ANNOUNCEMENT AND CONDITIONS OF ASSISTANCE

The Commissioner announces the establishment of a plan of financial assistance for higher education. This assistance is in the form of:

1. Outright grants for university fees and travel, and
2. Loans for cost of board and lodging.

1. Grants for fees and travel

Grants will cover the cost of transportation to and from a university which is approved by the District Superintendent of Schools. Education costs will include university fees, laboratory and other fees, supplies and special equipment required by the university. Such grants will apply to students who have obtained entrance to the approved, accredited Canadian university and whose parents are domiciled in the Northwest Territories.

2. Loans for board and lodging.

Loans will cover, where required, the amount needed to meet the cost of board and lodging while the student is attending university.

Procedure when applying for assistance

Secondary school students who wish to apply for grants and/or loans may obtain application forms and instructions for applying from the school principal.

Students who have been in attendance at university may obtain application forms and instructions for applying from the District Superintendent of Schools.

Formal applications on the required form must be submitted to the District Superintendent of Schools not later than June 30th.

Proof of conditional acceptance in a degree course at a university, will accompany the application.

Notification of Decision and Payment of Loans and Grants

Students will be notified by the District Superintendent of Schools when their applications have received final consideration.

Grants will be payable at the time and in the amounts required by the University or the transportation companies concerned.

Loan payments will be made when the student is enrolled and is in regular attendance at the university. Cheques for these payments will be made in instalments as required and will be distributed to students through the registering official of the university.

Repayment of Loans

Loans will be free of interest until the student graduates or withdraws from university, and, for the first three years thereafter will be subject to interest at the rate of 4% per annum. If the loan is not fully repaid at the end of three years, the outstanding portion of it will be subject to interest at the rate of 6% per annum. If a student receives a loan and after graduation from university returns to the Territories for employment for a period of three years, the full amount of the loan will be cancelled. If his period of employment is either one or two years, the loan will be reduced by 20% or 50% respectively.

A recipient of a loan and his parents or guardians will be required to sign an undertaking to repay the loan subject to the conditions stated above.

SESSIONAL PAPER No. 46 - 1963 (Second Session)

Whitehorse, Y.T.,
November 19, 1963.

Mr. Speaker,

Members of Council.

Re: Production of Papers #8 - Scholarships

Following is the reply to Mr. McKinnon's query re scholarships:

The Government of the Yukon Territory provides scholarships, bursaries, and loans to deserving students who wish to take training beyond the secondary school level. The details concerning the scholarships are listed in Sessional Paper No. 8 - 1962 First Session, entitled, A Master Plan of Territorial Government Scholarships. This Master Plan was amended this September upon the recommendation of the Territorial Government's Scholarship Committee. The amendment is effected by adding a Section V which states:

"For the purposes of this Master Plan of Scholarships grade 12 graduates of the Territory who meet residence requirements and who go elsewhere than Whitehorse to complete grade 13 or equivalent will receive the same consideration that the grade 13 graduates of the F.H. Collins Secondary School receive."

The details concerning bursaries and loans are given in Commissioner's Order 1959-1, Regulations Respecting Financial Assistance for Students. Assistance under these Regulations is available only to a student attending a university or nurses' training school or planning to attend such institutions.

For those students desiring to take vocational training, financial assistance is available under yhe terms of the Vocational Training Agreement. The assistance varies from $50.00 per month for a single student living at home to $190.00 per month for a married student with three or more dependents living away from home. A committee consisting of Mr. A. Neil from the National Employment Service, Mr. D. Franklin from the Whitehorse Vocational Training School, Mr. W.J. Barton from the Indian Affairs Branch and Mr. W. Selby from the Territorial Treasurer's office, screens all applications for assistance.

Scholarships and bursaries available to Yukon secondary school graduates from non-governmental groups are:

1. Tourist Services Ltd. University Scholarship. - Value $400.00
   (a copy of the prospectus is attached.)
2. Whitehorse Lions Club Scholarship - Value $250.00.
3. Women of the Canadian Legion Bursary. - Value $100.00.
4. Fraternal Order of Eagles Bursary. Two bursaries valued at $100.00 each.
5. Whitehorse Business and Professional Women's Club Bursary.-Value $250.00.
6. Whitehorse Graduate Nurses' Club Scholarships. Two scholarships awarded this year with a value of $250.00 each.
7. Dawson Chapter I.O.D.E. Scholarship. Value $300.00.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 47 - 1963 (Second Session)

Whitehorse, Y.T.,
November 19, 1963.

Mr. Speaker,

Members of Council.

Re: Question #12-Access to Pine Lake in the Haines Junction Area.

The following is the information in reply to the above-noted question:

It is planned to include this work, i.e., the construction of a dam at the point where the micro wave access road across Pine Creek, in the 1964-65 Estimates. The work is estimated to cost $2,500.00.

The Engineering Department plans tocarry out brush clearing this winter, in the area, which will be flooded by the rise in creek level.

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 48 - 1963 (Second Session)

Whitehorse, Y.T.,
19th November, 1963.

Mr. Speaker,

Members of Council.

Re: Question #17, Power in Dawson

Regarding Question #17, which reads: "Due to the recent failure of electrical power reported from Dawson and the serious implications which have been created by burned-out furnace motors, could the administration investigate the reason for such power failure and report its finding to Council with recommendations if possible as to how this can be avoided for the future."

Although there have been no actual power failures in this particular instance, there has been a great shortage of power below the required 110 to 115 Volts. This low power has resulted in damage to electric motors and in some cases the complete non-operation of an electric unit. The situation is caused at about this time each year because of slush building up in the hydro ditch and pressure box above the turbines at the North Fork power plant. Once the ditch is frozen over the problem is corrected. This situation is becoming more critical each year as more people in the area convert to electrical appliances, particularly electrically fired oil furnaces. The standby diesel unit operated by the power supply company is very antiquated and only used in dire emergencies. As the Company does not expect to operate its dredges beyond 1966, it is doubtful they would invest further capital on additional standby units.

I have already written to the Deputy Minister of Northern Affairs and explained the problem and suggested that until some long-term arrangements can be made for the continued supply of electricity for the City of Dawson, we attempt to hook up the power plant at the Palace Grand Theatre on to the main line of the City so that during this time of year it may be cut in to supplement the low power produced by the hydro units. I have also asked for recommendations as to how we are going to handle the utility system in Dawson City after 1966.

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 49 - 1963 (Second Session)

Whitehorse, Y.T.,
20 November, 1963.

Mr. Speaker,

Members of Council

Question No. 15 - Area Development

In preparing the answer to this question it has been assumed that Councillor Boyd is referring to the Whitehorse Metropolitan Plan and not to Area Development in general.

As Council is aware, C.M.H.C. forwarded their report, containing the recommendations for the Whitehorse Metropolitan Plan and the large scale maps illustrating these recommendations early this summer.

We have now received C.M.H.C.'s suggestions as to the provisions of a Territorial Ordinance and a Municipal By-Law necessary to implement the Plan. The By-Law has been referred to the Whitehorse City Council for study and comment. As regards the Territorial Ordinance the draft will be carefully examined with a view to drawing up instructions to the Law officers of the Crown so that a Bill, in suitable form, can be presented at the Spring Session (1964) of Council.

The Ordinance and the By-Law must be passed before the Plan can be implemented.

G. R. Cameron

G. R.Cameron,
Commissioner.

SESSIONAL PAPER No. 50 - 1963 (Second Session)

Whitehorse, Y.T.,
November 21, 1963.

Mr. Speaker,

Members of Council.

Re: Motion for the Production of Papers #9

The above Motion regarding the sale of beer is replied to in the attached paper.

G. R. Cameron,
Commissioner.

Att.

GOVERNMENT OF THE YUKON TERRITORY

Whitehorse

Motion for the Production of Papers #9

BEER & ALE	SOLD IN 1962/3 -DOZENS	SALE PRICE	TOTAL PROCEEDS SALE	PERCENTAGES	REDUCTIONS EQUIVALENT TO 25¢ INCREASE IN PRICE OF LIQUOR	REVISED TOTAL PROCEEDS SALE	REVISED UNIT PRICE	REDUCTIONS EQUIVALENT TO 50¢ INCREASE IN PRICE OF LIQUOR	REVISED UNIT PRICE
Licensees	159,514	$3.90	$ 622,104.60	50.3%	$ 33,174.26	$ 588,930.34	$ 3.69	$ 66,348.52	$3.48
Clubs	8,670	4.00	34,680.00	2.8%	1,846.68	32,833.32	3,79	3,693.36	3.58
Clubs	7,880	4.10	32,308.00	2.6%	1,712.17	30,595.83	3.88	3,424.34	3,66
Public	114,724½	4.60	527,732.70	42.6%	28,095.89	499,636.81	4.36	56,191.78	4.12
Public	635	4.85	3,079.75	.24%	158.29	2,921.46	4.60	316.58	4.35
Stout	1,352½	5.60	7,799.17	.63%	415.50	7,383.67	5.41	831.00	5.22
Bass Ale	621½	5.60	3,609.55	.3%	197.86	3,411.69	5.50	395.72	5.40
McEwans	989½	5.60	5,717.60	.46%	303.38	5,414.22	5.47	606.76	5.34
"PALE	111½	5.10	576.55	.05%	32.98	543.57	4.90	65.96	4.70
			$1,237,607.92	100.00%	$ 65,937.01	$1,171,670.91		$ 131,874.02	

NOTES:

1. The Motion asked what the effect would be of increasing the price of a bottle of liquor by 25¢ and by 50¢. It has been assumed that pint or half bottles would be increased by 15¢ and by 30¢ and the above-mentioned calculations depend upon the accuracy of that assumption. The dollar value of these increases amounts to $65,952.80 and $131,905.60 respectively.

SESSIONAL PAPER No.51 - 1963(Second Session)

Whitehorse, Y.T.,
13 November, 1963.

Mr. Speaker,

Members of Council.

