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# **YUKON TERRITORIAL COUNCIL**

S E C O N D   S E S S I O N   1970

## **Votes and Proceedings**

VOLUME 2

(Sessional Papers)



Mr. Speaker read the daily prayer. All Councillors were present.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

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

Mr. Taylor: Mr. Speaker, as the result of a request by Council for a financial statement and information respecting the Yukon Chamber of Mines, it is with pleasure I table the same this morning.

Mr. Speaker: I would like to thank the Honourable Member from Watson Lake. I draw your attention to the tabling of Sessional Paper No. 10. Are there any Reports of Committee? Introduction of Bills? Notices of Motion or Resolution?

Mr. Dumas: Yes, Mr. Speaker, I'd like to give Notice of Motion regarding Sessional Paper No. 10.

MOTION #11

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

Mr. McKinnon: Yes, Mr. Speaker, I would like to give Notice of Motion concerning permission to be given by the Commissioner for games of chance, raffles and lotteries.

MOTION #12

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

Mr. McKinnon: Mr. Speaker, I would like to give Notice of Motion requesting that Councillor Chamberlist appear before the Standing Committee on Indian Affairs and Northern Development as our representative in discussions on Bill C 187.

MOTION #13

Mr. Speaker: Would the Honourable Member for Watson Lake please take the Chair?

Mr. Taylor takes the Chair.

Mr. Livesey: Mr. Speaker, I would like to give Notice of Motion this morning, "That the question of pollution in the Carmacks area be discussed in Committee of the Whole".

MOTION #14

Mr. Livesey resumes the Chair.

Mr. Speaker: Are there further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? Under Orders of the Day, Motion No. 8, moved by the Honourable Member for Watson Lake, seconded by the Honourable Member for Mayo, "That Sessional Paper No. 2 be discussed in Committee of the Whole". Would the Honourable Member for Watson Lake be prepared to move Motion No. 8 at this time? Question has been called. Are we agreed? I will declare the motion carried.

MOTION #8

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Motion No. 9, moved by the Honourable Member for Whitehorse West, seconded by the Honourable Member for Mayo, "That Sessional Papers No. 7 and 9 be discussed in Committee of the Whole". Would the Honourable Member for Whitehorse West be prepared at this time to move Motion No. 9? Question has been called. Are we agreed? I will declare the motion carried.

MOTION #9

MOTION CARRIED

MOTION  
CARRIED



MOTION #10

Mr. Speaker: Motion No. 10, moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Dawson, "That Sessional Paper No. 8 be passed into Committee for discussion". Would the Honourable Member for Whitehorse East be now prepared to move Motion No. 10? Question has been called. Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: I wonder, Mr. Clerk, if we could have Mr. Commissioner with us this morning for the Question Period. I will declare a five-minute recess.

RECESS

RECESS

Mr. Speaker: I will now call Council back to order. We have the Commissioner with us and you may proceed with the Question Period. Are there any questions?

QUESTION RE  
PORTER CREEK  
WATER SUPPLY

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner if he is aware of the condition of the water supply in the Porter Creek area, and what steps his Administration is taking to correct this source of supply?

Mr. Commissioner: Mr. Speaker, this problem which was brought to my attention just about quitting time last night ... I have been in touch with the Territorial Engineer this morning, and I expect to have information on this later in the day. I will be very pleased to bring it forward to Council at that time, Mr. Speaker. I'm sorry that I don't have this right at my finger tips at the moment, but we are aware of the condition that has been referred to by the Honourable Member.

QUESTION RE  
PORTER CREEK  
WATER SUPPLY

Mr. McKinnon: Supplementary, Mr. Speaker, I wonder if Mr. Commissioner could have his Administration prepare a paper on the problems that have plagued this system since its acception, and whether or not the Administration and its officers are going to be able to cure this very unsatisfactory situation in the Porter Creek area? Last year it was bugs; this year it's mud.

Mr. Commissioner: Maybe next year it will be clean water, Mr. Speaker.

Mr. McKinnon: That's what I'd like to know.

Mr. Speaker: Order, please.

Mr. Commissioner: This is a very reasonable request, Mr. Speaker, and it may take a little time to prepare, but as soon as it's ready, it will be distributed to Council. I agree entirely with the request, and I think it is a very proper one that this matter should be cleared up. I'm not only talking about the water, but also the other things that surround it.

QUESTION RE  
PORTER CREEK  
WATER SUPPLY

Mr. Dumas: Supplementary, Mr. Speaker, I've been told that lots are no longer available for sale in that area because of lack of water, in fact, there isn't enough water there. Is this correct, Mr. Speaker?

Mr. Commissioner: Mr. Speaker, there is an element of truth to this, but I don't think it's fair to say that there are no ... that no lots are available. I don't think that this is quite correct, Mr. Speaker, but we have attempted I believe on two or three occasions in the course of the last year to supplement the water supply in Porter Creek with new wells, and none of the wells have proven to be satisfactory. As a consequence, there is a maximum number of lots that are going to be able to be serviced. There is a supply problem; there's no question about it. But, I



Mr. Commissioner continued ...

think that to get a proper answer for what the Honourable Member has raised, I would want to bring it forward in written form because I see a bit of a question here about lots no longer being available. The limitations on the water supply are correct, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, a question to Mr. Commissioner. Mr. Commissioner, have you received any information that Central Mortgage and Housing are now restricting loans to anybody who earns over \$11,000 per year?

QUESTION RE  
C.M.H.C.  
LOANS

Mr. Commissioner: Mr. Speaker, my information on this is what I heard in conversation between the Honourable Member and one other Councillor here in this Chamber, and I think that we can get this matter properly clarified today. I believe that Mr. Hadden, the Central Mortgage and Housing representative from Prince George, is either here in Whitehorse or will be in the course of the day, and I think that this would be the proper source of getting this question properly answered, Mr. Speaker, because if indeed this regulation is being imposed or will be imposed here in the Yukon, it is certainly going to just add one more impediment to people procuring mortgage funds and goodness only knows we have enough now.

Mr. Chamberlist: Mr. Speaker, supplementary to the Honourable Member from Whitehorse West, I wonder if he could indicate whether he has, through his business connections, received any information of this description?

QUESTION RE  
C.M.H.C.  
LOANS

Mr. Dumas: Yes, Mr. Speaker, I have just this morning. The \$12,000 limit for the most part will not be applicable in the Yukon as it's considered a resource area. There is a \$12,000 limit on new construction, placed on construction outside of the Territory, and an \$11,000 limit on salaries of those who apply for the purchase of existing homes and mortgage them through C.M.H.C., but I understand, again, that because this is a resource area, these limits will not apply. I'm meeting with Mr. Hadden later on today, and I'll be glad to enlighten any of the Members on the results of that meeting, Mr. Speaker.

Mr. Speaker: Are there further questions?

Mr. Taylor: Mr. Speaker, I have a written question this morning. "1. How many charges have been laid involving the use of the breathalyzer since first introduced in the Yukon Territory? 2. How many convictions have been registered? 3. What is the existing policy respecting the use of the breathalyzer? 4. What policy safeguards exist to prevent indiscriminate use of the breathalyzer?"

QUESTION #2

Mr. Speaker: This is a written question from the Member for Watson Lake? Are there any further questions?

Mr. Chamberlist: Mr. Speaker, if I could put this question to the Commissioner as a supplementary to the written question, would Mr. Commissioner indicate whether his Legal Adviser has stated to him whether the instruction should or should not be given to the R.C.M.P. that no charges should be laid pending any subsequent appeal to the Supreme Court of Canada on the use of breathalyzers for testing those people who have been accused of impaired driving?

QUESTION RE  
BREATHALIZER

Mr. Commissioner: Mr. Speaker, I think the Honourable Member realizes that an instruction of this nature to the R.C.M.P. comes within the prerogatives of the Attorney General of Canada, who, for purposes of the Criminal Code, is the Attorney General of Yukon. In other matters, we hope that we will have our own Attorney General in the near future, and it may well be possibly



Mr. Commissioner continued ...

more appropriate for Council to suggest that this request be made directly to the Attorney General. If they did, I would be very pleased to see that it was done. But, the instruction itself from the first instance, Mr. Speaker, and the Honourable Member I'm sure would agree with this, must come from the Attorney General of Canada.

QUESTION RE  
BREATHALIZER

Mr. Chamberlist: Mr. Speaker, I agree with the Commissioner. I just wanted to get his thoughts on the subject. I wonder at this time, Mr. Speaker, as a supplementary, could the request be made by the Commissioner to the Attorney General of Canada that there be no convictions registered until such time as the appeal process in the matter is completed?

Mr. Taylor: A point of order, Mr. Speaker, is that not a direction?

Mr. Chamberlist: It's not a direction. I have the same thing, Mr. Speaker, always with Councillor Taylor, that I ask for information for myself not for ...

Mr. Speaker: Order, please. This is not a period of debate.

Mr. Shaw: Mr. Speaker, may I ask a question to yourself that this would be accepted as the opinion of a private Member?

Mr. Speaker: Are there any further questions?

QUESTION RE  
LOW COST HOUSING  
LEGISLATION

Mr. McKinnon: Mr. Speaker, I would like to ask the Commissioner when this House could expect the promised legislation in his Opening Address amending the Low Cost Housing Ordinance?

Mr. Commissioner: Mr. Speaker, as far as I know, it has been prepared. I wonder if the Clerk would be good enough to check on it and see that it gets brought forward as quickly as possible?

QUESTION RE  
TRANSFER OF  
JUSTICE

Mr. Taylor: Mr. Speaker, in the Commissioner's Opening Address, he made reference to the transfer of the Justice function to the Territory. I'm wondering if details of the actual transfer are available at this time for study by Council?

Mr. Commissioner: Mr. Speaker, the answer is in the negative, but we are conducting correspondence and negotiation at the present time between ourselves and the Department of Indian Affairs and Northern Development and the Department of Justice, and as soon as there is anything that is of a concrete nature, it will be getting brought before Council. I think, Mr. Speaker, that the Honourable Member realizes that the most important question is the allocation of the funds and the money is already appropriated by Parliament, it's in the hands of Justice for this purpose, and one of the major arrangements is getting this money made available to the Yukon Territory so that Council can vote on it. There is also the question of setting up the necessary departmental legislation to bring this department of the Territorial Government into being, and I am sure that he realizes these things, while they are simple in the speaking of them, are quite complicated in actual getting effect, but we are doing everything in our power to bring this matter to a head as soon as possible as per Council's wishes.

Mr. Speaker: Are there any further questions?

QUESTION RE  
I.A.N.D.'S  
SURPLUS

Mr. McKinnon: Yes, Mr. Speaker, I wonder if I could get ... I noticed a press report the other day that the Minister of Indian Affairs and Northern Development was bragging that he had an extra \$31,000,000 lying around his department. I wonder if Mr. Commissioner, seeing that this is \$6,000,000 over our total budget for the year and there're many worthwhile projects that we would like to see put into effect, if he could use his good offices to pry some of this money loose from his Minister?



Mr. Commissioner: Mr. Speaker, I would be very happy, as would all Members of Council, if we could even get 10% of this if the press report is indeed correct and ...

Mr. Chamberlist: We could use \$1,500 for the Yukon Chamber of Mines.

Mr. Speaker: Order, order, please.

Mr. Commissioner: I would be very pleased to report to Council on any success that I may have along these lines, Mr. Speaker.

Mr. Speaker: May we now proceed to Public Bills and Orders.

Mr. Shaw: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council resolve itself in Committee of the Whole to discuss Bills, Sessional Papers and Motions.

Mr. Speaker: Is there a seconder for the Honourable Member's motion?

Mr. Dumas: I'll second the motion, Mr. Speaker.

Mr. Speaker: Moved by the Honourable Member for Dawson, seconded by the Honourable Member for Whitehorse West, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

Mr. Chairman: This morning we will be discussing the amendments to Bill No. 2. Mr. Clerk, will you see if the witnesses are available, as well as the Legal Adviser? I will declare a short recess.

RECESS

RECESS

Mr. Chairman: At this time, I will call Committee back to order. We are discussing Bill No. 2 and we have with us Mrs. Miskolczi, Mr. Pritchard and Mr. Krockner to assist us in these discussions. Mr. Legal Adviser, I believe you have amendments prepared.

BILL #2

Mr. Legal Adviser: I had the amendments prepared, Mr. Chairman, and they're all typed and here for circulation. I hope I've got the right pages. I don't have the last page. Now, one of the sections which is not ready is one dealing with the reference to the courts. So far as the courts are concerned, as has often been expressed here, it is not the wish of the Administration at any time or the House or its Legal Adviser to try and take away from the power of the courts to determine questions. Now, on examination of the Arbitration Ordinance, I found that in the Arbitration Ordinance, which we use here, there is the power of an arbitrator in a reference to refer a matter of law or jurisdiction to the courts. So, excepting that in the case of a group reference, the group reference goes to an adjudicator, then it is possible to treat all arbitrations and all adjudications in a similar manner, and therefore there is another page coming which will say in terms that where an arbitrator or an adjudicator wishes to refer ... an application is made in reference to any question of law or jurisdiction, he may and shall on the direction



BILL #2

Mr. Legal Adviser continued ...

of a judge, refer the matter by way of case stated to the judge for his opinion. This follows the form which is in common use now in all arbitrations, that a question of law or jurisdiction shall go to a judge. Now, this will go to all legal rulings throughout the Ordinance; any matter of law that can be referred for a case stated to the judge, and not to the Board.

Mr. Dumas: I have a question on that point, Mr. Chairman. The Legal Adviser says that they may refer it to a judge or shall on the direction of a judge refer it to a judge. How does it get before the judge to begin with?

Mr. Legal Adviser: The adjudicator refuses, then an application can be made to the judge to make an order for a case stated. It would be better to discuss that section when it comes before you, but you have now a package of changes and the first change is on new page 3 at paragraph (p), and the new words inserted are to put into the definition of a grievance in addition to a complaint made by one or more members or employees, it includes a complaint made by a bargaining agent on behalf of one or more of its members. This is one of the changes which were requested by the Staff Association's representatives in Council the other day. Now, on page 8, there's a new subsection (4) to section 7.

Mr. Chamberlist: Why are we doing it this way?

Mr. Legal Adviser: I'm sorry, I thought you wanted me to tell all the amendments at the same time.

Mr. Dumas: Mr. Chairman, would it be in order to move each of these amendments as we come to them? Is it necessary?

Mr. Chairman: If it is proper, I was hoping that we could have a caucus on this matter and decide inasmuch as there so many amendments.

Mr. Chamberlist: Mr. Chairman, I have some general remarks I would like to make before we go into these amendments. Last night, I did some considerable study on the definition of a meaning of a person employed in a managerial or confidential capacity, and I'm quite concerned that there may be abuses directed at individuals who are restricted from being members of the Public Service Association by reason of their specific employment with a particular departmental head in the Territorial Government. Now, it would appear to me that within the meaning of this particular interpretation section, which is (q) of section 2, for instance, in the Central Registry Office, every one of the stenographers who are all confidential employees ... as a matter of fact, they know more about government and what's going on in government than perhaps the direct heads of other departments who do not know what's going on in somebody else's department. Now, if they would be termed as confidential people, it would deprive perhaps ten or twelve people of being members of the Association. By the same token, a stenographer employed by a head of a department or a division ... it isn't just a matter of a head of a department. The interpretation is a unit head is as is written in the Public Service Ordinance ... the head of a department or a head of a division. It would remove from the Public Service many people who would normally be eligible to belong to the Public Service Association. I think we should make it clear that no person should be ineligible to be a member of the Association, notwithstanding the employment or the employment that they have with a particular head of a department. Certainly, perhaps they can be restricted either to associate membership or membership without voting rights, but I do not feel it is proper for us as legislators to say to certain employees, "You cannot belong to your Association". It may be that a particular employee who is graded at a certain level is employed with



Mr. Chamberlist continued ...

a head of a department, and she might be so employed with that particular head for three or four months and then transferred to another department and is no longer in a confidential capacity. Then it appears she can join the Public Service Association. Then a few months later, another head of a department gets her to work and so she has to leave the Public Service. Now, I would like to get some comments from the members of the Association here as to whether or not, Mr. Chairman, they have looked at this particular area to protect people who may wish to belong to the Public Service Association, yet would be deprived of the right to belong to that Association because of the conditions imposed in the interpretation section of section 2, subsection (q).

Mrs. Miskolczi: Mr. Chairman, naturally we wish to have any member in any capacity ... any employee in any capacity be a member of our Association. I quite go along with Councillor Chamberlist in the fact that stenographers who might be in a so-called confidential position, could be disciplined, could have some grievance of some make, shape or form. I feel that we should be able to represent this employee as much as we should be able to represent a Clerk I in a lesser field of employment. It's not saying that ... everybody can make a mistake, everybody can be right and everybody can be wrong, but we would have no way of protecting even a stenographer who is so-called in a confidential capacity. We feel that all employees should be protected. We would like to see that these people in so-called confidential capacities be members. Now, to be a member, we have many, many employees who are not in the so-called confidential capacity and we have information that we cannot divulge to anybody else. We have things in our own department that don't go out of our department. We are in on confidential matters day in and day out, but this does not expel us from being members of the Public Service Alliance, the Yukon Territorial Public Service, at all.

Mr. Dumas: Mr. Chairman, I'm afraid if we tampered with this section, we might as well throw the whole thing out as we could destroy the effect of the whole thing. Now, it has been gone over by Mr. Scott and this was tentatively agreed to. I do think that there could be an abuse of this section, but because names must be submitted to the Board, and because the Alliance can go to the Board and say, "We do not consider that person a person who should be excluded under this Ordinance". The Board decides finally, or makes the final recommendation on this, and the Board of course is made up of employee appointees and employer appointees, and this is where the protection must lie. I agree that if we were to follow this section strictly, we could put everybody in the Territorial Government employ in the exclusion from this organization. However, this is not the intent of the legislation, it's certainly not the intent of this Committee, and I think that the safeguard in this matter is the Board. I don't see the Administration going overboard on this and saying that everybody in Central Registry, for instance, is a confidential employee and therefore must be excluded, etc., etc., and at some point in time, no matter what safeguards we put in here for the Association or for the government or for anybody else, at some point in time we have got to say, "We trust you". There's got to be a certain amount of trust going in here, and I think to start to change this section now, although there have been some good points made, I think we would be really opening a Pandora's box which could affect the complete legislation and might have the final effect of seeing it not passed at this Session of Council, which we certainly wouldn't want to see happen.

Mr. Chairman: Mr. Legal Adviser, have you any comments on this matter?

Mr. Legal Adviser: I'm afraid, as the Commissioner pointed out yesterday, Mr. Chairman, this is part of growing up; this is



BILL #2

Mr. Legal Adviser continued ...

dividing the sheep from the wolves or the lambs from the goats, or something. At some point in time, when you're bargaining in a small organization such as this, and it is a small organization in relation to federal terms, there may be a certain amount of disagreement. All we can do is say that the Board has jurisdiction, the Board has got to make the final finding and if it goes too far it can come back to the House in a year's time or two years' time and that's it, but at the moment all we can do is make the list and let the Board decide who comes within the list and hope that the Board will keep the Commissioner along the right line.

Mr. Chamberlist: Mr. Chairman, I agree with the general thoughts, both that Mr. Legal Adviser and Councillor Dumas brought forward but when I look at this section (q), what it appears to me to do is to restrict so many areas that it will come outside the purview of the Board. Now, for instance, if we take this in (q)(i), that a unit head as defined in the Public Service Ordinance, now, we know that that means a unit head or a divisional head. It may affect immediately, just in that particular area, it may affect thirty-five people, I've counted them up. Now, in (ii), who have executive duties and responsibilities in relation to the development and administration of government programs, it only affects about six so now we're talking about forty-one. In (iii), whose duties include those of a personnel administrator or who has duties that cause him to be directly involved in the process of collective bargaining on behalf of the employer, that takes in another three. Now, that gives us forty-four. In (iv), who is required by reason of his duties and responsibilities to deal formally on behalf of the employer with a grievance presented in accordance with the grievance process provided for in this Ordinance, that's another two people; that's forty-six. (v), and this is the catch-all, the (v) and (vi), who is employed in a position confidential to any person described in subparagraphs (i), (ii), (iii) and (iv), so you can have anywhere up to three or four people in each one of these particular departments who are in a confidential position. Now, everybody in the Territorial Government who works in the offices, take an oath of secrecy when they join the Territorial Government. Obviously, upon taking that oath, they become confidants of the Territorial Government in some sphere or other. Now, you can include a large number in that area. Then we go to (vi), who is not otherwise described in subparagraphs (ii), (iii), (iv) or (v), but who in the opinion of the Board should not be included in a bargaining unit by reason of his duties and responsibilities to the employer; and I am suggesting that the Board only comes into the picture in (q)(vi) where it says, who in the opinion of the Board should not be included in the bargaining unit. Now, this may or may not be. I would think that we must all recognize that every person employed by the Territorial Government is in a position of secrecy, and they're in a position of a confidential nature. I do not feel that because they are in positions of a confidential nature that the right to be bargained for should be taken away from them. Now, the witness has already indicated, Mr. Chairman, that the Association would prefer to be able to bargain for all public servants and I think that the function of an association of this description is to bargain for those employees of Territorial Government. I do not wish to see, nor do I wish to happen that the Administration be placed in the position where any matters of a direct confidential nature to the process of bargaining or the process of administering the personnel of the government should in any way leak out to the Association, but this is where one must have trust in the employees, Mr. Chairman, that are employed by the Territorial Government. I would be in favour of altering the section in a manner which would not prevent them from belonging to the Public Service Association, and surely I cannot put it into words right now, but perhaps Mr. Legal Adviser may be able to do it in a quick manner at this moment, whether or not it is possible to allow those people who are categorized in this section to be members of the Public Service without jeopardizing



Mr. Chamberlist continued ...

BILL #2

the administration or the functions of the collective bargaining agreement process.

Mr. Dumas: I wonder if, before Mr. Legal Adviser stands up, I could make two points. I think the protection in this section comes under subsection (r) which says prescribed means prescribed by regulations of the Commissioner on the recommendation of the Board, and then if we go back to sub sub (i), it says, who is identified in a prescribed manner by the employer, but the employer can only identify him in a prescribed manner after it's gone through the Board. We therefore have the whole process of checks and counter-checks. As a further counter-check, we have under that same sub sub (i) of subsection (2), or by the Board on objection thereto by the bargaining agent. So, here once again the Association has another cross-check to safeguard themselves, and I think with all of these safeguards, reason will probably reign in the final analysis.

Mr. Livesey: There's another aspect to this too, Mr. Chairman, and if you're going to open it up, this is a real Pandora's box, there's no question about that if you want to go far enough with it, because after all, where are you going to draw the line between the employer and the employee? Where are you going to draw the line? As far as the employees' organization is concerned in its representation, if you allow everyone to join it, who then is the employer, that's what I'd like to know, because you can squeeze the executive down to one. Is the one last executive standing on the books not belonging to the employees' association the employer? It goes a little further than this because without this legislation and our participation, there won't be any bargaining agent. That's it. So, we are involved as well, and the public of the Territory is involved in this decision, however, if it comes down to the point as to who is arguing against what, the way I understand the budget is that most of these people that are in the employees' association also contribute to the fact in relation to the budget which includes their own salaries. Now, where are you going to draw the line here? In an ordinary private organization, the line is clear. You know who the employer is, and you know who the employees are, and the employer usually includes his staff managers or department managers or what's known to the average individual working for an employer, as the upper bracket. These are the employers and these are not allowed to join the association, but that line must be drawn and I can't see including every person in the Territorial Administration in the employees' group because all you're doing is promoting an argument right in the employees' group as to who is superior in the employees' group. This is what you're saying. You're not talking about an argument between the employees and the employer, you're talking about who shall become chief spokesman of the employees' group. So, here is the argument because you're a government rather than a private organization. I personally, Mr. Chairman, think we had better be very, very careful as to how we make more openings in this particular department, otherwise you will wind up with nobody on the employer's side and everybody on the employees' side. I don't understand then between whom may proceed the negotiations.

Mr. Chamberlist: Mr. Chairman, a very important area has been omitted, and when the Honourable Member from Carmacks-Kluane says who is the employer and who is the employee, suggesting that if everybody becomes an employee and a member of the Public Service Association, that it reduces the strength of the employer, but has anybody stopped to consider these people who will be so defined? Perhaps they want to belong to the Public Service Association. Since when have we got the right as legislators to say to people who want to join an association that they cannot join an association. We are telling them that they cannot join an association. Now, this is interfering with their liberties and with their rights. If they want to join an association, they should be allowed



BILL #2

Mr. Chamberlist continued ...

to do so. Now, these are the feelings that I have on it. I have sympathy with the general theme that there must be people who are specifically dealing with areas that they should be very careful not to divulge, but everybody is a confidant in the Territorial Government. If people want to join an association, they should be allowed to. I would suggest, Mr. Chairman, that a questionnaire should be put to these people who will be categorized as such, advising them that ... asking them firstly, whether they would want to join the association and advising them if they do want to that it is entirely up to them, but I do not thin that the Territorial Government has the moral right to tell them that they have no right to join the association. I wonder if Mr. Legal Adviser could comment on my argument?

Mr. Legal Adviser: Mr. Chairman, I have only this to say, that when the Bill was being formulated, it was a cause of anxious thought to the Administration, the fact that there would be a fair size chunk of people come under the definition of this, and we were not anxious in any way to weaken the union. It wasn't a question of trying to strengthen the employer. Part of the success of this whole Ordinance depends on having a strong group of employees organized so that they can discipline their own members far off and get this particular feature off our backs, so the stronger the union is, the better the Administration would like it. But, we decided that we would have a union in common with other provinces and the Federal Government itself, this type of organization, and would not have what's called a house union. If we had a house staff association, then there would be possibly three or four people reserved back from active membership in it, and all the employees would be members of it but they would not have the same rights that are given here. This is something that they have got to exchange for the rights they're given by law. My request to the House would be to leave this section as it is.

Mr. Dumas: Mr. Chairman, I'd like to make just three brief points. One, I don't think the argument that if a person wants to join, should be able to join, because we could have a department head that wants to join but in fact he's responsible for keeping costs down in his department and so there's a conflict. Or, we could have the Commissioner's personal secretary who would want to join, but then who would the Commissioner get to type up his confidential letters in relation to bargaining. So, there are some who must be excluded I think. The other thing that we must keep in mind is the fact that when there are employees excluded and bargaining is carried on, the results of that bargaining, the increase in salary or whatever, are also felt by those people who are not part of the bargaining group or members. So, what happens in a factory, for instance, when managers and supervisors are excluded because they're not in the union, if the union gets a raise of 10%, it's common practice for the factory to give all of their managerial people a raise of 10%, and this is what would happen in the Territory in Territorial bargaining too for those people who are excluded because of this section. The third thing I'd like to know, Mr. Chairman, is, do the witnesses here as representatives of the Association feel that the section is okay the way it is for now.

Mrs. Miskolczi: Mr. Chairman, my understanding, and I'm not a lawyer ... my understanding is that the exclusions will be brought before the Board and at that time we will have a chance to say, "No, no, no, that person must not be excluded" or "Yes, we agree that this person must be excluded", and if this is so, I believe this legislation is all right.

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

ECESS

RECESS



Mr. Chairman: At this time we will call Committee back to order. With the concurrence of the chair, I believe the amendments can be handled by considering all the amendments and documents as exhibit A and then can be adopted by one motion whenever we feel it is agreeable. Then, are we clear on the first amendment.

Legal Adviser: Before you leave item (p) in that section I draw your attention to the fact that the purpose of the whole grievance procedure under this ordinance and the Public Service Ordinance, an employee is defined as including a person who is in a managerial or confidential capacity, so that the bargaining party is excluded from, but when it comes to a personal grievance or a grievance in relation to the application of a contract or other thing to him, he has all the facilities of the Ordinance at his disposal, and in addition to that can use the services of the bargaining agent to represent him at a hearing. So this would take a lot of the sting out of the objection.

Mr. Chairman: Alright may we proceed?

Legal Adviser: Mr. Chairman, the next change, it's on page 8 it's the addition of a subsection to section 7. The purpose of the amendment is to make it clear, that an appointment made by the Commissioner is an appointment made under our Ordinance and is not an appointment under the Crown and in right of Canada. This is necessary by reason of a section which appears in the Public Service Staff Relations Act of Canada, where there is an exclusion where a person holds an appointment under the Crown as represented by the Treasury Board.

Mr. Livesey: Mr. Chairman, I wonder if the Legal Adviser could give me just a little more explanation as to why he deems or thinks this is necessary?

Legal Adviser: Surely we want to clear the decks so that there would be a possible objection to remove from the appointment of the people who hold the particular positions of Public Service Staff Relations Board of Canada.

Mr. Chamberlist: Mr. Chairman, was that the appointments, would the appointees be employees of the, rather that they be appointments of the Territorial Government, but not of the Commissioner who really is the employer, and he in turn is an employee of the Minister. Would this not then give any person that he takes on, make them employees, or appointees of the Minister.

Legal Adviser: We are attempting to remove a doubt rather than to do anything particularly positive. Under the definition of employer, in the Public Service Staff Relations Act of Canada, employer is defined as being the Queen in Right of Canada as represented by the Treasury Board. In section 13 of the Act it says "A member of the board may not hold any other appointment under the employer." So if appointed by this House were to be deemed an exclusion, cause an exclusion none of these gentlemen could accept an appointment from the Commissioner. We just want to make it clear that the disqualification does not uprate in that we have the Legislative authority to make this clear. It doesn't effect the position at all.

Mr. Livesey: Mr. Chairman, in view of the fact that the Commissioner is the, I would say the representative of the Minister of Indian Affairs and Northern Development, and as the chief executive officer of the Yukon Territory, therefore



BILL #2

Mr. Livesey continues . . .

carries with him the question of her Majesty in Right of Canada to that extent. How is it then that his act or omissions cannot be attributed to Her Majesty, in this particular respect if he is a direct representative of an officer of the Crown.

Legal Adviser: We are into a very difficult constitutional area when we attempt to define the rights of the Crown and rights of the Territory. We're trying to get a short cut through this and trying to say that an appointment made by the Commissioner is made under a local appointment, and therefore is not made by Her Majesty as representative of the Treasury Board. It may be Her Majesty as represented by something else. It could be 101 different things. We're just trying to make it possible for these gentlemen to accept an appointment without the thought of a disqualification of their existing appointments under Canada, that being a difficulty.

Mr. Livesey: I see the point Mr. Chairman, but I will guarantee that this can be argued in a totally opposite manner. And not only that, if it ever came to an argument in Constitutional Law I wouldn't mind laying it on the line that that section would be defeated.

Mr. Chamberlist: I am satisfied with the opinions of Mr. Legal Adviser. I agree with him. I got the point too.

Mr. Chairman: Are we all agreed?

Agreed.

Mr. Chairman: Alright the next amendment.

Legal Adviser: The next amendment is on page 27.

Mr. Dumas: I think in all fairness, Mr. Chairman, we should point out that the other recommendation that came before Committee was the addition of a subsection I to section 15 page 12 is not before us now, and I think for a just cause. But if the witnesses have a comment on it.

Legal Adviser: Well, if I may comment on that, Mr. Chairman, the suggested addition was to paragraph I of the section which appears on page 14 of the Bill. It was paralleled by a suggested new section 19 or 20. The effects of the two changes would have been to give a reference on a matter of law and jurisdiction to the board. Now we have on page 55, submitted a new section 103 to deal with the particular point. You will find it on the sheet circulated as page 55.

Mr. Dumas: Mr. Chairman there's a correction on the amendment on page 27 and the Legal Adviser has sent out to have the corrected amendment put before us. The words that are on the copy before Committee, are Publicly owned Property I believe, and it should read in fact "or Public Buildings". So that will be forthcoming.

Legal Adviser: That is the only change on page 27, Mr. Chairman. The next change is on page 28, if I can find it. It's 60 days instead of 90 days. In paragraph (b) of subsection (1) of section 47. This is one of the changes suggested by Mr. Scott on behalf of the Public Service Alliance.

Mr. Chairman: Right this is where in the last line the words are added "or of Publicly Owned Buildings". Are we clear on that amendment?

Clear.

Legal Adviser: The next one is on page 29, Mr. Chairman. It is an amendment to paragraph (b) of subsection (2) of section 47. The change which was requested was, to make it clear that negotiations and contracts can take place, predicated a change in the regulations under the Public Service Ordinance which are the rules of Procedure of the Public Service.

Mr. Dumas: Mr. Chairman, did you get the change on page 28 from 90 to 60 days.

Mr. Chairman: Well this is what we're dealing with.

Mr. Dumas: Yes I know, but we've missed one page here.

Mr. Chairman: We are on page 28 now. Are we not going through this page by page. On page 28, section 47 subsection (1 b) the amendment would read "within a period of 60 days from the date of its execution. Are we all agreed on that?

Agreed.

Legal Adviser: In section 47 which is found at the top of page 29, second subsection paragraph 3. The request which was made was to make it possible to negotiate concerning the regulations made under the Public Service Ordinance, and was pointed out that if that was barred from negotiation we would destroy the whole meaning of the Bill, so I have reversed the drafting around of Paragraph 3 and made this possible.

Mr. Shaw: Mr. Chairman, I would appreciate very much if the Legal Adviser could read out the change, I haven't any copy.

Mr. Chairman: I am just about to read the proposed amendment. (Reads subsection (b) of section (2) of section 47.) Are we clear on this amendment?

Clear.

Legal Adviser: I gave out copies just at coffee break of the extra sections.... yes, 3 pages, and I gave you 11 this morning first of all and I distributed them around.

Mr. Chairman: Order please. Can I have your concurrent sir on the amendment just read on page 29.

Legal Adviser: On page 30, section 50, there was a change requested to eliminate a period of 45 days and to allow the Chairman to intervene on application being made to him to declare either that the negotiation is broken down or a deadlock exists and allow him to order that party to resume bargaining in good faith. This amendment respects the spirit of the wish expressed by Mr. Scott on behalf of the association, but not exactly the drafting.

Mr. Chairman: The new subsection 2 of section 50 reads as follows. (Reads that section)

Mr. Chamberlist: Mr. Chairman, I would like to get from Mr. Legal Adviser his reasoning for changing the amendment as has been suggested by Mr. Scott to what he has done now except if it was just legalistic jealousy in the method of it being written up.

Legal Adviser: In an attempt to draft it, I haven't got the exact draft produced by Mr. Scott in front of me, but it reflected on the board in a subtle way, and I thought it better



BILL #2

Legal Adviser continues . . .

to change the language to make it clear that you make a request to the board, he may then investigate the circumstances and may request the party to resume collective bargaining. It's a subtle change in language to make it read nicer to the people involved.

Mr. Chamberlist: Well does it not give the Chairman only the power to say whether a deadlock is, and not the parties who feel that a deadlock might exist.

Legal Adviser: This is part of it. The amendment that I have is they may inform the Chairman if the negotiation is broken down which is a question that they can believe. They must request him to declare a deadlock like this, neither of the parties can say a deadlock exists, this is a matter for the Chairman and this should be affected in the amendment.

Mr. Livesey: Mr. Chairman, Subsection (b) of (2) of 50 says "upon being satisfied that the parties have bargained in good faith." I am still not clear on this. What does he do if he is not satisfied that they have bargained in good faith?

Legal Adviser: I think so. I think it's up to the Chairman then, when he is advised as to what the position is he can make up his mind, he can order them to go back to the table, and I can say that the common thing to do in this circumstance is to send them right back to the bargaining table. On page 42 there is just one small change, reflecting the management rights and it's to bring the earlier language in the draft, the only additional words are "Or with the classification of positions". Now this reflects on an amendment which we are not producing which was one of those requested by the Public Service Alliance, and the request that was made was for the elimination of a subsection in the powers of what an arbitrator, a compulsory arbitrator could or could not do. The section as it's drafted starts off with a positive saying "the arbitrator may make a ruling in relation to certain things". Then the other two subsections say "what field he may not enter into too". The request was made and the reference was made as the House will remember as to what Mr. Justice Petitbon who is the Head of an Arbitration Group as should be the case that the first section was too restrictive in giving positive power, and it will be sufficient to leave just the negative part of what it cannot do. Now our information is that this, a request has been made to amend a similar subsection in other jurisdictions and our feeling is that we should at this point in so delicate a field where we have experience leave matters as they are rather than move into a field to get fresh experience at this point. But we will be prepared in the event of the Federal Government amending their particular legislation in that field and it has been reasonably satisfactory to consider introducing an amendment at an appropriate . . . say in a years time 18 months time, whenever it happens to come about. We don't feel it is a big exclusion but it is an exclusion.

Mr. Chamberlist: Mr. Chairman, I noticed that there was a suggestion made by . . .

Mr. Chairman: I wonder Mr. Councillor, if we could just clear this item first, and I will read the new Subsection 3 and this is on page 42. (Reads subsection (3) of section 74) Are you clear on this?

Mr. Chamberlist: I noticed that the 2nd proposition amended by Mr. Scott was on 3 sub (3) notwithstanding the provisions of Subsection (1) nothing in this Ordinance shall be construed to effect the right of the bargaining agent to negotiate with



Mr. Chamberlist continues . . .  
the employer any matter which will affect the job security  
of employees in the bargaining unit. Now have we left this  
out competly?

Legal Adviser: Yes, Mr. Chairman.

Mr. Chamberlist: Well this should have been referred to with  
respect.

Legal Adviser: I am sorry. I thought it had been made clear  
at a very early point of time that the administration had too  
great a reservation on that.

Mr. Chamberlist: Well what is the reason? It appears to me  
Mr. Chairman, that there is a necessity for those representatives  
of the bargaining agent have their own jobs. Now it appears  
that in actual fact the administration can if this is not in  
abuse their prerogative as such to penalize the people who are  
in the bargaining unit from negotiating, or because of their  
negotiating, Mr. Legal Adviser shakes his head, but I'm not  
saying that the administration would do this but I say that  
they could do this, and this is where the protection must be.

Legal Adviser: The whole position about relief lay-off and taking  
a job away from an employee is laid down in regulation. Now  
in fact because in the Public Service Regulations they will be  
negotiable, that is the rules with regard to laying off people  
where lay-off becomes necessary, but the policy decision as  
to whether to lay-off a group of people or not to lay off in  
the first instance is a clear management right and the in-  
sertion of the subsection as requested would cast a certain  
amount of doubt on this and apart from everything else we feel  
that in this special right where more political influence at  
the local level will be hopefully being felt in the future.  
We do not want to endanger the policy decisions which politi-  
cal heads of departments will feel it necessary to make.

Mr. Chamberlist: It is unfortunate that we are not dealing  
with Bill #1 at the same time, because the amendments that are  
being made in Bill #1 if this is not put in will jeopardize  
employees in the Public Service. Now I don't know how you can  
pass this out now, unless we look at Bill #1. And if any  
member has already perused Bill #1 they will see what I am  
referring to. It's 3 and it's a proposed subsection 3 to be  
added off of subsection 2. This was the second suggestion  
made by Mr. Scott and quite frankly I think there is a neces-  
sity to have that so that any matter of job security should be  
a matter for a bargaining unit. Job security of course you  
can expand it to be a lot of things, but at the same time at  
least they should have the right to negotiate on job security.

Legal Adviser: Just one point. The best Furlow is sometimes  
in the ditch. The commissioner points out to me that Mr.  
Scott publicly withdrew his request for the amendment.

Mr. Dumas: Mr. Chairman, I was just going to make that point.  
I have a note here that it was withdrawn with the consent of  
Mr. Scott, and the witnesses.

Mrs. Miskolczi: Yes, Mr. Chairman, I have the #3 and a page 42  
report crossed out so I believe that this means, he, Mr. Scott  
we will be in touch with Mr. Scott at 12.

Mr. Chairman: Alright, now are we agreed on page 42. This is  
another item. Mr. Legal Adviser would you continue.

Legal Adviser: Mr. Chairman, section 78 at page 44 there is

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Legal Adviser continues . . .  
a clerical error which is not corrected on my copy. Section 99 should have read 101.

Mr. Chairman: The amendment in section 78 is the addition of a new subsection (5) which reads as follows: (reads sub-section (5) of section 78). Are we all clear and agreed?