Re: Motion No. 3-Yukon Schools.

Some concern was expressed by this administration to the Financial Advisory Committee at their last sitting regarding the noticeable loss of native children in some of our day schools throughout the Territory. I assured the Committee at that time that I had written to the Director expressing our concern and would, on my recent trip to Ottawa, clarify the points raised on the subject.

As you are aware, our school construction programme as computed in the five year agreement relies on the normal increase of school children regardless of race and it was therefore of great concern to the administration when we found this past September we had less native students in our schools than we had the year before. Upon checking with the Superintendent of Education I found that a large number of the native children had been taken from the Territorial schools and placed in either hostels or a residential school at Carcross. I discussed this in Ottawa with the Department of Indian Affairs officials and they assured me that an error had been made and their policy was not changed in any way and that the programme as outlined to us previously whereby Indian children living in the location of day schools were to attend same is still in effect. The following quotation from a letter to the Director of Northern Affairs from the head of the Department of Indian Affairs should clarify the situation and on the basis of this understanding we should be able to continue our school building programme as originally intended:

> "There has been no change in Branch policy with respect to the integration program for the Yukon Indian children. An accumulation of circumstances has resulted in a temporary rise in the enrolments in our residential schools and a corresponding drop in the number of Indian children available for the Yukon day schools. Detailed information on the school enrolment in the Yukon is now available and firm instructions will be issued to all field staff concerned when Mr. Davey has discussed the matter with our Regional staff at Vancouver in November.
>
> "It is anticipated that the integration program to which the school building program in the Yukon was geared will be revived next year and that the accommodation that has been provided or proposed for Indian pupils in the Yukon schools will be needed. This temporary setback to integration need not be regarded as a threat to our plans for integrated education.
>
> (signed) J.H. Gordon,
> Acting Director "

G. R. Cameron

G. R. Cameron,
Commissioner.

SESSIONAL PAPER No. 52 - 1963 (Second Session)

A report of a committee established by the Yukon Legislative Council to study the present position of commercial and other signs on public roads and highways in the Yukon Territory.

1. That regulations in force on January 1st, 1963 covering the erection and maintenance of commercial, safety and other type signs along public roads and highways be maintained except as may be further noted in these recommendations.

2. That in the Whitehorse area on the Alaska Highway, being from a point on such highway known as milepost 912 to milepost 922 (approx.) a multiple sign on a single board system be used.

3. That where multiple sign single board system signs are located adjacent to the Alaska Highway, curved driveways of short duration be maintained and gravelled to allow for traffic use off the travelled portion of the highway.

4. That locations described in recommendation (3) shall be made as attractive as possible by the addition of rockery and wild flowers as well as short coniferous trees where suitable.

5. That the manufacture of signs described in recommendation (3) be a question to be discussed with the Vocational School authorities.

6. That the maintenance of multiple sign single board locations be a question to be taken up with the corrections committee.

7. That Commissioner's Order 1963-82, Motor Vehicles Ordinance - be repealed with specific reference to any or all directions which refer to the Alaska Highway.

8. That no further restrictive orders be issued under authority of the Motor Vehicles Ordinance respecting signs on the Alaska Highway until negotiations reference the hand-over to civilian authorities of the Alaska Highway have reached a conclusive or final stage, and in any event not before the question is raised for further discussion during the Spring Session, 1964.

SESSIONAL PAPER NO. 53 1963 SECOND SESSION.

MR. TAYLOR'S REPLY TO THE SPEECH FROM THE THRONE.

I rise on this occasion to present my address in reply to the Speech from the Throne.

In this regard I would like to point out, that during the past days of debate and deliberation, one of the most contentious issues to be discussed in the House was that of the appointment of a Senior Legal Advisor to the Yukon Territory. It was agreed in the negotiation of our current five year Fiscal agreement, that, in fact, such an officer would be appointed and would supervise justice in the Territory as well as providing to some degree, a means of drafting locally, bills of legislation as desired by the Administration and the people. For some reason there has been a long delay in acquiring this person, and I would urge both the Territorial and Federal levels of government to put forth maximum effort toward this end, in order that this "quasi-Attorney General" may be located in the Territory prior to the Spring Session of 1964.

I would wish to comment also on the present state of affairs as it relates to health and welfare in my large constituency. Consideration, at long last, is being given to establishment of a nursing facility at Teslin and in this regard I would like to extend our thanks to our new Zone Superintendent, Dr. Kinloch, for his objective consideration in this regard. During the past summer, due to the closure of the Canada Tungsten Mine, we unfortunately lost the services of a local physician in Watson Lake and once again our people are subjected to the long six hundred mile long trip to Whitehorse or Fort Nelson, should they require the services of a doctor. Although periodic visits are made by Whitehorse doctors to Watson Lake, it is often quite difficult to time one's ailment or misfortune to meet this schedule, and consequently our people are being subjected to much physical and financial discomfort for this reason. If we are to remedy this situation, we must provide a government subsidy for doctors or attempt to provide some type of socialized medical system. I sincerely wish that the senior officers of the Indian and Northern Health Service would take a sympathetic but objective view towards this most distressing situation and work towards an early solution to this problem. Further, I sincerely hope that the Director of this Department will find time to come to the Spring Session of the Legislative Council to discuss all problems throughout the Territory. Funds for this purpose were set aside following consideration of the Health Plan appended to the five year fiscal agreement, but no senior officers of this department have to date appeared.

I would also at this time wish to register my complete objection to the passing of Bill No. 1, which will allow tape recorders in the courtrooms in the Yukon Territory. Experimentation during the summer and submissions heard at this table proved to my mind that this equipment in practice has proved unsatisfactory and should not be used. The court stenographer should not be replaced by such equipment, when safer mechanical devices, such as those employed in the House of Commons, are available.

Every Session I have given a Throne Speech reply, I have brought to the attention of the House and the Administration the desperate need for socialogical assistance aimed at our native citizens at the community level and I fear that this appeal often falls on deaf ears as far as Indian Affairs are concerned. However at this Session we have delt with the matter of relocation of children in our school system and I think all members will agree that the root of our problem lies right at the community level where nothing is being done in the social educational field, that is to say helping people to help themselves. A start made today might well bear fruit in three generations hence, but we have to make that start.

In closing may I thank the Honourable Members for their consideration in both the representations of my constituency and duties of the House and may I be permitted to extend to all Members and Officers of the House kindest wishes for the coming Festive Season and success in the coming New Year.

SESSIONAL PAPER NO. 54 1963 SECOND SESSION.

MR. WATT'S REPLY TO THE SPEECH FROM THE THRONE.

Thank you, Mr. Speaker. We are bringing to a close this shorter than usual Session. In the last two and one half weeks we have had before us fourteen public bills, two private member's bills, seventeen official written questions to the Administration, nine notices of motion for the production of papers, three committee reports, one petition and many other smaller items which we had to spend time on. Many of the items which we have discussed will effect the day to day living conditions of the man on the street. The changing of a single word on a bill could mean the difference between an individual having been guilty of an offence or not and fined accordingly. If we as a Council seem to cover material too slow it is because we are trying to be careful and not because we are collecting $125.00 per day as we read in the newspaper. For those who believe we are getting this sum of money for sitting here every day, you have been intentionally misinformed.

I have no objection to criticism and I particularly welcome constructive criticism but the degraded public image that has been created of this Council and some of the Members in it has encouraged and made it somewhat fair sport for anyone who wishes to take a poke at us, and I must say that sitting here is becoming something of a disagreeable experience. In the future I hope we can look for a little more co-operation and common sense and less petty bickering , this would make our job a lot easier.

Mr. Speaker, I will comment briefly on some of the important points of this Session.

The whole Yukon and particularly the Whitehorse area will experience rather violent growing pains when the D.P.W. take over the maintenance and reconstruction of the Alaska Highway next spring. I have heard and I hope it is true, that the take over is a preliminary to the paving of the Alaska Highway.

We are all happy with the Federal Government's decision to keep the Haines Road open this winter.

Unemployment within the Territory this winter will, I hope, be kept to a minimum. This winter school construction is to take place in Haines Junction, Teslin and Watson Lake. Other public works such as the removal of the Lewes River Dam are presently being investigated for a winter works program this year.

A private members bill has passed out of this House and after April 1st, 1964, all Territorial construction contracts over $5,000.00 will have a labour clause as part of the contract. This labour clause will assist both the workers of the Territory and the contractors of the Territory who are bidding for Yukon jobs at Yukon rates while an outsider may be planning to import workers from a depressed area and pay the wage rates of that area.

Work has started and will continue on the escarpment in Whitehorse west. This stabilization program is partly of an experimental nature but progress is being made.

This Council has been asked by the Administration that a low rental housing program be held in abeyance until the Administration is in a position to know how the housing in Camp Takhini will be used.

We have had tabled before us a paper outlining loans and bursaries that are available to students entering University or nurses training courses. More use should be made of these loans and bursaries in the years to come.

Discussions have taken place concerning the sewer and water surveys of the Haines Junction, Porter Creek, Mayo and Watson Lake areas.

It is hoped that by spring a plan will be agreed upon as to which communities will get what sewer and water facilities. The residents of these areas may then, if they think necessary, plan the construction of private well and septic tank systems after taking the government plans into consideration.

A final Liquor Committee Report will be compiled for the Territorial Council for the Spring Session and this report will form the basis of a redrafting of the Liquor Ordinance.

It is hoped that the passing of a resolution of Council respecting gambling in Dawson City will open the door for something like a government controlled national ice pool along the lines of the Tanana Ice Pool of Alaska.

I believe all communities in the Yukon and particularly the Whitehorse area could be making far better use of the government physical fitness fund. The fund is there, it is there to be used and those who are responsible for athletic activities and facilities should enquire thoroughly into this matter and do the best they can for the residents of their areas.

Thank you Mr. Speaker.

MR. SHAW'S REPLY TO THE SPEECH FROM THE THRONE.

At this Session of Council I asked consideration of a Resolution in respect to legalized gambling in Dawson City and that this be under strict government supervision and control and I am very pleased that this received unanimous support. Dawson City, or perhaps to be specific I should say the Klondike region was the area that created the spark that ignited the imagination of the world and which resulted in the opening up of, and settlement of this Yukon Territory. For close to seventy years the Klondike has been providing wealth for Canada and for a considerable portion of this time it was the main crutch in the conomy of this Territory, and even today no one can deny that next to the Mayo silver mines, the gold produced from the Klondike is our second largest export which makes Canada richer by $2,000,000.00 or so each year. Unfortunately, unlike farm products, gold cannot be seeded and harvested each year and like all mineral wealth, it will inevitably become exhausted. Of all the minerals in the world, gold is the only metal pegged by international agreement and at a price established over thirty years ago that is unrealistic today and as a result, the reserves in the Klondike have been reduced to a fraction of their potential. This means that the Klondike area will soon lose it's present main economic support, the gold mining industry which is repugnant to me but something of which I can do little about. These are the hard facts of life, on the other hand it is also my duty to do everything in my power to prevent the forced migration of the people of Dawson City who would be forced to leave when there was no economic basis of making a livelihood. Many of these people have all their worldly goods and way of life encompassed in this small community that is so well known all over the world away out of proportion to it's size, these are real people who have to fight hard to make a living, who have battled many floods, sometimes 70° and 80°below weather and just recently many homes were without heat in 30° below weather because their furnace motors burned out due to an electrical system geared to the days of '98. Their problem is my problem, it is also a responsibility of all Canadians that this small community should not disappear into oblivion. Every effort should be made to preserve this part of Canadian history that is not exemplified by people and armies killing each other but rather by a colorful and romantic era known far beyond this continent as the most famous gold rush that is recorded in history. It also at that time helped to uplift the economic strength of this nation when it was in the midst of a depression. The governments of Canada and the Yukon realized some of the facts I have mentioned and made an honest effort to bolster the economy by it's involvement in the Dawson City Festival. This effort should not be condemned because it did not work out as planned, it must be accepted that however well intentioned a project may be man is prone to make mistakes and governments are groups of men, who like any individual, have yet to accomplish an 100% batting average. This did indicate though, that another approach to the problem had to be made which prompted my introduction of the resolution in respect to permitting gambling in Dawson City. My motion was not intended to allow gangsters and rackateers to take over, on the contrary I asked for strict government supervision and control. This could then make it possible to retain the historical aspects of the early days, in which gambling was a part and provide an economic climate to carry out this project in order that visitors might view a reconstructed period of our history. This controlled gambling would, of itself provide the funds necessary at absolutely no expense to the Canadian taxpayer. I expected opposition from certain segments of the population and indeed we have already heard criticism from the pulpit in Whitehorse. This be as it may and I would defend the right of anyone to their opinion, but to call legalized gambling, that is gambling under the control of the people, as sinful, is an indictment that would call for a declaration against the basic process of the economic or capitalist

system of Canada, for sake of trade and commerce risks must also be taken, sometimes at odds less favourable than a crap game. When chance factors are not permitted and security is the maximum attainment we can only ask for a totalitarian state. I would ask these gentlemen who are so much against my proposal to provide a realistic program which some of them say should be done as an alternative, I would welcome concrete suggestions, but I assure you that just saying something else could be done is not sufficient.

It is estimated, and I quote McLeans magazine dated September 21st, that illegal lotteries are said to be a $25 million dollar business in Montreal and that in all Canada it could be three billions of dollars are taken from the public in illegal gambling of one sort or another. I would further ask by what yardstick do we measure morality, in southern Canada we may go to a racetrack and quite legally bet on the ponies through the parimutuals and it is fairly obvious that we are not able to do this in the Yukon, however we do have our little bit of gambling in the form of bingo games, various and sundry pools and methods of selling tickets, some of which are legal and proper while some are merely means of evading our strict laws but which are accepted by the public. This is all gambling of one sort or another which, personally I consider harmless, however I would question the judgment of any person who would allow that one type was moral and the other not.

In conclusion Mr. Speaker I think I have put my case before this Council in an effort to effect a service to the area I represent. I thank Council for the support given me and hope that a like consideration will be given by our higher form of government, I also thank the Administration for the assistance they have given on all matters during this Session.

SESSIONAL PAPER NO. 56 1963 SECOND SESSION

MR. LIVESEY'S REPLY TO THE SPEECH FROM THE THRONE.

Mr. Speaker and members of Council. One of the most significant changes in recent times where Federal Government policy directly affects the every day affairs of the Territory, came up for discussion during the recent session and I refer Mr. Speaker, to the decision to hand over to the Department of Public Works the maintenance of the Alaska Highway. It was of course inevitable that a move similar in direction would occur at some time and perhaps upon reflection even surprising that the change had not been made before this date due, if for no ther reason, to the change in necessity for support of the highway from one of military significance to commercial importance to the north. The initial impact when the transfer is in progress may well be felt perhaps more in the Whitehorse area than elsewhere however, the completion of the move may take some time and will in the long run bring about a more realistic realization of the actual position of the Territory in Canadian affairs and provide a factual basis for new decisions toward normal growth and prosperity. It is entirely possible that when the many problems attendant to the changeover have been carried to successful conclusion, with the Department of Public Works established and perhaps the actual road maintenance being carried out by the Territorial Government the financial distribution picture may take on an added significance and appear in a much more favourable position from a local point of view.

Still in the road maintenance field the new experiment to keep the Haines Road open can be added to the previous decision respecting the Alaska Highway as a change in policy which may bring about new developments if successful. All weather roads to tidewater may well prove the need to open the front door to the Territory in conjunction with efforts to open interior arteries.

Looking generally at the fall session just about to close,it would appear that some re-orientation in thinking with relation to administrative values and democratic ideals could be of some benefit especially in relation to the operation of committees and the need for them. Their establishment points ideologically toward the saving of much time otherwise taken up in debate, and no doubt the prime purpose of such committees, especially those who may have worked hard and conscientiously toward the accomplishment of the aims set before them, especially those set in motion by decisions of the Council during the Spring Session; was toward this end, however the move toward responsible government must be kept in mind at all times and moves of the Council should bear a distinct relationship to this ideal if progress is to materialize. It would seem therefore only reasonable to assume that any encroachment upon the presently established perogatives of the Council could be interpreted as a backward step by those concerned. A scrimmage for the ball on the thirty yard line could more appropriately be left to the B.C. Lions. To establish a distinct point of reference without going into any amount of detail, I would like to cite the item known as Terms of Reference No. 12 in connection with the work of the Liquor Committee. The motion of Council which established the committee asked for a report and recommendations to be made available to Council at the Fall Session. Terms of reference No. 12 stood out like a brass knob on the bathroom door, it stated that the report was not to be turned over to the Council. Some reflection here would appear to have been well justified and could have saved a great deal of debate.

Looking at the Federal-Territorial picture and the many attendant difficulties which seem to be particularly in focus in Ottawa these days, where we are represented by those who hold opinions which are differnet in a number of respects from those held by the government in power, an opportunity in my view presented itself quite plainly during

the month of October last, whereby the Financial Advisory Committee of the Council could have made a visit of some importance as an intermediary body in relation to discussions covering the budget at a time when perhaps concrete proposals were not firm and were in essence still sufficiently flexible to allow for open discussion of the many financial problems presently facing the Territory. Such a visit would have allowed for discussion of new ideas at the grass roots level as well as provided some background of thoughts and views of the Council in general to a new government. I was therefore disappointed with the decision to change the date to early in the new year when plans may have reached a more solid stage of development.

Out of the total number of bills laid before Council during this Session I believe there were seventeen, one appeared to stand out by itself as an item dedicated to the laying down on paper of ideals consonant with those of a true democracy. I refer to the bill which provided for the removal of discrimination in employment and other fields because of race, religion, creed, ancestry, colour or ethnic origin. It is to be hoped that the bill will never be required in actual practice, however it does one thing of prime importance, it sets down certain principles and ideals on paper for all to see, quite in keeping with those requirements so necessary in a cosmopolitan country such as Canada. Our strength, general prosperity and well being has been enhanced to a large extent by the peaceful assimilation of numerous ethnic groups into one citizenship in Canada and the unity and purpose of the whole is required daily in the work toward providing the requirements of all concerned. The elimination of discrimination also helps us in our thinking toward those who may live outside the boundaries of Canada and contributes in a general sense towards world peace. One item on the books of the Federal Government which to some of us is hard to swallow when thinking in terms of discrimination is the Indian Act. Legislation which on the one hand appears to allow for integration while in actual practice it carries out a determined program of separation. Not long from now we will be celebrating one hundred years of confederation, it should be a joyous time in Canada and I believe the removal of the one black mark would be a contribution second to none in 1967.

SESSIONAL PAPER NO. 57 1963 SECOND SESSION

PROROGUING ADDRESS BY COMMISSIONER G.R. CAMERON

Mr. Speaker

Members of Council.

Today, through efforts of the warped and twisted minds of an individual or individuals, the President of the United States was assassinated. Words are difficult to find at this time to express the shock and sorrow felt by people throughout the world at this dastardly blow to our democratic way of life. I am sure I speak for everyone in the Yukon Territory when I say our heartfelt sympathy and concern go to the President's family, and to all the people of the United States of America during this time of sorrow.

You have now completed your deliberations of Council for this Session. I am sure you will agree that progress has been made and knowledge gained by both the legislation and the administration. It is your hope, I am sure, that your discussions and decisions will be fruitful for the Territory generally and that the wishes of the people you represent will be dealt with as efficiently as possible.