Legal Adviser: On page 45 which is the next page Mr. Chairman,

Mr. Chairman: Well one question in respect of page 44 Mr. Legal Adviser, I note in the retyping that the error in subsection 2 has not been corrected. This was to refer to section 101.

Legal Adviser: Mr. Chairman, the next amendment on page 45 the last subsection in section 79, that is subsection (4) that enables a grievance submitted by a bargaining agent in accordance with the previous one can be referred to go to adjudication and if you recall this was the one where there was a certain amount of puzzling going on as to whether it should go to the court or not. Well once it goes to adjudication now under the section which is coming forward the question of law will go to the court.

Mr. Chairman: The amendment to section 79 is the addition of subsection (4) to (3). (Read subsection (4) of section 79). Are we clear? Proceed.

Legal Adviser: The next amendment is a typographical error where the employer or bargaining agent, it had employee I think in the earlier one. It should be the "employer".

Mr. Chairman: It now reads 85 sub (1 a) "employer or the bargaining agent seeks to enforce an obligation that is alleged to arrive out of the collective agreement or arbitral award". Are we clear on this amendment:

Some of the Members: Clear

Mr. McKinnon: I wonder if anyone has any comment on the deletion of 79 sub (2), an amendment which was asked for by the Public Service Association which doesn't appear in the amendments given to us by the Legal Adviser. It broadens the terms of the grievances to include "respect to disciplinary action in regard to discharge, suspension, or a financial penalty. Subsection (b) was asked for in section 79 there was a subsection asked for by the Public Service Association. I wonder if there is any comment why it isn't included.

Legal Adviser: Mr. Chairman, we felt that the two sets of Business procedure were quite broad enough. One deals with discipline and one deals in relation to the contract, and we felt that they should be kept as they were in this draft. This follows exactly the Federal form of the legislation but we didn't want to broaden it.

Mr. McKinnon: Disciplinary action is in one section?

Legal Adviser: Any appeal or grievance in disciplinary action which is open to all employees whether it is a bargaining unit or not, they are contained in the Public Service Ordinance. And you can grieve right through the steps of a grievance in the normal way.

Mr. Chairman: Are we clear?

Mr. McKinnon: Is there any comment from the Public Service Association?



Mr. Pritchard: The deletion has been duly noted and we will be in touch with the Councillor during the noon hour period.

BILL #2

Mr. Chairman: The next, page 51. What is it.

Legal Adviser: I don't recall what the amendment is, I think it might have been a typographical error. The change is from 7 days to 14 days. That was a request made by Mr. Scott to me and it was done straight away and I forgot about it. It's in section (2) of section 88 in the middle of the page, paragraph (b 1). This is a period of time before which the top sections start to operate, and it was discussed that 7 days was too restrictive, to get things moving so he wanted 14 days.

Mr. Chairman: Sub 1 of section 2 of section 88 now reads: (Reads that section). Do you agree?

Some members: Agree.

Legal Adviser: The one which was circulated was the one which was drafted by me. I see that it appears to be incorrect and it was corrected by my other assistant. Now I overlooked a change on page 35, Mr. Chairman, of section 59, we covered that last. In section 35, when I was dealing with putting the section back, there was one change. Page 35, section 59. The words "or with the classification of positions was inserted in subsection (3). This was under Mr. Scott's concurrence.

Mr. Chairman: Section 59 subsection (3), as amended reads: (reads that section). Are you clear on this?

Mr. McKinnon: Mr. Chairman, it should be noted that in subsection (1) of 59, the Public Service Association asked for a broadening of the terms of conditions that are subject to arbitral awards, and also that in subsection (3) the word discharge was included in their submission and lay-off was not included. I wonder if we could hear arguments why these amendments were not included in the amendments that we have from Mr. Legal Adviser and what the Public Service Associations comments are.

Legal Adviser: In conversation with Mr. Scott in relation to the inclusion or exclusions, it turned out that he had taken his draft off of the Public Service Canada Act and he had no objections to it going in the form we had. He hadn't intended to make the changes, he just copied them from a different piece of paper than we were copying from, he had no objection to the changes. We discussed this in detail, Mr. Scott and I.

Mr. Pritchard: We were under the understanding, Mr. Chairman that the word lay-off was not to appear in the section and in each of the amendments we noticed that in the amendments presented this morning the words lay-off appear in all of them and the words in our amendments were not there, they have been changed. Now our understanding is not that Mr. Scott okayed this. Perhaps we can contact him at noon time today and check on it but we don't understand such thing at all.

Legal Adviser: This is my understanding, we had a conversation about this point, the thing that led to this understanding, that in checking this word by word we found that the word lay-off had been omitted. So we made the assumption that there was an oblique reason for this, and we spent the evening puzzling out the reason.

Mr. Chairman: I think in view of the time, and in view of the matter, I believe that there is somethings that the Public



BILL #2 Mr. Chairman continues . . .  
Service would like to consult there council over the lunch hour.  
First of all are we clear on 59 (3)?

Some members: Agreed.

Mr. Chairman: We will stand Committee in recess until 2:00  
o'clock this afternoon.

RECESS



Wednesday, April 8, 1970  
2:00 p.m.

Mr. Chairman: We will call the Committee to order at this point, and we are discussing Bill No. 2, prior to rising for the noon recess we were dealing with section 59(3). I believe that we are all clear on this matter is this correct. Now I believe that the Public Service Association have some amendments but I am just wondering if we could clear the final item on page 55 and then deal with the amendments. BILL #2

Mr. Legal Adviser: Mr. Chairman this is a section which allows the referral to a Court of any question of law which arises during the compulsory arbitration process or as a result of a grievance when an adjudicator steps in, and is adjudicating a grievance between the employer and the employees. The Section is taken partly from the existing section in the Public Service Labour Relations Act of Canada, combined with the power of an arbitrator, in a reference to him under our own arbitration Ordinance which as the House knows is across Canada type of arbitration. At any point the adjudicator may and shall if so directed by a judge - well this would mean that an application would make a . . . . . refer that matter to a judge, and then the case would be stated the point would be set out, this is a normal Court procedure in this type of operation and the Court would give its decision. And then as I understand it, once it goes to the Judge then the normal process would be there and could be appealed in the normal way like any other Court case.

Mr. Chairman: New Section 103. "Where any question of law or jurisdiction arises in connection with a matter that has been referred to an arbitrator or to an adjudicator pursuant to this Ordinance the arbitrator or adjudicator may, at any stage of the proceedings and shall, if so directed by a Judge, state in the form of a special case for the opinion of a Judge, any such question of law or jurisdiction arising but the stating of such case shall not operate to suspend any proceedings in connection with that matter unless the arbitrator or adjudicator or a judge determines that the nature of the question warrants a suspension of the proceedings. 104. This Ordinance shall come into force on a day to be fixed by the Commissioner." I would like to ask from the chair Mr. Legal Adviser, I was under the understanding that the Commissioner would give assent in the normal manner.

Legal Adviser: It was my understanding to Mr. Chairman, but the point has arisen that until of the Board we wish to appoint we don't want the Law coming into force. By doing it in this manner instead of suspending a . . . until the mechanics are operative, the Commissioner can give his consent right away, so that the Bill becomes law. This is a method of enabling the Commissioner to assent to the Bill after its past.

Mr. Chairman: Now at this time I believe that the members of the Public Service Association have had time to consider their position in relation to these amendments, and I would ask Mrs. Miskolczi to proceed.

Mrs. Miskolczi: Thank you Mr. Chairman, amendments 72(2) are quite agreeable to us, amendment 74 we are in agreement with, 78(4) we are in agreement with, we respectfully request Council to hold 79(1) until Bill No. 1 has been finalized.

Mr. Chairman: In respect to this matter the Chair, have assumed that since the Bills are so closely related that we would not move the amendments to this Bill, or the Bill as it is amended, we will hold it in committee and report progress on it, until such time that we have considered it a bit more.



BILL #2

Mrs. Miskolczi: We do not agree on 79(4). The amendment as you will notice drafted up by Mr. Scott and the Legal Adviser, was agreed upon when Mr. Scott was here. The amendment as given to all Council reads. "A grievance submitted by the bargaining agent to the employer in accordance with subsection (5) of section 78 may be referred by either party to the adjudicator who shall determine the question and whose decision upon the matter shall be final and binding." We respectfully request that this remain in the Ordinance. It was agreed upon by Mr. Scott and Mr. Legal Adviser that. . .

Mr. Dumas: Excuse me Mr. Chairman can we deal with that one now that we have come to it.

Mrs. Miskolczi: No I have not more on 79.

Mr. Legal Adviser: I think we would be prepared to accept that I don't see where its going to make any great . . . it was just that I accepted adjudication was putting into process, but if they wish to have final binding thats O.K. with us.

Mr. Chairman: I will then read the amendment; "(4) A grievance submitted by the bargaining agent to the employer in accordance with subsection (5) of section 78 may be referred by either party to an adjudicator who shall determine the question and whose decision upon the matter shall be final and binding." All right now will you proceed.

Mr. Livesey: Mr. Chairman I wonder if the representatives could explain why they want it this way.

Mrs. Miskolczi: Mr. Chairman we have taken council from a lawyer whom we feel is far better qualified then us, and he has indicated to us that he would request this remain. I am sorry but I don't know the legal aspects but I feel that it was discussed between the two legal people here, therefore we feel it should remain.

Mr. Legal Adviser: I personally don't think there is any difference, at all. Because adjudication under this Ordinance is in fact final. So this sort of closes the door, I don't think there is any difference. We have all accepted the fact that when there is a difference of opinion, and it is going to an adjudicator, that adjudicator gives the final decision and thats it, that is why an adjudicator is set up in the first place, so it adds nothing to it whether you change it or not.

Mrs. Miskolczi: There is just one further one to mention Mr. Chairman and that is 59(1) we consulted Mr. Scott on this and again I refer to the fact that this was discussed with Mr. Legal Adviser and it came out as an amendment the first day this Bill was before you, it is noticed that in the previously agreed upon amendment here, that section 1 was deleted from 59. If you will refer to the amendment as presented by the clerk, Mr. Scott intimated that 59(1) should read as the amendment has been presented to the Council 1 is the same as 2 in the Ordinance, in other words one should be deleted.

Mr. Legal Adviser: I recall that when I was going through the amendments we didn't accept, this was one of the ones which was discussed and quite frankly the administration would not see any harm in making the change but we are advised that this is a new policy, the section 59 as drafted shares a common philosophy of limiting the arbitration in certain fields, because we know there is a move on foot and we are quite aware, and have sympathy with the cross Canada Association to get it changed. We think its coming forward in a Federal Bill itself, but our advice is take the same as it is at present elsewhere and be governed by other peoples experience, if that works then change it. I would ask the House to leave it as it is, because to every existing body of law there is an existing . . . set up under it. We admit it is sometimes interpreted in restrictive fashion, we would like

Mr. Legal Adviser continues: it as it is and be for the people to start out on this field arbitration is a very, very wide field and we would - we are too nervous of it quite frankly. It opens up a whole can of worms.

BILL #2

Mrs. Miskolczi: I believe this is exactly why Mr. Scott wished this to be not included, he feels that it is too restrictive. I again point to the fact that this was discussed with Mr. Legal Adviser by Mr. Scott and it was agreed upon at one point. I believe Mr. Scott was somewhat amazed to see that it was put back in, as the deletion of it was agreed upon.

Mr. Livesey: According to my notes Mr. Scott agreed with what was in the Ordinance so it should remain.

Mr. Chamberlist: I don't recall that Mr. Chairman, that thought being presented by Mr. Scott at all. I think he asked for that particular section to be omitted but at the same time I recognize what Mr. Legal Adviser has indicated. However, why can't we lead the way, here is another area where we can lead the way.

Mr. Legal Adviser: I ask the House now - in my discussion with Mr. Scott I agreed in general principal that it was somewhat restrictive and we agreed to the actual terms of the amendment but not the policy behind it that is a matter for the House, for the administration, but we sort advice on this subject from people who wished to advise us, and we were advised not to make the change at this time.

Mr. Chamberlist: What are the objections Mr. Chairman, now that you have - that Mr. Legal Adviser said that they have obtained advice I wonder if at this time the committee can be told when that advice was given what were the objections to the change.

Mr. Legal Adviser: I think I have just told you, the reference that I recall it was an expression of Mr. Petitbon, that Mr. Petitbon who was in charge of the Administration process in this had suggested it was too narrow and would like a change. We confirm that in fact the request has been made to have it changed Federally, its being looked upon sympathetically because from time to time it has been restrictive. But the change has not been made yet, and our advice was that we might find ourselves in serious trouble in moving to adjudication complete areas where it had never been done before. When the practice solidifies then we can make the change, and I offered this morning I said that if its made if its made else where at any time in the future, that any experience with it we are quite willing to do it but at this time with this new thing, it is one of the things that we were strongly advised not to do.

Mr. Dumas: Mr. Chairman I would like to point out that in previous discussion that the Legal Adviser in speaking on this subsection said "Mr. Chairman to be quite candid with you I thought and discussed this matter with Mr. Scott and I thought it was a good idea but my opinion is hardening, slightly the other way." Now that was the position we left that at that time. Mr. Chairman so I think its up to the Committee to make a decision on it.

Mr. McKinnon: I would certainly like to - of course this is were the Legal Adviser does become the Legal Adviser into to the Administration because as a legislator I am always looking for ways to bring new ideas and new programs and initiate things from this Legislative body that are experimental in the country. If - we are pulling our horns if we prove to be completely wrong in the thinking that we've tried to put into Legislative action, and I would certainly be interested to know were the advice came from that we should retain the status quo area and not move it forward into fields that may perhaps lead the way for the rest of the country to follow, but just to say that there is no areas of court decisions in this matter and we might be getting into



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Mr. McKinnon: continues: and we might be getting into a little trouble and a little problem if we move into this new area. I am sorry with respect Mr. Chairman just leaves me cold and is not the kind of argument that will sell me one bit.

Mr. Legal Adviser: This may be but I think the House can see that almost every change that is possible to make that was sought we had it thoroughly examined and we have made the change. The same source that indicated to us that we wouldn't be going to far in making these new changes, had to call a halt at this particular one. I would prefer to take the advice we received in the round, that thing is that in this particular section as originally drafted there is a field into which the arbitrator can move and there is a series of things that he cannot do that is management exclusion. Now the things he can do are, he can move into conditions of work and so on and other things directly related there to, which is almost everything that one can think of in relation to what an employee group would want to bargain for. Some where along the line of course there will be restrictions. If we take away the powers in section one there is no field at all outside the narrow restrictions into which an arbitrator may not go, he will have the power to go into wide fields of government policy but be for that he could not go. Now its not quite enough just to take out the powers of an arbitrator we have to devise new ones and not just leave him completely at large because arbitrators like everything else will move into any field if they are given the chance, but we prefer at this stage to have the guide lines set for what is after all going to be binding on a contract between the staff and the Government, let the fields at the moment be reasonably clear cut, and not move into fields of government policy. When the section is changed by the Federal Government or any provisional jurisdiction it will not be changed merely by eliminating the section, another section will be substituted broadening the field into which an arbitrator can go now at that point in time we will know where we stand. But merely omitting the section will leave the arbitrator completely at large to go into any field what so ever where dispute exists between the Government and a staff association. As I say we have made many changes and have not been restrictive at all in the way we have dealt with this bill, in this field we are just a bit nervous of having an arbitrator at large.

Mrs. Miskolczi: Mr. Chairman there is one further thing I would like to say, that is as I stated I am not a lawyer, I am not very up on this terminology but Mr. Scott has stated that he would be available if any Honourable Member of Council wishes to speak to him, he is in room in Yellow Knife and the Staff Association would be very happy to have the charges come back to us if you so desire to speak to Mr. Scott on this.

Mr. Chamberlist: Mr. Chairman I appreciate that Mrs. Miskolczi worries about whether the Council can afford to pay for a telephone call or not, we don't get to much for expenses. What still concerns me is this, the Legal Adviser to the Administration has obviously been spending time seeking Legal advice, now as he has informed us it is policy advice, well its a case that the policy is being laid down by the Administration once again, I think we have to decide here whether the suggestion that has been brought forward by the representatives of the

Mr. Chamberlist continues: Public Service is in the interest of the public not in the interest of the Administration, for their convenience. It seems to me that when Mr. Scott was here there was general agreement that this would be acceptable and it was only after that Mr. Scott had left that there had been reference made to a hardening position. I think the hardening position if there was a hardening position should have been stated at the time that Mr. Scott was here. I don't think it was refused that that section would not go in, now I can't see myself whether there is any objection to it but at the same time if there is a possibility that the cross Canada, change in the Federal Arbitration Act would take place lets say in the next six months I think that perhaps the Public Service would be prepared to leave it with the recommendation the recommendation that has been made by the Legal Adviser and the assurance that he has given, and Mr. Chariman it is a pleasure to get an assurance in this chamber because when the Commissioner is here you know we don't get any assurances you know, we get the Legal Adviser to say what might take place. I think perhaps we should go along with it this time and we will just have to trust to the assurance that has been given by Mr. Legal Adviser that if there is a change in the Federal Act or in any provincial act pertaining to this particular item that the Administration would then amend accordingly. I think under the circumstances this is the only thing we can do because there is no way that we are going to make the Administration change the stand that has taken on this and I would like hear if the witnesses will accept the change as it is on the basis of Mr. Legal Adviser's advice.

Mrs. Miskolczi: Mr. Chairman, all I have been given to believe by Mr. Scott is under no circumstances is this to be included. No, I mean this is to me, I feel that it definitely has - this has been our advice by Mr. Scott now I will just have to leave it to Council to decide.

Mr. Krock: If I might, the proposed change by Mr. Scott and in reference to other changes that have been made by the Legal Adviser Mr. Chairman are all within the frame work of good bargaining that he's familiar with. If he is familiar with this then this is were he is more at ease to work in, these changes that are not now in the Federal Act for bargaining are changes that are pending this is a change that is pending admitted by the Legal Adviser, because of its handicapping not only the Treasury Departments but the bargaining units. To not have this past - to let the Yukon Ordinance pass with these handcuffs both on administration and the Public Service side removed would enhance the bargaining favourable. This is why these changes were proposed. I don't like the suggestion that the Administration has given way on many changes and therefore this is one point that will remain. These changes are as I said before are incorporated within the frame work with which Mr. Scott is so familiar with, therefore it is nothing new that is brought in to make a radical change, this is a very poor out look to have primarialy so as to deal with bargaining on a format, so changes initiated here would throw the entire bargaining machine out of kilter in Ottawa. Therefore this change 59(1) should be omitted and 59(2) should be replaced by 1, 2, and 3 consecutively are changes we deem to be quite necessary.



BILL #2

Mr. Dumas: Mr. Chairman I was just going over the argument presented by Mr. Scott when he was before the Committee and the counter arguments presented at that time by our Legal Adviser and it certainly is a good point that we have arrived at here, that one the one hand we would like to leave the table in an amicable way all the way around. Here again Committee has got to make a decision on this, because the lawyers have just exhausted themselves on their arguments. And I don't think we can add anything to it, since the Federal Association is now negotiating a change in this particular section with the Federal Government and we don't know what they are going to come up with in the end, I think that I would personally like to see the Legislation remain as the Legal Adviser has suggested at this time, and if a major change develops in the Federal Legislation as a result of negotiations that are now being carried on that I think that future Council's might look to amending this Ordinance accordingly Mr. Chairman.

Mr. Chairman: Is there anything further on this subject. Does the Chair have it then that the amendment stand as it has been read.

Mr. McKinnon: One final comment I don't think there is much to be accomplished by debating this any longer because the Committee has pretty well made up their minds that they are going to stay with the amendment the way it is. I think that I would like to say to the Public Service Association that this is one area in the country where Legislation is not considered sacrosanct once its past and it sits there for twenty years and if you take a look at our Motor Vehicle or Liquor Ordinance you will see that they were opened up in every session maybe two or three times and we try to change them as the philosophy of the thinking people who hope to represent change, and to think that you are going to be put to perpetually by a legislative handcuff is not entirely correct because if you can proof to a member of this Council that you are being tied down by a narrow restriction through this arbitral award section I would be more than happy to bring this to Council's attention in any given time.

Mrs. Miskolczi: Mr. Chairman we will be very happy to abide by Council's decision.

Mr. Chairman: Now during the noon recess there were several new sheets pages 12, 12, 27, 44, 54, and 52 which I am informed by Mr. Clerk are retyped errors dealing with matters we cleared this morning.

Mr. Dumas: Mr. Chairman I was just going to state that I have been following these pages as they have been coming and going fairly closely and I believe that right now we have everything that has been agreed upon by the Whole committee, all the amendments and the typing errors.

Mr. Chairman: What is your pleasure in relation to this Bill?

Mr. Dumas: Mr. Chairman we have been asked by the witnesses that - to hold 79(1) on the table until we discuss Bill No. 1. May I suggest that we report progress on this Bill and go onto Bill No. 1 while the witnesses are still here.

BILL #1

Mr. Chairman: So this is what the Chair will do. This Bill will remain in Committee for further amendment. Alright I shall report progress on Bill No. 2. We will now proceed to Bill No. 1.

Mr. McKinnon: The only questions I am not clear on was either the inclusion or the removal of the words "lay off and dismissal" in these various areas. I was wondering if there is any comment on these or not.

Mr. Dumas: Mr. Chairman I was talking to the witnesses over the noon hour and it turned out that what Mr. Legal Adviser had of the conversation that went between him and Mr. Scott was in fact the change and that being so the witnesses are willing to leave it as it is in the Bill.

Mr. Chairman: I will proceed now to Bill No. 1 (Reads Section 1)

Mr. Dumas: Just a general question Mr. Chairman could the witnesses tell us if their Legal Adviser has gone through the Bill and if there is to be any amendments.

Mrs. Miskolczi: Mr. Chairman yes we have.

Mr. Chairman: (Reads Section 2)

Mr. Chamberlist: Mr. Chairman if this subsection (4) is placed in there what is the necessity of the other subsections to be there, because this amendment give the Commissioner the right to abridge anything in there anything thats been done, just wipe it out and make his own decision. Is this not so Mr. Legal Adver.

Mr. Legal Adviser: I don't think so Mr. Chairman I think this is just a redraft to put in a different title of class rather than the other thing.

Mr. Chairman: (Reads Section 3)

Mr. Chamberlist: Why are we changing the word grade to class, I notice that in the existing section we are referring to rates of pay for each grade, and in this section it is being substituted for each class. Is there any reason for this?

Mr. Legal Adviser: I don't think it is a very important reason but it is a reason, apparently in the Federal Structure they use one word and in the provincial structures they use another, and we are using the provincial word.

Mr. Chairman: (Reads Sections 4, 5, 6, and 7)

Mr. Chamberlist: The Bargaining Ordinance allows - is set up in such a way that it would dispense with the type of situation where you have permanent casual employees, they have succeeded in doing this. Now, this amendment here it makes a person employed by the Public Service again a permanent casual employee its extended to 12 month probation period, and the unit head may with the approval of the Commissioner extend the probation period for a further period of 12 months, then it goes on to say that notwithstanding anything in subsections (1) and (2) the Commissioner may abridge or abolish the probation period. Well, first of all, I would look at it this way if an employer doesn't know the capabilities of an employee in the six months probation period that has already been given, that employer should go out of business, and in this case it is the Commissioner he should go out of business, if he doesn't know whether an employee doesn't know whether an employee is satisfactory after six months of working with them there is something wrong with the Commissioner or the head of the Department. To me this is a



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Mr. Chamberlist continues: piece of amendment that we can do without. This is where I harden and I hope other members of this Committee will also harden and not allow this piece of amendment to remain here. Now these are my feelings and I think that the Public Service Association will speak the same way and I hope other members will as well.

Mrs. Miskoczi: I would just like to say this as a Territorial employee I know what its like to be on a probationary period for six months, you're not sure of anything you don't really belong to the Department your working in. If this went on for twelve months you are going to get a bunch of nuerotic employees. Under certain classifications employees get an increase every six months now if they are on probation for twelve months their first month increment would not be coming because they would not be given their efficiency rating which is necessary for an increase.

Mr. Dumas: Mr. Chairman could we hear the Legal Adviser on this one?

Mr. Legal Adviser: This is like a parson's egg it's good in parts. Subsection (3) is not intended in any way to hurt anybody, its intended to give the Commissioner power to abolish the probation period where he thinks it is advisable, or to abridge it that is to shorten it because it has happened from time to time employees that we would dearly like to have in our servide are fearful sometimes that highly qualified people are finding what they thought was a perminant post may be subject to probation so we need this power in a proper case, it will rarely be excercised I suppose but it can be, if the Commissioner wishes to for some particular reason shorten or abolish the probation period. I don't think there will be any objection by the employees to that particular section. Now as far as the othr ones are concerned the effect of them is to increase the probationary period to twelve months now this also is both in the ease of the employees as well as the employer. In some cases an employee who is a seasonal, a person who is working over a year but is doing one type of work one time and another type another time, does not get the chanch to fairly show his ability in the first period and therefore may got the knock from the head of the Department who does not appreciate his true work. I can visualize like say in my own case I could have sat in my office longer than six months before I exposed my self in fact to all the mistakes I do make. But it is not intended to be operated in a restricting sense, its mainly people who are coming here occupying senior positions that may need a certain amount of time to judge their personal qualifications. I think the House will understand that the - but it may take a while to understand this.

Mr. Dumas: Mr. Chairman it sound to be a bunch of bureaucratic bull. I just can't buy it, I think that subsection (1) should read six months and I think subsection (2) should be omitted and number 3 can remain because it is a good subsection.

Mr. Livesey: Its quite obvious what they are saying the first six months when an employee is on probation he and she is very nice to the department head but after the six months is over and they go on permanent staff then they begin to show their personality. And so this can go on indefinitely but I do agree with the Legal Adviser - if everything works smoothly fine, but you come across different people and every person that is hired certainly isn't the same, six months from the time they where hired to the time six months has gone by or a year has gone by. Its an idividual situation as I see it.

Mr. Livesy continues: But certainly what he says is true otherwise he would have never made this statement.

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Mr. Dumas: These arguments are not satisfactory because we can carry it on for five years and they will be nice to the Commissioner for five years then they are going to turn into real meanies. If - I agree with the Honourable member from Whitehorse East if a department head can't judge a person as to whether they are confident or not then I think that he just should be a department head or a person of responsibility.

Mrs. Gordon: I am inclined to agree with the twelve month probation period for this reason, I think people who come from outside of the Territory certainly need a year to adjust before you know what their personalities are. I think the whole key of this section is section 3 which in the circumstances a person who adjusts to the environment which is what they are working at, which contains their personality and their whole scope of life and their working ability. If this is the operational clause that when it is evident that they have adjusted that probation period is shortened to the point where they are permanent staff.

Mr. Chamberlist: I am deeply touched by the matter that the Councillor has just attempted to suggest that all those poor people who come here to take a job with the Territorial Government need twelve to adjust themselves in the work that are supposed to be so experienced at doing, because a team of experts goes out to interview them before they are taken on, now we have to pay them for twelve months to settle in the environment this seems to me a lot of bull. The need for recognizing the people who start working for the Government should be placed in a position of knowing that they can get in as short a time as possible security of permanent employment is absolutely necessary for the proper function of the Government I don't think that it would be proper for this Legislative body to say to any person that you may be extended for 24 months before you can decide you can decide make working for the Territorial Government a career, most people working for the Government as a career. I am pleased that the Honourable Member from Whitehorse West agrees with my stand on subsections (1) and (2). By so doing it would leave section 20 as it is in the Ordinance alone. He does however mention that he doesn't see any objection to subsection 3 but I ask members of Committee to look again at the wording and it says this notwithstanding subsections (1) and (2) the Commissioner may abridge or abolish the period on any employee or class of employees. There is your danger now I see nothing wrong with the Commissioner abolishing the probation period if he decided that a person who is employed on a six month term of probation has in two months proofed himself and is now acceptable as a permanent member so he abolishes the probation period for that particular but I am concerned when I see the words "May abridge" now this is something entirely different obviously the words abridge and abolish have entirely different connotations. Now to me there is a necessity to protect the employee from the Commissioner or the Head of a Department for some reason or other a dislike perhaps who wants to get rid of this person by abridging the probation period now this is the danger, of abridging the probation period in an area like that. Now later on in this amendment you will find where in fact it has been suggested in fact that the Commissioner can do this. Now there is a difference of opinion as to meaning of abridgement in this particular Court but it is a catch-all phrase and I think it should be left out and the sections that are in now section 20 of the Public Service Ordinance be left in. (reads section 20)



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Mr. Dumas: Mr. Chairman I am not convinced by the argument put forward by the Honourable Member I think that, it seems to me that in a probation period if you want to get rid of an employee you can get rid of an employee, that is what the probation period is for, so the suggestion of shortening the probation period so that you can get rid of him seems be arguing against ourselves but on the other hand if you have a department head that is a good man and you want to keep him so after two months you say OK we are doing away with the probation period and we want you to stay. I think for this reason that this is a good section. I wonder if the witnesses have any comments.

Mrs. Miskolczi: No Comment.

Mr. Shaw: There are sections in here that have perhaps different meanings but when a person can stand up and say that they know the qualifications of a person which they are going to hire for life in six months I think they are talking through their hat. When we take the unskilled worker I would say yes you can determine whether a person is capable of doing that job, but when you get higher up on the scale where its a really responsible job I don't think that you can say that this person is really going to do the job and will continue to do the job for the life time of his employment there in six months. I think that possibly something like this should have been in various classifications if any thing. I agree that six months in the majority of cases is adequate to determine whether the person is capable to do the job or not. But there are many positions and I have been long enough in this Territory to see the persons holding these positions and the results that in six months they were not qualified for the job and they should have been laid off so that this category I think is just a little bit too broad it creates a hardship in sense and to accept it the other way when we are talking about permanents is a horse of a different color so therefore I would feel that this should be split into certain categories with some having six months probation and others having twelve months. I do not agree with section 2 where it says another twelve months to find out I think that is getting just a little too extensive. On section 3 I think this is a very good section there, if a person shows that he is capable then the Commissioner can put him on permanent staff. I try to look at this from the view point of rationality and doing the most good for all and those are my feelings in respect to those sections.

Mr. McKinnon: I have - sections 1 and 2 I do believe that they should remain at six months. I am inclined to agree with the Madame President of the Public Service Association that a person could become neurotic with going up to a maximum 24 months probation that they may quite and run for a political office. I do think section 3 is a good section, I think its wonderful Having an Irish Legal Adviser because they are tremendously emotional people and you can always tell when the Legal Adviser has a good point because he puts it hard into the argument on section 3 he did have a good point and he did make the point that the Commissioner should have the ability to abridge or abolish the probation period if the employee does prove to be satisfactory that we want to keep him employed. However in sub (1) and (2) I am sure Mr. Chairman notices that other members of Council agree on a six month reduction, or just keeping it the same way it was in the old Ordinance, and certainly this is long enough for any one to judge the ability of a person and as an employer I can truthfully say that if I can't judge whether a person is going to be a benefit to our operation, I consider myself a rather poor employer, and I think that six months are fine.

Mr. Shaw: I would like to question the Honourable Member from Whitehorse North, when you say six months in subsection (1) and then a further six months is necessary in subsection (2) if that is the proposal that is quite right. I will go for something like that because you do have the period of time when if you are doubtful you can extend it for six months otherwise you have an alternative of accepting a . . . or firing somebody who might prove pretty good in another three or four months. Therefore I will go for something like that providing that section (2) remain, but by descretion Mr. Chairman, if we didn't have section (2) then you would only have six months to determine if someone is capable or not.

Mr. Chamberlist: I was very pleased that the Councillor Shaw agrees with the Sections because he was on Council when he passed the original Public Service Ordinance so he certainly wouldn't have to go against the grade.

Mr. Shaw: Mr. Chairman I would like to answer to that I have been here quite a number of years made and help construct a number of Ordinances and I have had to come back in six months and help change them. There is nothing wrong with that, the only persons who don't make mistakes are the people who don't do anything like the Honourable Member on my left.

Mr. Dumas: I would like to move that section 7(1) be amended to provide for a six months probation period.

Mr. Chairman: It has been moved by Councillor Dumas and seconded by Councillor Chamberlist that section 7(1) and (2) be amended to provide for a six month probation period. I will declare that motion carried and I will also declare a recess.

RECESS





Wednesday, 8 April, 1970  
3.30 o'clock p.m.

Mr. Chairman: At this time we will call Committee back to order and we will proceed now to Section 8. (Reads Section 8 (1), (2), (3)).

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Mrs. Miskolczi: Mr. Chairman, I wonder if Mr. Legal Adviser could give me a further definition of (1) (c) "guilty of misconduct on the job, off the job".

Mr. Legal Adviser: In some cases it might well be misconduct off the job, in a sense because there are rules of conduct which apply to employees sometimes that govern their whole action. To take an outlandish case a judge is appointed, subject to certain strictures. He does something which bears no relation to his conduct on the bench, but his whole conduct might, in certain circumstances, as in the case of Mr. Justice Landerville, did in fact make him unfit to continue in office. It is primarily, of course, intended "misconduct on the job" but it could conceivably embrace a wider field.

Mr. Chairman: Are we clear as far as we have gone on "24"? (Reads Section 8 "25" (1)).

Mr. Chamberlist: Might I suggest to Mr. Legal Adviser "and may appear by Counsel or Agent". Some employees are not sufficiently vociferous to be able to explain their position if they have been suspended and certainly an opportunity should be given to them so that they can have somebody represent them. At the moment, the way it is, it is orally or in writing for the employee to make his representations.

Mr. Legal Adviser: We have no intentions of preventing an employee using somebody to do something in the sense of making representations and I certainly agree to making that change.

Mr. Shaw: I agree that the employees are sometimes at a loss but I was just wondering, won't they be represented by this Association that will certainly represent all the employees whether they are permanent, or regardless. Is that not part of their function, their duties, moral duties, if nothing else?

Mr. Legal Adviser: Maybe not.

Mr. Chamberlist: Not necessarily, in all cases. The employee may not wish to have the Association speak for him. The Association may not want to speak for the employee; therefore there should be the opportunity for the employee to have somebody of his or her choice where the person feels he is not sufficiently knowledgeable on how to conduct himself at a meeting during an inquiry to speak. It is just a safeguard that we have been putting into all legislation to allow for somebody to speak. It is nothing more than that.

Mr. Shaw: Mr. Chairman, in the past I have been doing some of their speaking and I just thought it would be a wonderful thing if the Association undertook something like, as being part of their function instead as has been in the past - I have undertaken that function.

Mr. Chamberlist: Mr. Chairman, it does not mean that the Association, the suggestion that I made which Mr. Legal Adviser has gone along in most instances while we have had this missed out. It does not mean that the Association cannot represent,



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Mr. Chamberlist continues.....

It means that the person can, if he so wishes, have the opportunity to have a counsel or agent and I don't know why the Honourable Member from Dawson is raising any objection to it because it is just a help for some person who might be dumb.

Mr. Shaw: Well, Mr. Chairman, that is what I thought the Association was for, to take the part of the employees.

Mr. Chairman: Order, please. I believe the Public Service Association has something to say.

Mr. Krock: The Public Service will stand, if any one of their employees that are members, will be represented upon their request to have representation. I think Mr. Chamberlist is getting at the fact that some member of the Territorial Government.....that could not be represented by Territorial employees could therefore be covered by another agent, lawyer.

Mr. Chairman: Is it understood then by Committee that amendments will be forthcoming?

Mr. Legal Adviser: Yes, I will produce a suitable amendment, Mr. Chairman, but it is not intended at this level in every case that it will be a Federal case out of it. There will be cases where a person is suspended pretty snapily, but there would be an investigation, but in any event, at some point in the process there should be an opportunity by the person to make representations by letter if he is outside somewhere or to have someone appear for him, or draft a letter or write a letter, or come in person before the Department head and make representations. We are not denying this and we have no objections to this being enshrined in legislation.

Mr. Chairman: (Reads subsection 2 of 25).

Mr. Chamberlist: Mr. Chairman, I feel that the increasing of a period of a suspension to a period not exceeding six months, you might just as well dismiss the person because after six months the person certainly has, or would have no intention of returning to the Government. In suspending a person for two months, and you will find later on in the amendment that the person is not entitled to more than sixty percent of his pay, if he is suspended, and then even though he is found that there was no proper grounds for the suspension, the person suspended is not paid his money retroactively from the time he was improperly suspended. He only gets 50% of it. I think that the increase of the suspension to a six month period, in my opinion, is too long; either at the end of two months you either dismiss him and give him the opportunity of looking for a new job or reinstate him.

Mr. Legal Adviser: Mr. Chairman, this whole group of sections must be viewed as a whole and they are the result of much cogitation in my office to produce them and I know that the sections appear to be harsh but I am sure the Staff Association are familiar with the existing sections and will understand what we are trying to do is to try and be merciful and not harsh. As these sections stand at the moment the only thing a Department head can do is release the employee or appoint him to a lower maximum rate of pay. There are no inbetweens and there are very many cases where dismissal would be too harsh a penalty. A few days suspension, a week's suspension would be quite sufficient but there isn't

Mr. Legal Adviser continues....  
this choice as there is in a court structure where, when you say a fine not exceeding \$250 you mean a fine of \$5-10-15 or \$20 so that things are not dealt with because of the harshness of the penalty. In addition to that the suspension is necessary at a lower level, that is the unit head level also as well as the head of the Department because when something happens and instances have occurred where a man turns up to drive a truck, who is incapacitated and there is nothing, properly speaking, anyone can do about it. He should be there and then suspended if that is necessary, to remove him. Then the matter can be investigated, but in practice when reported in, instead of the first offence, he might get away with a week or month's suspension or whatever it happened to be that would meet out a suitable penalty. In addition to that, later on in this section you will see that we have given power to the Commissioner to make an allowance not exceeding half pay to a person who is under suspension. The basic reason for this is if suspension is to be a reality at all, and not virtual dismissal, then the person must at least get sufficient money to maintain his outgoing expenses. He may be paying on a TV; making payments on a car, on a mortgage; so suspension without pay is a very, very harsh remedy indeed. The only way to mitigate it and allow to happen it to allow the Commissioner to make an allowance of half pay. Now, it is not quite correct, as the Honourable Member suggested, that at the end of a period of suspension, if it is found to be unjust, that he does not get any money. He gets the suspension lifted retroactively and he gets his full pay and allowances dated back to the point of time when the suspension was imposed. This is a practice and unless I have made a mistake in the drafting, this is what is here.

Mr. Shaw: Mr. Chairman, I can state that I know of employees who, after their case has been heard, that they have received their full pay when it was found that it was too harsh and the suspension was made lower, and for the balance of that period they got their full pay.

Mr. Chairman: Maybe I could read through the entire section and then we can possibly get this thing in better perspective. (Reads 25 (3), (4), (5), (6)).

Mr. Chamberlist: Mr. Chairman, I wonder if it is the intention that the word "may" should be "shall" (reads first part of (6). Should it not be "shall request the Chairman", when an appeal has been made.

Mr. Legal Adviser: That is not quite an error. It may occur that when the Commissioner gets the appeal it is a clear case that he.....the appeal so he just "zump" knocks it there and then, an obvious case, but if there is something to be tried and the Commissioner is satisfied there is something to be tried, then he would have an adjudicator try it but it is just to save the trouble and expense where it is an obvious case where it is error, where the Commissioner is quite satisfied that the Department Head was wrong or was excessive, he can grant the appeal then and there.

Mr. Chairman: (Reads 25 (7)).

Mrs. Miskolczi: I was just wondering, Mr. Chairman, without disrespect in any manner or form, is there any possibility of the Commissioner not requesting the Chairman. The way it reads "may request", that is discretion.

Mr. Legal Adviser: I would be prepared to rephrase this to



BILL #1

Mr. Legal Adviser continues....  
say "where an appeal has been submitted under subsection (5) the Commissioner may either allow the appeal or if the appeal is not allowed, shall request". This is what we intend to do.

Mr. Chairman: Is this agreeable to everybody? Right, then Mr. Legal Adviser we assume, from the Chair that there will be an amendment as you enumerated, right? (Reads Section (7), (8)).

Mr. Chamberlist: Well, surely those last few words give the Commissioner such overwhelming power because even although the matter has been dealt with, the Commissioner can then make any other order as he sees just. As a matter of fact he can give a punishment greater than that which has been extended. Well, I think that Mr. Legal Adviser will have to think about the right of this, whether it is proper that once a person has been punished, the Commissioner may say this punishment is not heavy enough and I am making an order that I think is just and the punishment should be heavier. I think we should take out those words "make such other order as to him seems just". I wonder if Mr. Legal Adviser can comment on that.