I have requested the members of this Council this morning through your Speaker and Deputy Speaker, that this Council should go back into Committee to consider Bill No. 12 authorizing me to enter into an agreement on behalf of the Government of the Yukon Territory with the Government of Canada. I have just been informed by telephone that you feel that further discussions in Committee on this subject are unnecessary. The purposes of the agreement are to provide for the use or employment of the Royal Canadian Mounted Police, or a portion thereof, in aiding the administration of justice in the Territory and in carrying into effect the laws enforced therein, upon such terms and conditions as may be contained in the agreement. I understand that this Bill was before you yesterday in Committee and was not dealt with further. I have to point out that in the absence of this agreement the Police Force could conceivably withdraw the bulk of its men and confine its activities to policing a few limited Federal statutes, not including the Criminal Code. I suggest to you that this Territory has not advanced to a point where it can operate its own police force as efficiently and economically as the R.C.M. Police. I do not suggest that the Royal Canadian Mounted Police will withdraw its manpower, but I have to point out there is no legal reason why they cannot.

I am aware that in the minds of some, if not all members, there exists a desire to see a certain appointment filled so that the agreement may be supervised by a local quasi-Attorney General. I wonder whether the members are fully aware of the function and Departmental status of a senior legal officer. In the first place he would not be a Territorial Civil Servant; he would not be a member of the Department of Northern Affairs; he would be a member of the Department of Justice. There would still be required the services of another person as <u>your</u> legal advisor. It is difficult to see, therefore, how you will have improved your control of the R.C.M. Police agreement by substituting for the Attorney General of Canada a subordinate officer who speaks for the Attorney General without the certainty of the Attorney General's own voice. The administration has sought, and will continue to seek the full implementation of the Five Year Agreement, including the appointment of this officer. You may take it as assurance of the administration that if this Ordinance was passed and the agreement was signed the present administration and your legal advisor would vigilently police the agreement and keep you informed. You must, in refusing to allow the Ordinance, recognize that the administration is placed in an embarrassing position. Consider the logic of your own position in having approved the appropriation for a police force which

you are refusing to recognize. I think it is my duty to speak in the strongest possible terms about an action which I feel can only serve to delay the development towards provincial status for the Yukon. I am sure you realize that in most provinces these police agreements are a normal feature of provincial autonomy.

As in the past, I shall be happy to receive your correspondence or personal appearance at any time between Sessions in order to eliminate problems arising in your individual constituencies or expedite implementation of suggestions where possible.

The Canadian Red Cross Society has presented to the Yukon a certificate of Commendation for the generous share which residents of the Territory contributed towards the Society's Campaign earlier this year. Members of Council may wish to report this to their constituents on their return home.

At this time I want to wish you and your families a very Merry Christmas and a Happy and Prosperous New Year.

I hereby assent to the Bills as enumerated by the Clerk-in-Council.

Thank you Mr. Speaker and Members of Council.

ORDINANCES

of the

YUKON TERRITORY

Passed By The

Yukon Council

In The Year

1963

SECOND SESSION

INDEX OF ORDINANCES 1963 (Second Session)

CHAPTER 1

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE RESPECTING THE TAKING AND RECORDING OF EVIDENCE BY SOUND AND RECORDING APPARATUS

(Assented to November 22nd, 1963)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

Short title.

1. This Ordinance may be cited as the Recording of Evidence by Sound Apparatus Ordinance.

Interpretation

2. In this Ordinance

"Court"

(a) "court" means any court, a judge, magistrate, justice of the peace, arbitrator, umpire, commissioner or other person authorized by law or by order of a court or otherwise, to hear any witnesses or take any evidence or to make any order, decree, finding, decision or report or to exercise any judicial or quasi-judicial function;

"Evidence"

(b) "evidence" includes judgments, decisions, opinions, speeches, reports and all other matters done or said by or before any court;

"Judge"

(c) "judge" includes any person lawfully presiding in a court;

"Proceeding"

(d) "proceeding" means any civil case, prosecution under an ordinance or other matter to which the legislative authority of the Commissioner in Council extends, that is before a court;

"Record"

(e) "record" means a record made in accordance with section 3;

"Reporter"

(f) "reporter" means an official court reporter duly appointed in accordance with law or a stenographer or typist;

"Sound recording apparatus"

(g) "sound recording apparatus" means any device, machine or system of a type approved by the Commissioner for the making of a record of voice or other sound; and

"Trial"

(h) "trial" includes all motions, applications, trials and other matters which may properly be taken before a judge.

Recording of evidence by sound recording apparatus.

3. (1) Notwithstanding any other ordinance, the evidence in any proceeding or any portion of such evidence may, if the judge so directs, be recorded by sound recording apparatus.

(2) All parties seeking to bring a matter before a judge shall file with the court consent in writing from all other parties evidencing consent to the use of sound recording apparatus at the trial.

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(3) Before proceeding to the trial of the matter in issue a judge shall ascertain from the parties to the proceedings that they are satisfied with the competence of the operator supervising the sound recording apparatus and that the said parties have not withdrawn their consents to the use thereof.

(4) It shall be the duty of the operator having charge of the sound recording apparatus to make such notes as a judge may order to supplement the record.

Certification of record.

4. (1) A record shall be certified, by the judge or by the court official in charge of the sound recording apparatus during the proceeding, as being the record made of the evidence or part thereof, as the case may be, in the proceeding.

Certificate prima facie proof.

(2) A certificate made under this section is, without proof of the signature of the judge or person in charge of the sound recording apparatus or of this official character, admissible in evidence as prima facie proof that the record is the record of the evidence or part thereof, as the case may be, in the proceeding.

Typewritten copies.

5. A typewritten copy of the whole or any part of the contents of a record,

(a) reduced to writing by a reporter, and

(b) certified by the reporter to be a true and faithful transcript of the contents of the record,

is admissible in evidence before any court to the same extent and with the same effect as a transcript of shorthand notes duly prepared by a reporter in accordance with law.

Playing of records in court.

6. The sounds recorded upon a record may be reproduced in a court by any appropriate machine or device and the reproduction shall be received by the court to the same extent and with the same effect as a typewritten copy prepared pursuant to section 5.

Filing of records.

7. All records shall be filed in the office of the Clerk of the Territorial Court and shall not be removed except with authority of the Clerk for use in court or as required by an ordinance or rule of the Territorial Court or upon the order of a judge of the Territorial Court.

Order for destruction of records.

8. (1) Any time after two years from the making of a record a judge of the Territorial Court may order the record destroyed or the recording thereon erased, cancelled, or otherwise destroyed.

Order may be of general application

(2) An order made pursuant to subsection (1) may be a general order to apply to all or any records made before a date set out in the order.

Regulations

9. The Commissioner may make regulations for carrying out the purposes of this Ordinance.

CHAPTER 2

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE RESPECTING THE SUMMARY RECOVERY OF WAGES BY EMPLOYEES

(Assented to November 22nd, 1963)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows :

Short Title

Short title.

1. This Ordinance may be cited as the Wages Recovery Ordinance.

Interpretation

Definitions.

2. In this Ordinance,

"Employee."

(a) "employee" means a person in receipt of or entitled to wages from an employer, whether the relationship of employee and employer has been terminated or not;

"Employer."

(b) "employer" includes every person responsible for the payment of wages to an employee under any Ordinance or law in force in the Territory; and

"Wages."

(c) "wages" means wages, salary, pay, commission or other compensation for labour or personal service, whether measured by time, job, piece or otherwise.

Application of Ordinance

Application.

3. This Ordinance applies to every hiring of labour or contract of personal service wherever made, performed or intended to be performed within the Territory.

Contracts of Service and Labour

Certain contracts to be in writing.

4. Every contract of personal service or hiring of labour for a period of more than one year shall be in writing and signed by the contracting parties.

Recovery of Wages

Laying of information by employee.

5. Every employee who has a cause of complaint against his employer for

(a) the non-payment of wages earned by him in the course of his employment,

(b) the non-payment of wages payable to him under a contract of personal service or hiring of labour, or

(c) improper dismissal,

may lay an information in writing and under oath before a justice, stating the cause of the complaint and the amount of wages claimed, if any.

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Summons.

6.(1) Upon receiving the information referred to in section 5 the justice shall summon the employer to appear before him at a time and place to be stated in the summons to answer the complaint of the employee.

Service by justice or complainant.

(2) The justice receiving the information shall arrange for service of the summons upon the employer, unless the complainant undertakes to serve him.

Service on individual.

(3) The summons and every subsequent document pertaining to the proceedings may be served upon the person to whom it is directed either by delivering it to him personally, or if he cannot conveniently be found, by sending it to him by registered mail, or by leaving it with any person who appears to be at least sixteen years of age, at his last known place of residence or at the place where he carried or carries on business.

Service on corporation.

(4) Where an employer is a corporation, the summons shall be served by delivering it to the manager, secretary, or other executive officer of the corporation or of any branch thereof.

Service on municipality.

(5) Where an employer is a municipality, the summons shall be served by delivering it to the mayor, clerk or treasurer of the municipality.

Proof of service.

(6) Service of a summons may be proved by oral evidence given under oath by the person who served it or by his affidavit made before a justice, a notary public or a commissioner for oaths.

Costs of adjournment.

7.(1) An adjournment of the hearing of any complaint may be allowed on payment to the employee of the amount, to be fixed by the justice, of the employee's costs in attending the hearing unless the justice is of the opinion that the adjournment has been made necessary by any act or omission of the employee.

Payment to be made forthwith.

(2) Unless immediate payment of the amount referred to in subsection (1) is dispensed with by the justice, payment thereof shall be made forthwith by the employer.

Order of justice after hearing on non-payment of wages.

8.(1) If upon examining into the matters alleged in any complaint made under paragraph (a) or (b) of section 5, the justice is satisfied that the cause of complaint has been established, he shall order the employer to pay to the employee the amount of wages found to be due to him and

(a) may order the employer to pay to the employee the amount of wages that would have been due to him up to the time when his service could or would have been legally ended by notice from the employer or by passage of time, together with the costs of prosecution, and

(b) may release the employee from his employment if the term of his employment has not expired, whether or not the employee is still in actual service with the employer.

Maximum award.

(2) The amount ordered to be paid pursuant to this section shall not exceed six months' wages or one thousand dollars, whichever is the lesser, exclusive of the costs of prosecution.

Order of justice after hearing improper dismissal.

9.(1) If, upon examining into the matters alleged in any complaint made under paragraph (c) of section 5, the justice is satisfied that the cause of complaint has been established, he may, in addition to making any order contemplated by section 8, order the employer to pay to the employee

(a) such further amount as to him appears

..... / 3.

reasonable under the circumstances, not exceeding, however, one month's wages,

(b) an amount equal to the wages the employee would have earned between the date of the improper dismissal and the determination of the complaint by the justice, or

(c) two hundred dollars,

whichever is the least, together with the costs of prosecution.

Maximum award.

(2) Any amount ordered to be paid pursuant to this section shall not exceed the amount, if any, by which one thousand dollars exceeds the amount ordered to be paid pursuant to section 8, exclusive of the costs of prosecution.

Order where dismissal justified.

(3) Where a justice in examining into a complaint for improper dismissal is satisfied that

(a) the employee was dismissed from the employment of the employer for good and sufficient cause, and

(b) wages are due to the employee,

he may order the employer to pay to the employee the amount of the wages found to be due, not exceeding six months' wages or one thousand dollars, whichever is the lesser, together with the costs of prosecution.

Dispensing with costs on commencement of prosecution.

10.(1) The justice before whom any complaint is made under this Ordinance, upon being satisfied that the complainant is unable, by reason of lack of funds or otherwise, to pay the costs of the proceedings in connection with the complaint, may dispense with the payment of such costs or extend the time for their payment until after the determination of the proceedings.

Adding of amount to judgment.

(2) Where the payment of costs has been dispensed with or postponed under this section and an order is made in favour of the complainant, such costs, including any other costs allowed to the complainant, shall be included in the amount ordered to be paid by the employer.

Set-off or counterclaim by employer.

11.(1) If upon the hearing of a complaint under section 8 it is proven to the satisfaction of the justice that the employer would be entitled, in a civil action, to a claim by way of set-off or counterclaim, he shall deduct from any wages or other amount found to be due to the employee, the amount that in the opinion of the justice the employer would be entitled to by the set-off or counterclaim.

Dismissal of complaint if set-off or counterclaim greater.

(2) If the amount, as established pursuant to subsection (1), that the employer would be entitled to by the set-off or counterclaim is equal to or greater than the amount determined to be due to the employee, the justice shall dismiss the complaint.

Time for payment of order.

12.(1) Unless the employer satisfies the justice under oath that he is unable to pay the full amount ordered to be paid forthwith and intends to pay the same within a specified time, the order of the justice shall direct payment of the amount ordered to be paid by the employer to be made forthwith.

Security on postponement of payments.

(2) Where a justice does not order payment by an employer to be made forthwith pursuant to subsection (1), he may order such security as he deems adequate to be given as a condition of the postponement of such payment.

Enforcement of order of justice.

13. (1) In case of non-payment of any amount ordered to be paid pursuant to this Ordinance the justice may, on application of the employee in whose favour an order has been made, issue a warrant for the distress and sale of any goods and chattels of the employer not exempted from seizure under the Exemptions Ordinance.

Where several claim.

(2) Where the justice determines in one day the complaints of more than one employee of the same employer and amounts are ordered to be paid by the employer to more than one such employee, the justice may issue one distress warrant covering all the amounts ordered to be paid to such employees and in the event of realization thereof the employees shall share in the proportion their claims ordered to be paid bear to the total of all such claims included therein.

No imprisonment for non-obedience.

(3) The provisions of the Criminal Code for enforcing an order requiring payment of a sum of money do not apply to proceedings under this Ordinance.

Filing of justice's order in Territorial Court.

14. (1) An employee in whose favour an order is made under this Ordinance for a sum in excess of twenty-five dollars may file a copy of the order, signed by the justice making it, in the office of the Clerk of the Territorial Court.

Effect of filing.

(2) Upon the filing in the Territorial Court of an order for payment referred to in subsection (1) it shall become an order of such Court and may be enforced in the same manner as a judgment or order of the Court for the recovery of a debt in the amount specified in the order.

Enforcement in one court at a time only.

(3) Until a justice's distress warrant issued under section 13 has been returned showing the amount realized thereunder, no further proceedings shall be taken by an employee on the order for payment filed in the Territorial Court.

Copy of order where justice has died, etc.

15. (1) In the case of the death, illness, absence or resignation of the justice who has heard and determined a complaint under this Ordinance and made an order in favour of an employee for the payment of any money, any other justice, if satisfied of the fact of the order, may issue a certified copy of the order making all necessary changes therein.

Effective copy.

(2) A certified copy of an order made under subsection (1) has the same force and effect as if made by the justice who heard and determined the information and made the order.

Appeals

Appeal.

16. (1) Subject to subsection (2), no appeal lies from an order of a justice made under this Ordinance.

Cases where allowed.

(2) Where an order of a justice discharges an employee from his employmentor orders the payment of an amount not less than one hundred dollars exclusive of costs, an appeal lies to a judge of the Territorial Court.

Appeal to be new trial.

(3) The procedure on an appeal shall be by way of a new trial.

Time of appeal.

17. (1) Every person appealing from an order of a justice as described in subsection (2) of section 16 shall notify in writing the justice making the order, within fifteen days after the making of the order, of his intention to appeal.

Action of justice on appeal.

(2) On receiving notification of intention to appeal, the justice shall advise the respondent in writing as soon as possible of the appellant's intention to appeal and shall forward to the Clerk of the Territorial Court a copy of the order being appealed.

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Extension of time for appeal.

(3) Where in the opinion of the judge to whom the appeal is taken extenuating circumstances exist, the time for giving the notice of intention to appeal may, on ex parte application, be extended for such period as to the judge seems fair and just.

Justice to notify appellant of service.

(4) The justice whose order is appealed from shall notify the appellant when service of the notice of intention to appeal has been made on the respondent.

Time for hearing appeal.

18. (1) An appeal from an order of a justice shall be heard at the first sitting of the Territorial Court held in the area wherein the cause of complaint arose, next following twenty days after service of the notice of intention to appeal upon the respondent.

When appeal to act as stay of proceedings.

(2) An appeal shall operate as a stay of proceedings only in respect of the amount by which the award exceeds two hundred dollars.

Power of appeal court.

(3) Upon hearing the appeal the judge may confirm, vary or reverse the decision of the justice or make such other order in the matter as he deems fit and just.

Miscellaneous

Civil remedy preserved.

19. Except in so far as a complaint made under this Ordinance has been determined by any order made hereunder, nothing in this Ordinance shall be held to affect any civil or other remedy for the recovery of wages or damages by an employee from his employer or for the recovery of damages by an employer from his employee.

Limitation of actions.

20. No proceedings shall be instituted under this Ordinance unless brought within one year after the period of service or employment has ceased or been terminated, or within six months after the last instalment of wages under the agreement of hiring or contracting of services has become due, whichever date may be the later.

Calculation of wages where not agreed upon.

21. Where no specific rate of wages has been expressly agreed upon by the parties, the justice may order payment of wages according to the rate that appears to him to be fair and reasonable, having regard to the current rate of wages being paid for similar work in the district.

Agreement to deprive employees of benefits of Ordinance void.

22. Every term of a contract or agreement, whether oral or written, expressed or implied, whereby it is agreed that this Ordinance shall not apply, or that the remedies hereby provided shall not be available for the benefit of any person entering into such contract or agreement, is void.

Fees and allowances.

23. (1) Subject to subsection (2), the fees and allowances set forth in the Criminal Code in proceedings before summary conviction courts and justices and no others are the fees and allowances that may be allowed as costs in proceedings before a justice under this Ordinance.

Solicitor's fees.

(2) The costs of proceedings before a justice under this Ordinance shall include, where applicable, such amounts as the justice may allow for solicitor's fees but not exceeding

(a) twenty-five dollars, where the amount awarded is two hundred dollars or under;
(b) fifty dollars, where the amount awarded is over two hundred dollars and under five hundred dollars; and
(c) seventy-five dollars, where the amount awarded is five hundred dollars or over.

Repeal.

24. The Masters and Servants Ordinance is repealed.

CHAPTER 3

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO PREVENT DISCRIMINATION IN REGARD TO ACCOMMODATION AND EMPLOYMENT AND IN REGARD TO MEMBERSHIP IN TRADE UNIONS BY REASON OF RACE, RELIGION, RELIGIOUS CREED, COLOUR, ANCESTRY, OR ETHNIC OR NATIONAL ORIGIN.

(Assented to November 22nd, 1963)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows :

Short title.

1. This Ordinance may be cited as the Fair Practices Ordinance.

Definitions.

2. In this Ordinance,

"Employee"

(a) "employee" means any person who is in receipt of, or entitled to, compensation for labour or services performed for another, but does not include an independent contractor;

"Employer"

(b) "employer" means a person, firm, corporation, agent, manager, representative, contractor, sub-contractor, or principal, having control or direction of, or responsible, directly or indirectly, for the employment of an employee;

"Employers' organization"

(c) "employers' organization" means an organization of employers formed for purposes that include the regulation of relations between employers and employees;

"Employment agency"

(d) "employment agency" includes a person who undertakes, with or without compensation, to procure employment for persons;

"Trade union"

(e) "trade union" means any organization of employees formed for the purpose of regulating relations between employers and employees.

Employers not to discriminate.

3. (1) No employer shall refuse to employ, or to continue to employ, a person or adversely discriminate in any term or condition of employment of such person, because of the race, religion, religious creed, colour, ancestry, or ethnic or national origin of such person.

Discriminatory application forms.

(2) No person shall require an applicant for employment to complete a form of application for employment that requires the applicant to give particulars as to his race, religion, religious creed, colour, ancestry, or ethnic or national origin.

Membership in trade unions.