Mr. Legal Adviser: What we are trying to do, again, is to be merciful rather than harsh and we are not trying to increase that. I am quite agreeable to redraft the section to the wishes of the House. What I am really trying to do, where it goes to the adjudicator and he, possibly not understanding the Yukon, or the particular circumstances, may impose a harsh penalty or recommend dismissal and the Commissioner maybe says, well a suspension will do, or may accept a resignation instead of a dismissal. It is the common case. I prefer to give him leeway to give less rather than force him to always impose the harsh letter of the law, conversely we are quite - yes, it cuts both ways - we are quite willing to put it in "the Commissioner shall carry out the decision of the adjudicator" but it will take a bit of drafting that if it is a harsh decision he doesn't have to carry it out - I don't know, I get mixed up in the language at this point - we don't want the Commissioner to lose the prerogative of mercy because this is the kind of -

Mr. McKinnon: Mr. Chairman, the Public Service Commission agrees that the Board's decision should be the one implemented and the Administration agrees that it should be the one, and certainly this shouldn't be a discretionary power of the Commissioner if the appeal is set up under the lines of the Board, either to be more merciful or harsher, one or the other. Both sides have agreed that this is the way it should be settled and certainly it should be the way it is.

Mrs. Miskolczi: Mr. Chairman, we questioned this item and I was in touch with Mr. Scott last night who sent me this wire. I would like to read to the Honourable Members what his ideas are on this. "Subsection 8 should read 'The Commissioner shall issue any order or take any action necessary to implement the recommendation of the adjudicator'".

Mr. Chamberlist: Mr. Chairman, I would add to that, Mr. Chairman that if there is a possibility that the Commissioner can make less an order, making the punishment less; give him the power to do that but certainly not give him the power to punish more severely. I think if Mr. Legal Adviser can draft a section to fit that it should be satisfactory.

Mr. Shaw: If we are going to get half a dozen people doing half a dozen different things, all at the same time, I don't know what the purpose of this Ordinance is. If you have an adjudicator body and they say this shall be the answer I say that is the answer that should be. There should be no discretionary powers left to anybody else, otherwise why have an adjudicator if you get him to announce a decision and then say I think you are too hard, or too soft and I am going to change that. I feel, Mr. Chairman, that this malarky - we have to get over this someplace. If you have an adjudicator, which I think is good, then whatever decision this person comes up with, it is going to be either good or bad but that is just the way it is and that has to be it. On Section 6, we have this requested change, such as the adjudicator, it would appear to me that we do not need - the only thing we can put in Section 8 is that the Commissioner is obliged to carry this particular thing out, period.

Mr. Legal Adviser: We are quite willing - I don't know, the Commissioner isn't sitting holding my hand at the moment, but without consulting him I think I can say that we are quite willing to accept the decision of the adjudicator but it then becomes a question of let the chips fall where they may.

Mr. Chairman: Alright, are we agreed that there will be an amendment forthcoming for (8)? (Reads (9)).

Mr. Chamberlist: There again, Mr. Chairman, I think the same thing applies. We should have that section rechecked.

Mr. Legal Adviser: We can combine an amendment that will take in the two things.

Mr. Chairman: Have you anything further on 25? Or is it your wish that this total section will be coming back and we can further discuss it at that time. Alright 26(1). Reads (Section 26 (1), (2)).

Mr. Chamberlist: Mr. Chairman I wonder if there is any reason to extend an appeal to a Court from a decision like this.

Mr. Legal Adviser: I think once we fixed adjudication .... put it this way - they will have power to go on a..... but on a question of fact, again, let it go.

Mr. Chairman: Are you clear on 26? (Reads Section 27 (1), (2)).

Mr. Chamberlist: Mr. Chairman, this is the area that I raised earlier on. Mr. Legal Adviser suggested that where a person is suspended and the suspension is lifted, when there has been proof that he should not have been suspended, the person would get his full pay retroactively from the time of suspension, yet in reading Section 27, it is contrary where it says quite clearly that an employee is not entitled to any remuneration in respect of any period during which he is under suspension and in subsection (2) of course there is -in the event that 50% may be paid to an employee who is under suspension. I certainly think that Section 27 should be re-drafted so that where a person has been suspended improperly and it is proven that he has been improperly suspended, he is returned to his work, he should get his pay retroactive.

Mr. Legal Adviser: Earlier, you will see that when the suspension is lifted, or he is deemed not to have been suspended at all, that means that he then becomes entitled to



BILL #1

Mr. Legal Adviser continues.....

his full pay for the period of his suspension. The real addition is made to this is sub-section (2), which for the first time permits an allowance not exceeding 50% of his pay to be made to him. Now this is not an entitlement, it is an allowance; in effect, because it is discretionary I cannot conceive it not being paid but it is an allowance because it is not a legal right. He is technically under suspension and he is entitled to nothing but an allowance will be paid and would not cancel pension purposes and he would not have to pay it back. If he is under suspension on day one and he continues under suspension for sixty days and at that point in time is fired, his firing dates back to day one. This allowance which is paid to him would not be recovered in the sense that it is a debt due by him; it is an allowance which is dead but his pensionable period and all entitlements calculated in that manner would be calculated with effect from day one and the allowance will not be thrown in on top of it. Now, an additional thing is, the second reason it is called an allowance is under certain circumstances the employee may not be in a position to receive any money. He may not be here but his wife and family may be here and an allowance may be made, the person may be suffering from drinking too much or general absence or may have gone off absent without leave or something and in those circumstances he may have been suspended for some reason. His wife and family would be able to get the allowance. This is an extra which has not been in this before and it is in very few Civil Services; it is a really good section.

Mr. Shaw: Mr. Chairman, this is a most compassionate section. I think it is very, very good. I have seen where there are cases that a person might go haywire for a small period of time, may have some big problem or something and tends to drink and it has been a practice in the past where they have been suspended but it was very easy on them because they have a family and generally speaking they are good employees, and I think that this section is, as I say, the most compassionate section and I would not like to change it in any manner, shape or form.

Mr. Chamberlist: Mr. Chairman, I am not....

Mr. Dumas: Mr. Chairman, I think that subsection (2) is certainly adequate. However, I do think there is a direct contradiction in this Bill between subsection (1) of Section 27 and subsection (3) of Section 25 where it says the suspension for employees shall be deemed not to have been suspended. Now, the Legal Adviser tells us that he is entitled to full pay but in subsection (1) of Section 27 it says nothing like that. If he is suspended he does not get paid; it does not say whether he is innocent or guilty. He just does not get paid if he is suspended.

Mr. Legal Adviser: Mr. Chairman, it is the magic word "deemed" that cures all. Although he was under suspension he is deemed not to have been suspended, therefore when the suspension is lifted because he wins his appeal, it is fully lifted and he is deemed never to have been suspended, so all the penalties he suffered insofar as that can happen they are washed away. The wording of subsection (2) of Section 27 is very precise. It can make sure that there is no legal right; this is an act of mercy given by the Commissioner in cases such as this and I say it is a very forward moving section. I would ask the House to accept it

Mr. Legal Adviser continues....  
as something very special which many civil servants have  
not got.

BILL #1

Mr. Chamberlist: There is a question I want to ask Mr. Legal Adviser to answer. If, for instance there was a suspension for a two month period and it took perhaps a month or six weeks before the matter was completely dealt with, it would mean that the person would be without any income from the suspension during that period of time. Would Mr. Legal Adviser interpret, Mr. Chairman, that subsection (2) of 27, in fact gives the Commissioner the right, in the case of this nature to pay 50% of his basic earnings during the period awaiting for the case to be heard?

Mr. Legal Adviser: During the period of suspension he gets 50% of his basic pay, that is if you and the Commissioner suggest it, but without this section the Commissioner has no legal authority to make this payment. This is why it is necessary.

Mr. Chairman: Are you all clear. (Reads Section 9 (3)).

Mr. Shaw: Mr. Chairman, could I have that explained, is that seniority?

Mr. Legal Adviser: Mr. Chairman, it is not primarily a question of seniority. The system in the Civil Service we operate under, all the members have often agreed, is a merit system but when merit is equal, then the other factors come into play which might be seniority, long-service and so on and this is to pick up these cases. Now, I should say that we need this section or some similar section for there must be some kind of order where say in a public works situation you have a job lay-off. You have got to have some order out of it, some order that must be observed by the people who are laying off so this is why we have it here.

Mr. Chairman: (Reads Section 10, 11). Would you explain, Mr. Legal Adviser?

Mr. Legal Adviser: This is a Section which says the Commissioner may make regulations for collective bargaining, he has chosen the route of Ordinance rather than Regulation.

Mr. Chairman: (Reads Section 12). Mr. Legal Adviser.

Mr. Legal Adviser: These were sections which were put in originally at the time of the passing of the Ordinance which were necessary at that time to carry us over from one Ordinance to another and they are no longer necessary.

Mr. Chairman: Is there anything further on this Ordinance? Now, relative to Bill No. 2, is there anything now that you find should be changed in this Bill in relation to Bill 1?

Mrs. Miskolczi: 79(1) Mr. Chairman. (Bill No. 2)

Mr. Chairman: Bill No. 2, Page 44, Section 79(1).

Mrs. Miskolczi: I feel that it is in order now, insofar as Bill No. 1 has had no difficulty, this is the one that Mr. Scott requested be held until Bill 1 had been discussed; I find no further problem.



BILL #1 Mr. Chairman: Is Committee agreed on 29(1)?

All: Agreed.

Mr. Shaw: Mr. Chairman, I would move that progress be reported on Bill No. 1.

Mr. Chairman: I would suggest that possibly you might wish to leave both these Bills in Committee overnight and see if there is something that comes up to either Administration or whatever - I am wondering if I might take this opportunity at this time to thank the Members of the Public Service Association who worked with us on these two most important pieces of legislation and thank them for their attendance and assistance here on behalf of all Members of Committee. Once again, we can't thank you enough for the service that you rendered us.

Mrs. Miskolczi: Mr. Chairman, I believe we are the people who should thank Council for considering this Ordinance before them, for looking into our side and our mesires so fairly and for treating our representative, Mr. Scott, so admirably. On behalf of all the Yukon Territorial Public Service Association members we can't thank you enough.

Mr. Chairman: With the hope that you don't go on strike too soon, you are now exoused. Order please, I will just declare a brief recess.

RECESS

RECESS

Mr. Chairman: At this time we will call Committee back to order and we have - if Committee agrees maybe we can use this time to deal with Sessional Papers. The first one we have is Sessional Paper No. 7, Northern Communications Conference - Yellowknife. Councillor Dumas.

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Mr. Dumas: Mr. Chairman, I moved the paper into Committee because it does ask for some direction and some discussion. I think that we should, in fact, seriously, we should talk it over and find out if we want to send a representative to this Conference.

Mr. Commissioner: Mr. Chairman, I think it is imperative that there be Council representation at this Communications Conference. It is what I hope will be a continuing liaison between the people in the north and the communications media. Now we are not talking here just about telephones and something of this nature; we are talking about the total communication package and Council representation at the initial getting together on this is going to lay the groundwork so that the individual concerned can be conversant very much with the basic principles that are discussed and the general tempo of what transpires and the written word is a very, very poor communicator of such things and I highly recommend, Mr. Chairman, that Council give favourable consideration to appointing one of their Member to attending this Conference and if they do look upon this favourably I would appreciate if they could let me know the individual's name as promptly as possible so that I can advise the Secretary of the Conference.

Mr. Chairman: Is it the wish of Committee that this matter be referred to caucus?

All: Agreed.

Order please

Mr. Shaw: Mr. Chairman, on August 4th I wonder where we have the Councillors, I think we get fired some place in the middle of July. If we have no Council then how are we going to work out that? I'm just asking a question.

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Mr. Livesey: There may be no Council as such in operation, but according to the Yukon Act every Member is elected for three years and every Member is still a representative of the district, irrespective of the fact that no more Council Sessions may be called.

Mr. Commissioner: Mr. Chairman, I would hope that this technicality would not interfere with Council's favourable consideration.

Mr. Chairman: Alright, has it been agreed that we will come back to this matter after caucus?

All: Agreed.

Mr. Chairman: Next paper is Sessional Paper No. 9, Question re Damages by Exploration Companies. Councillor Dumas.

S.P. #9

Mr. Dumas: Here again, Mr. Chairman, I moved the Paper into Committee for discussion. I think it is a matter of utmost importance, this whole problem of damage by exploration companies and others in the Yukon Territory. We have Companies coming and going in the Territory in the far remote areas of the Territory particularly, about which we know absolutely nothing; about which the Territorial Administration, the Territorial Government is not informed. These people are granted leases outside of our jurisdiction and the only way we find out about what is happening is if somebody is kind enough to notify either the Department of Game or somebody else in Administration, and this is in fact what happened in this case. The Game Department was notified of a lot of damage that was being done to the terrain in the particularly in the north-eastern part of the Territory and the Game Department carried out a survey after this question resulted. Now, I think that very quickly, Mr. Chairman, we have got to come up with some legislation that is going to make it very, very difficult for these people to move about the Territory doing exactly as they wish in any part of the Territory, and we see in this report that several of the Companies that were looked into, several of the areas were left in a condition that was just tantamount to a garbage dump and this type of thing just can't go on and if we allow companies to run willy nilly across the Territory, doing exactly what they want, leaving garbage strewn camps all over the place and pouring up hills and dales, we are going to be in a very sad position in a few short years, Mr. Chairman. I realize the.....regulations is going to bring in some restrictions but we need further restrictions and in fact we have got to make a move, in my opinion, to prosecute. If we have legislation now we can prosecute. under I say that we should do it, if we can't get co-operation. If we don't have the legislation under which to prosecute, Mr. Chairman, then we need it and we need it quickly.

Mr. Shaw: Mr. Chairman, a very peculiar thing happened to me a few months ago when I got the gears from an employee of the Federal Government for permitting people to run all over the north end of the Territory and do whatever they wanted to do in respect to roads and leaving garbage around and



S.P. #9

Mr. Shaw continues....

so on. I did not even know that these people were up in this particular area, and I think the big fault - I don't think, I know - that the big fault is that these things which are happening, the Department of Northern Affairs does not keep the Commissioner's office informed of what is going on. You don't know what is going on until it happens. It seems like there is some kind of big secret deal going on so the Department can let anyone know - they give permits to do this and do that but there is no means whereby we have of finding out what is going on, none whatsoever, you don't know until it has happened. Now, in getting the blame for this that went on in the north, I think some of it is laid out in this paper; I did not even know it was there and I am sure there are very few people in the Territory who knew these things were going on unless they happened to be right there at the time. There has to be some liaison so at least we know where they are and we should have officers to see that these things are done and we would not have these kind of problems. That is where the fault lies.

Mr. Chairman: Councillor Chamberlist, will you take the Chair a moment.

Mr. Taylor: Mr. Chairman, I think it should be noted in discussion on this matter that Council having been the target for much criticism in respect to pollution control, at least from one newspaper which is now no longer publishing, but Council had expressed an opinion that they would like to see pollution legislation forming part of our Ordinances and I still fail to see why we cannot exercise the prerogative under the Yukon Act to provide a piece of legislation covering littering campsites, covering most forms of pollution, because I think the only pollution Federally, the only pollution in fact involves itself around water - I don't think there is anything else, I don't think we can act in respect of anything but water pollution at the moment, and I would like to suggest again that the Administration give some thought to producing this type of Ordinance, Territorial Environmental Control Ordinance or something of that nature where we can embody littering of the highways, littering of campsites of the Yukon, and co-related to this is that age-old argument I keep advancing in respect of the Game Department. Now, when we do get a Game Department functioning and wardens in the field, this is a responsibility that could be undertaken, enforcement-wise, by these Game Wardens and in the course of their duties - I know Fisheries are attempting to do this type of work in the course of their function and I think therefore that these two should be borne in mind when we talk about how we are going to correct these campsite problems and this type of thing. I would ask Mr. Commissioner what his opinion might be in respect of the Ordinance at this time; if Administration happens to have given it any consideration.

Mr. Commissioner: Mr. Chairman, I have said before and I will say it again; you can keep on filling up paper here full of Ordinances. You don't have to be very smart to do this but you have got to understand that if you want the Territory patrolled on practically an individual square footage basis to detect and correct pollution problems, and we will use the word pollution in its broadest sense which includes everything from littering along the highway to dumping 500 barrels of fuel on the shores of the Arctic Ocean and

Mr. Commissioner continues...

abandoning them, if you want this done it is going to cost a fortune to do it. Now, it is a simple situation; just how much do we want to pay to keep our terrain clean? This is the first question. The second thing is that we would very much like to know who the people are that are seeking exploration or are doing exploration in the Territory. We would like to know where they are. At the present time they can secure an exploration permit for a very large area in the oil industry that can cover several hundred thousand acres and almost anywhere in that area they are permitted to do work that they have a permit for. This permit is procured from the Resources Division of the Department of Indian Affairs and Northern Development. Now about three or four sessions ago in Council we tabled an Ordinance which effectively we asked for legislative authority to issue permits to people who were going to be doing certain kinds of work in the Territory and Council, in their wisdom, and I tended to agree very much with what they said at the time, that they felt this was just another impediment although there was no charge for these permits, it was just another impediment to exploration in the Territory. Now, if Council wants to give more consideration to at least this permit thing so that we would at least have the opportunity of being able to take these permits and collect them and direct them to the Game Department or the Fisheries Department and say you can anticipate or expect that there will be an exploration party in such and such an area, it would give these Departments of Government an opportunity to at least get to where there are potential sources of this type of aggravation to the environment. Now, this would be a fairly simple and not too costly a thing. Now, the complete patrolling of the area as outlined by the Honourable Member, Mr. Chairman, is highly desirable; I could not agree with it more but it is going to cost a very very large sum of money and I think if we have to be prepared to correlate what we want done with what resources we have to do it but I would very much like, Mr. Chairman, to hear whether or not Council feel they would like to reconsider the Ordinance that we had before you some time ago concerning permits, under the Scientists and Explorers Ordinance - I believe there is an amendment to that Ordinance.

Mr. Taylor: Mr. Chairman, I recall that Ordinance and the answer for my part is "no". I am at this point in time, and at this stage of development opposed to the permit system as suggested in that Ordinance. I don't feel that it will do the good it is supposed to do because it is something to know where these people are and another thing, as stated by Mr. Commissioner, to enforce - you have to go there and that costs money. I also do not agree that we should be out patrolling the north again at this stage of our development because we haven't got the officers. I'm talking about - here we have a Sessional Paper and a report for instance re Hungry Lake of V. Zay Smith Company of Calgary left a horrible, messy campsite here similar to that found at Margaret Lake. Alright, under our existing laws I don't believe we can prosecute these people. I don't know under what Ordinance but what I am saying is that if we have an environmental ordinance where we say it is not lawful to do this and not lawful to do that, then, if proof such as this, from the Director of Game and the Indian Agency and so forth, if these people then come across a situation they are in a position to immediately do something about it and therefore I don't buy the permit system in any even. I do not think that that is the answer to this at this point in time. I think that if we had this Ordinance we could make



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Mr. Taylor continues...

arrangements with officers under the Resource Division of the Department of Indian Affairs who are quite active, say in this area we are speaking of as Old Crow Flats and in there. There are drilling inspectors and other people involved at the Federal level who we could empower to attempt to enforce this Ordinance and I don't see where permits would be required, though.

Mr. Commissioner: I simply pass an observation for Council's consideration, Mr. Chairman and that is that under the Public Health Ordinance there is practically unlimited authority for prosecution in situations of this nature. You don't need any more Ordinances.

Mr. Dumas: Mr. Chairman, I wonder if the Commissioner could tell us when the Federal Government lets leases on areas, mineral leases on any area in the Territory, if the Administration receives notice of the letting of these leases.

Mr. Commissioner: Mr. Chairman, this is public information and it is available to anyone in the Mining Recorder's office. Now, I think, Mr. Chairman, perhaps the Honourable Member might be referring say to the oil exploration type of lease which is another kettle of fish altogether and the information as to where these people are going to be located with their programmes is now available to us. It is now available to us through the Resources and Economic Division of the Department of Indian Affairs and Northern Development.

Mr. Dumas: What I want to know, Mr. Chairman, is do we go and ask for this or is it automatically sent to the Administration.

Mr. Commissioner: Mr. Chairman, it is now an automatic situation.

Mrs. Gordon: Mr. Chairman, the questions I was going to ask have been answered.

Mr. McKinnon: Mr. Chairman, I remember the great ballyhoo that the City Fathers of Whitehorse brought in the strongest anti-litter ordinance that was available in the Dominion of Canada and I say this, and I said it to my good friend, His Worship the Mayor that I am ashamed to be a citizen of this pig pen. Last Saturday night, under the strong anti-litter Ordinance I walked along the streets and the alleys of this town to see all these groups of people who were supposed to be standing on the corners drinking beer and throwing bottles in the street. I didn't find one beer bottle; I found 32 broken pop bottles, cans on the Main Street of Whitehorse which was about ankle deep in litter from one end to the other and around the theatres and between Second and Third Avenue; it was just a disgrace that a Main street of any City in the country should have been in the abominable state this was, in a City which holds itself up as having such strong anti-litter Ordinance and there isn't an enforcement officer in the world to do anything about it and it is just a fop that people are listening to these litter and pollution clamour that is being raised. Now I think that I have shown myself to be - that I am proud to stand up and say that I am a person who is definitely against the pollution of our water and a person who is at heart a conservationist and what in the good name are we talking about - we can pass all the beautiful Ordinances in

Mr. McKinnon continues...

the world unless we are willing to spend some bucks to have those Ordinances enforced, we are just trying to pretend to the public that we are bowing to the pressure of the group that is putting the pressure on us and nothing else, because there is no way - we don't even know where the exploration companies are to look for even if we had the officers to enforce the type of legislation that we would like to see put on the book. I honestly think, under the Public Health Ordinance, under the Motor Vehicles Ordinance I have asked again and again, when will we have, because we have a strong anti-litter Ordinance under the Motor Vehicles Ordinance, when can we expect from the Administration guarantees that one) signs will be placed on the Highways saying that this legislation is in effect and that trespassers or: people who abuse it will be prosecuted to the full extent of the law and receptacles are available along the public highways so that they can dump their refuse. I can't even get answers to these questions-at this time we are talking about policing the whole of the Yukon Territory. Until we are willing to spend some money it is a ....to get excited and put our money where our mouth is, this is an impossible situation to control 207,000 square miles.

Mrs. Gordon: Probably the Member from Whitehorse North doesn't realize that you can do a citizen's arrest, and I think it is about time that everybody in this Territory became policemen, especially in this litter bit and the information is available from any Magistrate or Justice of the Peace as to how to go about making these kinds of arrests.

Mr. Taylor: I will resume the Chair at this time.

Mr. McKinnon: I would like to speak further on this Paper and I would like to ask the Director of Game before Council on this Paper to answer some questions; also I understand he has some very revealing slide information, which if it could be set up would be really an eye-opener to all Members of Council around here. I just get so fired-up on this when I see them making a garbage can out of this Territory and not even allowing us the ability to know where the people are exploring. If I'm not incorrect, at least my information was that the way they caught the people making an abomination up in the Old Crow area is with people from the Northwest Territories from Inuvik who had flown over the area and reported back and saying does anybody know that these people are just going through the country with no concern for the environmental pattern of the country at all and this is how they finally found out that people were even up there, let alone just making a garbage dump out of the Territory.

Mr. Chamberlist: Mr. Chairman, I think it would be really quite funny to see a lot of people arresting a lot of other people and carrying the evidence with them into the Court because this would be required but there is an idea there for local areas for citizen arrests but you don't go about doing this type of thing in the hinterland. I think what we should be doing is looking for the cause of the problem and the cause of the problem, in my thinking, is the lack of knowledge that the Territorial Government has in relation to where the oil leases of the different companies going into areas, not normally inhabited are being worked. I feel



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Mr. Chamberlist continues....

sure the Commissioner can perhaps very strongly suggest to the Federal Government, and especially to his Minister, that there is an absolute necessity for the Territorial Government to know ahead of time where land which has been leased to companies for exploration is to be worked, at least then the Administration can keep a wary eye on the situation. Now, you will recall that even the Honourable Member from Dawson did not realize some time that there were people working so close to Old Crow. Nobody had informed him and that is his constituency. He's not supposed to know this; he is not going to go out and make a special trip to find out. The position is that the Administration must be informed. We look to the Administration to inform us. Nobody knows what is going on in the specific areas and this is where the problems really start. What do we do about it. I would suggest that if, I happen to be going to Ottawa next week, I raise a little bit of hell about this particular subject as well so that at least the Federal Government does know that we want to be informed of these particular areas. Now the suggestion about the Ordinance that was, the Pollution Ordinance that was prepared, I would think that the Honourable Member from Watson Lake has a point when he says he is against the permit system but there must be a way of controlling pollution, especially in areas where it is questionable whether we can control it. We hear of people talking about pollution of creeks in areas which are not inhabited, or inhabited by very few yet I have been told in Old Crow that for eight months of the year the river is just stacked up with every rubbish and offence piece of offal that comes out of the place that you can imagine and it is there for months and months until the snow washes out. I understand that in many areas where small communities are rubbish and garbage and excretion is just piled.....right here as well- we talk about pollution but this has been going on for 50 or 60 years, 72 years at least, O.K. Now what have we been doing about the .....like the kick that we were on for a while with radio active fall-out, now it is the pollution kick. Then in Ontario they have mercury-infected waters and they have stopped the selling of fish. But we have a responsibility to see whatever protection we can give to protect the people and I think if the Commissioner will just impress upon the Federal Government the necessity to inform us here as to where companies are going to be working then I think that is one step, a big step in the right direction.

Mr. Commissioner: Mr. Chairman, as a consequence of this very question being raised on the floor of Council I believe about a year ago, we are, as I already indicated here, being informed of those actions that the Federal Government themselves are aware of and we are getting this information supplied automatically to us but I would draw to your attention, Mr. Chairman, that the movement of every individual and small group of individuals with regard to exploration work of any kind does not come under the purview of anyone in toto at this time. Now, this is what we were talking about in this Ordinance that we had before Council and as I said I personally tended to agree very much with Council's attitude at that time but it may well be ....consider this is a question for Council to decide. But, likewise I would say this to you, that pollution, no matter where it is created, begins with the individual and until we can somehow have a roused public that is going to look upon themselves as the creators of pollution and the people who suffer from pollution created by themselves, I am afraid that

Mr. Commissioner continues....

all the laws in the world are not going to do us a bit of good, and quite frankly Mr. Chairman, what Councillor McKinnon had to say a minute ago is not only a condition which can be observed on the one particular instance that he indicated here in Whitehorse, it can be observed 24 hours a day 7 days of the week within a hundred yards of the building in which you are sitting now. The individual just does not care and until he does care I don't think it matters how many laws you pass. This is the problem.

Mr. McKinnon: Mr. Chairman, I agree with what the Commissioner said, that I don't know how a government can act and speak in conscience when through a government-engineered and a government system they are pouring raw affluent into the Yukon River and the moment that the government is able to say, now look, what we are doing is wrong and we are providing money for sewage treatment plant as we are not going to do this any longer, then I think government can in conscience stand up and say, now look you private entrepreneurs, you have to do the same thing; we are leading the way. For crying out loud let us start getting serious about polluting our air and our water and we are serious about it in this, and until we are ready to do that and spend money as a government I don't think that we can really talk, in conscience, I don't.

Mr. Shaw: Mr. Chairman, is not the Council of the City of Whitehorse having discussions with the Federal Government in relation to this very thing; I thought that they were?

Mr. Commissioner: Mr. Chairman, discussions are going on ad infinitum; if verbiage would cure everything, we've got it beat, but it involves water supply, it is involved in the disposal of sewage not only for municipality but for the surrounding areas and if there is anything that we need around here is some kind of decisiveness...where we are getting the water from now, we are either going to leave it there or going to change it and be where disposing of the sewage...isn't the right place and we are going to do something about that. Maybe if we get this decision then we can do something about correcting..... I agree entirely Mr. Chairman with what Councillor McKinnon says; he is so right that it is not even funny.

Mr. Dumas: We are going to leave this matter in abeyance, I trust and ask the Director of Game to appear before Committee.

Mr. Chairman: We will have to devise something in the next day or so.

Mr. Dumas: Mr. Chairman, I would like to move that Mr. Speaker do now resume the Chair.

Mr. Livesey: Just one item, Mr. Chairman. What other Members have said in Committee with regard to this pollution situation, well the wording hasn't even been half strong enough, really, it is that bad and I wonder if Mr. Commissioner could perhaps join with us in our approach to the Department of Northern Affairs and ask them if they will consider us in the same light as they are considering Banff. I understand they have just put in a real good treatment system down there; I believe the total cost will be something around a half million dollars and they have seepage lagoons all set up and they are really working on the programme



S.P. #9

Mr. Livesey continues....  
in the Banff National Park and surely if we are not looking for tourists, if we are not looking for the same type of tourists that they are looking for down in Banff National Park I don't know what we are looking for in the summer time. We are spending a great deal of money trying to encourage the tourists to come here. We want to get those tourists here and we will then have to keep the place clean and I would think that we have the experts already in the Department who can give us some tremendous assistance to the problem that we have, even here in Whitehorse, the Municipality of Whitehorse which I think is about one of the worst in the entire area of the Yukon; so if we can get this cleaned up it will help to clean up the Yukon River and clean up a good many other areas, and not only that we need, as the Commissioner said, an example rather than precedent. Thank you Mr. Chairman.

Mr. Chairman: Is there a seconder for Councillor Dumas's Motion?

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

Mr. Chairman: It has been moved by Councillor Dumas, seconded by Councillor Shaw that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed? I will declare the Motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: I will now call Council to order. May we have a report from the Chairman of Committees.

Mr. Taylor: Mr. Speaker, Committee convened at 10:25 A.M. to discuss Bills, Sessional Papers and Motions. Mrs. Miskolczi, Mr. Pritchard and Mr. Krockner attended Committee to discuss Bill No. 2. Committee recessed at twelve noon and reconvened at 2:10 P.M. I can report progress on Bill No. 2. It was moved by Councillor Dumas, seconded by Councillor Chamberlist that Section 7, subsections (1) and (2) be amended to provide for six months' probation period and this Motion carried. I can report progress on Bill No. 1. It was moved by Councillor Dumas, seconded by Councillor Shaw that Mr. Speaker do now resume the Chair and this Motion carried.

Mr. Speaker: You have heard the report of the Chairman of Committees, are we agreed? May I have further indications of the agenda for tomorrow.

Mr. Taylor: Mr. Speaker, following Orders of the Day, and upon resuming in Committee of the Whole, we have coming to join with us Mr. W.S. Irwin who is the Superintendent of .... for the Province of British Columbia and he will be assisting us in discussions relative to the Securities Bill.

Mr. Speaker: Are there any additions?

Mr. Shaw: Mr. Speaker, I would move that we call it five o'clock at this time.

Mr. Speaker: It has been regularly moved that we call it five o'clock. Are we agreed? The House now stands adjourned until 10:00 A.M. tomorrow morning.

ADJOURNED

ADJOURNED

Mr. Speaker read the daily prayer. All Councillors were present.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call Council to order. I have for your attention the tabling of Sessional Paper No. 11. Are there any Reports of Committee? Introduction of Bills?

Moved by Councillor McKinnon, seconded by Councillor Dumas, that Bill No. 12, An Ordinance to Amend the Low Cost Housing Ordinance, be introduced.

BILL #12  
INTRODUCED

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Notices of Motion or Resolution?

Mr. Chamberlist: Mr. Speaker, I would move Notice of Motion re Sessional Paper No. 11.

MOTION #15

Mr. Speaker: Are there any further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? Moving to Orders of the Day, under Daily Routine, Motion No. 11, moved by the Honourable Member for Whitehorse West, seconded by the Honourable Member for Mayo, "That Sessional Paper No. 10 be discussed in Committee of the Whole". Would the Honourable Member for Whitehorse West be now prepared to move Motion No. 11? Question has been called. Are we agreed? I will declare the motion carried.

MOTION #11

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Motion No. 12, moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Watson Lake, "It is the opinion of Council that the Commissioner be requested to exercise his authority under the recent amendment to the Criminal Code to permit approved organizations to conduct games of chance, raffles and lotteries under regulations to be introduced by Commissioner's Order at the earliest opportunity". Would the Honourable Member for Whitehorse North be prepared to move Motion No. 12 at this time?

MOTION #12

Mr. McKinnon: Yes, Mr. Speaker. I don't want to reiterate the arguments that were offered at Dawson City, however, I just want to say that I have supported the attempt to amend the Criminal Code so that such things could be allowed under the Criminal Code, and I would like to see the Commissioner put games of chance, lotteries and raffles into practice legally in the Yukon Territory as soon as possible as we all know that the law that now stands is a complete travesty of what is actually happening here in the Yukon. Gambling here of course is wide open during the Sourdough Rendezvous. Sourdough Rendezvous is not a charitable organization; this is illegal as it stands now. Klondike Nights were eliminated by the members of the constabulary in Dawson City because of complaints. Every raffle on the ice-breakup pool, any of these things, are illegal to the citizens of the Yukon in Canada, which as I say, is hypocrisy in its finest because everybody knows that it's just abused and is just a complete travesty of the law. When we're given an opportunity by the Federal Government to make what is happening legal in fact, and I think that we should use the offices of this House and the Commissioner to make that legal as soon as possible. I remember the first Private Member's Bill that I



Mr. McKinnon continued:

introduced in this House. It had been tradition for time immemorial that hockey games were held on Sunday afternoons in the Civic Centre and that charges were made for admission to these games. All of a sudden, someone who was going to make sure that we in the Yukon did not abuse the Lord's Day complained to the local constabulary and we could no longer play hockey on Sunday afternoons and charge an admission at the door. Now, we had to go through a rigamarole that took the better part of a year before we got permission from the Federal Government to amend the Lord's Day Act and then we were allowed to introduce legislation in this House amending the Lord's Day Act. Finally we were allowed legally to charge for hockey games and people were allowed to go to shows and concerts and theatres on Sunday. I think that everybody recognizes the fact that these things are happening in the Yukon at this time. We have the ability to make them legal, and I think the Commissioner, for approved organizations, should give these organizations the opportunity to legalize the things that they are doing now. I do have trepidation and I don't want to see the Yukon opened at this time for wide open gambling of the casino nature and the Los Vegas nature. I think it's inevitable that when this type of gambling moves in that there is a very undesirable element that moves right in behind it, and I don't think that we could control this type of activity in gambling in the Yukon at this time. Heaven knows we can't even control the firms from polluting the environment of the Yukon. How could we ever control, say, the gambling mafia if they ever decided that the Yukon was prime for the plucking to be able to move in with their gambling machines and endeavours. As I say, this simply states that games of chance, raffles and lotteries should be legalized. This is exactly what is happening now and these organizations are doing it illegally. Let's accept the fact that they are happening and make them legal, Mr. Speaker.

Mr. Speaker: Is there any further discussion? Question has been called. Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

MOTION #13

Mr. Speaker: Motion No. 13, moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Whitehorse West, "It is the opinion of Council that the Member for Whitehorse East, Councillor Norman S. Chamberlist, appear as Council's representative before the Standing Committee on Indian Affairs and Northern Development when they discuss Bill C 187, An Act Respecting Inland Water Resources in the Yukon Territory and Northwest Territories". Would the Honourable Member for Whitehorse North be prepared to move Motion No. 13?

Mr. McKinnon: Yes, Mr. Speaker. It gives me pleasure, if the monies can be found somewhere within the operation and maintenance budget or if we can even find the money available from the Standing Committee on Indian Affairs and Northern Development, which would be even better, to allow Mr. Chamberlist, the Member from Whitehorse East, to represent us in discussions before the Standing Committee on Indian Affairs and Northern Development concerning Bill C 187, the Act Respecting Inland Water Resources in the Yukon Territory and Northwest Territories. We have of course been told time and time again by the present incumbent Minister and by his administrative staff that there is going to be no regulation, no legislation to come for the Yukon Territory before we are advised and our representations have been sought and our representations have been heard. Unfortunately, for all the promises, this is not the case for Bill C 187 so the only way that we can circumvent this is to be able after the fact to send representation to Ottawa to present our very real concern over some of the terms and conditions in this Bill. I am often accused unjustly, so I think, of political partisanship, and it gives me great pleasure to be able to move that Councillor Chamberlist, who I am

Mr. McKinnon continued ...

sure will do a good job for all Yukoners in representing us at these discussions.

Mr. Speaker: Is there any further discussion on the motion? Question has been called. Are we agreed? I will declare the motion carried.

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Motion No. 14, moved by the Honourable Member for Carmacks-Kluane Lake, seconded by the Honourable Member for Whitehorse West, "That the question of pollution in the Carmacks area be discussed in Committee of the Whole". Question has been called. Are we agreed? I will declare the motion carried.

MOTION #14

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: I wonder, Mr. Clerk, if we could have Mr. Commissioner here with us this morning for the Question Period? I will declare a five-minute recess.

RECESS

RECESS

Mr. Speaker: I will now call Council to order. You may proceed with the Question Period.

Mr. Taylor: Mr. Speaker, I have a question I would direct to the Administration this morning in respect of the sale of lots at the Faro Townsite. I would like to ask Mr. Commissioner just how many lots were actually sold yesterday to other than the Anvil Mining Corporation.

QUESTION RE  
FARO TOWN-  
SITE LOTS

Mr. Commissioner: Mr. Speaker, I don't know, but I'm sure that Mr. Clerk could inquire of Municipal Affairs. We can get this information, Mr. Speaker.

Mr. Taylor: I have a supplementary question, Mr. Speaker. Inasmuch as these have been advertised for sale, these lots, on a cash down and twenty year repayment at 7% interest, I'm wondering if Mr. Commissioner could inform me this morning as to where he draws the authority to do this inasmuch as this hasn't been approved by the House, this policy.

QUESTION RE  
FARO TOWN-  
SITE LOTS

Mr. Commissioner: I am sure I have no idea, Mr. Speaker. I have not got a clue. I'm assuming that my officers who have advised me to do this have advised me on the basis of what they consider to be the proper authority or it would never have been done, but beyond that, Mr. Speaker, I cannot identify the authority.

Mr. Taylor: A further supplementary question, Mr. Speaker, I'm wondering if Mr. Commissioner would endeavour, say, for Monday, to find the answer to the question I've just asked?

Mr. Commissioner: Mr. Speaker, I don't know whether there is an answer to this question that is being asked. I'm certainly very pleased to take it up with my officers to find out if for any reason we are doing something here that is not legal. If it is, why, we had better stop doing it. That's all there is to it. But, if the Honourable Member feels that there is some lack of authority on this matter, why, if he would indicate where this lack of authority is and point it out to us, we'll gladly look into it. Not only that, Mr. Speaker, anything that we are doing that won't stand the fullest public scrutiny, I've said before in this House, and I say it again, we had better stop doing it.



QUESTION RE  
FEDERAL GRANT  
TO Y.W.C.A.

Mr. Dumas: Mr. Speaker, I have a question regarding a problem that has been plaguing us for some time. I would like to know if the Administration has ever made representations to the Federal Government in order to acquire money for a grant to the Y.W.C.A.

Mr. Commissioner: The answer is yes, Mr. Speaker.

QUESTION RE  
UNITED KINGDOM  
SOVEREIGN  
RIGHTS

Mr. Chamberlist: Mr. Speaker, I have a question for Mr. Commissioner, and I would preambule it by saying that I have received information that the Yukon Field Force was sent into the Yukon in the early days of the gold rush at the specific request of the United Kingdom to protect its sovereign rights in the Yukon. Would the Commissioner undertake to inquire from the Federal Government as to when the sovereign rights in the Yukon of the United Kingdom ceased?

Mr. Commissioner: Mr. Speaker, I hope that Solomon is ready to be reincarnated. If I could have the benefit of having this as a written question, Mr. Speaker, I will be very pleased to forward it to the appropriate federal authorities.

Mr. Speaker: Will the Honourable Member so provide?

Mr. Chamberlist: Yes.

Mr. Speaker: Are there any further questions?