(3) No trade union shall exclude any person from full membership, or expel or suspend or otherwise discriminate against any of its members, or discriminate against any person in regard to his employment by any employer, because of the race, religion, religious creed, colour, ancestry, or ethnic or national origin of that person.

Discharge, expulsion, etc.

(4) No employer or trade union shall discharge, expel or otherwise discriminate against any person because he has made a complaint or given evidence or assisted in any way in respect of the initiation or prosecution of a complaint or other proceeding under this Ordinance.

..... / 2.

Discrimination prohibited.

4. (1) No person shall, because of the race, religion, religious creed, colour, ancestry, or ethnic or national origin of any person, deny to that person the accommodation, services or facilities available in any place to which the public is customarily admitted.

(2) No person, directly or indirectly, alone or with another, by himself or by the interposition of another, shall,

(a) deny to any person or class of persons occupancy of any apartment in any building that contains more than six self-contained dwelling units; or

(b) discriminate against any person or class of persons with respect to any term or condition of occupancy of any apartment in any building that contains more than six self-contained dwelling units,

because of the race, creed, colour, nationality, ancestry or place of origin of such person or class of persons.

Publication of discriminatory signs prohibited.

5. No person shall

(a) publish or display or cause to be published or displayed, or

(b) permit to be

(i) published in a newspaper that he controls, or
(ii) displayed on lands or premises that he controls,

any notice, sign, symbol, emblem or other representation indicating discrimination, or an intention to discriminate, against any person or any class of persons in respect of the accommodation, services or facilities to which section 4 applies, or in respect of employment or prospective employment, because of the race, religion, religious creed, colour, ancestry, or ethnic or national origin of that person or class of persons.

Complaint.

6. (1) Any person claiming to be aggrieved because of an alleged violation of any provision of this Ordinance may make a complaint in writing to the officer appointed by the Commissioner to inquire into complaints made under this Ordinance.

Officer appointed to hear complaint.

(2) The Commissioner may appoint an officer to inquire into any complaint made under subsection (1), and such officer shall give full opportunity to all parties to present evidence and make representations and shall endeavour to effect settlement of the matters complained of.

Recommendations of officer to Commissioner.

(3) In case a settlement of a complaint is not effected, if the officer finds that the complaint is supported by evidence, he shall recommend to the Commissioner the course that ought to be taken with respect to the complaint.

Clarifications of recomendations.

(4) After the officer has made his recommendations, the Commissioner may direct him to clarify or amplify his recommendations; and they shall be deemed not to have been received by the Commissioner until they have been so clarified or amplified.

Copy of recomendations to persons affected.

(5) Upon receipt of the recommendations of the officer, the Commissioner shall furnish a copy thereof to each of the persons affected and shall publish them, if he deems it advisable, in such manner as he sees fit.

Order of Commissioner.

(6) The Commissioner may issue whatever order he deems necessary to carry into effect the recommendations of the officer, including ordering reinstatement of an employee with or without compensation for loss of employment and such order shall be personally served upon the persons affected thereby.

Appeal.

7. (1) Any person affected by an order of the Commissioner may, at any time within ten days after personal service of the order upon him, appeal against the order to a judge of the Territorial

..... / 3.

Court by way of originating notice of motion to vary or set aside the order.

Service of notice.

(2) The appellant shall, not less than ten days before the date for the hearing of the appeal stated in the originating notice of motion, serve on the complainant and on the Commissioner a copy of the originating notice of motion.

Hearing of appeal and effect of decision.

(3) The judge of the Territorial Court may hear the appeal on the day and at the time stated in the originating notice of motion or may adjourn the hearing for such time as he deems fit, and may direct notice thereof to be served on such other persons as he deems advisable; and the hearing thereof shall be a trial de novo and the decision of the judge shall be conclusive and not subject to further appeal.

Compliance with order.

(4) Every person in respect of whom an order is made pursuant to subsection (6) of section 6 shall comply therewith, unless he appeals therefrom as herein provided; in which event, unless it is set aside, he shall comply with the order as affirmed or as varied on the appeal.

Offences.

8. (1) Every person who violates a provision of this Ordinance is guilty of an offence and liable on summary conviction

(a) if an individual, to a fine of one hundred dollars and in default of payment, to imprisonment for a period not exceeding three months; and

(b) if a corporation, trade union, employers' organization or employment agency, to a fine not exceeding five hundred dollars.

Idem.

(2) Where a fine that is imposed upon a corporation under subsection (1) is not paid as directed, the prosecutor may, by filing the conviction, enter as a judgment the amount of the fine and costs, if any, in the Territorial Court and that judgment is enforceable against the corporation in the same manner as if it were a judgment rendered against the corporation in that Court in civil proceedings.

Payment to employee and reinstatement.

9. Where an employer is convicted for violation of section 3 by reason of his having suspended, transferred, laid off, or discharged an employee contrary to this Ordinance, the convicting judge or magistrate, in addition to any other penalty, may order the employer to pay to the employee compensation for loss of employment not exceeding such sum as, in the opinion of the judge or magistrate, as the case may be, is equivalent to the wages, salary or remuneration that would have accrued to the employee up to the date of conviction but for the suspension, transfer, lay-off or discharge; and may order the employer to reinstate the employee in his employ at such date as, in the opinion of the judge or magistrate, is just and proper in the circumstances, in the position the employee would have held but for the suspension, transfer, lay-off or discharge.

Prosecution of employers' organization or trade union.

10. A prosecution for an offence under this Ordinance may be brought against an employers' organization or trade union; and for the purpose of such a prosecution an employers' organization or trade union shall be deemed to be a person, and any act or thing done or omitted by an officer or agent of an employers' organization or trade union, within the scope of his authority to act on behalf of the organization or trade union, shall be deemed to be an act or thing done or omitted by the employers' organization or trade union.

Injunction proceedings.

11. (1) Where a person has been convicted of a vilation of this Ordinance, the Commissioner may apply, by way of originating notice, to a judge of the Territorial Court for an order enjoining that person from continuing the violation, and the judge, in his discretion, may make such an order.

..... / 4.

Idem.

(2) Any order made by a judge of the Territorial Court pursuant to subsection (1) may be enforced in the same manner as any other order or judgment of that Court.

Consent to prosecution.

12. No prosecution for an offence under this Ordinance shall be instituted without the consent in writing of the Commissioner.

Where Ordinance not applicable.

13. (1) This Ordinance does not apply to employment of persons

(a) in domestic service in a private home;

(b) in any exclusively charitable, philanthropic, educational, fraternal, religious, or social organization or corporation that is not operated for private profit;

(c) in any organization that is operated primarily to foster the welfare of a religious or racial group and that is not operated for private profit; or

(d) where the employer employs fewer than five employees.

Idem.

(2) Nothing in this Ordinance deprives any school or board of trustees thereof of the right to employ persons of any particular religion or religious creed where religious instruction forms or can form the whole or part of the instruction or training provided by such school or board of trustees pursuant to the provisions of the School Ordinance.

Idem.

(3) Nothing in this Ordinance deprives any employer of the right to employ persons of any particular race, religion, religious creed, colour, ancestry, or ethnic or national origin in preference to other persons where such preference is based upon a bona fide occupational qualification.

CHAPTER 4

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AUTHORIZE THE COMMISSIONER OF THE YUKON TERRITORY TO ENTER INTO AND EXECUTE AN AGREEMENT WITH THE GOVERNMENT OF CANADA RESPECTING THE SEAPLANE BASE AT MAYO AIRPORT

(Assented to November 22nd, 1963)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

Short title.

1. This Ordinance may be cited as the "Mayo Seaplane Base Agreement Ordinance"

Commissioner may execute agreement.

2. The Commissioner may, on behalf of the Government of the Yukon Territory, enter into an agreement with the Government of Canada, under and for the purposes of the Territorial Lands Act to provide for the acceptance from the Government of Canada of the seaplane base at Mayo Airport at Mayo in the Yukon Territory and for the use and maintenance of the same upon such terms and conditions as may be contained in the agreement.

Amendment of agreement.

3. Any agreement made under this Ordinance may be amended

(a) with respect to the provisions of the agreement in respect of which a method of amendment is set out in the agreement, by that method; or

(b) with respect to any other provision of the agreement, by the mutual consent of the parties thereto.

Commissioner may implement agreement.

4. The Commissioner is authorized to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Yukon Territory under the agreement made under this Ordinance.

[illegible]

[illegible]

[illegible]

(Commencement [illegible] 1955)

[illegible]

[illegible]

1. [illegible]

[illegible]

Short title.

2. [illegible]

Commencement of the Act.

3. [illegible]

(a) [illegible]

(b) [illegible]

Repeal of [illegible].

4. [illegible]

CHAPTER 5

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND THE INSURANCE ORDINANCE

(Assented to November 22nd, 1963)

R.O.Y.T. 1958, c.57; 1959(1st)c.4.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows :

1. The Insurance Ordinance is amended by adding thereto, immediately after section 131 thereof, the following section:

Nuclear energy hazard liability insurance.

"131A. (1) A person insured under a policy of nuclear energy hazard liability insurance issued by a group of insurers against loss or damage resulting from bodily injury to, or the death of, any person or against loss of or damage to property arising directly or indirectly from a nuclear energy hazard may, with respect to any such loss or damage and whether named in that policy or not, recover under that policy (if it is in force at the time of the event giving rise to that loss or damage) in the same manner and to the same extent as the insured and for that purpose shall be deemed to be a party to the contract and to have given consideration therefor.

Liability for nuclear energy hazard.

(2) Subject to subsection (4), where a person is insured

(a) under a policy of automobile insurance against loss or damage resulting from bodily injury to, or the death of, any person or against loss of or damage to property arising directly or indirectly from a nuclear energy hazard, and

(b) under a policy of nuclear hazard liability insurance described in subsection (1),

the insurer under the policy of automobile insurance is liable to indemnify the insured, whether named in those policies or not, only for such liability as is imposed by law on the insured and that is in excess of the limits of liability under the nuclear energy hazard liability policy but that does not exceed the minimum limits prescribed by section 132.

"Nuclear energy hazard" defined.

(3) For the purpose of this section,

(a) "nuclear energy hazard" means the radioactive, toxic, explosive or other hazardous properties of substances which are referred to in the Atomic Energy Control Act as "prescribed substances"; and

When policy deemed in force.

(b) a policy of nuclear energy hazard liability insurance shall be deemed to be in force at the time of the event giving rise to the loss or damage, notwithstanding that the limits of liability thereunder have been exhausted.

Section not to apply.

(4) This section does not apply to a policy of insurance unless the policy contains a statement that liability for loss or damage resulting from a nuclear energy hazard is limited by this section if the insured is also covered by nuclear energy hazard liability insurance."

CHAPTER 6

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND THE CORPORATION SECURITIES REGISTRATION ORDINANCE

(Assented to November 22nd, 1963)

c3. O.Y.T. 1963 (First Session)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows :

1. Section 13 of the Corporation Securities Registration Ordinance is repealed and the following substituted therefor :

"13. The Commissioner from time to time may, by order, appoint such person or persons as he thinks proper to act as Registrar of Corporation Securities or Deputy Registrar of Corporation Securities."

[illegible]

[illegible]

[illegible]

AN ORDINANCE [illegible] SECURITIES
[illegible]

(Adopted [illegible])

03.
O.K.T.
1965
(Other
Orders)

The Commissioner of [illegible] Authority, by and with the advice and consent of the [illegible] Council of the said Territory, [illegible] as follows :

1. Section [illegible] of the Organisation Securities Authority Ordinance is repealed and [illegible] follows by [illegible] thereof :

"1. The Commissioner may [illegible] any, by order, appoint any person [illegible] fit to be [illegible] of the Authority or of [illegible] Securities or Foreign Exchange or [illegible] Regulation."

CHAPTER 7

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND THE MEDICAL PROFESSION ORDINANCE

(Assented to November 22nd, 1963)

R.O.Y.T. 1958, c.73.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Paragraph (b) of subsection (1) of section 4 of the Medical Profession Ordinance is repealed and the following substituted therefor:

"(b) produces to the Commissioner a certificate under the hand of the Registrar of the Medical Council of Canada showing that his name is registered in the Canadian Medical Register under the provisions of the Canada Medical Act, and satisfied the Commissioner that he is the person named in the certificate and that he is a suitable person;"

2. The said Ordinance is further amended by adding thereto, immediately after section 7 thereof, the following section:

Temporary permits.

"7A. (1) The Commissioner may after consultation with the Y.M.A. issue a permit to practise medicine in such parts of the Territory upon payment of such fees and upon such terms and conditions as the Commissioner may specify in the permit to any person who

(a) has completed at least a four years' course of study in medicine or surgery or both at a school of medicine or surgery of recognized standing and has received a diploma or certificate of qualification from such school; and

(b) satisfies the Commissioner that he is the person to whom the diploma or certificate was issued, is of good character and is qualified from the standpoint of his professional proficiency to practise as a medical practitioner, physician or surgeon.

Duration of permit.

(2) A permit issued under this section may be for such period of time as the Commissioner may specify in the permit and may after consultation with the Y.M.A. be renewed by the Commissioner from time to time, but no person shall be permitted to practise medicine pursuant to this section for more than four years.

Holder of permit deemed holder of licence.

(3) A person who holds a permit issued under this section shall, when practising medicine pursuant to this section, be deemed to be the holder of a licence."

CHAPTER 8

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND THE AREA DEVELOPMENT ORDINANCE

(Assented to November 22nd, 1963)

R.O.Y.T. 1958, c.7.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory enacts as follows :

1. Section 4 of the Area Development Ordinance is amended by striking out the word "and" at the end of paragraph (e) thereof, by adding the word "and" at the end of paragraph (f) thereof, and by adding the following paragraph thereto:

"(g) the regulation or the prohibition of the discharge of guns or other firearms within a development area."

CHAPTER 9

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE

(Assented to November 22nd, 1963)

.O. 1958, c.77:
1960 (3rd Sess.), .5;
1961 (2nd Sess.), .7;
1962 (1st Sess.), .21;
1962 (5th Sess.), .8;
1960 (3rd Sess.), .3,s.4.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 8 of the Motor Vehicles Ordinance is amended by adding thereto the following subsection:

"(7) A certificate of the Commissioner stating that the person named therein has not taken out or maintained in force a policy of a motor vehicle liability insurance as required by subsection (1) is admissible in evidence in a prosecution of such person for a violation of that subsection, and is prima facie proof of the statement contained in the certificate."

2. Subsections (2) and (3) of section 25 of the said Ordinance are repealed and the following substituted therefor:

Exemption for non-residents.

"(2) Subsection (1) does not apply to a person who does not reside or carry on business in the Territory for more than ninety consecutive days in each year if he holds a chauffeur's licence or operator's licence issued to him by his province, state or country of residence.

Exemption for learners.

(3) Subsection (1) does not apply to a person who is fifteen years of age or over and is learning to operate a motor vehicle where he is accompanied by a person who holds a chauffeur's licence or operator's licence and who sits beside the person learning to operate the vehicle for the purpose of teaching him to operate it."

3. The said Ordinance is further amended by the following amendment to Schedule A thereto:

(a) Paragraphs (a) and (c) of Section 1 are repealed and the following substituted therefor;

(a) Trucks or truck tractors, with a load or hauling capacity of

[illegible]

		Full Fee	Oct. 1 Sep. 31	Jan. 1 Mar. 31
(i)	2,000 lbs. or less	$15.00	7.50	4.00
(ii)	2,001 lbs. to 6,000 lbs.	30.00	15.00	7.50
(iii)	6,001 lbs. to 10,000 lbs.	50.00	25.00	12.00
(iv)	Over 10,000 lbs.	100.00	50.00	25.00

(b) Subsection (d) (e) and (f) of Section 1 are redesignated as (c) (d) and (e).

4. Paragraphs (a) and (b) of Section 2 are repealed and the following substituted therefor:

(a) public service vehicle trucks or truck tractors, with a load or hauling capacity of

(i)	2,000 lbs. or less	$15.00	7.50	4.00
(ii)	2,001 lbs. to 6,000 lbs.	30.00	15.00	7.50
(iii)	6,001 lbs. to 10,000 lbs.	125.00	62.50	32.00
(iv)	Over 10,000 lbs.			
	Tractors with two axles	150.00	75.00	37.50
	Tractors with more than two axles.	250.00	125.00	65.00

(b) public service vehicle trucks or truck tractors restricted to hauling goods through the Territory only (these vehicles to be issued a licence plate showing the letters F.T. rather than P.S.V.) with a load or hauling capacity of

(i)	10,000 lbs. or less	$100.00	50.00	25.00
(ii)	Over 10,000 lbs.	200.00	100.00	50.00

5. Section 3 and 4 of this Ordinance shall come into force on the first day of April, 1964.

6. Subsections (2) and (3) of Section 76 of the Motor Vehicles Ordinance be repealed and the following substituted therefor:

"(2) No person shall drive a motor vehicle upon a highway at a greater rate of speed than

(a) thirty miles an hour within a municipality or settlement; or

(b) the maximum speed designated by signs erected along the highway under Sections 151 and 155.

(3) The maximum permitted speed for motor vehicles on highways in the Territory outside municipalities or settlements is sixty miles per hour unless otherwise posted."

7. The Ordinance is further amended by adding to Section 76 the following subsection:

"(4) Notwithstanding anything to the contrary in this section contained a municipality may establish by by-law a lower maximum speed than thirty miles an hour for any highway or portion of a highway in its jurisdiction."

CHAPTER 10

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND AN ORDINANCE TO PROHIBIT CHILDREN BEING ON THE STREETS AFTER NIGHTFALL

(Assented to November 22nd, 1963)

c.27
O.Y.T.
1958

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 4 of the Curfew Ordinance is amended by deleting the "period" at the end of Section 4 thereof, and by adding the following paragraph thereto:

"or by an adult duly authorized in writing by the parent or guardian."

CHAPTER 11

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND AN ORDINANCE EMPOWERING THE COMMISSIONER OF THE YUKON TERRITORY TO GRANT A FRANCHISE TO THE YUKON ELECTRICAL COMPANY LIMITED TO SELL AND DISTRIBUTE ELECTRICAL ENERGY IN THE TESLIN AREA, YUKON TERRITORY

(Assented to November 22nd, 1963)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows :

c.1 O.Y.T. 1963 (1st)

1. Section 2 of An Ordinance empowering the Commissioner of the Yukon Territory to grant a franchise to the Yukon Electrical Company Limited to sell and distribute electrical energy in the Teslin Area, Yukon Territory, is repealed and the following substituted therefor :

"2. The agreement made under this Ordinance may be varied or amended from time to time by agreement between the Commissioner and The Yukon Electrical Company Limited."

2. The said Ordinance is further amended by adding thereto the following Section :

"3. The Commissioner shall cause any variations made to the agreement pursuant to Section 2, to be tabled at the first session of the Territorial Council following such variations."

CHAPTER 12

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO AMEND THE LABOUR PROVISIONS ORDINANCE

(Assented to November 22nd, 1963)

R.O.Y.T.
1958 C.62
1961(3rd) c.3
1962(1st) c.15
1962(5th) c.9

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 7 of the said Ordinance is hereby repealed and the following substituted therefor:

> "7. An employer who holds a contract for the performance of a public work of the Territory shall pay his employees who are engaged on or in connection with such public work not less than the prevailing wage rate applicable to the work performed by his employees as said rate is set out in the Fair Wages Schedules published from time to time by the Federal Department of Labour."