QUESTION RE  
O & M BUDGET

Mr. Taylor: Yes, Mr. Speaker. Inasmuch as the operation and maintenance budget is held up for two reasons, one being the Chamber of Mines' involvement and the other being the L.I.D. budget, if indeed those budgets do exist, I'm wondering if Mr. Commissioner could tell me this morning whether he will be prepared to table those budgets of the three Improvement Districts so that we might proceed with the completion of the budget?

Mr. Commissioner: Mr. Speaker, this question I was asked when we were sitting in Dawson City, and I believe at that time it was indicated by the Treasurer that these would be forthcoming. I'm assuming they will be forthcoming as soon as he can make them available. As far as the other item is concerned, that is something that will have to be discussed with the Budget Programming Committee and we will be having a meeting of Budget Programming Committee sometime early next week; that's as far as I can go on that point. The first one, I would ask Mr. Clerk to check with the Treasurer to see how imminent these L.I.D. budgets are.

QUESTION RE  
O & M BUDGET

Mr. Taylor: Supplementary, Mr. Speaker, as I say, if indeed these do exist and I really don't believe they do, I'm wondering if Mr. Commissioner would then be prepared to have his Administration table these budgets tomorrow morning or in lieu of that, give us an explanation why there are no budgets in existence?

Mr. Commissioner: Mr. Speaker, I'm not going to commit myself to tabling them tomorrow morning. The question was raised and I think it was a reasonable question. As soon as we have checked further with the Treasurer, then I'm in the position to answer further. I'm not going to commit myself to tabling them tomorrow morning or a statement in lieu thereof.

Mr. Speaker: Are there any further questions?

Mr. Chamberlist: Yes, Mr. Speaker. Could the Commissioner indicate when it will be possible at all for an assurance of some description on any matter be given by him?

Mr. Speaker: Order, please. The question is out of order. Are there any further questions?

Mr. McKinnon: Mr. Speaker, I believe it was at the last Spring Session I asked Mr. Commissioner whether the Commissioner had contemplated introducing legislation banning disposable bottles in the Yukon. He told me then, if I'm correct, that he was going to take a look into the matter. I wonder if he has looked into the matter and whether he could report to the House on this?

QUESTION RE  
DISPOSABLE  
BOTTLES

Mr. Commissioner: Mr. Speaker, there has been considerable interest I think in all provincial jurisdictions which we have been following with regard to this problem which was raised by the Honourable Member. Some proposals are being put forth now in neighbouring jurisdictions along these lines, and as soon as we can bring these together, we will be bringing them to Council and asking their advice as to which if any of these policies should be followed. I think that Council is aware that there is not very much point to our embarking on schemes of our own here unless they are at least relatively close to what's going on in neighbouring jurisdictions. I am sure that you are aware that there is a proposal before the British Columbia Legislature at the present time on a charge, a monetary charge at the time of purchase I believe it is in this regard, and also there has been discussion going on in the state authorities in the State of Alaska along similar lines. I would commit myself to this, Mr. Speaker, and I think it is a fair method of dealing with it, that we will get the legislation that is available at the present time, and proposed legislation, in the neighbouring jurisdictions and bring it forward to this Council for their perusal and consideration just as quickly as we can get our hands on it.

Mr. Speaker: Are there any further questions?

Mr. Taylor: Yes, I have one final question, or further question this morning, Mr. Speaker, and I'm involving again Municipal Affairs. I'm wondering if indeed the department ... I would ask the Commissioner this morning if his Department of Municipal Affairs functions as a separate entity from anybody else or indeed are the policies that they undertake decreed by the Commissioner or cleared through the Commissioner's office first?

QUESTION RE  
MUNICIPAL  
AFFAIRS'  
POLICIES

Mr. Commissioner: Mr. Speaker, the Department of Municipal Affairs operates under certain legislative authority and they operate under certain policy directives which are either, if they are purely administrative policies, cleared through either my office or through one of the Assistant Commissioners' offices, and if they are policies that have to do with regard to legislative matters, they are dealt with through various committees that sit for that purpose. Land disposal, we have land disposal policy groups. If they are legislative matters, they go to Legislative Programming Committee. They don't function any differently than any other department of the Territorial Government, Mr. Speaker.

Mr. Speaker: Are there any further questions? If not, would the Honourable Member for Watson Lake please take the Chair?

Mr. Taylor takes the Chair.

Mr. Livesey: Mr. Speaker, this is not meant as a double-barrel question although I know it sounds like one. It has a single-barrel effect. A question to the Administration: "Will time permit or inventive genius provide an opportunity for Council to decide the voting age in Territorial elections to include the forthcoming fall election in view of the suggestion in the Commissioner's Opening Address that the Legislature would be provided an opportunity to make such a decision?". My second question, Mr. Speaker, is addressed to the Administration: "When will the Administration be able to provide Council with a copy of a brief from Yukon doctors on health care as suggested in the Commissioner's Opening Address?". Thank you, Mr. Speaker.

QUESTION #4

QUESTION #5

Mr. Livesey resumes the Chair.

Mr. Speaker: Are we clear now with questions? May we now proceed to Public Bills and Orders?

Mr. Shaw: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council resolve itself in Committee of the Whole to discuss Bills, Motions and Sessional Papers.

Mr. Dumas: I'll second the motion.

Mr. Speaker: Moved by the Honourable Member for Dawson, seconded by the Honourable Member for Whitehorse West, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

BILL #3

Mr. Chairman: The first item on our agenda for today is discussion on Bill No. 3. We have two witnesses to join with us in this discussion: Mr. H. J. Taylor, Registrar General; and Mr. W. S. Irwin, Superintendent of the B.C. Securities Commission. Mr. Clerk, would you see if these gentlemen are available. I will declare a brief recess.

RECESS

RECESS

Mr. Chairman: At this time, I will call Committee back to order and we are discussing this morning, Bill No. 3, namely, An Ordinance Respecting Securities. We have with us Mr. H. J. Taylor, the Registrar General; and Mr. W. S. Irwin, the Superintendent of the B.C. Securities Commission, who has come from Victoria to assist us in considering the matter of securities. Councillor Chamberlist, will you take the Chair a moment, please?

Mr. Chamberlist takes the Chair.

Mr. Taylor: Mr. Chairman, while in Dawson, we began reading this Bill, and as Members will recall, we decided that we would wait until we came back to Whitehorse and try to seek some professional advice in this most critical field. It is indeed wonderful that Mr. Irwin was able to come up to the Yukon and give us some of his wisdom and experience, and be prepared to answer questions in relation to the Bill. Now, I don't imagine that Mr. Irwin has had too great an opportunity to do much study because of the time involved; it happened rather quickly. But, I would like to first off ask a question of Mr. Irwin and ask him if he has had a chance to view this Bill, and generally what his opinion is in relation to it.

Mr. Irwin: Before answering your questions, I would preface my remarks by saying that I'm here before you today to express personal opinions as the Chief Administrative Officer of the B.C. Securities Commissioner, and any opinions I express, lady and gentlemen, are not necessarily those of my government. I have had a chance to examine the draft Bill; Mr. Taylor kindly delivered a copy of it to me upon my arrival yesterday afternoon, and I went through it briefly yesterday afternoon and late yesterday evening.

Mr. Chairman: Does that answer your question? Councillor Dumas.



Mr. Dumas: Could we have a general opinion from the witness on what he thinks of what he read?

BILL #3

Mr. Irwin: Well, it's very easy to be a critic, lady and gentlemen, and if that's what you would like me to be, I will therefore be it and truly speaking, I'm not enamoured of the Bill as I read it last night and yesterday afternoon. I think it contains quite a few anomalies. I don't think the powers of the Registrar in certain areas are as clearly defined as I would like to see them, and I think, as would be necessary for easy administration of the Securities Statute. If I may say, I think that a Securities Statute is one statute, regardless of where it may be enacted, that must have teeth in it to permit the administrator to take very fast and definitive steps against persons and companies who may have sold securities to the public and who may be about to decamp with the proceeds of those securities, and I think your administrator has to have some clearly defined areas that will permit him to go in and stop situations immediately without having to consult higher authority if he himself is convinced that that is the action that is necessary.

Mr. Dumas: Mr. Chairman, I'd like to point out to the witness that we're starting just about from scratch on this Ordinance and hopefully whatever we come up with is going to be better than what we now have or don't have. If we do go through the Bill, some of the pertinent points that the witness has already mentioned and others that I'm sure will come up, he could maybe indicate to us what might be preferable as opposed to what in fact is in the Bill.

Mr. Taylor: I just wanted to at this time, Mr. Chairman, say that I think, in my opinion, that it would be time consuming and to no useful purpose to read this Bill at this time. I think that what we should be doing is trying to determine whether or not we should take another course in this matter, that we should take a look at some other legislation which might be more fitting especially here in the Yukon. I would like to say that much of our trading in securities and mining companies is done between here and Vancouver, in other words, here and the Province of British Columbia, and possibly Mr. Irwin may have some thoughts or recommendations or ideas on how best we could proceed in the provision of a Securities Ordinance. Now, we have an existing Ordinance which we approved I believe at the First Session of 1966, and it was just more or less a stop-gap Ordinance. It may be that what we will have to do is consider asking the Administration to bring back another Bill for a future Council, and yet it may be that we might wish as a Committee to strengthen our existing Ordinance in the interim to provide for some of the areas where there seems to be problems. I would like to ask Mr. Irwin, Mr. Chairman, generally speaking, what he feels would be the better legislation in Canada among the provincial pieces of legislation, and indeed what he might suggest as an answer to our problems in relation to adopting some other jurisdiction's legislation.

Mr. Irwin: Of course, the Uniform Act that five Canadian provinces now have, I submit with respect would be completely impractical insofar as the Yukon is concerned. Now, as an example of what I mean, I point out that I presently have twenty-eight people, bodies, on the Commission staff and we are finding ourselves short-handed, so I think it would be the height of folly to attempt ... the Yukon to attempt to take all or a portion of the so-called Uniform Act. However, up until 1962, when we adopted in B.C. the Ontario form of act, we did have a statute which I think could be adapted to your use here. Now, my reason for saying that is that when I joined the Superintendent of Brokers' office in Victoria in 1960, they had that statute and the securities industry in British Columbia was being administered under that act by two men and two girls, and yet there was a very active securities industry in force in the province

BILL #3

Mr. Irwin continued ...

at that time. Now, I think that Little Act, as we call it, might very well be adapted for your purposes. It is very easy to administer.

Mr. Shaw: For years I have been wanting to get Securities Legislation and each time I requested and other Councillors requested it, the answer has been that this is fine but this is a very complicated procedure and we would have to have a huge staff and we just can't afford it at this time. It appears that in every case, the instructions for the Ordinance and so on emanate from the east. I have felt that perhaps some arrangement could have been made with the Province of British Columbia ... this is quite a number of years ago ... to work out some program if possible with them under some type of deal because most of the transactions ... I won't say most, but many of the transactions, the head offices and the people concerned are located in the Province of British Columbia, in Vancouver. Now, we have an Ordinance here respecting securities and apparently it doesn't fill the Bill. Well, every time we enter into something like this, it seems that we must delay it for another year to make another step. Of course, we are doing the same thing now, and it might be quite well justified that we are making that step. I would like to ask, Mr. Chairman, the Registrar General, Mr. Taylor ... I was going to say Receiver General and he is too to an extent ... whether he has also gone over this particular proposed Bill with Mr. Irwin and if he's quite convinced that there are anomalies in it that will make it unworkable for use in this Territory.

Mr. H. J. Taylor: Mr. Chairman, I did go over this Bill with Mr. Irwin part of the afternoon yesterday and last evening, and there are several mistakes in it; utterly, glaringly wrong references, etc., etc. The Bill was done in a hurry by ourselves; it didn't emanate from the east. We'll have to take the blame ourselves as we did it here. I'm ashamed of it to say the least, and I think it should be dropped, scrubbed, and we should start over from scratch. Mr. Irwin has promised me or offered us the utmost cooperation in preparation of a new Bill and I'm sure it would be far better to start over again.

Mr. McKinnon: I can't stand all these admissions ...

Mr. Dumas: This is amazing ... confession time. Mr. Chairman, at any rate, it sounds like Mr. Taylor has a fairly good idea. It seems to me that ... I would have hoped that this would have been done in the first instance, but it's becoming apparent that although Mr. Taylor and the Legal Adviser probably did their best, for whatever reason, time or what have you, they didn't seek what we might call expert advice on this. I wonder if Mr. Legal Adviser, Mr. Chairman, would tell us if he went to anybody else, anybody outside of the Territory for advice on this matter?

Mr. Legal Adviser: I wasn't aware of the earlier Bill of B.C. of 1962. I was aware of the Bill which was in common use through the provinces, and it's quite complicated and it's quite difficult to operate, so we sought a simpler form of legislation. We went back to New Brunswick or P.E.I. or somewhere to get a simple Bill where they were roughly similar to our own operation. Now, I haven't been through the Bill with Mr. Irwin and I'm not sure what the anomalies are, but certainly I think we should accept his advice if we're going to link in for assistance, and Mr. Irwin has offered his advice to the Registrar General. I think it would be reasonable to accept it and go back to the earlier form of Bill and to start from scratch. I don't think it would be a difficult operation once we have Mr. Irwin here physically with us. I think it won't be a very difficult operation. I don't know how long the Council is sitting but we could have a go at doing it sort of before the end of Council.

Mr. Shaw: Mr. Chairman, I think a great deal of credit should be given to the Registrar General for producing this Bill, and also for admitting that it isn't up to scratch. I think that we often must consider that if one does nothing, one does not make any mistakes. He's done something; apparently it's turned out to be a mistake but it has brought the matter to a head and we are going in the right direction. So, I think that it's just something like when you're bulldozing an operation, you know, you make an awful mess before you get something cleaned up and I think that this is very good that we have it and I would appreciate that we go ahead and cook up something that will fit in with the requirements and the capabilities of the Yukon Territory.

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Mr. Taylor: Mr. Chairman, I think that Committee probably now in light of the discussions that have gone forth will agree that there has got to be this exercise, that this Bill should be dropped and a more proper Bill prepared. But, I think that in the interim, we do have a problem that we've got to deal with and rather than withdraw the Bill, I would suggest that we take the title and delete everything after section 2 and create a few amendments to our existing Ordinance to carry us over in the event that there is not sufficient time left at this Session. Now, we had hoped ... I'm sure all Members had hoped, that we can conclude the business that we have to do sometime next week, and if this indeed be possible. Now, if it appears that ... in this short period of time, I can't quite see that we can come down with a good piece of legislation, so I would like to offer a suggestion, and I think while Mr. Irwin is here, this is a golden opportunity to discuss it, that maybe in two or three areas we can do something with our existing Ordinance, amend it. Now, one area, just to get this thing off, would be in respect of all companies, territorial and extra-territorial, trading securities here in the Yukon, whether they are from outside the Territory or within the Territory, possibly we might consider putting a provision in our Ordinance requiring all these companies henceforth to be registered under a Securities Commission somewhere in Canada ... Ontario's Securities Commission, indeed, the B.C. Securities Commission, or something of this nature. We might take a look at other areas, but I would just in this one instance ask Mr. Irwin, or Mr. Taylor, as the case might be, if they would think that such an idea of requiring these companies to first register with a Securities Commission somewhere in Canada would work.

Mr. Irwin: I don't see anything wrong with it at all, Mr. Chairman, and as far as our Commission is concerned, if we're chosen, we'll do everything within our power to assist you expeditiously. As a matter of fact, with respect to drafting another statute, and with respect to your Legal Adviser, who I think may have a shotgun under the table waiting for me, I would be willing to have our staff prepare a draft statute based on our old 38 Act with the requisite changes and I think I'd almost undertake to have that delivered to you next week if you're interested.

Mr. Taylor: Well, I'm just wondering now if Council would agree to await this piece of legislation and then there would be no need to consider amendments, stop-gap amendments, to our existing Ordinance. I think this is really a tremendous thing, Mr. Chairman. I think that for once we're really doing something good. We've got some experts in the field to assist us as laymen at this table. As I said in Dawson, I didn't feel that anyone at this table was competent to, not to create but to assess the impact or import of this Ordinance, and I still feel the same way, but now we've got ourselves some expert advice and I certainly support the idea. But, I'm just wondering at this time if Council is willing to await this Bill and if it can be done expeditiously, fine, but if there's any suggestion that we can't then I think we should proceed in the other direction and find out what areas we should deal with in our existing Ordinance as amendments.



BILL #3

Mr. Dumas: Mr. Chairman, I believe there has been some thought given to the possibility of another Council Session some time before possibly July 1st, and this matter could certainly be handled then. But, I do think it's something that should be handled as quickly as possible. Mr. Chairman, I would like to comment that Mr. Irwin's offer I think is a very generous one, and although I realize he said that he wasn't speaking on behalf of the Government of B.C., I hope there are no strings attached, like giving B.C. the bottom half of the Yukon or something.

Mr. Irwin: At the expense of sounding trite, British Columbians have a pretty soft spot in their hearts for Yukoners, and I assure you, it's got nothing to do with takeovers.

Mr. Taylor: I'll resume the Chair at this point.

Mr. Chamberlist: Mr. Chairman, I'm pleased indeed that the suggestion that has been made by Mr. Irwin has been so generally accepted by the Members of Council. I am very, very much concerned that as quickly as possible, brokers, broker salesmen, those people who suggest or intimate to the people of the Yukon that they're acting in conjunction with companies who are registered in B.C. as brokers, should be checked real quickly here in the Yukon. Some of the nefarious schemes that are from time to time carried out by local salesmen in local supposedly brokerage offices are such that the people in the Yukon, the very, very small guy, is playing the penny stocks and is being filched. What Mr. Irwin has come up with, the suggestion was made ... he recognizes that the work that was done by Mr. Legal Adviser and the Registrar were the immediate things that had to be done quickly, and certainly we could go through this piece of legislation and break it down and wrap it into something that might be good, but it still wouldn't be good enough. For the experience that the B.C. Securities Commission has had, we should take the benefit of their offer and I'm very, very pleased indeed again to say that whatever we can do to get it done quickly would be satisfactory.

Mr. Irwin: Mr. Chairman, we're willing at any time to pass on information to you. We're no further away from you than the telephone. If you want anybody checked, call us. We're only too happy to do anything we can to check out these people for you as soon as you know they're in the Territory.

Mr. McKinnon: Mr. Chairman, I'm so overwhelmed by the events of this first hour of Council Session this morning that I think April 9th should go down in the history of the Yukon as a national holiday. First off, we have the Administration admit that a piece of legislation that they have put before us is not as good as it could be, and secondly, we receive the utmost and complete cooperation from Mr. Irwin's department and staff. What better hour have we ever spent in this Council Chamber in the history of the Yukon Legislative Council, I don't know.

Mr. Livesey: Yes, Mr. Chairman, let's hope that this hour has seven years.

Mr. Chairman: Councillor Chamberlist, would you take the Chair?

Mr. Chamberlist takes the Chair.

Mr. Taylor: Mr. Chairman, I just have a couple of questions. I couldn't allow the comments made by the Honourable Member from Whitehorse East to pass without comment, because I don't agree that there are people in the Yukon in the brokerage business who are filching the public. I just can't agree there.

Mr. Chamberlist: You don't know enough.

Mr. McKinnon: It was a good day ...



Mr. Taylor: It seems to me that these people who are in the broker- BILL #3  
age business in the Province of British Columbia have to be (a)  
bonded, (b) have to have completed the course as laid down by the  
Investment Dealers Association of Canada, and indeed have to, I  
believe, I was told this morning that these people also have to  
serve seven years apprenticeship in a brokerage house. But, I'm  
wondering, in this legislation that we're thinking of now, the  
proposed original B.C. legislation which we are going to attempt  
to adapt, just what does that act provide for basically? Does it  
provide for the whole spectrum of securities or, in other words,  
if something's done in other acts, is it all embodied in one?

Mr. Irwin: It is basically a registration type statute, that is  
registration of persons and companies to engage in the sale of  
securities and the registration of the companies themselves that  
are issuing the securities. It's a Fair, Just and Equitable Act;  
that is, known in the States as a Fair, Just and Equitable Act,  
and up here as a Registration Statute. The company virtually can't  
work corporate-wise without having to come to the Registrar. It  
gives very, very fast control with a minimum of administration and  
it does provide for the Registrar to fix conditions of registration  
which was done under the old act with the utmost of discretion.  
Some of the conditions of registration at time seem rather out-  
landish, but they were designed to meet certain situations, and  
he could affix these and if they were in breach of those conditions  
then of course the registration was suspended.

Mr. Chairman: Councillor Shaw, will you please take the Chair?

Mr. Shaw takes the Chair.

Mr. Chamberlist: Mr. Chairman, I have now become suspicious that  
the opening of this debate by the Councillor from Watson Lake came  
about because possibly someone had suggested to him that this  
Securities Ordinance should not be dealt with. It leaves me to  
be suspicious now that there is a possibility that it has been  
suggested to somebody because he said that he was speaking to some-  
body connected with the brokerage this morning, that it's possible  
that there are some areas of this piece of legislation that was  
put before us which would restrict those very things that I was  
talking about earlier. Now, I had hoped, as all Councillors had  
hoped, that we had at last agreed that we had at last got the  
Administration to admit something, that the Councillors agreed  
that we would go along and get a good piece of legislation. Now,  
I wonder why the Honourable Member for Watson Lake should now come  
out and say that "I don't agree with this because people in the  
Yukon are all honest". It is the people in the Yukon that are  
trading that are not registered with the B.C. Securities Commis-  
sion, who they haven't got any control over, that we should be  
controlling. That's what we should be looking at because those  
people that are and do come under the scrutiny of the Securities  
Commission of B.C. are properly taken care of, and they're followed  
and they're watched, and they have their own investigation depart-  
ment that watches them. If we can get the co-operation of the B.C.  
Securities Commission to do exactly that, we will be saving for the  
people of the Yukon a lot of money, and we will be saving the haven  
that has been coming around for years where people who unscrupulously  
try to filch the public come up here because they like it up here,  
because they know that we're a bunch of suckers because we haven't  
got legislation to prevent that from happening. Now, the Honour-  
able Member from Watson Lake, when he stood up and was critical  
of the remarks I made, was perhaps afraid that I was getting near  
to the position as I see it, the position being that perhaps there  
will be another wait. Like the Honourable Member from Dawson said,  
for years and years and years, everybody says "Let's put up the  
Securities Commission next time; we have to get staff; we have to  
get more information". Well, let's make up our minds that in the  
next few months, as soon as we have a copy of a good act sent to  
us by Mr. Irwin, let us, even if we have to call another Session

BILL #3

Mr. Chamberlist continued ...

especially to deal with just one matter, deal with it and not keep on sloughing it off for somebody else.

Mr. Taylor: Mr. Chairman ...

Mr. Chairman: Councillor Dumas.

Mr. Taylor: As a point of order then, Mr. Chairman, I feel that I should be permitted to answer the question asked by the Honourable Member.

Mr. Dumas: I bow to the Honourable Member from the east.

Mr. Taylor: Mr. Chairman, I don't know who has the guilty conscience, but it certainly isn't me. I might say in answer to the Honourable Member's accusation or question or however it might be termed, when he stated or insinuated that I was trying to defer this for some illicit purpose, I can say without any qualifications, this is not the case. The Member also asked me if I sought the opinion of other people, and he referred basically I believe to people trading in securities, and the answer to that is yes. Whenever things of this nature come up, I try to get everybody's opinion on it, because I as a layman, am a person who doesn't fully understand these matters and the only way I can become acquainted with it is to go and ask those who know. Just for the edification of the Honourable Member, I did take it to one of our local brokerage houses and they informed me after viewing the legislation that they thought it was quite alright, except they were very disappointed; they felt it didn't go far enough in relation to brokerage houses, and they felt it should be at least as strong as those regulations enforced in the Province of British Columbia, where indeed these people come from. That might answer the Honourable Member's question. I still do not feel that any remarks about these companies are warranted until one can prove these things, and this is why I rise to the defence of those who are not here to defend themselves.

Mr. Chairman: Councillor Dumas.

Mr. Dumas: Mr. Chairman, I think we're all in agreement on the next steps to be taken in this matter, and I'm sure the Legal Adviser has the feeling of Committee on this matter, and with Mr. Irwin's kind offer of assistance and consent from him and his department and with our Registrar here, I think something can be worked out so that before the next few months at the latest, we have some good securities legislation. With that in mind, Mr. Chairman, I'd like to move that we report progress on this Bill.

Mr. Livesey: I'll second the motion.

Mr. Chairman: Moved by Councillor Dumas, seconded by Councillor Livesey, that we report progress on Bill No. 3. Are you ready for the question? Are we agreed? Are there any contrary? The motion is carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Chairman: Now, under the powers vested in me as the Chairman of this Committee, we will call a coffee break at this time.

RECESS

RECESS



Thursday, April 9, 1970  
11:00 o'clock a.m.

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

BILL #3

Mr. D. E. Taylor resumes Chair.

Mr. Chairman: The chair has duely noted that the motion that a progress report be reported on Bill #3, and I just would like to ask from the chair, of our Registrar General, what the possibilities are of having a Bill involving the legislation discussed this morning before Committee next week. What point in time could we expect the Bill?

Mr. H. J. Taylor: Well Mr. Chairman, with Mr. Irwin's help, he's going to be here all day tomorrow, and hopefully we could have a Bill prepared for presentation to council early next week, but I would hate to ask Mr. Irwin to go all the way back to Victoria and then come all the way back up here, but I would like to have him here when the Bill is discussed. But if he would be prepared to go back to Victoria, as has been suggested and prepare the Bill there with his Legal Advisers and bring it back up with him next week-end if council was still in session you could have it by the middle of the week.

Mr. Dumas: I think we would be making another mistake here if we start working this once again. I think we should allow time for this, as I said we have no way of knowing for sure if there will be another session of council before July 10 but indications are that there will and I think that would be time enough to take up this matter and I think we certainly should take it up at that point. But to try and push it through before this session ends, I think it would be just about an impossibility, I think it would be asking too too much of Mr. Irwin and his staff.

Mr. Chamberlist: Mr. Chairman, I may be in Ottawa at that time, and I would like to be here when that particular Bill is discussed.

Mr. Shaw: Mr. Chairman, as I stated earlier, this has taken some year, and I say years, to get to this state, and although this is drawing very close to the end of this council's term of office I think that it would be most befitting if we could get this particular Bill passed at some time or other. I realize that the time involved right now, trying to do something within two or three days, particularly with the week-end coming in it's going to be very difficult, and it would produce a great deal of hardship on Mr. Irwin, and I would feel that he would appreciate having a little more time to go through with this, and if he could complete this, have it sent up here, I see no reason, I think this is quite important that a session could be called to just deal with this, if this were necessary. This is important enough that I think it should go through just as soon as possible. I would be quite willing to travel down here and help out.

Mr. Irwin: If I do not come up it will be my Deputy. If things at the time dictate I can't come back up, if you wish me to be here or someone from my office be here at the time the Bill is discussed, it will be my Deputy. But there will be someone here from our office if you so desire.

Mr. Chairman: What time do you feel would be required, Mr. Irwin for preparation of this Bill.

Mr. Irwin: Well I still think we could have something for you by Wednesday of next week. You may not wish to deal with it gentlemen, in any final way but at least you would have it for

BILL #3

Mr. Irwin continues . . .  
consideration.

Mr. Chamberlist: Mr. Chairman, if I could get some assurance that the Bill would not be passed until I could have some time to peruse it.

Mr. Chairman: Possibly speaking from the Chair we could make that attempt, would committee agree that this attempt be made to try and get the Bill up here by Wednesday.

Mr. Shaw: Mr. Chairman, the Honourable Member from Whitehorse East is rightly very interested in this Bill, and I think as you know, he is about to take off for the far East, where the wise men are situated, and at that time he probably wouldn't be here and I think that would be most unfair under the circumstances, providing we have a quarum we can carry on just as usual but the precedence of this House has always been to make every possible opportunity for every Member to be heard. So I would suggest that this Bill be prepared and that somehow or other, as the Honourable Member from Whitehorse West has stated it is very likely that we could have another Session, a special session for special purposes and this could be certainly on the agenda at the time.

Mr. Chairman: Does committee agree then?

Some Members: Agree.

Mr. Chairman: As Chairman of the Committee I would like to take this opportunity to thank Mr. Irwin for first of all coming to Committee today and coming this long distance, and for his advice in this matter and wish him well and hope that he enjoys his stay while he is in the Yukon, and that this legislation can be prepared and that we have the opportunity of discussing it again together in Committee as a whole at another date.

Mr. Irwin: I'd like to thank the Council for expressing the confidence in our Securities Administration that they have. It is very flattering to say the least and as I said before we'll do everything we can to assist you.

Mr. Chairman: The chair would also like to thank the Registrar General for his very pointed remarks and advice in the matter.

Mr. Livesey: Mr. Chairman, the Speaker of the House would also like to extend to the Premier of British Columbia it's great help in security. This is something we've been looking for.

Legal Adviser: Assuming, Mr. Chairman, that this Bill comes back and the Council has just risen, I'd like some direction from the House as to whether the Bill at that time, don't forget that this Bill is still before you, as to whether it is possible to circulate the Bill, or have it held until the Council meets. I don't want to do something that will breach the privilege of the House but it will be no harm as the Council is going to meet, say in the end of June, if the Bill could in fact be a public document the same as if it was tabled or regarded as tabled so that any comments from people interested in the Bill would be available to the House and it wouldn't be a question of just circulating the Bill when the Council sits at a special session.

Mr. Chairman: Well from the chair I can state that it probably would be the best tact to take, would be to consider the new Bill as an amendment to amending sections from Section 2 of

Mr. Chairman continues . . .  
this Bill by replacing the context of the new Bill under an  
Ordinance respecting security.

BILL #3

Some Members: Agreed.

Mr. Chairman: The next, I am wondering now, if we can deal  
with the amendments to Bill #1 and Bill #2. The first item  
is Bill #1. And I believe the Clerk has circulated the amend-  
ments for this Bill. I wonder if we could proceed then through  
the amendments, Mr. Legal Adviser.

BILL #1

Legal Adviser: The first amendment on page 3 is to change back  
the 12 month period in subsection (1) and subsection (2) of  
Section 20, from 12 months to 6 months.

Mr. Chairman: Councillor Chamberlist, would you take the chair  
a moment.

Councillor Chamberlist takes the chair.

Mr. Taylor: Mr. Chairman, since we last discussed this Bill  
yesterday, and in light of certain developments which oc-  
cured this morning during the question period, I have got some  
second thoughts on this matter, and I just would like to know  
in relation to the probation period if, it might not be advisi-  
ble to provide a longer probation period only in the instance  
of a unit head, that is a department head or a unit head.  
Specifically setting a probationary period for them, and I was  
wondering if this is required or how this could be achieved or  
if the Ordinance as written would provide for this. I wonder  
if Mr. Legal Adviser could advise me on this.

Legal Adviser: We would need a special extension to extend it  
up to a year, but it's awkward to say Department Head or Unit  
Head because in a couple of instances, Unit Head will be low  
on the totem pole it could be a person who would be a Unit  
Head way out in the bush, who needs to appoint a Unit Head,  
maybe a foreman or something, for the purpose of giving him  
the power to decide fast whether a person should be suspended  
or not. This has happened and is necessary, but it would be  
possible to put in a break say at a particular salary but it  
would deliniate senior officers from junior officers say, hit  
it at 10,000 a year, 11,000 or 12,000 a year, it would be a  
more appropriate point I think to hit it so that say junior  
officers six months, senior officers say above 10,000 above  
12,000 whatever it happened to be, would be 12 months, this  
would be a more appropriate way of doing it I think than  
deliniating it out by a title.

Mr. Dumas: Mr. Chairman, 24 months is still too long, whether  
it is a Department Head or the Commissioner of the Territory.  
I just can't understand this instance, I mean is the whole  
system that incompetent, that it can't keep track of it's  
Department Heads in a 12 month period to know whether they are  
capable or not. Now let's remember that these fellows are not  
coming in here cold, these fellows have been screened, you've  
got a record of their education, you've got a record of their  
experience, you have an idea of what you're hiring before they're  
ever put into position. Then you put them, the Honourable  
Members mumble "it's nothing", neither of the Honourable Members  
I don't think have ever employed anybody. This certainly  
does mean something, and it means an awful lot. The thing is  
you want to go on for two years with Department Heads and  
one year with those under Department Heads or whatever level  
it is. I just don't think it's necessary, I just think it's  
propogating the bureaucratic morass we already have in Govern-  
ment in the Yukon Territory.



BILL #1

Mr. Shaw: Mr. Chairman, I have heard on many occasions, I live way up in the Hinterland, so I don't know what goes around this particular area as well as the members who are located and live in this area, but I have, and I can truthfully say, Mr. Chairman, and I think the Members will agree, that they have complained to me about this person and that person in a fairly high office doesn't even know what he's doing. He's doing nothing but getting me into trouble, getting everybody else into trouble, and he's absolutely incompetent, and that person stays on and on and on and sometimes they go and sometimes they don't go. So, it does appear to me that some of these person's have worked for quite some time and yet are considered incompetent but certain people so that you can't establish the man's qualifications when you get into the real difficult part of administration in a few months. I don't think you can in every case, there are cases that you can, I will agree, but when we get to certain situations that arise from time to time that they may not arise for 6 or 8 months but then later on when the crunch comes that's when the person's qualifications will not stand up to the requirements, so that as I stated yesterday, I feel that generally speaking that in six months you will pretty well know whether the person has qualifications. Certainly in the lower bracket or the lower class or lower grades, but when you get up into the executive class, then it does take time for the real merits of this person to become apparent. That is why I was for making a difference in the categories, it was for no other reason than that because after all once a person is put on the permanent staff you are stuck with that person. Then you go around the Yukon Territory, I don't know how it is here, but people say if you work for the government, you've got it made, you can't get fired, so that these are matters of fact, Mr. Chairman. Just to clarify one point, I have employed quite a number of people, and employed them, before the Honourable Member from Whitehorse West was born, at least before he was dried behind the ears anyway.

Mr. Dumas: I wasn't here in the 1890's Mr. Chairman, however it says there's a 12 month allowance in this Bill right now. Now does the Honourable Member Mr. Chairman feel that 12 months is enough to find these things out.

Mr. Shaw: To answer the question, I would say that in possibly 80 or 90 per cent six months is sufficient, but there are cases that I think, you would just like to be sure. That's my feeling Mr. Chairman.

Mr. Taylor: Mr. Chairman, where I'm having my difficulty here, is if I understand this correctly within our Territorial Civil Service, or Public Service if you hire a Department Head or a Unit Head on a probationary period of six months, that during that six months you have as an employer the right to terminate that particular employment for practically whatever reason you may feel, but once that six month period has concluded, the probationary period has ended, I wonder if Mr. Legal Adviser could tell me how you go about firing a Department Head. How do you let him go and what would prohibit you from letting him go, in other words what happens if the administration today wishes to fire a Department Head. How does this work?

Legal Adviser: It is a hypothetical question, but what happens in practice is we regard six months under the Bill as normal. It's only when something happens to bring something to attention that you actually extend it for 12 months. The normal is 6 months and I only know myself of a very very odd case where it was extended to 12 months because once you pass

Legal Adviser continues . . .

the six months, unless something has happened to bring something special to attention and it's in the nature in the sense of a disciplinary measure really, something has happened to cause you doubt you are extended. So the normal must be regarded under the Bill at the moment, as six months. Now, once we pass a six month period, as the law stands, that is as the law will stand after the amendment to the Public Service Ordinance goes through, you must prove incompetence or misconduct and the question must be brought on a specific charge of actually doing something wrong then there is a series of appeals and as the section is designed you must go to the Head, then to the Commissioner, and then to an adjudicator, and unless he has done something specific it is a very difficult thing to get.

Mr. Dumas: Well, not really Mr. Chairman, a difficult thing because in fact we can reduce his salary to \$1 a year and I'm sure he wouldn't stay around. This method is used and is done. The Council Members will be in administration within the next six months or so and therefore if they feel that there is a high degree of incompetence amongst department unit heads I would think that they would come to Council for their Council and suggest that salaries be reduced accordingly. As a matter of fact just within the last two years we refused to grant an increase to a Department Head in the Territory and he resigned, and so this is an academic question that can be answered that way. But one problem does arise that Section 2 says "a head of a unit with the approval of the Commissioner may extend the provisional period of an employee for a further period not exceeding six months." Would this present any problem when you want to extend a provisional period for that unit head.

Mr. Taylor: This is very interesting, because I can say without any qualification at all that I can see a couple of Department Heads that I can't understand why they are in their job, why they are still here at this point in time. Now, I'd be quite prepared to vote the sum of \$1 in the budget to Department Heads in both of those Departments if I thought there was enough gumption around Council to back me up on it. Mr. Chairman, at a point of order, that is my prerogative and I've not gone against the rules of the House. I might say that this is a fact, but what I wonder about is for that particular office if we leave the sum of \$1 how do we go about replacing this individual. And number 2 is I still don't see how you can fine them because this administration it would appear to me is built on the basis of all Department Heads are merely doing the job of the troika. The troika which exists in this building and so when it comes down to the matter of incompetence maybe these Department Heads could be very competent indeed, but they're exercising policies which are given to them by the administration, and therefore I don't think the administration is going to fire them because in firing them, they kind of admit that their own qualifications are bad. In any event this is why I raised it I thought apparently now there is no way you can fire a Department Head other than going to the Legislature and let the Legislature do it by vote and budget and this is what I wanted to find out. I find out we cannot fire that Department Head for anything but those three reasons.

Mr. Dumas: The Honourable Member is mistaken. He knows full well that we've put many \$1 votes in the budget, we don't like to do it but we do it and that leaves the vote open for expenditures under that vote, this is done commonly and all the time. The other point, Mr. Chairman, is that if the Honourable Member would like to put a motion before the House that some-

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Mr. Dumas continues . . .

bodies salary be reduced by \$1 I would hope that he has the gumption to follow the courage of his convictions and do so and let's see what happens.

Mr. Taylor: Mr. Chairman, I would be most pleased to, under orders of the day tomorrow morning, when next, we, or not under orders of the day I'll do it when next we discuss the budget, which might be sticking around this table for a little while yet. But in any event, I still say it has been stated here that Council reduce many items to \$1, this is correct, but I've been in the this Legislative Chambers for 9 years now and I have yet to see anybody's salary reduced to \$1 that I can recall.

Mr. Shaw: There is only one time that I can remember that this happened. It was to an engineer years ago, and this was a good engineer, but his public relations weren't very good. So the pressure mounted and the first thing you know he had his salary reduced to \$1 and that was the end of it. But, I don't think that if we think a person isn't doing their job just to reduce that, I don't think is a very fair way of doing it, before I would ever agree to, there are person's in the administration, Heads of Departments and so forth that don't think of doing a very good job, but it's quite possible that I am not aware of all the problems and the circumstances involved in that particular job and just because I don't think he's doing a good job it's not sufficient evidence, well yeah we'll just give him a dollar, so anyone who would ever introduce anything like that into this council I think should have a lot to back it up. But we are digressing from the original subject which is this probationary period, and like I say these people are interviewed before they have the job. This is to the limits of what you can do with interviewing, I mean you can't tell a sausage by it's skin. It looks like a good sausage but until you eat it you don't know whether it's worth a hoot or not. The same applies to hired people, you don't know how they are until they have worked for a number of years. They may be very good at their job certainly but they don't have the qualifications for handling people, and they may have the qualifications for handling people and they don't know what they are doing. So I mean it's really complicated and I do feel that when you get in the higher brackets and it can possibly be established by a salary figure that this probationary period did extend over a long period of time, and I say this might only possibly apply to 10% or 5% but if you can clean up that 5% at the very top that's the important, that's the 5% that keep the equipment running. That's the spring that makes this crop grow. So I would give in instances like this, Mr. Chairman, all the latitude that the administration felt through their experience and their knowledge of the matter, I would give them the latitude in respect of that which they ask for.

Mr. Taylor: I'll resume the Chair at this point Councillor Chamberlist.

Mr. Taylor resumes Chair.

Mr. Chamberlist: Mr. Chairman, I think the Honourable Member from Dawson hasn't got the point that there is 12 months. There is 6 months probationary period, and 6 months extension to that probationary period. The Honourable Member from Watson Lake, has said how do you fire somebody after they have completed their 6 month probation. Well I can tell you this and perhaps if members, especially the Honourable Member from Watson Lake would keep up with what's going on in the Administration of the Yukon Territory he might have learned that very very recently in the last few days, as a matter of fact, a



Mr. Chamberlist continues . . .

Unit Head of a Department who had served 6 months of probation and in fact was working on his second extended probation period, has now left the service. Usually the administration suggests that the person should resign and if they don't resign well then they are dismissed and this has happened, so when we say that the administration can't do it, that is wrong, it has been and been done as I say within the last few days. Perhaps privately I might be able to tell him the particular one, but so that the administration has the power to do these things. This is the point that's made. That after the probationary period, a person has had six months probation the Head of the Department feels that he isn't quite satisfied that he wants to have the employee on a permanent basis he extends that probationary period. Cause he has extended the probationary period, and during that probationary period he has decided that the person is not capable of fulfilling the duties for which he was employed suggests to him that this is a position and the opportunity to resign is given him, if he doesn't resign then his services are terminated and I think that we've got the right thing in there and we should leave it as we've already amended it.

Mr. Chairman: Alright I'll read the amendment. We'll have to consider these as we did in Bill #2 with the agreement of Committee as exhibit A. (Reads section 7 on page 3). Are you clear on this amendment?

Some members: Clear

Legal Adviser: This is an amendment of adding in there either personally or by counsel or agent.

Mr. Chairman: There was also a change in six months here was there, or was that the original. (Reads section 25 (1)). Are you clear on this amendment.

Legal Adviser: The next one is a change from Section 6 on. Now this is a change, Mr. Chairman, that was not discussed yesterday. In view of making the adjudicator the final arbiter in question of dismissal, I felt it was necessary to bring the Commissioner into it at an earlier stage rather than a later stage. The Commissioner is the Head of the Civil Service, and there may be occasions when a Department Head himself may be involved. He should have an appeal to the Commissioner and then from the Commissioner to the adjudicator, the final Arbiter, because otherwise the Commissioner is being left as the particular employer he's being left completely out of the structure, and it may very well be that he might reduce the sentence and in effect there might be no appeal and he might allow the appeal. But the appeal should come from the Department Head, Commissioner, and adjudicator rather than the Adjudicator straight through.

Mr. Chairman: I'll just read ... this is beginning at section 6, is this correct Mr. Legal Adviser? (Reads section 6, 7, and 8). Are you clear?

Some members: Clear.

Legal Adviser: Page 5 (A) is before you, but the only reason it is before you is because it had to be retyped to knock out the sections which were deleted because there was an abridgement in the group of sections on the previous page. In section 9 on page 6 this was an error that hasn't been clarified terribly well, but it was to insert a correct spelling in the word "class" in the amended section 30. An "s" was omitted. On page 7 the only amendment there is in view of the fact that the adjudicator

BILL #1

Legal Adviser continues . . .  
is going to be appointed by the Chairman of the Public Service Staff Relations Board, it is necessary to hold this Ordinance until the other one comes into force, otherwise it would be completely restricted.

Mr. Chairman: Are we agreed. Then 13 would read "This Ordinance shall come into force on a day to be fixed by the Commissioner". Are these all the amendments? It will be necessary to adopt these by motion, these amendments as contained in exhibit A.

Mr. Shaw: Mr. Chairman, I would move that the amendments as contained in Exhibit A be adopted as read.

Mr. Dumas: I second the motion.

MOTION  
CARRIED

Mr. Chairman: It has been moved by Councillor Shaw, seconded by Councillor Dumas, that the amendments as contained in Exhibit A, or amendments to Bill #1 as contained in exhibit A be accepted as written. Are you prepared for the questioning. Are you agreed? I will declare the motion carried. What is your further pleasure in relation to this Bill?

Mr. Dumas: Mr. Chairman I would like to move that Bill #1 be reported out of Committee as amended.

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

Mr. Chairman: It has been moved by Councillor Dumas, seconded by Councillor Shaw, that Bill #1 be reported out of Committee as amended. Are you prepared for the question? Are you agreed?

Some members: Agreed.

MOTION  
CARRIED

Mr. Chairman: I will declare the motion carried. Are there any further amendments forthcoming Mr. Legal Adviser, to Bill #2?

Legal Adviser: No, Mr. Chairman.

Mr. Dumas: Mr. Chairman, I would like to move that Bill #2 be reported out of Committee as amended.

Mr. Shaw: I second the motion.

Mr. Chairman: It has been moved by Councillor Dumas, seconded by Councillor Shaw, that Bill #2 be reported out of Committee as amended. Are you prepared for the question? Are you agreed?

Some members: Agree.

MOTION  
CARRIED

Mr. Chairman: I will declare the motion carried. This afternoon we will proceed with matter related to the motion that was referenced "Land Disposal and Use" at 2:00 o'clock. So in light of the time we will stand Committee in recess until 2:00 o'clock.

RECESS

Mr. Chairman: At this time we will call Committee to order. This afternoon we have with us Mr. Gordon McIntyre the Regional Director of Resources and Mr. Darychuk the Director of Municipal Affairs, to discuss the matters contained in Motion No. 7 that the matter of Land Use and Disposal Policies be discussed . . . with representatives of the Federal and Territorial Government in attendance. Councillor Chamberlist will you take the Chair a moment.

MOTION #7  
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Mr. Taylor: Mr. Chairman, Firstly the reason for bringing this matter into Council arose at a request of the Commissioner's office and forwarded to Councillors on May 30, that is to Councillors outside of the Metropolitan area of Whitehorse, or represent areas outside, asking us for our opinions in the matter and if we agreed with these policies being extended to all areas in the Yukon. We were informed that these are, these regulations under Commissioner's Order 1969/100 are now in effect in the Metropolitan areas at this present time. I as an individual Councillor sent a reply and said that I felt that this matter should be discussed in conference with other Councillors rather than accepting or rejecting this thing on an individual basis. And I did receive copies of letters from other outlying members of Council who felt the same way. At the last session of Council the Commissioner did indicate that he would like to get this matter resolved as soon as possible and unfortunately we were so busy that time did not permit discussion on this matter even though it was in Committee, so it is today that we have this matter before you. I would like to say that I don't think anything is causing more trouble to the resident of the Yukon than that involved in land. We have these regulations and with the concurrence of Committee I would like to suggest that we go through them, section by section and deal with them as they might apply in the whole area of the Yukon.

Mr. Taylor: I will resume the Chair.

Mr. Chairman: (Reads Section 1)

Mrs. Gordon: Mr. Chairman my understanding of land disposal in the Yukon Territory is that . . . three areas of sale. The one that is purchased through Mr. McIntyre's Office the other through the Department of Municipal Affairs. But we have run several times into a problem of people who want to purchase land which has gone up for sale and reverted back, not been purchased at the tax sale. These lands I know have been maintained on the . . . for a number of years, and have not been sold and I know that the person in whose name it was held prior to it going for tax sale has been able at two or three years after the tax bill to go and pay the back taxes with the penalty and sell that land I do not believe this is right. I would like to hear members of Committee or remarks from the witnesses.

Mr. Darychuk: Chairman I am not familiar with the details of the sections that Mrs. Gordon mentioned it is my understanding that when land is being sold for taxes the title reverses to the Crown and before the Commissioner may sell it again the Crown must transfer it to the Administration, or the Commissioner again. I may be slightly off here .....but the question that was raised referring to land which had been sold for taxes and then sold back to the original owner. . .



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Mrs. Gordon: No, this is not what I mean, the land has been registered in an owner's name he has not paid taxes, it has gone up for tax sale and at that tax sale has not been purchased, it reverts to the Government but until it - someone applies to buy that land then it is advertised but there is no cut off date, and it will be maintained on those . . . for a continuing basis and the man who did not pay his taxes is able to go and pay all those back taxes notwithstanding it wasn't sold, and retain title to it. I know this as a fact.

Mr. Darychuk: I don't know the circumstances or the details I can't answer that one.

Mr. McIntyre: If you give me the names and date and places then we can deal with it. The only way this could possibly happen would be at the Territorial Tax Collectors Office where they didn't take the necessary action, to have the judge's order and the tax sales properly registered.

Mrs. Gordon: Is there then any regulation or any authority by which if it has not been sold there is a cut off date, as to when it does go up.

Mr. McIntyre: This is in the Territorial Taxation Ordinance.

Mr. Chairman: This is a question from the chair, It states in 2(a) that the Commissioner shall advertise for sale any lands which have been appraised and surveyed by the Dominion Land Surveyor, Would this then not include the Commissioner the right to . . . . which he has been doing more recently in the Yukon Territory.

Mr. Darychuk: Probably not Mr. Chairman because it says that "lands which have been appraised or surveyed" for such that is available for that purpose. Now if land is not available for sale or lease it certainly would not be advertised.

Mr. Chairman: Anything further on section 2.

Mr. Chamberlist: There is just one little question that in 2(b) where it says that the Commissioner shall contain the register or list of lands which have been so advertised and which have not been advertised or disposed of and are available for disposal. Does it mean that when it has been advertised for sale and nobody purchases it, that somebody at a later date can come along and say, has this piece of property been sold? The answer is "no" now I want to purchase it is it available for disposal at that time?

Mr. Legal Adviser: Yes Mr. Chairman. When land is sold for tax sale there is a year's grace given, at the end of the year of grace you go through . . . then after judge's order there is an appeal of thirty days. At the end of that point of time an application made by one of the clerks in the Treasury and the land is transferred to the Crown now on account of the fact that the land has been in private hands and has transferred to the Crown, it's not at that moment of land-land which is available for disposal by the Commissioner because it is Crown Land. There has got to be a further Order in Council transferring that land from the Crown to the Commissioner for his disposal. Now it is possible that there may be a point along here where as a matter of routine nothing is been set to throw this land back for disposal. The intent as far as I remember it, and it's been a long time ago, we had a lot of fiery discussions shall we say and what is behind close doors, when these land regulations were thrashed out, and the intent at the time was to meet a particular objection, similar to the objection meet by Councillor Gordon which was that when lands are advertised say in Porter

Mr. Legal Adviser continues: Creek or anywhere else and a hundred and fifty lots are advertised and only a hundred are sold. You see the land clerk maintains a list as a result of this change so that any one can walk into her office at any time and find out in effect what lots are in stock. So that when one becomes available in the sense that they are for sale, they are first advertised if they are not all disposed of which is quite common they are held and any one can walk in any time and take one out of the stock.

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Mrs. Gordon. This is what really creates a problem for me Mr. Chairman is the fact that initially the Crown turns the land over to the Territory for sale, when it has gone back for taxes why is it necessary for it to be returned to the Crown. I don't think this is true in the Municipalities and if this is a step that is unnecessary then let's get rid of it.

Mr. Livesey: That is definitely a point Mr. Chairman if the tax sale and we are talking about the tax sale for the Territorial Government then what has the Crown got to do with it.

Mr. McIntyre: The Ordinance says that the sale of these lands if they are not purchased by someone then the private sections of land revert to the Commissioner, and help by our legal people within the department the Commissioner can't sell lease to his own land, despite the fact that the taxation Ordinance reverts the land to him on tax sale. So that he is in the position of an temporary owner, is all that he is at the time of this tax sale. He then transfers his interests to the Crown and the Crown then in return transfers administration control not to the Commissioner but to the Yukon, this is the procedure after the tax sale. Now I will admit that this is probably an unnecessary procedure but I don't know how you can get around the fact that your Ordinance, which was passed by Council says that the land is to be reverted to a person who can't legally hold it.

Mr. Shaw: When as a Member of Council I publicly agreed to this Ordinance, what ever it may be, when it reverted to the Commissioner. I would naturally feel that the Commissioner was holding it in right of the Yukon Territory not in the right of the Commissioner but as the chief administrator's officer. We had to have somebody named so every thing is named in the Commissioner, who can do this and do that and do the other thing. Once that land is given to the Yukon Territory for disposal, in unsettled areas, that land should then remain as the property of the Yukon Territory or the name of the Commissioner. Why that can't be done it appears to me that that is no hurdle that can't be surmounted if the other people at the other end are prepared to accept it this is just a sort of rigamarole, a maze that you get no place. Surely the Yukon Territory can make representations to some one even if necessary to the Prime Minister asking him that once he gives us something why not let us keep the thing and administer it. Why does he have to take it back because some one doesn't pay their taxes over a period of time, this just creates a great deal of hardship for the person concerned, it creates a great deal more bookwork, it creates a great deal more confusion and it absolutely does nothing. Why can't we just keep it after the Crown has given it to us for disposal? That's the point I don't understand it's just a lot of nonsense and I would submit that if this is the way it is then we should make it more business like.

Mr. Livesey: Mr. Chairman, I wonder if the witnesses are willing to suggest an easy way out of this because after all our land problems in the Yukon are gigantic. The public sees nothing but a block in their attempt to get a piece of land on which to put a home. This is one of the worse problems we got and surely we can solve these things by sitting down and coming up with some sensible reasoning. I wonder Mr. Chairman if the witnesses have any suggestions.

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Mr. McIntyre: In this particular case in reversion of land after tax sale by terms of the Taxation Ordinance by the Commissioner. As long as the Commissioner can't hold land in his name I don't see there is any way of getting around it.

Mr. Dumas: Mr. Chairman I would like to make a couple of things clear in the outset that, I would like to remind Committee that Mr. McIntyre at least is here voluntarily and I believe that we should extend every courtesy to him as well as to the other witness who is a Territorial employee. I would also like to state that my business causes me to deal with, in these problems all the time both in the Whitehorse area and outside of Whitehorse and I have always found that not only the Municipal Affairs Department to be most cooperative at all times, and I think the problems that arise do not arise because these people are not cooperative and certainly they are doing their best all the time Mr. Chairman. The problems that arise arise because of the policies that are laid down or that are not laid down either by the Federal Government or by the Territorial Government and these are the areas that I think should be corrected. This one of land reverting to the Queen it does seem unnecessary movement and a creation of red tape and in one incident recently, I traded a lot in Riverdale for another lot I had a transfer assigned over to the Commissioner, he sent it back to be assigned over to the Queen, although I had bought it from the Commissioner. But it may well be that under the present Legislation Mr. Chairman only the Crown can assign land to the Commissioner, and I think that is rightly wrong and it causes a lot of the problems that are arising, and therefore we have to use this route to get the lands back in the hands of the Yukon Territory. I don't think it creates that big a hardship; quite frankly if the policy is known, it's just extra staff and extra red tape, something that we would like to clean up but I don't think it is something that we should dwell on to a great extent because there are more important problems that some of the members of found in their areas and I think that we have found here in the greater Metropolitan area that arise because of the regulations or lack of regulations. I suggest that we move on to some of those.

Mr. Livesey: I wonder if I could be told what jurisdiction . . . the Commissioner in right of the Yukon.

Mr. Chamberlist: The Yukon Act gives him the right to do that.

Mr. Darychuk: I can't answer that Mr. Chairman because this is one thing I haven't been told why it has to go back to the Crown. I am assuming that this is interpretation of written laws legal interpretation of the laws, now the law that they are referring to is . . . . .

Mr. Livesey: I will change that question to the Legal Adviser.

Mr. Legal Adviser: Well I am not just quite sure why the Commissioner can't own that. We have no Crown in the Yukon other than the Federal Crown, so it reverts to the Crown, it reverts to the Crown in the right of Canada not like it is in a province where it is held in the right of the province. We lease land in the Commissioner's name, we accept land in the Commissioner's name then for the purposes of Land Titles Act we insist that the document transfer to the Crown in right of Canada, although the Commissioner may make the deal. I don't know and I haven't read the legal papers to



Mr. Legal Adviser continues: which Mr. McIntyre refers I wasn't aware that it was a firm holding on law that the Commissioner could not hold land. To me it was that for the purpose of land registration, when you are registering in the name of the public you use the Queen in the right of Canada because she definitely can own land. All land here is Crown land and so has to be expressed as such when it comes to the Land Titles Office, but never the less we do grant leases of land which are transferred to the control of the Yukon under - from the Crown.

Mr. Shaw: I would like to direct a question to Mr. Legal Adviser, Mr. Chairman. Some how or other through this whole maze of legalities we have the powers given to the municipalities to hold land, trade land, and so on and so forth to do with it what they wish in certain confines. When a piece of property-when taxes are not paid the municipality has the right to sell the property as - and in due course according to the Ordinance, the judge confirms it and thirty days after that confirmation the land reverts to the municipality and then the Council of the municipality have the right to dispose of the land, if they advertise it and no one purchases it at the time then within a confined time Joe Blow can go up to the municipality-I'll give you two hundred dollars for that piece of land, and they have the power to . . . the sale and get the land back into taxation which is the object. If the land is sitting there and the city is getting no taxes and the Territory is getting no taxes obviously it's not doing very much to any body. Now if the municipalities own this property for this purpose why cannot power be given to another authority to hold land that belongs to the Territory, that has been deeded by the Federal Government to the Territory in the first instance now surely some party can be set up you can call it the Commissioner, you can call it Yukon Territory, you can call it what you like but there surely must be some means where all the rig-a-ma-role can be cut out to put the matter in a straight business like basis and I would ask the Legal Adviser if I am correct in that.

Mr. Legal Adviser: In the provisions of the Yukon Act the Crown owns the land-they give certain to the control of the Commissioner, it is then transferred to the Yukon Territory, for the benefit of the people in the Yukon. But our Government has always been from the time of the old Northwest Territories an intermediate form of Government that exists no where else in the world, so there are no legal attributes to the Government, customary in such circumstances we are not a municipality we are not an incorporation, we are not a province we are like a soul in limbo, and as a result every thing that we do has got to be done by statute there are no common law to which we can turn, when in difficulty as a province can, they have a common law dealing Crown and right of province going back through the Crown and right of a colony going right back to early time, under British Law. The Federal Crown exists and its the same as several other dominions there is no Crown in right of the Territory, and as such it lacks this particular legal existence, so you cannot sue the Crown, that is you can't sue her in any other way then in the right of Canada, nor can the Territory sue any body else. It's in this limbo state which I presume in the 1870's was thought would only last for a short time. We have no common law to fall back on and as each problem comes up its got to be dealt with by Legislation, but in this type of problem it would probably need Federal legislations to cure it and Federal Legislation is getting more and more difficult to get on account of the busyness of the Federal Parliament.

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Mr. Chairman: Mr. Chamberlist will you take the chair for a moment.

Mr. Taylor: Mr. Chairman this is the point now land - was aware or made aware a short while ago that indeed the Commissioner, the Territory could be a recipient of land, Federal lands turned over to the Territory not the Government of the Territory. In other words the Commissioner is not permitted to hold land as I see it, well then if he is not permitted to hold land then certainly he is not permitted to hold land, if he has nothing to sell. Here is an interesting thing that I would like to draw the attention of Committee - here we have a set of land regulations and I assume these must be appended to an Ordinance some where because otherwise the Commissioner would not have the right to make regulations, so I assume it to be Territorial Lands Ordinance, if I am not mistaken, or Yukon Lands Ordinance pardon me, an Ordinance respecting Lands of the Yukon Territory. It states in the Yukon Act that the following properties in section 45, are to remain in the Queen's name for the right of Canada, but the right to the beneficial use of the proceeds thereof is hereby appropriated to the Territory. Now again watch those words to the Yukon Territory not to the Commissioner and is subject to control of the Commissioner in Council, that is the Commissioner by and with the consent of the Council. In answer to the question as raised by the Honourable Member from Mayo subsection (d) which was an amendment, also deals with lands acquired by the Territory pursuant to tax sales proceedings. So that is what I am trying to determine in this instance, in this section where we say that the Commissioner shall advertise for sale or lease purchase, whether the Commissioner does indeed have the right to sell land in the Territory.

Mr. Legal Adviser: Yes he does have the right, it is transferred to him to sell what he is really doing is acting as agent for the Crown in a sense.

Mr. Taylor: Well Mr. Chairman does it not state in the Yukon Act that the proceeds thereof and so forth is committed to the control of the Commissioner in Council, rather than the Commissioner himself.

Mr. Legal Adviser: Well he is the person who sells the land he makes the transfer the proceeds come into the general revenue, and are dealt with by this Council.

Mr. Taylor: I will take the Chair now.

Mr. Chamberlist: The section 45 of the Yukon Act is a beautiful section because it gives away something that the Yukon Act can't give away, and that is the lands of the Territory, because as Mr. Legal Adviser has already indicated there is no Crown of Canada in the Territory, There is only a Crown of the United Kingdom, that still is responsible for the lands of the Territory, this may come up I am sure at a later date which will clear the air on a lot of these areas where people are being cornered on their land. But reading section 45 as it is certainly the Commissioner can hold the land because it gives him the right but the control is the Commissioner in Council. I would prefer to talk at this time when we are looking at this Land Regulations and I should advise the rest of Council, there was a Land's Committee on the 26th of March, I attended and when I saw the recommendations that were made by the Director of Municipal Affairs I blew my stack. One incidentally was that the whole of the two hundred and seven thousand miles of Yukon Territory be withdrawn from residential use any where in the Territory, any where, these are the words that were used it is recommended there for that the general policy the Yukon Territorial Government prohibit this land for residential purposes, except in planned subdivisions, where they have been or soon will be supplied with



Mr. Chamberlist continues: Adequate sewer and water systems. This was the recommendation that was made by the Administration that all of the land in the Yukon Territory be withdrawn anywhere doesn't matter where. If any of you would like to get hold of the minutes of the meeting the minutes show the opposition that I put up to that particular area. I think that the binding of the individual when he attempts to get a piece of land to build on the restrictions that take place is more than many of the people can stand as people are saying to heck with it let's get out of here. I think we should go through these regulations, it took a long time to sort them out it is the best we have been able to do in the circumstances, but members of the Whitehorse area are only too quite willing I am sure to hear from outside members on their recommendations to alter these regulations and these Ordinances if necessary because without your help we were only able to put in our ideas that affect the proposed metropolitan area, and this is where the other members with respect Mr. Chairman can help the situation for the whole of the Yukon Territory, in relation to the disposal of lands.

Mr. Legal Adviser: It is correct that there was a meeting called to discuss land policy, it wasn't an open meeting and some recommendations were made by some of the Departments, the department officers. They were made because they were told to put up something to provide a talking point. And a lot of talking was done as a result of the recommendations. They weren't put up in that sense as firm recommendations by the department or from the Government they were put up for a talking point. Since the meeting was sort of a closed policy meeting I don't think there is much point in debating what the recommendations were or weren't what really should come out is what is the result of the recommendations, rather than re-hash the debate or anything else that took place at the meeting otherwise people can't speak frankly at a private meeting if they are going to be pilloried when they come down here by Councillors saying what happened at a private meeting.

Mr. Chamberlist: I take objection to that Mr. Chairman, I think there is a necessity for me to advise the rest of the Councillors because I am representing them and people in the Yukon Territory and when any suggestion of land policy comes along that is going to withdraw from people the right to build a home somewhere it is only proper that I tell them. I don't care what the Administration thinks about it. I am not going to support anything like that and I tell not to support it at any time and not to let the Administration come forward with any of that nonsense at any time in future and if Mr. Legal Adviser suggests that I am doing wrong by informing my colleagues of what took place in the committee then he is in error and shows that he is an officer of the Administration and not an officer of the Territorial Council.

Mr. Legal Adviser: Mr. Chairman it's not that, it just makes it difficult for officials to put up policy papers very often a policy paper is quite out-landish and it's quite out-landish to give a talking point. It's a pillar for ideas even though the ideas are out-landish, how can we ask Councillors to come to these meetings if this is going to be thrown open. This makes it very difficult for other officers of the administration, it's difficult to attend meetings when you have to watch your step that something is going to happen - a proposal is made and you get your nose twisted when you come to Council.



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Mr. Chamberlist: Mr. Chairman one last remark, I feel that I have a right because being the only member of Council there to inform Members of Council, especially when they are discussing land, of what took place at a lands meeting. Now its because we are discussing land disposal, because the Honourable Member from Watson Lake is concerned, this is why he asked for this Legislation to be brought forward. I bring forward to his attention that this is the type of policy that is being suggested by the Administration and that they should be fought and that we should see that the Administration do not get any thing like this into regulations without our knowing about it.

Mr. Livesey: It has long been in my experience the biggest block to coming to the Yukon is the opportunity to purchase land in the Territory. Once the land has been passed from the Government to a private person, the purchase is just a question of exchange of money, but prior to that is where the block is. What's going on, the Government is creating the objection to people coming to the Yukon to purchase land, this is a general understanding. People that I talk to every day think this way but the Government makes no attempt to change their policy so the thinking generally speaking in the out lying areas and various communities are not only visited and lived in and represented. Over the years the general thinking is that the Government doesn't want to part with the land, under no circumstances do they want to part with the land. I know, I had my own experience where it took me five solid years to purchase the ground I have right now, five years. Now, if that is helping people to develop and settle in the Yukon well I would like to know what kind of policy it is, this is what I am talking about, is this a policy, do we want to get people to the Yukon do we want them to settle here? I don't think so, I think the policy is no dice, we don't people up here, we want machines, we want money, we want investment, we want extraction of the resources, but how about public people of the country, how about the people of the Yukon, do we want them to settle and I refer to the Yukon says no the Government is opposed. This is general thinking, this is why in my estimation we have to set up a better Lands Policy then we have right now, and we have got to set up and start thinking about a Land Settlement Policy, there is no question about that are we going to use the two hundred and seven thousand square miles of land and water, or are we going to let somebody else use it and the public are excluded. This is what people are saying I know in my own particular area the people have gone out to Calgary, Vancouver, and Edmonton and various other places, they say it is easier to purchase land and buildings despite the high costs, then it is to in the Yukon Territory. Now these are facts that you have to face there is no two ways of looking at it and if you are going to get people to stay here surely it is cheaper and better for the government to employ people in the Yukon that are going to stay here, it is probably better for private enterprise to employ people who are going to settle here. It seems to me that the Government is attempting to perpetuate the constant moving around of people. Bring them in then let them leave, I don't think that this is a good policy.

Mr. Chairman: Mr. Chamberlist will you take the Chair for a moment.

Mr. Taylor: I rise again in respect to remarks made by Mr. Legal Adviser and other Members. I have a copy of minutes of the Yukon Land Meeting held February 24, and I had - I still do not see that this matter is confidential, and if it is I would like to be informed, because I have a question I would immediately like to ask in respect to it. I might say this and I think that we would - some how people have forgotten something here and that is that the Government of the Yukon Territory are Public Servants working to the service

Mr. Livesey continues: availability on the open market that this isn't the way it is working out that this - the way it is working out is that due to the fact that the construction companies live in these areas, and if you want to get any thing you will have to come to the hub of the wheel to get it so that the out lying areas, you are going to have to pay higher for land, and higher for property more money for buildings and for everything else and so the attraction isn't too much in the out lying areas the incentive is to settle here. Mr. Chairman we have to do some realistic thinking, we want people to live beyond this area, and surely we aren't going to develop the Yukon unless we do think this way. Then we are going to have to think in the opposite direction and make it attractive for people to settle in areas beyond the Whitehorse area in order to continue the development. I want to get this point across to the Administration Mr. Chairman and I certainly hope I have during the last few minutes.

Mr. Chairman: Mr. Chamberlist will you take the chair for a few minutes.

Mr. Taylor: When a person in the Territory goes to buy land and this is something that has got through to the people in the Territory and this is something they are very angry about, and very frustrated about. In many areas they are told alright you pay the price that we are asking for land, you can buy this lot but we won't give you title to this lot until you do this much worth of improvements. Now, I have many instances, I have files full of people who are writing to me as their representative, I have one fellow on Federal land and this is what I want to know who established this policy, in Federal and Territorial lands whereby you take a piece of absolute waste land and I will tell you where this land is in this one case, it is at the junction of the Cassiar Road. A person goes and takes land up there with the idea that he might want to put in a little service station with a little coffee shop or what ever and he was told that he must put \$15,000 worth of improvement on that land or he shall be booted off of it and go some place else. The people, and I agree with them, feel that this is totally unfair, now we did the same thing in our Territorial subdivisions, now I know that down in Watson Lake we asked that this be lifted; it was some years ago, and was done so by, I believe, the former Commissioner with no problem at all. What you guys want - go ahead, so we made an agreement any way that at that point in time that anybody that wanted a residential lot upon which to come and build a home and settle could come down and pay your money, your deeds would be processed immediately, and go and build, you have subdivision rules you will have to live by them. The guy could get his deed go down to the bank and borrow enough money to build a house, now this went well and it worked fairly well for a couple of years but now they reverted back again, now you can't have this lot unless you do so many hundreds of dollars of work on it. They don't agree with that, and I think it certainly wasn't a decision of this legislative body, that that be a part of the policy. So when we talk about the price of the land I think that's a good time to bear that in mind, and I think that should be changed I think that when you buy land in the Territory especially residential land, you should be able to get the title for the land so that you will have something to go to the bank with. And at least you own your own land. Another thing is this withdrawal of land that the Honourable Member from Kluane was speaking of, this is absolutely disgusting. I had a little flurry of people coming to me, they said have you been down to the recording office, I said no what's at the recording office well there is a letter on the wall, so I said great what does it say, it says that they won't even receive the application

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Mr. Taylor: of the people are supposedly should be, we pointed out that this type of Government can't work, the one we are working under now, because the Administration and the people do not form a part of that Administration. Hopefully there is going to be a change, maybe we are able to get in at the policy making level. What I wonder about is that if we establish a policy here on land which is what we are going to attempt to do as we go through these land regulations, is this going to be an exercise in futility or indeed will the Public Servants of the Territory and this Administration accept those policies as we lay them down, will they implement them, I have my doubts. I would ask a question in relation to this paper before I resume my chair and we continue with this paper, this regulation; at this meeting on February 24, the Director of Municipal Affairs was asked to prepare a policy paper on proposals for means of disposing of land out side of the Whitehorse Metropolitan area, and I am wondering if this indeed has been done and if copies of this report can be made available to Council. I will resume the chair at this time.

Mr. Chairman: (Reads Section 3)

Mr. Livesey: This is something that bothers me and has been bothering me for many, many years. I can see the basis of the policy that is being proposed by this Administration and I am not saying that their policy stems from any thing else but to provide what may look to them to be a balanced sheet. But that kind of policy isn't going to work if you are going to settle the Yukon Territory, you are going to have to provide an incentive to settle and the incentives must be taken into consideration. And Mr. Chairman I admit that those incentives are not present in the present thinking relation to land and the price of land, in relation to the price of lots in a subdivision. It seems to me that in this instants why the theory is correct but the practical operation is something totally different altogether. If you are going to have subdivision lots sitting for a year and no body purchasing them if that was a business that had that type of operation it would find some other method of getting around it they would find some way of trying to figure out why they are failing, but we don't do this, they just let it sit and does nothing except repeat the history of the situation so that you have the subdivision, but you have no action, you have no practical application. Where you can show and where it can be shown where there are subdivisions set up in the Yukon Territory that have not one single person on any part of that subdivision, then there is something wrong with the theory behind it. However to get down to more practical aspects of it we will - know perfectly well why we have these subdivisions and I don't think that there is a member around this table who will not agree with me that the idea of having the subdivision in the first place was to get orderly development that is what we are after, and I think in every Community we are talking about orderly development. But if you want that orderly development you won't let that subdivision sit there and you won't have a . . . attitude to the person who wants to purchase it but doesn't want to pay the price you are asking, If this was in business you would lower the price, you wouldn't let the lots sit there and you don't have a dog in the manger attitude, the Government isn't doing this, the Government is hanging fast and says now this is the way it is going to be. They are not saying it but what the public thinks is like it or lump it that is exactly what the public thinks about this attitude towards lots. Now any one knows the attraction, as far as investment is concerned in the Yukon will be around the Whitehorse area. This is where the attraction is this is where the land is going to be higher then it is anywhere else, this is where the cost of your homes is going to be higher according to the average way of thinking about a transaction and the competition and the question of



Mr. Taylor continues: for land, I said well this is strange I can't believe that, so I went down to look and sure enough there on the wall was a letter that in this area that was proposed to be a village in Watson Lake, that this area is now reserved and we won't even accept your application and we won't even consider it. I asked for a photostat copy and was told no, I said alright I will wait until I get to Whitehorse and deal with it any way. No why this this is not the policy of the people. This isn't what the people want the people didn't want this thing reserved. There is another area at the same time taken from the Teslin area, people have no knowledge of that in Teslin. I got together with them and said what's the deal, they said that they had never heard of it. So all these things are being done without the people having any knowledge of what's going on or what the reason is. And I would certainly like to know why these areas have been withdrawn. As I say, in Watson Lake people want to go out and put up a cottage lots around the lake they might want to build a home, there are several homes out there, they go out there because they can't live in the subdivision under the regulations posed by this administration. I suppose this is why you have people moving on and on out of Whitehorse, you keep establishing boundaries and people just have to go further to keep escaping laws that they just can't live by. This is why some were hopefully that out of these discussions, if it takes us a month of discussions, I am hopeful that we can resolve some of these problems between the people and the Administration. I know it isn't a very useful job to sit here and chew out the Administration but I think that when I go home after every Council Session during the summer, your phone rings at two o'clock in the morning and it might ring at three in the afternoon it goes twenty-four hours a day of people coming up and saying what are you going to do-you're our Councillor we elected you to go up and do a job, why does my family have to live under a situation like this. So I think that maybe the Administration will understand why we get a little hot when we come to this table in sheer frustration and ask if we can formulate a policy that will work and try and get some answers to some of the questions that we ask in relation to this. I would like to ask at this time why these arbitrary sort of impositions on land whereby you have to do this with so much work and secondly, why the withdrawal of these big areas around these villages?

Mr. Commissioner: Well Mr. Chairman as far as the land disposal policy is concerned in the areas of the Yukon outside of the metropolitan area the Votes and Proceedings will bear me out, that the Administration has been asking to meet with the rural members for at least the last three sessions of Council. Secondly as far as chewing out the Administration on these matters is concerned you couldn't do any thing better because the Administration wants to get this monkey off their back. Thirdly there is no point to us going after the Federal Government and saying to them we do not want you to be disposing of land in the Yukon Territory in an indiscriminate manner unless we are prepared to accept when they turn around and say you can have control of this particular piece around the settlements and I believe it is a thousand feet on either side of the highway.

Mr. McIntyre: No, we have withdrawn at your request some areas a thousand feet on either sides of the highways but this is the proposed new policy is to withdraw all lands on either side of the highway.

Mr. Commissioner: That will get it under the control of the Yukon Territorial Government. Now the Yukon Territorial Government consists of this Council and the Administration and it is up to the policy for the disposal of this land to be worked out among these people that are represented. I can't be clearer, the Whitehorse member that said on the land disposal or the land policy committee have - helped in the formulation of these regulations here were far more apart of drawing up these regulations then what the Administration wants. After they came to me and were approved by the Committee I signed them and they were put into effect. This land that is disposed of around the Yukon, and these communities has been brought under control around these communities is an absolute must. The Honourable Member from Watson Lake is living in a Community which if there had been one iota of foresight involved in it at all would have been developed along lines which would permit it to be properly serviced and I am sure that the Honourable Member would be the first to admit that servicing his area with water and sewer systems has become literally speaking beyond the ability of anyone to do due to the indiscriminant disposal of land in area along the Alaska Highway. The opportunity to control this development is ours and it has been given to us as consequence of representations that were made myself to my Minister. If I am wrong in doing this I want to be told so and I will absolutely reverse what is being done right now. But if this is what the Council wants this is where it is at this moment Mr. Chairman.

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Mr. Taylor: I can agree with Mr. Commissioner when he talks about Watson Lake and the lack of foresight, but that was a lack of foresight on behalf of the administration, not the people. I would just like to make that right clear to this Committee because from the year 1956 the people of Watson Lake sat down and asked the administration to get a subdivision going, they said where they felt it should be, where a business area should be this is the year 1970 and we are still no further ahead then in 1956 for one very good reason that the Administration would not allow or listen to us. Every thing was three years in delay there were surveyors surveying lots in swamps, I will take you down and show you, you need a frogmans suit just to find the corner of your lot. This type of thing that is why there is urban development in Watson Lake that is why it is strung out for miles, the Administration creates this not the people of Watson Lake. Now number two is, I am learning first of all about this new policy for the very first time today, compliments from the Honourable from Whitehorse East who raised the problem, or raised the question, I had no knowledge of this, this proposed policy for out lying districts, I represent 48 thousand miles or so of this whole Territory and I am sure they are going to be very pleased to hear what these policies are too, we have no knowledge of this. Also the Commissioner indicated in his address that he would be very pleased to implement any policy that this Council might propose and if that be the case I would say that I am very prepared to sit down and hammer out such a policy. A policy that would make available to the people of the Yukon land and at a price that they can afford to pay, and regulations that they can afford to live within and if we have that prerogative and the administration will accept the policy that we present I think it will be the finest thing none in my nine years on this Territorial Council.

Mr. Commissioner: Was there something wrong with the method that we used in constructing the Land Disposal Regulations that apply in the metropolitan area. Did this meet with agreement in the Council? Was this a reasonable manner of getting the thinking into this?

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Mr. Dumas: I thought that the way things are being done now are quite reasonable as far as my area is concerned.

Mr. Commissioner: Mr. Chairman could I ask then and this is what we would like very much to do is use the same means of sitting down with my Administrative Officers and member of Council from the rural areas to hammer out regulations in a similar manner that apply to the areas that apply out side of the metropolitan area. We are prepared to devote any amount of time to this particular thing because I think that this is the only way it is going to be accomplished.

Mr. Taylor: Mr. Chairman that is the object of the exercise right now and Mr. Commissioner was' t here when the discussion opened. I might point out that the Administration did ask for this on several occasions and pointed out the reasons why we haven't been able to get to it. This is what we are attempting to do right now in committee. This is the place to do it so that we can get down and we have everybody with us, we can get down and do this thing. As I say this Land Policy that I have just received and possibly during coffee break will have a chance to read two or three portions of it and this is where it should go in that regulation.

Mr. Dumas: This isn't lands policy it says right at the end of it the forgoing is submitted for your consideration . . . the next meeting of the Lands Committee. I don't know where the honourable Member gets the idea that this is land policy, because I certainly agree with the Honourable Member from Whitehorse East and I am sure that this is not a firm hard policy that is to be put into effect, its around for discussion and it certainly . . . and therefore it will never become policy.

Mr. Chamberlist: The land Regulations that we are now reading the regulations that were made out with the support of the Whitehorse area members and in the absence of, and meetings with the members from outside the area those are the Land Regulations that are being used and I have to support the Administration on this particular point that they have made numerous requests so that there can be a meeting of the minds between the Administration and those members of Territorial Council who are from areas outside of the Whitehorse area to sit down and get these things done.. I am wondering and I couldn't but help wonder why after we had accepted those regulations this proposed new policy came forward. Because as far as I am concerned you can't keep on changing a policy every few months we have to have a established policy and perhaps amend it from time to time as the need arises. I would think that what is being done now is to go through these regulations not amend them but to them, certain areas to it, so that it would be satisfactory for the outside areas as well.

Mr. Commissioner: There is nothing the Administration desires more then to have land disposal policy in forms of regulations for those areas of the Territory that come under the Territorial Government but which are beyond the greater metropolitan area The same format be used to accomplish this as what was used in the Whitehorse Metropolitan area.

Mr. Chairman: I will call a recess now.

RECESS





Wednesday, 9 April, 1970.  
3.30 P.M.

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Mr. Chairman: At this time we will call Committee back to order. Are we clear on Section 3?

Mr. Chamberlist: Mr. Chairman, might I suggest at this time that we do not go any further with the reading of these land regulations and that the Members from the areas outside of Whitehorse meet with members of the Administration to deal with it in Committee. Because these are the regulations that were formulated in conjunction with the Members from Whitehorse.