2. This amendment shall be in force on and take effect from the first day of April 1964.

CHAPTER 13

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE TO REPEAL AN ORDINANCE TO INCORPORATE THE NORTH STAR ATHLETIC ASSOCIATION, LIMITED

(Assented to November 22nd, 1963)

c.13
O.Y.T.
1903

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows :

1. An Ordinance to Incorporate the North Star Athletic Association, Limited, being Chapter 13 of the Ordinances of the Yukon Territory, 1903, is hereby repealed.

CHAPTER 14

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY

(Assented to November 22nd, 1963)

WHEREAS it appears by message from Gordon Robertson Cameron, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purposes relating thereto, for the twelve months ending March 31st, 1963.

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

Short Title

1. This Ordinance may be cited as the Fifth Supplementary Appropriation Ordinance 1962-63.

Amount granted

2. From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum net exceeding in the whole fifty-nine thousand four hundred and seventy-five dollars and sixty one cents for defraying the several charges and expenses of the public service of the Yukon Territory for the twelve months ending March 31st, 1963, as set forth in Schedule "A" of this Ordinance.

Monies to be accounted for.

3. The due application of all monies:-

(A) expended pursuant to Section 2 and

(B) recoverable as set forth in Schedule B

shall be duly accounted for.

SCHEDULE "A"

Sums granted to the Commissioner by the Ordinance for the twelve months ending March 31st, 1963, and the purposes for which they are granted.

Vote No.	Operation and Maintenance		
9	Roads, Bridges and Public Works		
	Stewart Crossing - Dawson Road	$ 35,741.51	
	Flat Creek - Eagle Plains Road	23,734.10	
	Total Gross Expenditure		$ 59,475.61

SCHEDULE "B"

Expenditure Recoverable:

Vote No.	Operation and Maintenance Recoveries		
9	Roads, Bridges and Public Works		
	Stewart Crossing - Dawson Road	$ 30,380.28	
	Flat Creek - Eagle Plains Road	20,173.99	
	Total Gross Recoveries		$ 50,554.27

CHAPTER 15

ORDINANCES OF THE YUKON TERRITORY

1963 (Second Session)

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY

(Assented to November 22nd, 1963)

WHEREAS it appears by message from Gordon Robertson Cameron, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending March 31st, 1964.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

Short Title

1. This Ordinance may be cited as the First Supplementary Appropriation Ordinance 1963-64.

Amount Granted

2. From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eight hundred and thirty-one thousand and forty-six dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31st, 1964, as set forth in Schedule "A" of this Ordinance.

Monies to be accounted for.

3. The due application of all monies:-

(A) expended pursuant to Section 2 and

(B) recoverable as set forth in Schedule B

shall be duly accounted for.

SCHEDULE "A"

Sums granted to the Commissioner by the Ordinance for the twelve months ending March 31st, 1964, and the purposes for which they are granted.

Vote No.	Operation and Maintenance		
2.	Territorial Treasurer & Collector of Taxes		
	Salaries	$ 10,700.00	
	Travelling Expense	2,000.00	
	Insurance - Unemployment	300.00	
	Insurance - Workmen's Compensation	35.00	
	Employees' Superannuation Fund	643.00	$ 13,678.00
5.	Health and Public Welfare		
	Health		
	St. Mary's Hospital, Dawson	47,523.00	
	Welfare		
	Administration	4,298.00	
	Unemployment Assistance	(15,500.00)	
	St. Mary's Nursing Home, Dawson	51,567.00	
	Watson Lake Welfare Office	858.00	
		41,223.00	$ 88,746.00
6.	Municipal & Area Development Administration		
	Sewer and Water Survey		(10,000.00)
8.	General		
	Yukon Regional Library	3,200.00	
	Whitehorse Vocational Training School	37,585.00	
	Whitehorse Vocational Training School Dormitory	19,278.00	
	Mayo General Hospital	10,605.00	
	Administration - General	6,510.00	
	Alaska - British Columbia - Yukon Conference	1,495.00	
	Public Administrator	5,303.00	$ 83,976.00
9.	Roads, Bridges and Public Works		
	Head Office Supervision	4,248.00	
	Territorial Buildings	2,000.00	
	Stewart Crossing - Dawson Road	14,000.00	
	Duncan Creek Road	2,000.00	
	Whitehorse - Keno Highway	(9,000.00)	
	South Access Road to Whitehorse	2,400.00	
	Carcross Bridge	1,500.00	
	McQuesten Bridge on Proctor Road	11,650.00	
	Grey Mountain Road	150.00	
	Repairs to foot Bridge - Miles Canyon	4,000.00	
	Tagish Microwave Road	578.00	$ 23,526.00

Vote No.				
12	Travel and Publicity			
	Salaries	$ 3,600.00		
	Travelling Expense	1,000.00		
	Films, Displays and Advertising	6,500.00		
	Stationery and Office Supplies	300.00		
	Repairs and Upkeep of Equipment	30.00		
	Insurance - Unemployment	37.00		
	Grants	6,000.00	$	17,467.00
	Total Operation and Maintenance			217,393.00
10	Capital Account			
	Project Capital			
	Territorial Treasurer & Collector of Taxes			
	Furniture and Office Equipment		$	1,400.00
	Education			
	Road Equipment	4,925.00		
	F.H. Collins Secondary School	27,827.00		
	Whitehorse Elementary School	1,528.00		
	Porter Creek School	11,236.00		
	Watson Lake Elementary High School	11,189.00		
	Watson Lake Separate School	(24,000.00)		
	Mayo School - Addition	53,557.00		
	Haines Junction School - New	33,000.00		
	Carmacks School - Addition	18,109.00		
	School Bus Garage - Watson Lake	5,000.00		
	Dawson Elementary - High School	4,456.00		
	Mayo Teacherage - Pan Abode Building	17,000.00		
	Teslin School - New	33,000.00		
	Elsa School - Alterations	3,650.00	$	200,477.00
	Territorial Secretary and Tax Assessor			
	Furniture and Office Equipment			1,050.00
	Health and Public Welfare			
	Health			
	Furniture and Office Equipment	300.00		
	Mayo General Hospital Equipment	4,800.00		
	Watson Lake Nursing Station	3,510.00		
		8,610.00		
	Welfare			
	Furniture and Office Equipment	17,650.00	$	26,260.00

Vote No.			
10	Capital Account (Cont'd)		
	Municipal & Area Development Administration		
	Fire Equipment	9,470.00	
	Whitehorse Metropolitan Plan	5,280.00	
	Moving Squatters Houses	20,000.00	
	Aerial Survey, Whitehorse	6,500.00	
	Sewer and Water Survey	70,000.00	$ 111,250.00
	Game		
	Furniture and Office Equipment		360.00
	General		
	Furniture and Office Equipment	2,969.00	
	Vocational Training School and Dormitory	107,741.00	$ 110,710.00
	Roads, Bridges and Public Works		
	Road and Garage Equipment	23,600.00	
	Territorial Accommodation in Federal Building	350.00	
	Senior Citizens Home, Whitehorse	1,200.00	
	Mayo Subdivision	2,000.00	
	Carmacks Streets	3,000.00	
	Grey Mountain Road	350.00	
	Bonanza Recreational Road	2,000.00	
	St. Mary's Hospital, Dawson	48,143.00	
	Haines Junction Liquor Store	3,625.00	
	Stewart Crossing Grader Station - Extension	3,628.00	
	Explosive Shed - Canol Road	250.00	
	Bridge M.P. 18, Carcross Road	5,000.00	
	Dempster Highway	34,000.00	
	Watson Lake Resources Construction	35,000.00	$ 162,146.00
	Total Capital Account		$ 613,653.00
	Total Gross Expenditure		$ 831,046.00

SCHEDULE "B"

EXPENDITURE RECOVERABLE:

Vote No.				
	Operation and Maintenance Recoveries			
5.	Health and Public Welfare			
	Health			
	St. Mary's Hospital, Dawson	$ 47,523.00		
	Welfare			
	Unemployment Assistance	(7,750.00)		
	St. Mary's Nursing Home, Dawson	39,995.00		
		32,245.00	$	79,768.00
8.	General			
	Whitehorse Vocational Training School	18,793.00		
	Whitehorse Vocational Training School Dormitory	13,174.00		
	Mayo General Hospital	10,605.00	$	42,572.00
9.	Roads, Bridges and Public Works			
	Stewart Crossing - Dawson Road	11,900.00		
	Whitehorse - Keno Highway	(7,650.00)		
	Tagish Microwave Road	578.00	$	4,828.00
	Total Operation and Maintenance Recoveries		$	127,168.00
	Project and Loan Capital Recoveries			
10.	Capital Account			
	Education			
	F.H. Collins Secondary School	8,609.00		
	Porter Creek School	(267.00)		
	Watson Lake Elementary High School	14,138.00		
	Carmacks School	52,309.00		
	Watson Lake Separate School	(12,000.00)		
	Mayo School - Addition	24,530.00		
	Teslin School - New	26,680.00		
	Old Crow School	(20,390.00)		
	Haines Junction School - New	39,195.00		
	Dawson Elementary High School	3,728.00	$	136,532.00
5.	Health and Public Welfare			
	Mayo General Hospital Equipment	4,800.00		
	Watson Lake Nursing Station	1,362.00	$	6,162.00
6.	Municipal and Area Development Administration			
	Metropolitan Plan, Whitehorse	3,696.00		
	Moving Squatters Houses	20,000.00	$	23,696.00

Vote No.			
	Project and Loan Capital Recoveries (Cont'd)		
	Capital Account (Cont'd)		
8.	General		
	Vocational Training School and Dormitory		$ 89,281.00
9.	Roads, Bridges and Public Works		
	Stewart Crossing - Dawson Road	14,000.00	
	Canol Road	(14,000.00)	
	Watson Lake Resources Construction	35,000.00	
	St. Mary's Hospital, Dawson	8,024.00	
	Dempster Highway	34,000.00	$ 77,024.00
	Total Capital Recoveries		$ 332,695.00
	Total Gross Recoveries		$ 459,863.00