Mr. Livesey: Mr. Chairman, this has always puzzled me and I might as well say so in order that it may go on record. Why the Administration divided the Council and went to one section of it and said we are going to discuss this question and then we will set up what we think is going to be necessary for here and then we will see if we can get the rest of them to agree to it. That is the way it looks to us and that is the way it looked to me and in some respects this may have certain side effects which may not follow this line of thinking, of course, but nevertheless this is what I think the Honourable Members that may follow me after I regain my seat will probably say well we certainly didn't contemplate that but the point is this, that is the way it looks to us. The question has been discussed in Whitehorse and been settled here and then they sent it out to us and said you go along with that. Well to me the question of land regulations I personally don't see why you should divide them between the metropolitan area of Whitehorse and anywhere else. I think the question of land regulations either in Whitehorse or outside the area is a question that should be decided and decided by the Council, not by any particular group, and I think that the Members of Council are just as interested in the rest of the Territory as I am and I think that the Members from the outlying areas are just as interested in the metropolitan area of Whitehorse as the Members that represent that particular area and I think, as the Honourable Member for Watson Lake pointed out earlier today in this discussion that certain Members who presumably are in this particular area and represent more people in the metropolitan area, they too have outlying areas which they represent as well. So there is a combined interest in my opinion and I don't quite understand why we are going to separate or draw a line between who is going to have what. I think that the Committee, generally speaking, should understand, and our thinking and the only way we can get out thinking across to all Members of Committee, Mr. Chairman, is to discuss the question in Committee as we are doing right now. I am not saying we should hang on to this and keep debating it for hours and hours and all that sort of thing but still it is a Territorial problem. It is not a question of a division or a dividing line between the metropolitan area of Whitehorse and the area outside of Whitehorse which, of course, comprises 99% at least of the total land area of the Yukon. Thank you Mr. Chairman.

Mr. Dumas: Some of the comments, Mr. Chairman, that the Honourable Member made are downright irresponsible. This was done, Mr. Chairman, at the request, at the....request of the Members of this Committee a year and a half ago. We asked how we were going to solve these problems and it was

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Mr. Dumas continues.....

agreed that since our particular problems is the metropolitan area, the three Members from that area would sit down and bash things out and work things out and this is exactly what we did. Then the plan was for Administration to sit down with the Councillors from outside of town, either individually or together, whatever was convenient and work things out there. We all agreed to that and this is exactly what has happened. The other suggestion made by the Honourable Member is that these were sent out - the suggestion was put forward that this is the Ordinance, this is what is going to be done - you accept it. A request was made, Mr. Chairman, for comments and so forth and meetings, repeated requests had been made by the Administration for meetings so that these problems in the outlying areas could be discussed and I honestly feel that this whole problem could be easily solved if the Members from the various areas were to get together with Administration and work out the problems in your area, the same as we have done in the Whitehorse Metropolitan area and I think that is a reasonable enough request. Really, I don't think I can add anything to a discussion that involves a land policy in the Watson Lake area as I don't live there except for one season working there in the area. But I can't contribute much to that discussion, nor to land policy as 1202 is concerned and I really don't think the Honourable, with respect, the Honourable Members from outside of Whitehorse can contribute much to the types of problems and so forth that we might have here in the Whitehorse area. I really think that the place to iron this out, to hammer it out because it is going to take a lot of work - in discussion with Administration ....members involved from the outside areas and the Members of Administration.

Mr. Livesey: Mr. Chairman, I would like to challenge the Honourable Member for Whitehorse West to point out one single item that I stated this afternoon which was irresponsible; I think if anything was irresponsible it was that statement from the Member for Whitehorse West.

Mr. Dumas: Mr. Chairman, I must accept the challenge, the irresponsible statement was the one that says the Administration is trying to divide Committee on this matter when the suggestion came from Committee that Committee meet in one group of three and the others meet outside of - those Councillors from outside of the area - it is pretty obvious, Mr. Chairman.

Mr. Livesey: Mr. Chairman, I didn't make no such statement, to the best of my knowledge, -the Administration was trying to do anything. What I was talking about Mr. Chairman, was the fact that provision had been made, quite obviously, to those who lived outside of this area and I talked about the impression, Mr. Chairman, if I remember my words correctly, the impression that the Members outside the metropolitan area obtained when they received these documents, and that is the impression and that is not irresponsible, it is a fact, Mr. Chairman.

Mr. Chairman: Would you take the Chair, Councillor Livesey.

Mr. Taylor: Mr. Chairman, I know in this we are kind of going off in various tangents but I would like to support the Honourable Member from Carmacks-Kluane to the extent that what he said maybe had some truth to it, but I think this has been a real useful exercise if nothing more than to get the concurrence of the Commissioner that he will implement



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Mr. Taylor continues..... policies that we lay down as a Council, and secondly, that we managed to find a proposal from the Administration on future land policy which, of course, to me, in reviewing it over coffee break, is complete contradiction with the people of the Yukon. Now, when this matter first arose these regulations, the Council asked the three Members from Whitehorse to form a Committee and meet with the Administration to deal with the matters around the metropolitan area of Whitehorse but it was also understood that this Council would then come back with the recommendation of the three Members of the electoral boundaries around Whitehorse and upon their recommendation approve or disapprove the regulations they hammered out. That was not done, the regulations were just placed into force by Commissioner's Order. It was never referred back to the Council. So there is that difference and there is that much merit to what the Member says. I think that, I agree that we should continue through these but I have been giving it some thought and in light of what has been said today, if the Council will agree as soon as we have concluded the matters immediately before us to adjourn Council for say three days, to give the Members, there are five Members here who are immediately concerned with areas outside the metropolitan area; there are two representing the two other electoral districts in Whitehorse which do have areas which may develop outside within their own electoral boundaries and I would think that they would be interested and I would suggest that seven Members of Council could sit down during those intervening three days and hammer out a policy and then come back into this Chamber three days hence and Council order and implement that policy. Debate it or discuss it, and resolve it because it will possibly be next November before Council sits again. I think this is something that should have been done about ten years ago. So, I think if Committee would buy this argument and buy this suggestion then I would be prepared to stay here in Whitehorse, and over a short period of adjournment, work and work very hard to hammer out such a policy.

Mr. Shaw: Well, Mr. Chairman, if I could not sit down and hammer out a policy in less than three days I would quit. We have this particular Bill, we have hammered this out for two or three hours, we have started in and have got through half of the first page; let us go through what we have here and if Members at times have suggestions to include this and that, let us put them in. Anyway, we are not getting any place, Mr. Chairman, by the complaints of what has gone by in the past. Let us forget the past and look to the future. That is where the Territory is, in the future. Let us get on with this one; if we have anything to add that affects other areas let us add it and these meetings can always be held some time while we are here. I would not care to close down Council for three days. Let us go through with this.

Mr. Taylor: Mr. Chairman, the three day forecast was made to me in private by the Commissioner. He said three days should be sufficient time to wrap it up so I don't know how long and hard we would have to battle with Administration but I agree with the Honourable Member from Dawson that one day, or maybe two might do it. In relation to this suggestion I might point out that we have the Securities Legislation, and if this were possible we could then deal with the Securities Legislation before proroguing Council. But I am in agreement to continue with this if Committee agree.

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Mr. Legal Adviser: Mr. Chairman, I can say this, as far as the officers of the Administration are concerned we are quite willing to work over the weekend and work at night if it is going to assist Members from out of town to get this. Now the original difficulty that arose with this piece of paper was that we have an Area Development Ordinance and this Ordinance embraces sections of the Territory throughout the Territory. They contain detailed definitions of what development you have to put on or not put on as the case might be but there was no detailed definition in the Area Development Ordinance in relation to Whitehorse Metropolitan Area. As well as that, there were serviced lots in Riverdale and unserviced lots elsewhere, and there were partly serviced lots so that the Committee that sat segregated the types of land they were dealing with into fully serviced, partly serviced and unserviced. Then they get sale, lease and something else and these were not necessarily applicable outside in the same way. But it might take two or three days, it is hard to say, to come up with something but certainly as far as the officers of Administration are concerned we are quite willing to sit over the weekend or at night or any time.

Mr. Dumas: Mr. Chairman, might I suggest that the matter be left in abeyance so that something can be worked out between the concerned Members and the Administration and brought back to Committee if they so wish.

Mr. Taylor: Mr. Chairman, I cannot agree, we had better come to some decision as to what we are going to do at this table because this matter has been deferred in some instances by Administration and in some instances, more recently the last year, by Council and I agree that we have got to do something. I was hopeful that we would not have any objection to going through this paper but in any event I am prepared to sit down but we are going to have to permit the Members two or three days - we will have to adjourn Council to make this possible and if Council will agree to this for a two or three day delay while we sit down and hash this out, this is fine and if they don't well we will have to find another means of doing it, that is all.

Mr. Dumas: Mr. Chairman, I don't see this adjourning Council bit. The Members from the Whitehorse area came here on their own time and sat down with the Administration and worked things out. Now, you have Saturday and Sunday and the Honourable Member from Dawson feels that three hours is sufficient and someone else feels three days, so somewhere in between there we at least could get a start on it on Saturday - a couple of hours - I think you may find in fact that there are not going to be that many items that you want to debate and it is not that difficult to arrive at a consensus of opinion in working with the Administration on this particular Bill, Ordinance, because they want to unload the problem too and if you can come up with a satisfactory suggestion then there is no problem at all. Why not take ten o'clock Saturday morning or two o'clock Saturday afternoon or something like that and have a go at it and see what happens.

Mr. Shaw: I don't like to be a wet blanket but I have to go someplace on Saturday but if everyone wants to meet on Sunday to discuss this it is quite alright with me. I would put forth a suggestion that Sunday at one o'clock we get something concrete down and work a few hours to see how we make out. At that time we will know whether we have



Mr. Shaw continues....  
accomplished anything.

Mr. Chamberlist: Would this not be the responsibility of outside Members to get together outside this Committee and decide when they are going to meet instead of tying up the Committee meeting itself.

Mr. Chairman: Mr. Chairman will have to attend these meetings as well because he is involved, unless Carcross has been moved into some other area and I think that he would be very interested in the policies which apply in his area. I might say that I am quite prepared - I had contemplated a trip to my constituency this weekend but I am prepared to be in here at ten o'clock on Saturday morning to get to work and that would give us two days - and Sunday as far as that goes. Maybe we can get this thing done by Monday. I am quite amenable.

Mr. Livesey: Mr. Chairman, I think that we could appoint the Honourable Member for Whitehorse East to go to church and save out souls on the weekend while the rest of us get together and see what we can do to assist in solving this tremendous problem.

Mr. Shaw: I have suggested that one o'clock on Sunday; now I wonder if that would be agreeable with the Members, and would that be agreeable with the Administration. We will meet in this room and discuss these matters. I put that forth as a question, Mr. Chairman.

Mr. Legal Adviser: Mr. Chairman, could the three Members from out of town meet with the Administration and we could come to something because it may not be necessary at all - I beg your pardon, the four Members. If we could adjourn for five minutes maybe we could come to something because we have to get some of the officers of Administration too.

Mr. Chairman: Committee will recess for five minutes.

#### RECESS

Mr. Chairman: I will call the meeting to order at this time. Councillor Taylor, would you like to resume the Chair, at this time.

Mr. Taylor: I will resume the Chair.

Mr. Chairman: Members have been in discussion on this matter of setting a time to further deal with the matter and will do so tomorrow afternoon following lunch with the Minister and Council will be adjourned until Monday morning. I believe that is the intention. So, at this time, first of all I wonder if Members of Administration, Mr. McIntyre, Mr. Darychuk will be available, tomorrow afternoon.

Mr. Legal Adviser: I will see Mr. Fleming.....I am not exactly sure who the Members were, Mr. Darychuk or his predecessor, Mr. McIntyre, myself, Mr. Fleming and Mr. Hodgkinson is not here, he is in Ottawa.

Mr. Chairman: Yes, I see it is Hodgkinson, McIntyre, O'Donoghue, Miller, Darychuk and Hillson on the February Committee, and Fleming, McKinnon and Chamberlist. May the witnesses be excused at this time. Councillor Gordon.



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Mrs. Gordon: Mr. Chairman, I would like to ask a question which has puzzled me. It arose out of a request from one department to the other departments in relation to land and the reply received was completely erroneous. I wonder why, or what criteria or what set-up that this could have come about. It was completely and absolutely erroneous. The reply had come from the Municipal Affairs Department of Engineering in relation to lands held in the community of Mayo.

Mr. McIntyre: I think I am aware of the circumstances there. This was a piece of land which reverted to the Territorial government for taxes in 1936 and at that time in all their wisdom the Legal authority advising the Crown had said that the Commissioner could hold land; consequently when the land was sold to another party, private party, sold directly by the Commissioner, and consequently there was no further entry made in the Yukon Land Records but in the remarks column there was a notation to the effect "LTO" and the person who looks after land records in the Municipal Affairs did not know what LTO meant and it obviously means Land Titles Office and this is where you find out who owns the land. Once land is passed from the Crown the Yukon Land Records in the Municipal Affairs Office and in the Supervisor of Lands office no longer keeps track of it and if the people interested in the title of that land had gone to the Registrar of Land Titles, where they properly should have gone they would have found out the exact ownership.

Mrs. Gordon: Thank you Mr. Chairman, I think this will probably be helpful to a lot of people because there are certain areas in the Territory where, unless there are interested and concerned people who know about these things, we could have had an awful hassle.

Mr. Shaw: Mr. Chairman, I would like to direct this to the Commissioner. We had quite some discussions in relation to land sold as tax sale by the Territory reverting to the Commissioner and from there on it went, not to the Commissioner. He could receive the land but he could not hold it. In other words it was Her Majesty in right of Canada and there were problems then in transferring the land. Is it not possible that through your offices that some means could be worked out whereby when the Commissioner took land for taxes, that he could immediately put it up for sale, in other words dispose of it in a correct manner rather than have to go through Her Majesty and all that performance again.

Mr. Legal Adviser: There is one slight point about it, Mr. Chairman and that is that when the land is sold for taxes the reason that it reverts to the Crown is because nobody has made a bid for it during the intervening period so the only assumption one can draw is that nobody wants it during that period of a year.

Mr. Shaw: The point I am trying to get at is this, Mr. Chairman - the land in the first instance is given to the Territory, given to the Territory - that belongs to the Territory - and the Commissioner is the Chief Executive of the Territory. O.K., in my estimation when that land reverts back for taxes to the Territory, not the Federal Government, to the Territory, that that land should remain under the authority of the Territory, not revert back to the Crown. That should be Territorial land the same as Municipal land as it is given to the municipality; they don't have to go through all that performance. They have their rules and bylaws

Mr. Shaw continues.....

and so forth and how to dispose of it. We can have the same thing in the Territory and I would submit, Mr. Chairman, that when that land that has been deeded to the Territory by the Federal government, once that land is deeded in the normal course of events, and when it goes up for tax sales, the Territorial government, or whatever you want to name it should have the right of disposing it just the same as the Municipalities do and I think it would save a lot of trouble.

Mr. McIntyre: Mr. Chairman, I think Mr. Shaw has put his finger right on the point by referring to the deeding of the land. When the Crown transfers administration and control of the territory they do not give deed or title to the Territory. Title is still vested in the Crown just the same as when the Minister of our Department, when they transferred it to Public Works, the Department of Public Works does not get a title to Crown land, what it gets is administration control of it; the title is still in the Crown. Similarly, when land, when the administration control of land is transferred to the Territory the title is still in the Crown. There is no title in the name of the Territory.

Mr. Shaw: Mr. Chairman, I think Mr. McIntyre very much, that is very good information and gives a much clearer picture of the whole situation, but it also does this. It is about time then that the policy was changed in the Federal government that when they turn something over to the Territory that they in fact deed the land over to them-for goodness sakes, how are they going to operate the thing. As they say, we are going to let you have it but we may take it back later on; that is somewhat ridiculous. The land that is in the Municipality, they have found some way of getting around the laws, or to create the laws to give the Municipality the full right. I know that we are having a little bit of a mix-up on the streets right now but certainly the lots seem to be in good standing that belong to the Municipality and the Territory concerned gives them full powers as much as possible. Now, I say that it is just about time that the Federal Government said to the Territory, here is some land, that they give them a deed to that land. Surely they have enough confidence in the government of the Yukon Territory, in the Administration, in the people here, to give something to them without having to take it away when then feel like it or some action takes place when it is sold. Deed them land, why not. I just don't understand why they don't. It is stupid!

Mrs. Gordon: Notwithstanding the fact that the Federal Government does not deed the land to the Territory, I still cannot understand why it is necessary, after a first sale of a piece of land comes within the scope of the law and it reverts back, why that same piece of land that could be sold and deeded and everything else to a person can't be treated in exactly the same way on a second sale after it has reverted for taxes. It seems to me an absolutely unnecessary frustrating step in buying land for people in the Yukon Territory and if there is any way to obviate this stupidity let us do something about it.

Mr. Shaw: Mr. Chairman, in other words, the Federal Government are treating the Yukon Territory in the same category as the Department of Public Works, Department of National Defence, etc. etc. because they possibly need that because they need the flexibility to transfer it from one department to another at a moment's notice and I can understand the

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Mr. Shaw continues.....

policy for such a thing but I think it is about time that the policy was changed, that when they deeded something to the Territory, when the Territory got land, the right to use land that they should get the title to it and it should be in the name of the Territory; we are not a Crown Corporation and neither are we the Department of Transport or some other department. I never realized- I was always under the impression that when the government turned over a piece of land, the Federal Government, to the Territory, that was ours and was very happy. Now when I hear this, it is a most ridiculous situation and that needs to be changed in Ottawa and why it isn't I don't know. It is just because they do not want to lose control of it or something. I haven't a clue, maybe the Commissioner can tell me, inform me why this situation is like it is.

Mr. Commissioner: Mr. Chairman, the question revolves around the entity known as the Yukon Territory and its responsibility and its makeup under the Yukon Act and Mr. McIntyre has been through the hoops on this many times and we will continue to be through as many times in the future. However, the Crown, or the Federal Government in this instance, when they turn over the administration and control of land to the Territory they turn it over to us as if they were turning over the title so that any benefits that are obtained as a consequence of us having administration control of this land accrue to the benefit of the citizens of the Territory. Now I think this is really the technicality that is involved here that Councillor Shaw has brought up, Mr. Chairman, while it has a certain amount of frustrations about it, certainly doesn't have any finality that we cannot continue to exercise the normal functions of administration and control over a piece of tax sale property. We can still get this property into the hands of somebody else. There is not an automatic wall up in front of it.....there is no blank wall that I am aware of ....Mr. McIntyre can smarten me up on this.....

Mr. McIntyre: No, it's an automatic thing, the reverting and the steps are automatic until it gets back to the Territory.

Mr. Livesey: Mr. Chairman, surely this is the delay we are talking about, this is the point that was brought up this afternoon. This causes a tremendous delay. Every time you want to go to the government to talk about a piece of land you are not talking about days, you are talking about months to try to get something settled. This was the point which was brought up this afternoon and perhaps Mr. Commissioner could help us out by getting us information which would show that something could be done to shorten this period. I wonder if Mr. Commissioner could get me that answer.

Mr. Commissioner: Mr. Chairman, a lot depends on the category or the classification into which the land that you are dealing with falls and I think that some of these delays were brought about by our own ineptitude. There are other delays that are brought about by the, sometimes by the almost what I would term unreasonable requests and the amount of land that people are looking for, ostensibly for purposes for which it is absolutely inconceivable that they can ever put to use them for and thirdly, the major delay involved in an overall land disposal policy is being decided upon. Now, I can't think



Mr. Commissioner continues....  
of any finer manner now that the Territory has some acceptable amounts of land to dispose of that a policy shouldn't be formulated. Up until recent times we never had enough land under our control so the policy would not have been any good anyway. Now we are getting some why this is where the policy will come in and this is what will bring to a halt most of the delay.

Mr. Shaw: In relation, take for example in the Mayo area, a piece of land comes up for tax sale so reverts back to Her Majesty the Queen in Right of Canada. Now, I come along and want to buy that piece of land so I go and see Mr. McIntyre and ask how much the land is worth and he states \$200-500 or whatever it is worth. So I shell out this \$500. Give me the title. Can that be done. Can I get the title to that then? How does that work; what is the procedure?

Mr. McIntyre: Well, if this were, in the case of tax sale land of course you would not be able to get it from the Federal people because we would be in the process of getting back the title, the Administration.....in the name of the Commissioner who would sell it to the Territorial Lands Section, but I think the best example I can give you of land transactions, fairly simple where the title can be readily granted is Riverdale and I think that by putting on some real pressure we could get a title out in perhaps two days. On lands for which the Commissioner has administration control in Riverdale which is land that is sold outright without any improvement on it and certainly it should not take longer than a week to get title.

Mr. Shaw: What I am trying to get at, Mr. Chairman, for example, in the City of Dawson they sell a piece of land for tax sale, and nobody buys it so it reverts back to the City. I can then go up to City Council and ask to purchase that block of land. How much do you want for it so they haggle amongst themselves and say \$200. I say fine and hand over \$200, give it to them and the next thing you know they send a transfer of land up here and back it goes and I have my property. Is it as simple a matter if I want to do the same thing with a lot in Mayo that has reverted back to the Crown?

Mr. McIntyre: It could be. The main difference is, though, with Territorial land they usually insist that you put some improvements on it before you can get title and this might take a year or two before you have your improvements on before title is issued.

Mrs. Gordon: Mr. Chairman, I think I can give a partial answer to Mr. Shaw's question and it is this. If it has reverted back for taxes it must be advertised at an upset price. This takes time. You can't get a title then notwithstanding you do have to put improvements on it. This is fine. If a person wants to buy. But you have to go through this period of an upset price and it is at bid price and the whole works. There is no automatic cutoff date whereby this upset price is advertised and published and then it is there for anyone to walk in and buy with a set price. These are the things I object to and they sit there and sit there for years before somebody gets insistent enough that they want to buy that piece of land. Then it will go for advertising with an upset price and everybody and their dog can bid on it and you are out on a limb. In the meantime two or three years have gone by when people could have bought it but there has been no cut-off date that it is axiomatic and automatic that that piece of ground has gone up, been advertised, no one has purchased it, and it is open for anyone that walks in the office and brings

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Mrs. Gordon continues....  
out his money and is willing to make the improvements  
and then get his title. This is what I object to.

Mr. Chairman: Is there anything further? I wonder if  
the witnesses can be excused at this time.

Mr. McKinnon: Mr. Chairman, I wonder if anybody could  
answer this question? I am always amused when I hear about  
this vast tract of land that the Commissioner now has under  
his control. I wonder if anyone could tell me, of the 207,000  
square miles of the finest unexplored real estate on the  
North American continent, how many square miles of this  
are actually under control of the Commissioner at this time.  
I would like to see the figures because it sure gets my  
goat when I hear about the generosity of the Federal  
Government putting these vast tracts of this vast land  
mass under the control of the Commissioner. Certainly  
there must be somewhere that a person can evaluate how  
many actual square miles are under the control of the  
Commissioner in Council.

Mr. McIntyre: I think it could be worked out. In the  
Whitehorse Metropolitan area for example we have a strip  
about ten miles long and two miles wide, 20 square miles.  
Don gave me the figures on the one that the Commissioner  
is going to get control of in Watson Lake, how many square  
miles did you say it was?

Mr. Chairman: Watson Lake was 208 but Faro is 708 square  
miles. May the witnesses now be excused?

All: Agreed.

S.P. #8

Mr. Chairman: Thank you very much, gentlemen, and we will  
see you tomorrow. (Witnesses leave the House). I wonder  
if at this time you wish to deal with Sessional Paper No. 8?  
Requesting Investigation into the High Cost of Living.  
Moved by Councillor Chamberlist, Seconded by Councillor Shaw  
that Sessional Paper No. 8 be discussed. Did you want to  
deal with it now.

Mr. Chamberlist: There is only one point I would like to  
ask, Mr. Chairman, when the letter was sent to the Minister  
The Honourable Ron Basford and what was his reply, and was  
he told that it was at the request of Council, the request  
be made that he attend?

Mr. Commissioner: Mr. Chairman, could Mr. Clerk answer  
that because I am quite confident he was the one who composed  
the letter?

Mr. Chairman: Mr. Clerk. I will call just a brief recess  
while Mr. Clerk gets that information.

RECESS

Mr. Chairman: At this time I will call Committee back to order.  
Mr. Commissioner.

Mr. Commissioner: The letter was signed by Mr. Hodgkinson and  
was addressed to Mr. Basford and says "in the absence of  
Commissioner Smith I am sending you the text of a Motion  
passed by the Yukon Territorial Council, First Session, 1970.  
The Motion reads as follows; and as listed here. We would  
appreciate receiving a reply before the end of this month.

Mr. Commissioner continues....

Council reconvenes March 31 and we would like to be able to inform Members whether or not you will be able to make the requested investigation.

Mr. Chamberlist: What is the date, please, of that letter?

Mr. Commissioner: March 6th.

Mr. Chamberlist: This is a point, Mr. Chairman. Commissioner is still on his feet.

Mr. Commissioner: The reply was signed by the private secretary to the Minister. "In the absence of my Minister the Honourable Ron Basford from Ottawa for a few days I wish to acknowledge your letter. Please rest assured when the Minister returns to the City this matter will be drawn to his attention and you can hopefully receive a reply directly from him". And then there was a telex - unable to advise at this point re visit to Yukon. Will do so as soon as possible.

Mr. Chamberlist: Well, when was the date of the Motion, Mr. Clerk?

Mr. Chairman: 1970, First Session.

Mr. Chamberlist: In January. February 6th .....was February 6th. The letter did not go out until March 6th. Well, surely there is something radically wrong with the speed of the Territorial administration in sending out requests. I know I was speaking to Ron Basford and he was in Vancouver and he had indicated that he would have gladly been able to get up at that time if he had received this but he told me he had not received any communication. This is why I think if once Territorial Council has a Motion to go to the Federal Government it should be dispatched promptly, not six weeks after. I think Mr. Commissioner, somebody is at fault for not having that done.

Mr. Commissioner: Quite frankly I agree, Mr. Chairman. The only thing is maybe there were a few hundred other things that we were trying to get done - we just can't deal with them all. We don't hide behind any misapprehensions. These are the facts as laid before us and while I would tend to agree very much that a little more speed would be in order, perhaps some of the other things that we were....maybe they were six weeks behind too, Mr. Chairman.

Mr. McKinnon: Mr. Chairman, it is not often I rise to the defence of Administration but thank goodness at least our requests are going to Ottawa because I served on this Council before when requests of the Council got no further than this Chamber so thank goodness for small mercies.

Mr. Chairman: Are we clear on this matter.

All. Yes.

Mr. Chairman: Do you wish to proceed further today.

Mr. Dumas: Mr. Chairman, I would like to move that Mr. Speaker do now resume the Chair.

Mr. Chamberlist: I second the Motion.

Mr. Chairman: It has been moved by Councillor Dumas, seconded by Councillor Chamberlist that Mr. Speaker do now resume the



Chair. Are you prepared for the question? Are you agreed? Order, please. Order, gentlemen, can we please have order long enough to get this Motion through. I will repeat it. Moved by Councillor Dumas, Seconded by Councillor Chamberlist that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed? I will declare the Motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: I will now call Council to order. May we have a report from the Chairman of Committees?

CHAIRMAN  
OF  
COMMITTEES  
REPORT

Mr. Taylor: Mr. Speaker, Committee convened at 10:25 A.M. to discuss Bills, Sessional Papers and Motions. Mr. H.J. Taylor, Registrar General and Mr. W.S. Irwin, Superintendent of the British Columbia Securities Commission attended Committee to discuss Bill No. 3. It was moved by Councillor Dumas, seconded by Councillor Livesey that progress be reported on Bill No. 3. This Motion carried. It was moved by Councillor Shaw, seconded by Councillor Dumas that the amendment as contained in Appendix A of Bill No. 1 be adopted as written and this Motion carried. Moved by Councillor Dumas and seconded by Councillor Shaw that Bill No. 1 be reported out of Committee as amended. This Motion carried. Moved by Councillor Dumas, seconded by Councillor Shaw that Bill No. 2 be reported out of Committee as amended. This Motion carried. Committee recessed at twelve noon and reconvened at 2:15 P.M. Mr. G. McIntyre, Regional Director of Resources and Mr. Darychuk, Director of Municipal Affairs attended Committee to discuss matters contained in Motion No. 7. I can report progress on this matter. It was moved BY Councillor Dumas, seconded by Councillor Chamberlist that Mr. Speaker do now resume the Chair and this Motion carried.

Mr. Speaker: You have heard the report of the Chairman of Committees. Are we agreed? May I have further indications of the agenda for tomorrow?

Mr. Taylor: Mr. Speaker, on the Agenda tomorrow we have in the morning a discussion on forest management, with several witnesses attending and I believe that it is the intention of Committee not to sit in the afternoon. I believe we also have a dinner with the Minister of National Defence at 1 P.M.

Mr. Speaker: Yes, I may advise the House at this time that it is the intention of the Chair to adjourn Council at twelve noon until Monday. Is there any further business?

Mr. Shaw: Mr. Speaker, I would move that we call it five o'clock.

Mr. Speaker: It has been regularly moved that we call it five o'clock. Are we agreed? We now stand adjourned until 10:00 A.M. tomorrow morning.

ADJOURNED

ADJOURNED

Mr. Speaker read the daily prayer. All Councillors were present.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

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

Mr. McKinnon: Mr. Speaker, may I rise on a question or personal privilege? I don't often change the Votes and Proceedings of the House except if it changes exactly the meaning of what I was trying to say. On page 122, it reads "In a city which holds itself up as having such strong anti-litter Ordinance, and there isn't an enforcement officer in the world to do anything about it, and it is just a fop that people are listening to these ..."; I said "it is just sock", Mr. Speaker. On page 125, it reads in the Votes and Proceedings "When through a government engineered and a government system, they are pouring raw affluent ...". Mr. Speaker, it is not affluent but effluent that I said. I assure the House that the effluent isn't affluent.

Mr. Speaker: Reports of Committees? Are there any Reports of Committees? Introduction of Bills? Notices of Motion or Resolution?

Mr. Chamberlist: Yes, Mr. Speaker, I wish to give Notice of Motion, "That Councillor Dumas attend the Northern Communications Conference in Yellowknife as the representative of the Territorial Council".

MOTION #16

Mr. Speaker: Are there any further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? Under Orders of the Day, Daily Routine, we now turn to Motions. Motion No. 15, moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Dawson, "That Sessional Paper No. 11 be moved into Committee of the Whole for discussion". Would the Honourable Member be now prepared to move Motion No. 15? Question has been called. Are we agreed? I will declare the motion carried.

MOTION #15

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: I wonder, Mr. Clerk, if we could have Mr. Commissioner here this morning for the Question Period? I will call a five-minute recess.

RECESS

RECESS

Mr. Speaker: We have the Commissioner with us now and you may proceed with the Question Period.

Mr. Taylor: Mr. Speaker, while in Dawson City, the question was asked during the Question Period of Mr. Commissioner related to the placing of advertisements offering some assistance in getting jobs on the North Slope. We were told at that time that this was under control, but it would appear that these people who are doing this are continuing to place these ads in the papers, and there's more recently one from Quebec and one from Victoria. I would like to ask Mr. Commissioner this morning if any consideration has been given by the Administration to first of all placing government ads in similar papers, and secondly, charging these people under the Ordinance Respecting Employment Agencies?

QUESTION RE  
EMPLOYMENT  
ADVERTISE-  
MENTS

Mr. Commissioner: Mr. Speaker, in the first instance, we cannot go beyond the boundaries of our own Territory to give effect to our own Ordinances, Mr. Speaker. Unless any infractions occur that emanate in the Territory that would be applicable under the Ordinance, the answer to the second part of the Honourable Member's question would have to be in the negative, Mr. Speaker. The first part of the question as to whether or not government has contemplated taking any advertising to counteract the advertisements that are being referred to, this has not been done by the Territorial Government. The action that we have taken is what I told Council previously; we have asked the Department of Manpower and Immigration to use their influence which I think is the most extensive in Canada because they are represented throughout the length and breadth of the country, to dissuade people from coming here unless there is some reasonable anticipation or some reasonable promise of them having employment. The cost of an advertising campaign that would have the effect as the Honourable Member has suggested, I'm afraid, is simply beyond the Territorial Government's financial capabilities at this time. This type of advertising, Mr. Speaker, is very, very costly.

**QUESTION RE  
EMPLOYMENT  
ADVERTISEMENTS**

Mr. Taylor: Supplementary to my initial question, I'm wondering if Mr. Commissioner would not agree that section 3, subsection (b), of that Ordinance, being Chapter 35 of the Revised Ordinances, if it would cover this situation and a prosecution could be taken?

Mr. Commissioner: Mr. Speaker, could I refer the question to the Deputy Legal Adviser?

**QUESTION RE  
SIGNS FOR  
ESCARPMENT AREA**

Mr. Dumas: Mr. Speaker, in view of the fact that neither the Department of Transport nor the City of Whitehorse will accept responsibility for the escarpment area on the west side of the valley, I wonder if the Commissioner would have his Department of Municipal Affairs place signs along there, warning children to keep off the escarpment?

Mr. Commissioner: Mr. Speaker, this sounds like a practical suggestion. I wonder if the Honourable Member who has raised this matter would be kind enough to liaise with me on this, I'm sure that something of a constructive nature along these lines can be accomplished.

**QUESTION RE  
LOTS SOLD AT  
FARO**

Mr. Taylor: Mr. Speaker, I wonder if the Commissioner would be in a position this morning to advise how many lots were sold at the sale at Faro on the eighth?

Mr. Commissioner: Mr. Speaker, apparently that information is not available as yet. We will bring it forward just as quickly as we can.

Mr. McKinnon: Three, Mr. Speaker.

Mr. Speaker: Are there any further questions?

**QUESTION RE  
METROPOLITAN  
PLAN**

Mr. Chamberlist: Mr. Speaker, could Mr. Commissioner tell Members of Council what is the cost of the up-dating of the Metropolitan Plan for Whitehorse?

Mr. Commissioner: I'm afraid we'll have to bring that information forward, Mr. Speaker. I don't know.

**QUESTION RE  
METROPOLITAN  
PLAN**

Mr. Chamberlist: Mr. Speaker, a supplementary question. Is Mr. Commissioner aware that on just reviewing what has been presented as a revised Metropolitan Plan, the only change is the colour of the covers of the book?

Mr. Commissioner: Mr. Speaker, I am sorry that I have to agree with the Honourable Member on this particular matter. Also, one other change that the Honourable Member didn't mention is that the size and the shape of the book have also been changed.



Mr. Speaker: Are there any further questions? If there are no further changes, may we proceed to Public Bills and Orders?

Moved by Councillor McKinnon, seconded by Councillor Dumas, that Bill No. 12, An Ordinance to Amend the Low Cost Housing Ordinance, be given First Reading.

BILL #12  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor McKinnon, seconded by Councillor Dumas, that Bill No. 12, An Ordinance to Amend the Low Cost Housing Ordinance, be given Second Reading.

BILL #12  
SECOND  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that the amendments to Bill No. 2, An Ordinance Respecting Employer and Employee Relations in the Public Service of the Territory, be given First Reading.

BILL #2  
AMENDMENTS  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that the amendments to Bill No. 2, An Ordinance Respecting Employer and Employee Relations in the Public Service of the Territory, be given Second Reading.

BILL #2  
AMENDMENTS  
SECOND  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that Bill No. 2, An Ordinance Respecting Employer and Employee Relations in the Public Service of the Territory, be given Third Reading.

BILL #2  
THIRD  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that the title to Bill No. 2, An Ordinance Respecting Employer and Employee Relations in the Public Service of the Territory, be adopted as written.

BILL #2  
TITLE  
ADOPTED

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: I will declare that Bill No. 2, An Ordinance Respecting Employer and Employee Relations in the Public Service of the Territory, has passed this House.

Moved by Councillor Shaw, seconded by Councillor Dumas, that the amendments to Bill No. 1, An Ordinance to Amend the Public Service Ordinance, be given First Reading.

BILL #1  
AMENDMENTS  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that the amendments to Bill No. 1, An Ordinance to Amend the Public Service Ordinance, be given Second Reading.

BILL #1  
AMENDMENTS  
SECOND  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that Bill No. 1, An Ordinance to Amend the Public Service Ordinance, be given Third Reading.

BILL #1  
THIRD  
READING

MOTION CARRIED

MOTION  
CARRIED

BILL #1  
TITLE  
ADOPTED

Moved by Councillor Shaw, seconded by Councillor Dumas, that the title to Bill No. 1, An Ordinance to Amend the Public Service Ordinance, be adopted as written.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: I will declare that Bill No. 1, An Ordinance to Amend the Public Service Ordinance, has passed this House.

Mr. Shaw: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council resolve itself in Committee of the Whole to discuss Bills, Motions and Sessional Papers.

Mr. Dumas: I'll second the motion.

Mr. Speaker: Moved by the Honourable Member for Dawson, seconded by the Honourable Member for Whitehorse West, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

SESSIONAL  
PAPER #10

Mr. Chairman: The first item of consideration this morning is Sessional Paper No. 10, Federal Forest Management and Timber Disposal Policy - Yukon Territory. We have three witnesses this morning. Mr. G. McIntyre (Regional Director of Resources - Yukon Territory), Mr. J. Gass (Superintendent, Yukon Forest Services), and Mr. G. Lortie (Director, Yukon Conservation Society). I wonder, Mr. Clerk, if you could summon the witnesses at this time? I will declare a brief recess.

RECESS

RECESS

Mr. Chairman: At this time, I will call Committee to order. We are discussing Sessional Paper No. 10, and we have with us Mr. Gordon McIntyre, Mr. John Gass and Mr. Grant Lortie. Councillor McKinnon, would you proceed?

Mr. McKinnon: Mr. Chairman, I'm going to admit to Council before I start on this debate and questioning the witnesses, that I have a vested interest in this subject, and I believe that every Member of Council has a vested interest in this subject; I believe every Yukoner has, and more, I believe that every Canadian has a vested interest; I'll go even further than that, I believe every North American has a vested interest in the subject that we are going to discuss this morning. Mr. Chairman, it seems to me that here we are where we have been given probably the greatest inland water way and recreational area on the North American continent, and we are stumbling and crawling over one another in our rush to destroy it and our rush to sell it out for thirty pieces of silver. Mr. Chairman, it was interesting to read yesterday when it came before Council, a report from David Judd, who was once Assistant Commissioner in the Yukon. On the final page of his Yukon Study, he concludes from ... anyone from Cambridge University, "By 1968, the Territory was flourishing. One dry comment was that the Yukon was too busy smiling its way to the bank to have time to think." Mr. Chairman, when I see what's taking place in the Yukon Territory at this time, I can't help but agree with the statement of Mr. Judd, who was as I say, the Assistant Commissioner in this Territory at one time. Now, we have been told in the preparation of this paper, and we know that the business interests have lobbied

Mr. McKinnon continued:

and they have successfully lobbied the Minister of Indian Affairs and his officers. We're told also, by an editorial in the paper last night, that the Federal civil servants have had their say on this paper. I'm glad that everybody has had their say because I am going to have my say for the thousands of people who use this area every weekend for recreation, and I want to speak for the people who have ever camped off Squaw Point for a night and taken the fish out of the water and broiled them over an open fire. I am going to speak for these people who have gone across Windy Arm in a storm and anybody who has ever fished a thirty-pounder out of Teslin Lake. These are the people I'm speaking for; the people of the Yukon, and not for the business interests and not for Federal Government employees. I'm speaking for the Yukon and that's all. Mr. Chairman, here we have a study that none of us have seen, saying that we are going to give cutting rights in this beautiful inland water area to outside companies. We don't receive a bit on the timber leasing, we don't receive anything for stumpers rights. We have never seen the study under which the timber rights are going to be given. We know nothing about it. The only thing that we know is that we are just going to spoil what I say is the greatest inland waterway on the North American continent. Mr. Chairman, we have got to stop at this time in the Yukon's history and take time to think. What are our priorities? What is the Yukon all about? And, certainly, the area in question now, where as I understand from qualified biologists, it takes a tree 150 years to grow to the size and to the condition that they are now along this waterway, to cut these trees and to spoil this country in my mind would be criminal, and not only criminal in protecting the heritage of this country for ourselves and future generations, but criminal in that we would just be wasting money in doing it. Here is an argument, that both conservation aspect and the monetary aspect show that it would be absolutely stupid to go and start cutting in this area right now because, Mr. Chairman, with the urbanization as it is coming now, and it is showing more year after year, that the whole concept of recreation and vacation now is getting away from the urban sprawl and into an unspoiled area. Here we have the ability of an unspoiled wilderness unparalleled in the North American continent that is there for dollars that come to us in perpetuity, renewable, and what are we about to do? We are about to let the Federal Government rape us and again completely destroy the country; not what Yukoners want, but what the Federal Government wants. If there is anytime that Yukoners should stand up and say "Let's forget about parking meters, and let's forget about amendments to the Liquor Ordinance" and stand up and be counted because there is something special about the Yukon and something special about Yukoners and this is the time that they should stand up and prepare to be counted. Mr. Chairman, I think that this Council should go on record in the strongest imaginable terms that at this time we do not want cutting to be done on this area, we don't want timber cutting rights to be advertised, and we absolutely decry once again the Federal Government and its officers bringing a fit accomplishment before this table, before the people of the Yukon Territory and their representatives have any say in the matter whatsoever. I can only say, Mr. Chairman, it's time we sit down and get our thinking straight and decide what we want to see the Yukon developed into, what we really think the Yukon should be, and what priorities we're going to set on our resource extraction and what we're going to tell the Federal Government what the people of the Yukon want and what we think that they are doing wrong. I can't see a more clear area where we can say at this time "Cease and desist, no, the area is there, the area in the future is going to be one of the greatest revenue sources as a recreational area in the Dominion of Canada and the North American continent, and we want it kept that way because we want to benefit from the dollars that are going to go into that area that we can get out of the tourist dollar".



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Mr. Dumas: Mr. Chairman, I'd like to remind Committee that some time ago, when I first brought up the question of this type of thing happening in the Carcross area particularly, there were certain Members of Committee who thought it was quite a joke and that I was talking off the top of my head and didn't know what I was talking about. But, when we talk about recreation, Mr. Chairman, and when we talk about the natural resources of the Territory and when we talk about the beauty of the country, we're talking about what we're leaving for those coming after us, Mr. Chairman. We're talking about more than just dollars and cents. One of the arguments presented at that time was this, that the timber would be cut in northern B.C., the grant was made by Mr. Williston of the B.C. Government, the Minister of Lands and Forests, therefore we had no control over it anyway and we might as well have a plant here in the Yukon and gain some benefit from it that way, but now we see here before us a Paper that suggests that timber be cut in the Yukon as well. I knew at the time that in fact surveys that were done over the past two years were done not only in northern B.C. but were also done in the Yukon to support the feasibility of this type of operation, and it's in fact unlikely that operations of this type could go ahead simply with the timber that's available in northern B.C. So, here we have an attack on the resources of the Yukon. Now, this type of resource, Mr. Chairman, is not like a mining resource where you are limited in what part of the land you tear up and destroy and the yield is high in terms of dollars to the Territory and to the economy of the country. I suggest, Mr. Chairman, that this type of operation is looking at as much as fifteen acres being cleared per eight hour shift. Now, if this type of thing goes on for any given length of time, and I suggest that at maximum it could go on for about fifteen years with the present number of ... with the present timber stands that are available, and then it's gone, Mr. Chairman. We have a denuded country side; the company is gone; the profits are gone; the money is gone; the jobs are gone; there is nothing, I repeat, absolutely nothing is left. On a straight dollars and cents basis, Mr. Chairman, I think we must look at this and say "What is the value to the Yukon in this operation; how many dollars would be spent in the Yukon with any forestry operation". Then we must weigh that against the recreation dollar that is spend in the Yukon. I have before me, and all Members of Committee have, a paper put out by Mr. Naysmith, called The Future Value of Canada's Northern Forests. He suggests in this paper, and let us remember that this is a civil servant in Ottawa at a fairly high level, and he says here that in 1968, the Yukon Territory, which has a relatively well developed road system, was visited by more than 100,000 tourists in that year. He says that this figure suffers in comparison with the provinces, but in light of the fact that it is equivalent to seven times the local population, it must be considered significant. Now, this is in a paper on forestry and this is the connection that I suggest, Mr. Chairman. He says here that in a number of cases the forest depletion has become economically irreversible and idleness, as far as commercial wood production is concerned, and this is what we're talking about here, commercial wood production ... idleness, as far as commercial wood production is concerned, is justified. I suggest that it's very greatly justified, Mr. Chairman. He also says in the summary of this booklet that in the north the value of forests in terms of watershed management, outdoor recreation and wildlife habitat will be in many instances equal to or greater than its value as a source of timber. I suggest, Mr. Chairman, that it is many, many times greater than. In his conclusion, he says that if we recognize that technology has widened our spectrum of choice and provided certain room to manoeuvre, we will not be found wanting by a sensitive public which no longer finds acceptable single solutions to resource-use problems. There is no more single solution to resource use when you're talking about timber than cutting it down and hauling it out, because that is the end of it, Mr. Chairman. The suggestion in this paper that these areas be opened up for timber development, for timber cutting-down, is just a lot

Mr. Dumas continued ...

of nonsense, Mr. Chairman. There is no economic justification as far as this paper is concerned, not over the next span of twenty years. But, we must go even further than twenty years; let's go for fifty years, assuming the world lasts that long. We have thirty years of idleness after the twenty years when that land is worthless, and then we've got to wait, after the fifty years, we have got to wait another hundred years before the forest people can come in and cut down the timber once again. Mr. Chairman, in B.C., it takes from fifty to seventy years I'm told for timber to reproduce, to regrow. I'm also told that in B.C., you harvest one acre of timber to get the same timber that you would get from four acres in the Yukon. This is information supplied to me by people who are in the field. Now, on a straight economic basis, the dollars and cents basis, it doesn't pay off because the recreation dollar over the next twenty years is going to mean a lot more to the Yukon and to Yukoners than the dollar that we may get as a by-product of the operation of outside companies in the Yukon Territory. But, putting that aside, putting the economics of it aside, Mr. Chairman, at some point in time, we have got to stop and say "We are against pollution; we are against denuding the landscape; we are against selling out". Just recently on the airwave, we hear about the United States running out of resources down there, because they went in search of the American Dream and took just as much as they could from their land, just as much as they could from their waterways, just as much as they could from their forests, and now what are they doing, Mr. Chairman? They are looking north, they are looking to Canada. They made the mistake of raping their country in search of the American Dream, in search of the Almighty Dollar. We have their experience to fall back on, Mr. Chairman. I suggest that if we haven't learned a lesson from it, then we're either stupid or very negligent or very, very selfish.

Mr. Livesey: I wonder if I could ask the Honourable Member who has just spoken, a question, Mr. Chairman? I wonder if he is suggesting that we turn the Teslin ... Tagish-Marsh Lake Area into a National Park?

Mr. Dumas: Excellent. Mr. Chairman, if that's the only way we could protect it, I think that would be an excellent idea. I might point out that I'm not against development and progress whatsoever, but it has got to be very carefully planned, and you have got to look at these things in terms of returns not only in the next five years, but in terms of the next fifty years, and if you can see a high dollar value for a small specified area that is going to benefit the people of the Yukon and ultimately the people of Canada, let's look at that, but let's look at each of these things on their merit, and I suggest the paper before us has very little merit.

Mr. Livesey: Another question, Mr. Chairman, I wonder if the Honourable Member is also suggesting that timber should not be cut anywhere in the Yukon?

Mr. Dumas: I thought I just explained that item, Mr. Chairman. On a selective basis, I think it should be cut, but I wonder if the Honourable Member is aware of the type of timber operation that is suggested in this paper? They have a machine, I don't know what it's called, but it's the equivalent of a grass-clipper, only many, many times larger. It goes through the area and cuts down everything in sight absolutely clear, nothing left, it's gone.

Mr. Chamberlist: Mr. Chairman, I am not opposed to development of new companies, of seeing more money brought into the Territory, and I am in favour of the chipmill plant which was proposed for the Carcross Area on the original basis that it was proposed with the original restrictions imposed upon it. I went over it very

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Mr. Chamberlist continued ...

carefully and my opinion was that it couldn't do anything but good for the Territory and the area. This Sessional Paper brings an entirely different story forward. Firstly, it shows up, Mr. Chairman, that once again the Federal Government has deliberately refrained from discussing what is of the utmost importance to the people of the Territory, their natural resources. I believe that the Federal Government has been usurping their rights over the natural resources of the Yukon, and that in fact, they have no power whatsoever to deal with them in any way, that the rights that they assume now, and I refer to them as the Federal Government, assume the rights because they have instituted legislation taking over the powers of government and the natural resources of the Yukon Territory. Sessional Paper No. 10 to me shows that once again, whatever political party is in power in the Federal Government, Ottawa, they do not give one iota what happens or what interest the people of the Yukon Territory have. I say once again, a pox on all political parties. When the interests of the Yukon are being destroyed by irresponsible political administrations in Ottawa and their public servants to the detriment of the people of the Yukon, it's time we said to them not only "Desist", but "You prove that you have the right to do this", and I would challenge the Federal Government at this time to go before the Supreme Court of Canada and ask, stating the case, ask them whether they have any right to deal with the natural resources and the mineral resources of the Yukon Territory. In presenting this paper, the Commissioner I feel is attempting to interpret the policy of the Federal Government. Now, when I say attempting to do this, I always read the last few lines of any of the Commissioner's papers that are presented and in this particular case "It is hoped that this will clarify any questions which Members of Council may have had with regard to forest development in the Territory". We have never had an opportunity to ask any questions so how can we clarify the questions that haven't been submitted? We have been promised time and time again by the Minister of Indian Affairs and Northern Development and his officers, that there will be no decisions made with reference to the Yukon Territory unless consultation is first had with the Territorial Council, and I say now that the Minister of Indian Affairs and Northern Development has broken his faith with me as well because this is what he personally promised me, and I am critical of him for doing that. I say that this Sessional Paper and the remarks of Territorial Council should be sent to the Minister promptly, letting him know that the Members of Council are not opposed to the progressive development of the Yukon, but we are opposed, and to use the word used by previous speakers, to the rape of the Yukon, because it is nothing but that. To me, there is a necessity for the Federal Government to know that we are not going to be continually bullied into submission by having everything that belongs to the people of the Yukon stolen from us with the idea that everything in the Yukon belongs to everybody in the rest of Canada. As I have said before, no Federal Minister would say to a province "What is in your province belongs to everybody in Canada". Mr. Chairman, it is my hope that as a result of this Sessional Paper coming before this Committee, once again, and firmly, the Federal Government gets to know that even those that are supporters of the Federal Government in its political ideology refuse to accept the attitude adopted by them in attempting to take away from the people of the Yukon what belongs to the people of the Yukon. Thank you, Mr. Chairman.

Mr. Shaw: Mr. Chairman, I would like to speak more as a person who has had a little experience in cutting logs and operating saw-mills. I did it for about twelve years in the Yukon. I used an axe and I used a swede saw; they didn't have chain saws. We have ultra-conservation, we have ultra-exploitation of the resources of this Yukon, and somehow or other, we have to get something in between where it can be compatible, where everything can live. Just because we have a beautiful stand of timber doesn't mean to say we



Mr. Shaw continued:

shouldn't use it, but I have heard from time to time about the timber resources in the south, the southern part of the Yukon. Now, I'm very sorry, I'm not too acquainted with the extreme southern portion and these chains of lakes which the Honourable Members from Whitehorse have the opportunity to travel around and to know thoroughly. I can only assume, Mr. Chairman, that it's very similar to the country around here from my observations in travelling through, and when we talk about growth rate of a tree of 200 years, now if most of it is like this, I say that the growth rate would be closer to 400 years than 200 years. As I stated before, I was twelve years in the sawmill business and the log-cutting business in the northern part of the Yukon. It was necessary to cut the logs for the sawmill on places very close to the Yukon River. Now, in the very early days, there were hundreds of boats travelling back and forth, and they burnt wood and they required this wood for the fuel for the boilers, so they had wood-choppers all the way down the river. Now, it wasn't too many years ago before I quit the business, but I can tell you this ... the experts can say what they like, but I was there on the job on a continuing basis, and there was no place, there was no place, Mr. Chairman, that I could go in and economically recover logs of any size where they cut wood in the early days, and that would mean that there has been fifty or sixty years that these trees have had an opportunity to grow and they weren't large enough for commercial use in that time. So, when we start talking about cutting trees in the southern part of the Yukon, and I note on this paper that this is going to be real good; they are going to cut them with a minimum butt diameter and a minimum top diameter of four inches. Now, four inches is that big, so that means that it will be a case of just going through with a combine. You will completely denude the whole countryside. To me, I think that that is a very myopic way of producing industry in the Territory or anyplace. The benefits to the Yukon from such a denudization, I think we could put that as a word, would be minimal. This is done by machinery; the actual manufacturing will be done someplace else because these chips will be taken out. And, to start on a program such as this, I never could myself see where you could get this type of timber where it could replenish itself except that the lakes cover a vast, vast area in square miles, that you could funnel them all to these particular lakes and then you could transport them cheaply by water. As far as matters such as that are concerned, it would appear to me that the Yukon, its forestry supply, its timber, is definitely and positively in my estimation not suitable or conducive for to have large scale operations to export. I would feel that it's fine for you to have sawmills going into certain areas and cutting it for local use, or for use within a perimeter of the Yukon's border, but to start in with chip mills, I am inclined to agree with the Honourable Members that are acquainted with that area that we'll have nothing left but a bunch of stumps and it will take 400 years to regrow them again. So, that's one of the big problems in the Yukon. We take the raw material and it goes out of the country. We have no other way of changing it at the present time, but we are just continually depleting our resources and we're not getting the maximum benefit out of it at all. Now, when we have the sawmills operating in the Territory, we are getting the maximum benefit. It is produced by local people; it is a local product; it is a manufactured product. It is used, and that is what I call use. If we have something left over, fine and dandy, but if we are going to clear off areas, and I don't know how much ... somebody the other day mentioned to me just how many acres would be cleaned off in a day, and it's just fantastic. We have the forest fires from time to time and we are talking about the erosion effect, how bad that is ... I don't know if that was considered in this particular matter, so that whatever is done in this respect, I do certainly feel, and feel very strongly, Mr. Chairman, that certainly the people in the Yukon should have a little say in what happens in their own Territory regardless of

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Mr. Shaw continued ...  
what the situation is. Now, some people say this is good, some say it's bad, but certainly I think that the people who live here, who we call Yukoners, should have some say in whether or not these particular projects should go ahead and reason has to be sustained in all these matters; but, not just to say that these different outfits are just going to completely clear off the country. It's no good for farming after that.

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

RECESS

RECESS

Friday, April 10, 1970

11:00 o'clock a.m.

Mr. Chairman: At this time I'll call Committee back to order. Councillor Chamberlist I wonder if you will take the chair at this point.

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Councillor Chamberlist takes the Chair.

Mr. Taylor: Well, Mr. Chairman, I have listened with great interest to what has been said this morning, and found the impassioned plea of some members somewhat touching. I don't deal in this matter frivolously but I would like to put up the other side of the story. Now, the Honourable Members, some of which have spoken before would seem to think that the Development of a Forest Products Industry in the Tagish area or indeed in any area of the Yukon, but I think we are targeting in on the Tagish area at this point of time, would be detrimental to the Territory. I would like to suggest, Mr. Chairman, that this is not so. I would like to suggest that the development of Timber Resources anywhere in the Territory, through proper Forest Management Controls would be entirely beneficial to the Territory. What we are talking about here is a pretty broad field, because when you get into Forestry, Forest Management, you get into areas of Biology, Silver Culture, Protection, there is no end to it, it's a big field and I don't think that certainly that within the Council, there are too many experts here in this field, the experts of course sit at the end of the table, we have some. Now much has been said this morning, I think the Honourable Member from Whitehorse North said that we are destroying and selling out the Resources, that we could be destroying a fishery, that we're raiding the Yukon, and this in my opinion is a bunch of bunk, hog wash. If the Yukon is ever to develop economically it's got to base that development on resources, and unless we can exercise within the Territory the use of resources on the multi-use concept we might just as well wrap the Territory up with a big fence around it, call it a National Park and all move to other areas of Canada. Now lately, and I am surprised to see this rejection before Committee today, mainly because in other areas, we've said now they're suggesting has been forth coming from the Conservationist that oil exploration and development, production should be shut down in Northern Canada, at least for a number of years until the people or the ecologist can determine what effects this industry is going to have on the . . .

Mr. McKinnon: A point of order, Mr. Chairman, whoever said that at this table that it should be shut down, the oil and natural gas exploration in Northern Canada.

Mr. Taylor: Mr. Chairman, in answer to the Honourable Member no one at this table had said this. I'm talking about the people in Northern Affairs and I think if the Member will recall and was listening he would note that I was talking about Conservationists. Now as I was stating, they have suggested that the oil industry be curtailed. It has been suggested that mining be curtailed, it has been suggested that very rigid controls be placed on water, and it was also suggested yesterday that the land, even the land for people to buy should be withdrawn, under rigid controls. Now, we come up to forest products. It's hard to say where to begin, I think it should be recognized Mr. Chairman, that over the years, the technological advances in Forest Management resulting of course from experimentation over the years has been something pretty good. I think our forestry people are well capable and well in a position to go to these various areas and in particular the Tagish area and affect proper and adequate Forest Management. It is interesting to note in this little booklet everybody was quoting from this morning as written by John Naysmith, that on page 9 he states "In essence then for much of our northern forests we should avoid



SESSIONAL Mr. Taylor continues . . .

PAPER #10 sub-marginal areas and encourage the industrial utilization of the more productive stands by increasing the cutting rate beyond the level dictated by silviculturally based sustained yields." This is a harvest, just like game is a harvest, this is a renewable resource, and I have every confidence that forestry, forest service will ensure that these timber reserves are cut and everything is under proper control and proper management. I think if you take another look at this paper which has got everybody stirred up on page 2 the submission on the problem, you will note on the first full paragraph where they state "There will also be provision for natural or artificial restocking of cut-over lands; protection of lake shores, recreation areas and wildlife and for land and water pollution control measures." This is spelt out, in other words the problem that has been raised by the Honourable Member this morning has been considered, and proper safeguards and adequate control have no doubt as indicated in this paper been provided. So I think that this isn't a one sided story, I think that you must think back to the option of use concept, and recognize that mining, logging, and tourism, and recreation can all go together to the exclusion of neither or any of the other resources, and I think before we get a motion off on a tangent here I think that this should be considered as well Mr. Chairman.

Mr. Dumas; Yes, Mr. Chairman, it is very difficult not to get ~~emotion~~ on a problem such as this because it's of such great importance not only to the citizens of today but to the citizens of tomorrow. However, using some of the arguments that the Honourable Member has put forward, it seems kind of strange that the Honourable Member in this instance is quite willing to accept a proposal put forward by the Federal Government, in which no Yukoner's participate, and normally the Honourable Member in floor of arguing these problems and now I would be very interested to find out the terms of reference laid down under and what they were supposed to come up with because as we know when instructions are given in terms of records laid down in studies that are down, very often the studies are geared to give the results that those people who are paid to do the study are instructed. They know the feelings of the people who have asked for the study and this is what they aim towards. Certainly in the Yukon where we are over studied we very often see this happening, Mr. Chairman. The other thing is that the very words that the Honourable Member quoted from this booklet which I will repeat "In essence then for much of our northern forests we should avoid sub-marginal areas . . ." because this report in fact goes as far south as the southern end of Lake Winnipeg and it goes through over half of the land mass of the Provinces, and I suggest that down around the 55th parallel of B. C. you'll find some stands of timber that weren't sub-marginal and it should forested under this booklet, but when he referred to sub-marginal areas I think that the Northern sections which are referred to in the booklet lie in Northwest Territories and the Yukon are the sub-marginal areas that they certainly referred too. Therefore using this booklet once again as a guide, I suggest Mr. Chairman, that what we need here is to have a look at the studies that were made to have studies done that we in the Yukon are satisfied with, and if the results of those studies indicate that there is a forest industry could be carried out and in fact the dollar value from a forest industry in the next 20 years will be greater than the dollar return value in the Recreation Industry, well then I would go along with it Mr. Chairman, all I ask is for a reasonable approach to the problem, and for us to be included, us being the people of the Yukon, in these studies that are undertaken so that we know both sides of the story. All we have here is a direction from Ottawa that they are going to open up two forest areas in the Yukon and we haven't been talked to about this at all. Really if you're doing a Forestry study per se you're not doing a

Mr. Dumas continues . . .

recreation study, I wonder what the Recreationists would say. Those who are familiar with the dollar value, \$7 million or \$8 million was brought into the Territory last year by Tourism. I wonder how the real dollar value between Recreation in this area over the next 20 years and the dollar value of the forest industry would compare. I'm sure if we had the recreationists come in to do a study on that area that they would say, don't do any cutting at all, it's wrong to cut anywhere, anywhere in the Yukon, you know, because then we would be getting the other bias. I suggest that in this paper that all we have is one bias Mr. Chairman. What I would like to do is see the other side of the story, both down on paper before this Committee so that we can look on it on behalf of the people of the Yukon and come up with an intelligent suggestion on the whole problem.

Mr. Taylor: Mr. Chairman, if we're going to come up with any intelligent solution to this problem we are certainly going to have to take a look at the multi-use concept which some members don't seem to be looking at right now. It has been suggested by the Honourable Member that I am not concerned about the fact that no Yukon participation is taken in the matter of Forest Management at this time. This is quite correct and I think we must all understand from our visit to Ottawa last Christmas, and our visit with the Prime Minister of Canada, and the Honourable Jean Cretian the Minister of Indian Affairs and Northern Development, that it was plainly pointed out that they are not prepared to give us control of those resources, however we are now fighting and sending representation in the form of one member to Ottawa to try and among other things get some increased representation by the people of the Yukon as a junior partner in these resource developments, trying to get further representation on that water board, so we're making steps and I'm quite conscious of this. We're making steps in the right direction. Now I don't think, I just would like to comment too that I've heard a lot of talk in these Chambers about pollution resulting from this Chip Mill at Carcross, and all the areas that are going to be destroyed, I can't buy this argument and I think in the matter of pollution and pollution of the Fisheries the only close to reasonable argument I heard was from one Honourable Member here who said "well if I go down with my boat and I've got it wide open and I hit a log, that's going to be a pretty bad thing" and I think it would be a bad thing. This is why the logging industry makes log booms and controlled booms and move their logs that way. Now, I think that time is growing short and there are witnesses here today to answer questions, I think we've all had a good go around at this thing, to answer questions of Members, Mr. Chairman, and so I would suggest that, having brought these witnesses here that Members should ask questions in relation to any problem that they might have.

Mr. Livesey: Well I have a question Mr. Chairman, I understand there is an agreement in effect which provides guidelines for the Companies operating in this field. I'm wondering if there is any special agreement in relation to this paper, in connection with the operations, proposed operations of the company concerned.

Mr. Chairman: Who would you address that question to, Mr. Councillor?

Mr. Livesey: Well, perhaps the Legal Adviser could answer that question, Mr. Chairman.

SESSIONAL PAPER #10 Legal Adviser: I can't give you any information, Mr. Chairman, on this. This is a Federal matter. They make their own agreements with the companies involved and we are not consulted and we have no knowledge of it whatsoever.

Mr. Shaw: I wish to clarify, a remark that I made Mr. Chairman when I referred to South of here that's what I referred to when I talked about the timber. Watson Lake is east, actually of here, not south, and south is from here down to the Alaska border.

Mr. McKinnon: Mr. Chairman, I would like to ask of Mr. Gass or Mr. McIntyre, were they consulted, and what hand they had in preparing these two different timber harvest units, what the recommendations of the Schultz Tcheriault Report were, who made this report, on who's advice the report was made, what were the terms and reference of the report and could we have a copy of the report?

Mr. Chairman? Would one of the witnesses like to answer all these questions?

Mr. McIntyre: Well I can say that certainly we were aware of the report and of the conditions under which it was prepared. We were supplied with copies of the agreement between Her Majesty the Queen and C. D. Schultz and Company Ltd. and Goutchier, Poulin, Theriault Ltee. the two consultant firms that were used to prepare this, to do the study and prepare this report, and among, there are many particular items in this particular agreement but basically it was for a general evaluation of operating in economic factors for an appreciation of the potential of the Liard Forest Unit for Forest Industry Development relevant to location and timing timber volume of products, growth and allowable cuts, operating conditions, possible markets and Industrial Plant requirements. That agreement was entered into in June of 1969, now the report was prepared by this company and copies of it were supplied to the Commissioner and to myself in November of 1969, so that the report itself has been in the Territory since November of last year. As to making the copies of this report available to Members of Council I will take the matter up and I don't see any reason why they can't be supplied but I'll have to ask if they may be.

Mr. McKinnon: Mr. Chairman I wonder if I could ask Mr. Lortie, who is a graduate in wildlife management from the University of Alaska, what his thoughts are on the Sessional Paper #10?

Mr. Lortie: If I may be allowed to I would like to offer a . . . of the entire paper, perhaps some helpful suggestions as we go along. Now, I have marginal questions out here, some of them have been answered, so I'll just skip over those. In paragraph one of page 1, we have a statement that we have recently been informed by the Acting Director etc. This seems to me to be exactly backwards. First we are told that it is going to be a Chip Mill and then we get the study.

Mr. Chairman: Point of order here, with respect I don't think the witness can be critical of the Sessional Paper that has been submitted to Council. I think the witness should express specifically his questions in the matter.

Mr. Taylor: Point of order, Mr. Chairman, I feel that the



Mr. Taylor continues . . .

witness has the right to, he has been asked to comment on the paper and I think that he has every right to discuss any fraction of it. And at this time I will resume the Chair.

Mr. Taylor resumes the Chair.

Mr. Lortie: Thank you. We have the statements of, we were told that there is a possibility of a Chip Mill and Forest Products industry at the Head Waters of the Yukon River sometime after this we were told or brought the study justifying the development as brought to life. I think it should have been the other way around.

Mr. McIntyre: May I interrupt this witness? You're misunderstanding this thing, the proposal of the Chip Mill is based on a sustained deal cut in British Columbia.

Mr. Lortie: Anyway, as a representative of the Yukon Conservation Society, with regard to this question that has come up in paragraph one I would like to suggest that on any resource utilization proposal, that we have a special presentation of predevelopment study, made available to the public. We also demand public hearings on all matters. Now another point I would like to bring up, is in paragraph 4 of that page there is a question regarding the study itself, I would like to know on what basis the study was conducted, John Gas has told me it was conducted from the air and on the ground. However particular priderassments are soil studies and hydrologic studies in the area. What significance do these large contiguous tracks of what are considered commercial timber, what significance do these have on soil water relations in the water shed? To my knowledge there have been no studies along the investigating soils in the hydrological cycle in the area. At this time I would like to suggest that much clearcuts of this magnitude, I just forget what our premiums are, we have an independent source for information. Fifteen acres of land could cut per shift on hillsides suggested cutting births along those lakes, I suggest that on a large scale hill and hill erosion on areas where the soils are thin will result as far as I know, unless it would come to light in the agreement between the Federal Government and the operating companies, the Yukon Territorial Game regulations enclose a 200 foot margin away from lakes, I would suggest that it's good cutting forestry practice in other areas, that buffer strips are left along natural stream courses and based on the knowledge that we don't have cutting rates and methods of cutting change according to soil types degree of slope exposure and so on. To my knowledge we haven't seen anything, we have no knowledge of these plans for this area at all. Now page 2 we have in paragraph one we have mentioned in here, there will also be provisions for natural or atrificial restocking on cut-over land. I would like to ask, I'm suggesting that natural reseeding on clear-cut of this magnitude with one or two feet with less on the ground would be a fire hazard, I don't see how natural reseeding of an area with one or two feet of slash on it is forest utilization on a sustained yield basis. Natural reseeding on it's own is right on large clear cut it too close on a sustained yield basis. If you're going to operate and utilize for on a sustained yield basis you take steps to guarantee a new harvest, so in this light we insist on an artificial restocking basis. Natural reseeding we find is unsatisfactory. In paragraph 2 of this paper on page 2 . . .

Mr. Chamberlist: I wonder as a point of order Mr. Chairman, I

SESSIONAL Mr. Chamberlist continues . . .  
 PAPER #10 wonder if the witness could indicate who is we, when he refers to it.

Mr. Lortie: I'm representing the Yukon Conservation Society.

Mr. Chairman: I might say that there is only 10 minutes left in this discussion.

Mr. Lortie: We have here a statement providing for natural and artificial restocking of cut-over lands which at this discussion protection at lake shores and other land uses seen as water sheds. I have yet to see land use regulations that provide for multiple land use concept in the Territory, where is the coordinated, integrated land use plan for this area. Closer to the bottom of the page paragraph 4 we have a statement of an annual cutting volume supposedly from these sustained annual basis, my comments here probably aren't valid but I doubt whether timber of that volume is there. Now on page 3 the paper has suggested that there has been a great deal of misunderstanding regarding forest utilization in the Yukon Territory, and we're not surprised at all because the public is usually informed long after the facts. In conclusion to this I would like to suggest that job opportunities for local people in this operation are secondly next to negligible. It is a highly mechanized operation requiring skilled crews which is usually in matters like this and the personnel in the operation will all come from outside. Regarding in summary the conditions provided in this paper for water shed protection there is no buffer on undisturbed stream courses and on lake shores other than those provided in the lands regulations regarding lakes. Although waste volume is low on this proposed cutting method we suggest a very comprehensive slash clean-up programme, on the large clear-cuts to facilitate both natural reseedling and the artificial restocking that we would like to see. We would also like to see before this operation is too far along some reasonable suggestions for co-ordinated planning which other forms of land use. In other words to prevent a measurements in the erosion line to facilitate or to enhance the recreational values in the area. A new type of sluffing impact and hill erosion of course is quite an impact on various aspects on the morphology of the lakes and creeks that we can't even predict. Self impactation on heavy equipment the use in this operation may be a factor in force in generations on the timber burns. We would like to, what I'm suggesting here then is that an operation of this magnitude is completely unjustified, because of the respect of our technology as providing us with a meaning to use large areas of land and we have absolutely no idea of the environment for operating in and we have no idea of the consequences. Where stands of timber exist in short stands I don't see why they shouldn't be cut on a selective basis by small portable mills using local help rather than this highly mechanized operation which I can't imagine. I would like to predict the results but I can't simply because knowledge of our activities in this area without a prior ecological knowledge of the area and the consequences for equipment in terrain like this, I'm suggesting though that it is going to be a mess.

Mr. Chairman: I wonder if at this time, in view of the shortness in time if possibly Mr. Gass has any comments to make in relation to this.

Mr. Gass: Just a short comment. To begin with, I think we are already talking in terms of an agreement as already finalized, gone and the timber disposed of. This is not the case. Application has been received for major operations in

Mr. Gass continues . . .

this area. And in this line without knowing what we've got and without having expert advice on just how to treat this area, just what it is we're looking for we can't commit ourselves to an operation in the area so in this line to give us a better guideline for management this report may show us a few things. The end result of this report was the idea that proposals would be requested not an out and out popular sale of the area. But the proposals ended by the company which were made application on just how they would treat this area, but to propose to what the sound management plans subject to our program. Another short comment the rates of the restriction around the lakes in the Yukon, at the present there are no timber regulations.

Mr. Dumas: I wonder if Mr. Gass could tell us if Ottawa has instructed him in any way to be aware at least of the Territorial administration or at least the people of the Territory.

Mr. Gass: Not directly, no.

Mr. McKinnon: The one thing that I think we really get hung up is we seem to divide lines all the time. That you're either a conservationist or you're a halfway fair person that just says go in and take anything you want. We seem to get these guide lines stereotyped on us and you just can't move any longer in the circle of being a reasonable person trying to develop the resources of the Territory but making sure that we are guaranteed the imperpatuity the things of the Yukon the things that we really love and I don't think that these two things are incompatible. People always want to purchase from one side or the other and saying you've either got to be this or be that and I don't accept it, I think in the MacMillan and Pelly River area that when they went after a permit all that I was interested in was knowing the agreement that was reached. I didn't get up and make flaming speeches and really get that excited except for the fact that we weren't consulted at all. In the Carcross area other than the fact that there was no consultation you didn't hear me get up and completely bring down the concept of them opening a Chip Mill in the Carcross area. You never heard me speak of Venus and Arctic establishing mines in this area and you haven't heard me on resource development in general, say that this should not happen because I agree with the proper resource development of the Yukon Territory. What I'm trying to say that in this area the mistake is being made, because the value of that area remaining as a recreational area with no cutting far exceeds the value to the Territory that is going to be made if we extract the resources in the Timber areas from that area. Now I think that this should be a, a study should be made on a cost benefit program. If a cost benefit analysis can show that the cutting of this timber is going to benefit the people of the Territory even more in the future than keeping it as a recreational area in that renewable dollar and perptuity then I'm probably amenable to going along with it. In the light of this I think that I would like to propose a motion that it is the opinion of council that timber cut rights in the timber harvesting unit and in the Sutlin Timber harvesting unit not be advertised or awarded until a cost benefit study eniciated by the Territorial Government be completed and the recommendations of the Territorial Government be forwarded to the Government of Canada for their consideration. All I'm asking is that we see something in front of us saying that it's more beneficial to cut timber than not to cut timber it's more beneficial to keep it an a recreational area or not and that the recommendations of this coundil following such an analysis be forwarded to Ottawa. Get involved in the resource



SESSIONAL  
PAPER #10

Mr. McKinnon continues . . .

control and extraction of our industries, make some decisions as to what we feel our priorities are and what we feel the principles of Government are in trying to develop the Yukon to the benefit of all its citizens and all Canadian citizens in the future are. I don't think this is an unreasonable request to make at this time.

Mr. Chairman: Just before this motion is seconded, it would appear there is going to be a reasonable amount of debate on this motion and that when next we sit in Committee would the Honourable Member care to restate the motion at that time. This could be possibly on Monday or Tuesday. Is it agreeable with the Honourable Member?

Mr. McKinnon: Mr. Chairman, I just can't see why we can't put the motion before Committee and then the people can sit on it and know what they are going to be debating on Monday. If anyone cares to second the motion I can't see what harm this can do.

Mr. Chamberlist: Mr. Chairman, I'm quite prepared to second the motion and discussion can take place at a later date when we sit in Committee.

Some Members: Agree.

Mr. Chairman: The motion before Council is "It is the opinion of Council that timber cut rights in the Tagish Lumber Harvesting Unit and the Sutlin Timber Harvesting Unit not be advertised nor awarded until a cost benefit study be initiated by the Territorial Government be completed and that recommendations of the Territorial Council be forwarded to the Government of Canada for their consideration." I believe it is understood that this motion will be debated when next we sit in Committee. Is this agreed?

Some Members agreed.

Mr. Chairman: I wonder if the witnesses for today could be excused at this time. We would like to thank you gentlemen for joining with us today, and is it intended that we would like these gentlemen back.

Some Members: I don't think so.

Mr. Chairman: Thank you gentlemen.

Mr. Shaw: I move that Mr. Speaker does now resume the chair.

Mrs. Gordon: I second that motion.

Some Members: Agreed.

MOTION  
CARRIED

Mr. Chairman: I will declare the motion carried.

Mr. Shaw: Why don't we work until one if we're going to have lunch at one.

Mr. Speaker: Order please! I will now call Council back to order.

Mr. Taylor: Mr. Speaker Committee convened at 10:20 a.m. to discuss Bills, Sessional Papers, and Motions. Mr. G. McIntyre, Mr. John Gass, and Mr. Grant Lortie attended committee to discuss Sessional Paper #10. It was moved by Councillor McKinnon, and seconded by Councillor Chamberlist that it is the opinion

Mr. Taylor continues . . .  
of Council that timber cut rights in the Tagish Lumber  
Harvesting Unit and in the Sutlin Timber Harvesting Unit  
not be advertised nor awarded until a cost benefit study  
initiated by the Territorial Government be completed. And  
the recommendations of the Territorial Council be forwarded  
to the Government of Canada for their consideration." This  
motion remains in Committee for further discussion and I can  
report progress in this matter. It has been moved by  
Councillor Shaw, seconded by Councillor Gordon that Mr.  
Speaker do now resume the chair and this motion carried.

Mr. Speaker: You have heard the report of the Chairman,  
are we agreed?

Some Members: Agree.

Mr. Shaw: I would move that we call it 5:00 o'clock at this  
time Mr. Speaker.

Mr. Speaker: I understood that the Honourable Member had  
something to say to the House and that is why I called upon  
him at this time.

Mr. Taylor: If it be permitted there is a motion for calling  
it 5:00 o'clock but if it be permitted I would like to make  
a comment in respect to the agenda. For the agenda for  
Monday we have coming to council, Mr. Barnett of the B. C.  
Hydro Authority to discuss a matter of power equilization,  
so this would be number one on our agenda.

Mr. Speaker: Are there any further suggestions for todays  
operations or any further suggestions at this time.

Mr. Shaw: I move that we call it 5:00 o'clock.

Mr. Speaker: It has been moved that we call it 5:00 o'clock.  
Is Council Agreed.

Some Members: Agreed.

Mr. Speaker: May I remind you of the meeting with the  
Minister of National Defence at 1:00 o'clock. The House  
now stands adjourned until 10:00 o'clock Monday morning.





Page 191.  
Monday, April 13th, 1970.  
10:00 o'clock a.m.

Mr. Speaker read the daily prayer. All Councillors were present.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call the House to order. Are there any Reports of Committee? Introduction of Bills? Notices of Motion or Resolution? Are there any Notices of Motion or Resolution?

Mr. Shaw: Mr. Speaker, I would like to propose a motion relative to the naming of the new Dawson hospital. MOTION #17

Mr. Speaker: Are there any further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? Moving to Daily Routine, under Motions, Motion No. 16, moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Dawson, "That Councillor Dumas attend the Northern Communications Conference in Yellowknife as the representative for the Territorial Council". Would the Honourable Member for Whitehorse East be prepared at this time to move Motion No. 16? Question has been called. Are we agreed? Are we agreed? I will declare the motion carried. MOTION #16

MOTION CARRIED MOTION CARRIED

Mr. Speaker: I wonder, Mr. Clerk, if we could have Mr. Commissioner here with us this morning for the Question Period? I will call a five-minute recess.

RECESS RECESS

Mr. Speaker: I will now call Council back to order. We are now in the Question Period and you may proceed.

Mr. Taylor: Mr. Speaker, I wonder if I could have some indication from the Administration this morning as to when we might expect an answer to Question No. 2, Use of Breathalyzer? QUESTION RE ANSWER TO QUESTION #2

Mr. Commissioner: Mr. Speaker, I can't give a definite indication on this, but I think, Mr. Speaker, as all Members are aware, there are a considerable number of verbal questions that are outstanding at this time. I expected to have answers available this morning, but I am quite confident that we will have most of them dealt with tomorrow morning.

Mr. Speaker: Are there any further questions?

Mr. Dumas: Mr. Speaker, some time ago, I asked a question about the provision of garbage dumps for highway lodges and at that time it was going to be looked into. I have talked to a couple of lodge owners since then, and so far nothing much has been done. These people feel that they're paying taxes and apart from, in some cases, their children going to Yukon schools, they don't feel they are really receiving much from the Yukon in return for their taxes, Mr. Speaker. I wonder if Mr. Commissioner could tell us if the matter is still being investigated? QUESTION RE GARBAGE DUMP FOR HIGHWAY LODGES

Mr. Commissioner: Mr. Speaker, the answer is in the affirmative, but we're running into a situation that we're going to have to have some pretty clear cut policy guidance on from Council. Quite a few of the areas that are mentioned here by the Honourable Member are

Mr. Commissioner continued ...

located in a manner that it would almost appear that we're going to have to contract with the lodge owners in order to dispose of their own garbage. I can't indicate that there will be a Paper coming forward for you at this Session of Council, because I do not think it will be ready, but we are going to have to bring this forward and get policy guidance from Council as to just how this matter is going to be dealt with. It is a matter, I agree, that these people are paying taxes and they are entitled to some basic services in return for this. As to whether or not this is to be one of them will be a decision that Council has got to make.

QUESTION RE  
DEVELOPMENT  
OF CAMPGROUNDS

Mr. Taylor: Mr. Speaker, for some years now, I've been attempting to get the assistance of the Correctional Institute Mobile Camp in the development of campgrounds within my electoral district. I'm wondering if Mr. Commissioner could tell me today what procedure must be followed in order to achieve this?

Mr. Commissioner: Mr. Speaker, I think that we're talking about more than campgrounds. I think that the Honourable Member is aware that a sum of money was voted in the Capital Estimates for this year which will permit some mobility to certain aspects of the Corrections program; this is living accommodation trailers. Once we have these available, the type of program that will permit us to go to remote parts of the Territory, not only to construct campgrounds, in fact, just what is called for in that particular area and to do other similar types of work as are the wishes of Council. It has been very well expressed, and certainly this is the program that will be developed. Mr. Speaker, the question is specifically directed towards campgrounds, and I would like to suggest that if the Honourable Member would be kind enough to supply me with a list of the areas in which he wishes to see campgrounds located in his area, in fact, if all Members would be kind enough to do this, it will permit us some type of idea as to what kind of a program is involved, and what we're talking about. I may say, Mr. Speaker, that there has to be a certain amount of caution in undertaking these kinds of programs because once we have undertaken the original capital cost of providing this campground, the maintenance of it is an on-going situation from that point on, and the cost of maintaining campgrounds is a major factor as Councillors are well aware.

Mr. Taylor: In answer to Mr. Commissioner, I can say that this is already on the books and I think has been for the last three or four years, however, I would be glad to restate it.

QUESTION RE  
MEETING RE  
BILL C 187

Mr. Chamberlist: Mr. Speaker, I wonder if Mr. Commissioner could indicate what replies, if any, have been received from the Standing Committee on Indian Affairs and Northern Development with reference to this Member's meeting with them on Thursday?

Mr. Commissioner: Mr. Speaker, the answer would appear to be in the negative at this time. I would suggest that I believe the question was originally put to the Committee approximately Thursday of last week, is that correct, Mr. Clerk, and I think it would be a fair assumption that an answer today or tomorrow would be about as early as one could expect one.

Mr. Chamberlist: Supplementary, Mr. Speaker, do I understand Mr. Commissioner to say that the answer was in the negative, that I would not be ...

Mr. Commissioner: I believe the question was, had there been a answer received? No answer has been received.

Mr. Chamberlist: Oh, I see. I thought the answer was in the negative.

Mr. Speaker: Are there any further questions?

Mr. McKinnon: Mr. Speaker, to save us all from suffering through election speeches twice, I wonder whether the Commissioner could indicate whether or not in all probability the Council will be sitting again after this Session is through?

QUESTION RE  
NEXT SESSION

Mr. Commissioner: Mr. Speaker, the answer is in the affirmative. I see no way that we can prorogue Council we'll say in the course of this week and even consider the thought of not having a Council Session until possibly mid-November. This is an impossibility, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, supplementary, in view of the fact that a writ for a new election would have to be called by July 10, can we take it that there will be another Session of this Council prior to that date.

QUESTION RE  
NEXT SESSION

Mr. Commissioner: Mr. Speaker, that was the intent of my answer. I'm sorry if I was not clear on that point.

Mr. Taylor: Mr. Speaker, I just had much the same supplementary question, and I was wondering if the Commissioner had any idea of when this Session might be held?

QUESTION RE  
NEXT SESSION

Mr. Commissioner: Mr. Speaker, could I ask the Honourable Member if he would pose that question tomorrow morning? I'm sorry, I haven't given it any thought at all, but if he would, I would be very pleased to answer it then.

Mr. Speaker: Are there any further questions? Are there any further questions? If not, would the Honourable Member for Watson Lake please take the Chair?

Mr. Taylor takes the Chair.

Mr. Livesey: Mr. Speaker, I have two written questions to the Administration this morning. One is "What was the total cost for fire protection in the Yukon for each of the years 1967, 1968 and 1969?" And, an election question here, Mr. Speaker, "What is the approximate cost of a sewage treatment plant for the Whitehorse Municipal Area, and secondly, for the Whitehorse Metropolitan Area?"

QUESTION #6

QUESTION #7

Mr. Commissioner: Mr. Speaker, with respect, on one of the questions you have ... could we have this clarified as to whether you are talking about the cost of forest fire protection or domestic fire protection, or a combination of both, because they are two different animals completely.

Mr. Livesey: Forest fire.

Mr. Livesey resumes the Chair.

Mr. Speaker: Are there any further questions? If not, may we proceed to Public Bills and Orders?

Mr. Shaw: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council resolve itself in Committee of the Whole to discuss Bills, Sessional Papers and Motions.

Mr. Chamberlist: I'll second the motion, Mr. Speaker.

Mr. Speaker: Moved by the Honourable Member for Dawson, seconded by the Honourable Member for Whitehorse East, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION CARRIED

MOTION  
CARRIED



Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

Mr. Chairman: The first item for consideration before Committee this morning will be Sessional Paper No. 6, Electrical Rate Equalization in the Yukon Territory. I believe we have witnesses this morning so I will declare a short recess.

SESSIONAL  
PAPER #6

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Mr. Chairman: At this time, I will call Committee to order. Order, please. We are discussing Sessional Paper No. 6, and we have with us today Mr. George Barnett of B.C. Hydro; Mr. Graham Tench of Northern Canada Power Commission; and Mr. Bob Choate of Canadian Utilities and Yukon Electrical. You may proceed. Councillor Shaw, would you take the Chair?

Mr. Shaw takes the Chair.

Mr. Taylor: Mr. Chairman, it doesn't seem that anybody is really anxious to take a whirl at this thing. A little background here, the reason why this matter has come to a head is because we have had this money laying around now for some years, since 1967, and have been trying to, for some reason, consider ways of redistributing this capital. Now, under the Bill, the Public Utilities Income Tax Transfer Act, the Federal Government provides that these revenues will return to the provinces for return to the utility companies for return, hopefully, to the consumer and the people who paid out this money in a hope to reduce the cost of power to the consumer because he would normally get a rebate. Now, since then, there have been several proposals placed before us. I believe just the other day we got a copy of both proposals; one from N.C.P.C. and one from Yukon Electric. Also, we have caused a study to be made by an independent authority, being the B.C. Hydro people, as represented here by Mr. Barnett. I think maybe to start this discussion off, maybe Mr. Barnett might like to make a few remarks in relation to his observations in relation to the report?

Mr. Barnett: Thank you, Mr. Chairman. The report, which I presume everyone has a copy of and which I presume everyone has read, sets out my opinions on the subject of the rate equalization plan. It may be appropriate, Mr. Chairman, if I go through the report, and not read it all but summarize and paraphrase the various aspects of the report. The report starts with a basic introduction stating that the money in the amount of approximately \$167,000.00, was made available from the Government of Canada to the Territorial Government, and that the Territorial Government wished to use this money to make a rate equalization plan. At the present time, there are in the Territory two electrical utilities; the privately owned Yukon Electrical Company Limited, and the publicly owned Northern Canada Power Commission; the company in care of fourteen locations under five different rate schedules, residential rate schedules, and the Northern Canada Power Commission has two rate schedules in Mayo and one rate schedule for Dawson City for residential customers. I also expect that by this time, the Power Commission is serving customers in Faro. I don't know if that is correct or not. In tackling this problem, I thought it was appropriate to try and find out what data was available with respect to the use of electricity by residential customers in the Territory, and this data is set out on page 2 of the report in Table 1. On Table 1, it shows that the second column which is entitled Average Annual Use, there is a clear difference between the use of electricity in Whitehorse and the use of electricity in the other communities, Whitehorse using almost 8,000 kilowatt hours per year and the others being very much smaller. The most likely reason for the

Mr. Barnett continued ...

difference in consumption is the difference in rate. The average rate in Whitehorse, the last column on the table, is 2.3 cents per kilowatt hour. The average rate for the other areas served by the company is 7 cents per kilowatt hour; the average rate for the areas served by the commission is 5.8 cents per kilowatt hour. It would be expected, just by common sense, that the lower the price, the lower the people will use. The table would seem to back up that expectation. There are two other things that I thought were worthy of comment, that the total amount of residential revenue collected by both utilities apart from Whitehorse itself is more than the amount of money available under or from the Federal Government. The other thing that's noticeable is that seventy-odd percent of the customers, of residential customers in the Territory, are located in Whitehorse. If there are any questions that you may wish to present, you may present them, Mr. Chairman, as I go through the various parts of the report as you wish.

Mr. Chairman: Thank you. Are there any questions in relation to the data on page 2 as to the amount of kilowatts and rates utilized for residential customers?

Mr. Commissioner: Mr. Chairman, just one question I would ask here; is it a reasonable assumption that most of these areas are growing as far as electricity consumption is concerned, or have quite a lot of them tended to level off?

Mr. Barnett: This is a question that's better answered by the representatives of the utilities. I was under the impression that Dawson was growing, and I would expect that other communities generally would be growing. There may be some community which **is dying** out, I don't know.

Mr. Chairman: Would you care to direct that question to Mr. Choate and Mr. Tench?

Mr. Commissioner: Mr. Chairman, just as a general observation from each of the representatives, is there ... I realize Whitehorse is growing, but is there a general trend towards greater electricity used in the rest of the communities in the Territory, or is it tended to pretty well level off?

Mr. Choate: Mr. Chairman, I would say that generally all communities are increasing. Whitehorse, of course, has by far the greatest increase. Some of the smaller communities, for instance, Old Crow, things like the school burning up caused a tremendous fluctuation, and Federal cut-backs along the highway at places like Destruction Bay and Haines Junction in past years have depressed considerably what growth rate we anticipated, but now these things have sort of phased out and, particularly at Haines Junction, there is now an indication that this is going to start what we consider a normal growth, but it still isn't as great a percentage as here and I think such things as being the unavailability of N.H.A. mortgages and this sort of thing mean that these communities aren't going to grow at the same rate and I don't think they ever will unless there's a major mine or something like this for instance comes into the picture.

Mr. Commissioner: Mr. Chairman, generally speaking though, Mr. Choate, you would say that in those areas that your company serves outside of Whitehorse, there is a general upward trend?

Mr. Choate: Correct.

Mr. Chairman: Mr. Tench, have you any comments on this?

Mr. Tench: Mr. Chairman, in Dawson, the total number of domestic customers has increased and the overall average per customer has gone up. In Mayo, there is a very slight increase, but the consumption per customer has gone up.

Mr. Chairman: Does that answer your question?

Mr. Commissioner: Yes, thank you, Mr. Chairman.

Mr. Chairman: Have you anything further?

Mr. Chamberlist: Mr. Chairman, I apologize for being out a little earlier when you started this, but I have one general question I would like to ask Mr. Barnett. How, Mr. Barnett, does one justify a distribution of the income tax that has been paid, the refund by Yukon Electric, to areas where the community is being fed electricity by the Northern Canada Power Commission who do not pay any income tax? This is a general question. I would like you to justify that particular position.

Mr. Barnett: Mr. Chairman, I would like to bounce the question back to the questioner because I'm not trying to justify it. The report states what the cost would be of introducing an equal rate plan in the Territory served by the company and also what the cost would be in the communities served by the commission. I did not state, nor would it be proper for me to say, that the money available should be used for this purpose. This is the money is costs to do so, but the decision is for the Council to state whether Dawson should be subsidized and if Dawson should be subsidized, whether it should be subsidized from the money available from the Federal Government. This is not my field.

Mr. Chairman: From the Chair, I would like to state that Mr. Barnett has made a report according to the instructions he has received, and the matter of whether we use this rate equalization or not or matters pertaining to the disposal of this amount of money, is a political decision rather than a decision of Mr. Barnett. Proceed, Councillor Chamberlist.

Mr. Chamberlist: Thank you, Mr. Chairman. I wonder if Mr. Barnett could indicate who commissioned this report and what were the terms of reference relating to the report?

Mr. Barnett: This report was commissioned by the Commissioner and the terms of reference are those set out on page 1 of the report.

Mrs. Gordon: Mr. Chairman, I note in the report that it says the Yukon Electric serves fourteen communities, and on page 2, you have a list of twelve. The notation says that Watson Lake includes Upper Liard and Lower Post, but there's one community of long standing that has been serviced for the last three or four years by Yukon Electric and it isn't included in the entire report. I'm wondering why.

Mr. Barnett: Keno? I got no breakdown of information from the company in respect of Keno. I didn't know whether the company had ceased to serve Keno or not.

Mr. Choate: Possibly I could speak for that, Mr. Chairman. Quite frankly, we were searching through the correspondence this morning that sent this information to the Commissioner's office to see why Keno was left off. Unfortunately, we weren't able to locate it. It was just an omission I think. I'll have to admit that, but somehow, these figures were put together by our statistical people in Edmonton and it was an oversight. But, we can make these figures available.

Mr. Dumas: Mr. Chairman, I would like to ask Mr. Choate about his proposal here, the proposal by his company. I'd like to get it very clear. Basically, the proposal says that there will be a 4% reduction in the Whitehorse rates and then a 48% reduction in Carcross, 45% in Watson Lake, 66% in all other areas of the Territory serviced by Yukon Electric, and including Beaver Creek,



Mr. Dumas continued ...

Carmacks, Haines Junction, Ross River, etc. This seems like an awfully generous proposal. This would then put the rates in all areas serviced by Yukon Electric at the same rate that we have in Whitehorse, is that correct?

Mr. Choate: Possibly, to give you a bit of historical background, as you, I'm sure, well remember, both the Minister of Northern Affairs and the Commissioner have from time to time said that somehow rates should be equalized in the residential areas throughout the Yukon Territory. So, we seized upon this income tax rebate as a means of doing it, and personally, I'm of two minds on this because you can put up an argument that the income tax rebate should flow back to the people who paid it, and it shouldn't be used to subsidize either another class of customer within our company or customers who are supplied from some other source, but at any rate, we made the decision that possibly this might be a means of achieving something that has been sought for a number of years in the Yukon, that is, Whitehorse residential rates for everybody. So, we made this proposal to the Standing Committee in Ottawa in the first instance, and then followed up by submitting the same proposal to the Commissioner. This would give residential rates, Whitehorse residential rates, to all the residential customers throughout the Territory, and it again would allow a further 4% across-the-board reduction to everybody, including those same residential rates, residential customers, the general service customers throughout our service areas and our industrial customers such as New Imperial Mines here in Whitehorse. If this Council so directed us to follow the Alberta procedure that we rebate on straight percentage to everybody, we'd be only too happy to do it this way. But, as I say, the motivation behind this proposal was that this was a means of providing lower rates in the residential areas. Maybe later on, I'd like to speak to a couple of comments Mr. Barnett has made about some of the dangers that this type of rate might produce, because we've certainly considered them, and we feel confident we could live with them and cope with them.

Mr. Chamberlist: Mr. Chairman, I wanted to follow up with a supplementary question to my earlier question. Notwithstanding, Mr. Barnett, that you say that the terms of reference are such that there's no ... you're not justifying anything. Would, in your opinion, would you consider that the distribution of \$167,000 should be paid to any area which is served by a company other than the company that paid the income tax which is to be refunded?

Mr. Chairman: I'm afraid that question is out of order.

Mr. Chamberlist: Why?

Mr. Chairman: Because the opinion is according to the terms as laid down according to what was requested of Mr. Barnett, not his personal opinion in relation to who he feels, whether it should or shouldn't.

Mr. Chamberlist: Well, I rise on a point of order myself. Surely that's within the terms of reference. This Committee can question any area of this document. I would challenge Mr. Chairman on that point and ask for a vote to be put as to whether my question is proper or not.

Mr. Chairman: I would say the right is to ask of any pertinent facts that are pertaining to this, not a personal opinion.

Mr. Chamberlist: I would suggest that Mr. Chairman, coming from the Dawson City area, is concerned that the Northern Canada Power Commission that feeds that area which does not pay any taxes in that area, wishes to have some of the money distributed in that area. I would think that he should give up his chairmanship of

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Mr. Chamberlist continued ...  
this particular discussion so that there is an impartial discussion taking place.

Mr. Chairman: Perhaps I would put it this way. The gentleman has made a report and I think that any sections that deal with this report, any facts that he has put forth, I think, are certainly subject to questioning. But, whether the gentleman who has been asked to do this should give his personal opinion on how these rates, whether he thinks it's just, unfair or what, is, in my opinion, not a legitimate question and I don't think that Mr. Barnett should be put on the hot-seat on matters such as that. I think that is a political hot-seat. Now, if you wish to take a vote on it, it is quite all right with me.

Mr. Chamberlist: Have I the right to ask this question and get it answered, yes or no?

Mr. Taylor: Mr. Chairman, in dealing with this ...

Mr. Chamberlist: Well, I rise on a point of order. I've asked for the question to be put as to whether I have the right ...

Mr. Chairman: I shall put the question. Should Mr. Barnett answer this question that the Honourable Member from Whitehorse East has raised, or shall we continue with the discussion? Those agreed ...

Mr. McKinnon: Mr. Chairman, with respect, I think we should ask Mr. Barnett whether he's willing to answer the question or not. If he doesn't want to, that's fine.

Mr. Chairman: Well, that's fine. We'll give Mr. Barnett the opportunity ... that's fair enough, we'll give Mr. Barnett the option of answering or refusing to answer. Mr. Barnett, what is your decision.

Mr. Barnett: I would decline to answer the question because I think this is a decision for the Council to make and my opinion is not relevant on that matter.

Mr. McKinnon: Mr. Chairman, we were going through the report of Mr. Barnett, and to bring some order to this, I wonder whether we could go through the report that he has presented, ask questions, and allow either Mr. Tench or Mr. Choate to ask questions on the report also and then ask for a critique. We're studying three different reports now and we're going to get three different sets of questions on these three different reports. If we could just stick to the first one at this time, I think it would facilitate the Committee's endeavours.

Mr. Taylor: I will save my remarks and I'll resume the Chair at this point in time.

Mr. Taylor resumes the Chair.

Mr. Barnett: If I could continue then, on page 3 of the report, there is a Table 2 which shows the bill charged to the customer in the various centres served by both utilities.

Mr. McKinnon: Mr. Chairman, I wonder if we could take it from Mr. Tench and Mr. Choate, the figures shown on page 2 are correct, are obtained from his company and the commission?

Mr. Choate: I haven't checked them out but I would accept them as being correct.

Mr. Tench: Mr. Chairman, I had nothing to do with making the report, so I can't vouch for the figures, but I'm pretty sure that the Head Office spend many hours on it.

Mr. Barnett: In Table 2, there are seven rates and as a note it shows which community each rate is applicable to.

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Mr. Chairman: One second, I believe there's a question here. Councillor Livesey.

Mr. Livesey: I was looking at page 2, Mr. Chairman, where it says "Table 1 below shows statistical data with respect to residential customers", and if we turn the page over to 4 under Table 3, we'll see that these are the data relevant to commercial customers, and I notice that the average rate for commercial is higher than that for residential. I was just wondering how this came about.

Mr. Barnett: The commercial rate charged by both utilities is higher than the residential rate and this is the standard practice in the utility business. Usually commercial customers are charged a higher price for the electricity than residential customers. It's origins date back in history to the beginning of the electric utility business.

Mrs. Gordon: I see that there's now been a change, at least there was a change introduced in November in Mayo that makes two portions of Table 7 are not relevant now.

Mr. Barnett: They will be.

Mr. Livesey: Mr. Chairman, another point of clarification. The organization that uses the most power then is charged the most; this seems to be kind of a reverse situation. This is what I understood from the answer I got; it conveyed to me, it appears to indicate that the one who uses the most has got to pay the most. Now, this doesn't seem to be what is done in any other situation. The one who buys a carload gets the cheapest rates, and I don't quite understand. I always understood that for instance in some of the outlying areas, the residential rates were 16, 14 and 12, and the commercial rates were much lower. Now, if I'm wrong on this, or I've got the thing backwards, could I be straightened out on this, Mr. Chairman?

Mr. Choate: Maybe I could speak to that. You have to separate between general service and industrial. Industrial customers do get a lower rate than residential customers because their load factor is 100% or 90% or 80%, but as Mr. Barnett has said, it is a philosophy in rate making that residential rates are lower than the rate which you sell power to the stores or office buildings, and this is something that has been argued before Utility Boards throughout Canada and the United States, but you've got a band to price your power between the ability to pay and incremental cost, and when the person is passing on the cost of that service to his customers, and he's also claiming it for income tax as an expense, it makes reasonable sense that you price that part of your commodity at a higher price. You have to recover enough money to of course make your operating expenses and pay your income tax, etc. Your general services rates in the smaller communities are higher; they're in a different form, they're in a two section form and this is why it might appear to you that because of the 16, 14 and 12 that the residential is higher but this is not the case.

Mr. Chairman: At this point, I'll declare a brief recess.

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Mr. Chairman: At this time we will call Committee back to order. We are in the process of proceeding through the report with Mr. Barnett. Will you proceed, Mr. Barnett?

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Mr. Barnett: We got as far as page 3 and Table II, which shows the bills according to the distance rates and the various areas. As you can see, the Whitehorse rate, and it is lower than the rate payable in the other areas - I think one of the Councillors mentioned that there had been a rate adjustment last November in Mayo. These figures shown in column seven would be prior to the rate adjustment. I don't know what the new rate would be there. On page four of the report I dealt with the commercial rate, the existing commercial rate as far as this information was available. On Table III we listed a number of customers, the average use, the total bill and the average rate. As has been mentioned, the average rate for the commercial is higher than for the residential. The difference between average use doesn't show so clearly as it did in the case of residential but you should note that Whitehorse is shown substantially higher in use than other communities and to some extent this would be attributable to lower rate. It would also be due to larger commercial installations in Whitehorse. We tried, as far as we were able, to show how many of the commercial customers, to customers served under commercial rates in this community were government and how many were private businesses. Unfortunately, we did not get breakdowns for Whitehorse in this area. Again, we were unable to include Keno City because we received no data. As Mr. Choate mentioned a little while ago, the commercial rates outside of Whitehorse have got a demand charge which depends on the customer's connected load or on his measured demand and I felt that in a study like this it was almost impossible and rather meaningless to try and show what bill a customer would pay. There are relatively few customers, and really you want to know not what the average customer would pay but what the particular customer would pay. Generally, with respect to commercial again, the amount of information that was available was rather scanty and not really enough to make any firm conclusions. On page five III discussed rate equalization plan and what it is intended to do. Generally a rate equalization plan is one which results in the same rate being charge for electrical usage at all locations throughout the area. If you have a complete plan then your commercial rates and your residential and industrial rates are all the same. Most utilities will not go for a complete plan; they will tend to have an equal rate only for one class of customer and usually the one that is chosen is the residential class. And a utility will further restrict an equal plan by making the rates equal only up to a certain level of consumption. This practice is usually done when you find that the incremental costs from different types of ...are different, for instance your incremental cost of generating the diesel is much higher than your incremental cost of generating hydro so that you may not want to make the end price of the rate the last price the same in a diesel area as you would in a hydro area. In the third paragraph of this section it mentions that in our experience in British Columbia we have found that when customers receive a rate reduction under the rate equalization plan there was a tendency for those customers to increase their consumption. In areas such as Bella Coola, the Queen Charlotte Islands, Stewart, Fort Nelson and Valemoth and McBride, all of which are served by diesel plants which are isolated and had high electricity for 1962, we found that after about four or five years the consumption had increased by about four times what it was in 1962 and the bills the customers were paying were about the same, about

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Mr. Barnett continues...

One hundred dollars is what they paid under the higher rates and the rates were reduced-after four years they were again paying One hundred dollars because they were using four times as much electricity. In our experience this seems to be something that is inherent in the rate equalization plan. You lower the price and customers use more. If customers use more then you need more....money to increase the.....to maintain your subsidy. It also increases the load on the generating plant and may require new plants to be added which, on these basis, are fairly major expense items. I said here that normally a rate equalization plan is something which the utility institutes and the utility has got this plan under control.

Mr. Chamberlist: Mr. Chairman, I wonder if Mr. Barnett could indicate how, in our instance here, where you have two utilities, how could there be an equalization rate in those areas that are governed by one utility and those areas that are governed by another utility.

Mr. Barnett: The way in which this would be done would be that a Council would decide on the rate which they felt was an appropriate rate to equalize at, in other words they would choose the rate. Having chosen the rate, to put this rate into effect will cost a certain amount of money and each utility serve this area and money would then be returned to the utilities and through the utilities to the consumer of those utilities in the respective areas. The practical method of doing it is that the money is in the possession of the government, the Territorial Government, or has to be found by the Territorial Government and it would be - there would be all sorts of different bookkeeping ways which you could set it up. The utilities could prepare a statement of how much this amount came to each month and present it to the Territorial Government who would then pay it to the utilities, or it could be advanced to the utilities.

Mr. Choate: There is no problem, set up on a computer so that it would calculate the people's bills at the existing rate and recalculated at the reduced rate and then the difference would be presented to the government in a form of a statement for payment, either quarterly or monthly. This would be the degree of the subsidy that went into that month.

Mr. Chamberlist: Mr. Chairman, am I to understand from Mr. Barnett that the suggestion, the overall suggestion that the Territorial Government subsidize the electricity in the various areas?

Mr. Barnett: The Territorial Government is providing the subsidy, yes. I am not suggesting in this report that the rates of the utilities, either utility or.....utility as the Council decides be changed.....but there is a dummy rate almost, set up and this is the rate on which customers are billed but the published rates of the utilities remain the same.

Mr. McKinnon: I wonder if you can clarify this. Under the terms of the Act this money that is rebated, which is the income tax Yukon Electrical Company paid, this can't be put under the Consolidated Revenue Fund of the Yukon Territory and used for any purpose whatsoever. It has to be used to pass on the saving to the consumer, is it not?



Mr. Barnett: I don't think so, not under the terms of the Act. I read the Act and it mentioned in the Act that the money was to be made available to the provincial government. It mentions in the Act that the Minister could make some rules and regulations. As far as I could find out no rules or regulations have been made and various provinces have got a different approach as to what they do with this money.

Mr. Choate: Possibly to add to that, Alberta and the Northwest Territories are the only areas in Canada where this money is being returned back to the utilities customer and in all cases, in all provinces there are some monies being retained by the province; for instance the income tax portion of revenue from Lower Post go to the Government of British Columbia.

Mr. Chamberlist: Mr. Chairman, I wonder if Mr. Chairman could answer whether this money that is being returned in Alberta and the Northwest Territories are being returned to customers of say the Northern Canada Power Commission who pay to them, who do not pay income tax on it so therefore how could they get money back?

Mr. Choate: In the Northwest Territories the Commissioner forwarded a cheque for the entire amount of the tax rebate to the Company to go ahead and distribute as they see fit, either monthly or quarterly or yearly to the customer - none of it is going back to the customers of the Northern Canada Power Commission in the Northwest Territories.

Mr. Chamberlist: Right, that is what I want to get. So we can say that the only money that goes back in the Northwest Territories goes back to the private companies who pay the income tax in the first place and therefore it goes back to their customers.

Mr. Shaw: In discussing this particular Sessional Paper, Mr. Chairman, I think they are putting too much stress on this \$167,000 floating around the bank in the Yukon Territory. It seems to be the concern, Mr. Chairman, of Members of this Council, some Members, particularly the Members from Whitehorse, and I can quite understand their feelings in the particular matter because they do enjoy extremely reasonable rates, and the discussion is centering around this particular amount of money. Now, personally, this \$167,000 does not bother me one bit. I am not asking that this be distributed to any particular place. I am only concerned about one thing and that is the philosophy of equalization of power rates. I stated it and I state again if Council wishes to give all that money to the people of Whitehorse I am not going to put up any objection whatsoever at this stage, providing this Council does recognize this stated philosophy. Now, I think if we go back into Canada's history we will find that equalization of various and sundry matters is what made this nation in the first instance; in other words when we go to the railroad so that the people would get fair freight rates, that was one part of the deal that made Confederation. If you wish to buy an automobile here you buy it at the same price you would get it in Winnipeg because the companies concerned had realized that if they wish to make these things available to everyone....I remember when that came into effect. The farmers can get their produce to the west coast at a fair rate.

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These prices that we pay for the standard commodity, appliances, you name it, the same price in this city as they are in other towns in the West has shown that the people that manufacture them have realized that if they wish to have optimum benefits to themselves and to the people, they must make certain things available at a fairly standardized cost. Now, when I brought up this matter of equalization I got quite a number of blasts. Oh, you want the people of Whitehorse to subsidize the people of Dawson. Well I think that that is a rather back-handed way of putting it. I am looking at all the people of the Yukon Mr. Chairman, I am not just looking at the people of Dawson City. My concern is just as much as to what the people in Watson Lake pay for their utility power as Beaver Creek, Carmacks, you name it. Now, to get down to the basic facts of things, we find, and I was here Mr. Chairman when one used to have to pay 30 or 35¢ a kilowatt, in fact they had - but when this dam was built, this large government installation was built, because it was not feasible for the size of the place to build something like that, but the government had a hospital and to use the last block of power to provide their boilers with heat, and in turn the hospital, well it could utilize all that Army installation that we had up at Takhini and the Air Force, but this would be pretty good so they went ahead, and that, Mr. Chairman, was a form of subsidization for the people at Whitehorse, any way you look at it. This generating plant was built with government funds so that the Yukon Electrical came along a little later and they distributed the power. I don't see anybody building hydro electric power plants in the Territory because it is not economic. It appears that only the government is able to do that or has the foresight to put these in so that is why we have a differential in rate. Now, the proposal which has been put forth, Mr. Chairman, is looking at the residential part of it and that is where people can utilize say 300-400 kilowatts for their necessary usage for a month in their residence so that if they use more than that then of course they will go back to a higher rate. Now, that is very sound because it does permit people to use the amount of power, and a small amount, I would say about a third of what is averaged in the City of Whitehorse in the average house. I think they must use close to 1,000 kilowatts, would that be correct, Mr. Choate?

Mr. Choate: In that area.

Mr. Shaw: So this is 300. All we are asking to equalize this is a matter of letting these people in the other areas to utilize a minimum amount of 300 kilowatts before they go into a higher bracket, or a lower bracket. This is something that we have to do, this is something that is inevitable and has to come because power is something that you have no option of using, you have to use it in this day and age. So, Mr. Chairman, if we could - I am not prepared to argue about what you do with this \$167,000. If you want to give it back to all the people of Whitehorse and say they are the people who are to have it back, fine and dandy but don't forget the reason that you have that is because you have cheap hydro electric power in the first place. That is why the profit is there, otherwise the profit would not be there, at least I don't think it would. It is the amount that is being used. So let us not, Mr. Chairman, stress too much this amount of money that is sitting in the bank and accumulating interest for it will always accumulate interest, although it has gone down 1% today, I believe. Nonetheless, let us look at the philosophy of giving all the people of the

Mr. Shaw continues....

Yukon the opportunity, particularly in view of the fact that the government itself, their taxes, has helped make the cheap installations and profit possible. Let us give those people a break.

Mr. Chairman: Councillor Shaw, would you take the Chair please?

Mr. Taylor: Mr. Chairman, I would like to, at this point in time, in light of the remarks that have gone on, make a different case in this matter. I think, and appreciate the work that has gone on in respect of the work done by Mr. Barnett and the B.C. Hydro Authority and also the submission which is now before us by both the Public Power Company, NCPC and the private enterprise power company, Canadian Utility. However, when we talk about this matter I think we are not just talking, as has been suggested, about the \$180,000 rebate as much as we are of the matter of establishing a precedent in this matter. Certainly, the amount of money we are considering now is only a rebate in respect of the fiscal year 1966 and indeed four years have passed and on the three year back basis we really are talking about a redistribution of something in the order of \$800,000 or maybe possibly more. I think it should be clearly understood that if we are talking about giving cheap power to the people of the Yukon, and I am speaking not only in the area of residential rates which are of course the most near and dear to the people's hearts in the Territory, we have to think generally of commercial rates as well. But he who possesses the hydro capability is he who is best equipped to offer the cheapest power and indeed to offer rate equalization. It has been stated here in Committee this morning, and pointed out by Mr. Barnett, Mr. Chairman, that experience in the Province of British Columbia has been that when power rates have been reduced to the residential consumer, that the residential consumer has a tendency to offset by using more power and winding up ostensibly paying the same light bill as he did before except he is possibly consuming four times as much power as he originally used. I think it should be pointed out, in all fairness, that indeed though this change has been effected, these people, the residential users, are getting more out of life you might say than if you accept the principle which we hear 'live better electrically' from the private enterprise power system. In other words this makes it possible and I have seen evidence of this, of course, comparing for instance Whitehorse or other communities in the Yukon with that of Atlin where B.C. Hydro provide power. The type of rate equalization suggested, Mr. Chairman, is this proposal would appear to me to be some type of a Robin Hood proposal where you rob the rich to provide for the poor, except in some cases here I think if you applied it you find that you are robbing the poor to give back to the rich in some instances, I suppose. But, I think that the spirit and intent of this Ordinance was to redirect revenues back to the provinces and in the case of the Yukon and Northwest Territories it could then be redirected by the Territory to the consumers who paid the bill in order to ease the load on them. And it seems to me that these monies which have been collected from the people should be returned to them. I don't feel that equalization should be affected, therefore, in the manner as has been suggested here. Subsequent to what I have just said here, I submit that the only answer to power equalization in the Territory, the only acceptable answer I should say, would be that to the nationalization of power. Now, as I said before, he who possesses the hydro is best equipped to offer power equalization and cheap power across



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Mr. Taylor continues...

the Territory. We are talking about a sum of money here which would disappear under such a proposal which I make because there would be no tax collected from this group so consequently this amount of money would go back to the reduced rate normally, and in order to achieve this, of course, it must be pointed out it would be necessary to purchase, at fair value, their appraised value, all the assets of private enterprise power. So consequently this is my impression and my opinion in this matter. I have seen a little levity around the table and the matter isn't, or should not be dealt with in a frivolous way. I do not see this proposal before us so I presented it at this time, Mr. Chairman, for consideration as we proceed through this debate.

Mr. Chamberlist: Mr. Chairman, I regret that I must say that I listened intently to what Mr. Chairman had to say when he was speaking but I fail to understand what he was talking about. To use the words of Mr. Legal Adviser, this is a highly technical subject and it is so. The suggestion that is being made is that equalization should take place for the benefit of an area. This may well be but it must be done in a manner that is not detrimental to other areas. The Honourable Member from Watson Lake surprises me when he recommends nationalization of electricity. This to me is the step towards socialistic outlook on life and I am not interested in that particular part. The suggestion that this would result in rate reduction, we may just look at the province of British Columbia where rates are going up so we cannot deal with that particular point in that way. I think that if there is to be rate equalization, it should be on a basis where the government will subsidize if the people want to subsidize and I don't think we should, at this particular time, be extending a subsidization of electricity. I think we should be looking towards, for instance the Northern Canada Power Commission to reduce their rates to the purchaser. They are wholesaling in the Whitehorse area. Now, if they reduce their rates and I think they can do that because after all they are amortizing their expense, why they would spend so much money on diesel electric is a question that I would question quite often and I questioned Mr. Humphries, the former Chairman of N.C.P.C. or manager of it. We must be looking towards an area of where everybody gets a fair crack of the whip and I hope that the time will come along when we will be able to have a greater area of hydro development. This is going to bring the cost down but I am not going to support the suggestion that we have nationalized electricity at this early life in our future.

Mr. Livesey: I would like to pass a few words at this time Mr. Chairman in relation to power, one of the greatest sources of uneasy conversation, I think, that I have in my area at the present time in the electoral district of Carmacks-Kluane Lake is the cost of power and whether we like to listen to this type of argument or not, nevertheless, it is a fact and we know, if we know something about cost and cost items, we can't produce power in outlying areas in the north for nothing. It certainly does cost a lot of money and there are a number of reasons for it. However, as far as hydro is concerned, the company at present in the Yukon distributing power in the Whitehorse area is distributing power that comes from a source from which the costs are not their own; the costs are the costs of the people, cost of the taxpayer and all hydro electric installations in the Yukon are the cost of the taxpayer because they are built by the government and therefore the people of the Yukon Territory being Canadians and members of this Canadian society, pay a contribution towards the cost of the power production and yet they are not receiving any benefits from that investment.

Mr. Livesey continues....

The hydro electric in the Yukon, I believe, despite the interruption, Mr. Chairman, belongs to the taxpayers of Canada, being built by the Northern Canada Power Commission. I believe the Northern Canada Power Commission got its money from the government and the government got it from the taxpayer. Therefore the producer - Mr. Chairman we seem to have worms in the wood over across the other side of the aisle - and the wood sometimes is higher than one would think. The cost comes from the taxpayers. Therefore, I think when we are talking about equalization, and we have got to consider the taxpayer, their....would like to be equal and if we are going to open up the Yukon Territory, Mr. Chairman, I don't see how we can talk about opening up the rest of the Territory in any other way but thinking about equalization. We must do this, otherwise you are going to get the same old trek to the centre of the wheel as we know goes on in just about every form of departmental thinking that I can think of where the people are attracted to one spot and that is where they go but that is not going to open up the Yukon. The only way to open up the Yukon is to make it habitable and certainly provide an attraction in the outlying areas and there is no other way to do it than to make it possible for the people to live in these outlying areas. They can't continue to be paying high prices and then turn around and say, you go out there sucker, I'll stay here and this is what some people are doing. Exactly what they are doing, staying where all the services are, where it is cheaper to live and where all the nice aspects of living are and they are not going where it is tough or where you have to fight the elements, and if you want water you dig for it and if you want power you make it yourself, in some instances. These are the tough areas of living and some people who have never done this of course don't appreciate it or do they understand it, Mr. Chairman, I am quite sure of that. It takes a few years of fighting this kind of thing where there are no utilities to understand what the lack of them may be and I feel, Mr. Chairman, that the people who live in the rest of the Yukon are entitled to the same benefits as anyone else. Now, as far as this equalization is concerned I feel that it is a good thing and if we can come to some reasonable agreement on its distribution I feel we are going along the right track. I would like to leave at the best point right now in order that we can find out what others think, Mr. Chairman, about this question.

Mr. Dumas: Mr. Chairman, there are several points which I would like to make and one of them is that, as a Whitehorse Councillor, I too am in favour of equalization of rates throughout the Territory and however this can be brought about then I think it can be done but it must be done on an equitable basis insofar as what is now happening in the Territory and what is taking place. We have some very fine proposals put before us, I think, by Yukon Electrical, by N.C.P.C. and also the one put up by Mr. Barnett. Anyone of these, I think, are good but it is a matter of philosophy and what type of philosophy we are going to follow. The Members from areas outside of Whitehorse that are serviced by Yukon Electrical would, under the Yukon Electrical proposal, enjoy a rate that is equal to the Whitehorse rate. I don't think that it can be done any cheaper because if N.C.P.C. were in there they are not going to build a dam in Beaver Creek, Carmacks, etc. etc. to service all these area, but I think surely we must stick to -have time to develop a philosophy of equalization. I think just about every Member of Committee is in favour of equalization. I ask that all Members, although some of them had preconceived notions before this debate started, that they keep an open mind and let's see if we can't arrive at a consensus in Committee that would be fair not

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Mr. Dumas continues....

only to all the people of the Yukon but the people who are involved in supplying power in the Yukon, both N.C.P.C. and Yukon Electrical and if we approach this problem on that basis we can probably come up with a **consensus** of opinion that will work out to the benefit of everybody, Mr. Chairman.

Mr. Chairman: Just before the noon recess and I **resume** the Chair, I would like to say, or make a point here in relation to the suggestion made by the Honourable Member from Whitehorse East earlier that he could not understand nationalization power and I think that it should be clearly understood by all that when you talk in the area of sewer and water, which I think are essential utilities, indeed when you talk about communications you find that this is a role generally provided by Federal-Provincial and indeed municipal governments and even fire utilities, you don't see any private enterprise fire fighting organizations any more. This is also a service provided at the government level. It seems that it gives us power and in this day and age the cheaper we can provide power the better off we are all going to be. The only other point I wanted to make was that in considering these proposals, and also in light of the fact that we are going to establish a precedent here, we have got to really look at the future and as I said earlier, he who possesses the hydro has the best opportunity to provide the cheapest power and we have the makings of a pretty fair-sized power grid in the Territory now with the hydro, with the transmission line from the Whitehorse Rapids project here to Carmacks and over to Faro. It is possible then to consider another line from Mayo where, again, we have a hydro operation, down to Carmacks, Carmacks being the key centre, and it is also understood that if heavy industry takes place such as in the Casino area, indeed in the development of the Crest Iron and the developments north of Dawson City where we might have to carry power over great distances, we are going to have to have another great power development. This is very possibly, very likely to occur in the Pelly - on the Pelly River at either Braydon Canyon or Granite Canyon so I still feel this should be considered since, as we go through the reports and as we consider the merits or demerits of any of them, this proposal of nationalization of power should be given some consideration as well. Thank you Mr. Chairman.

Mr. McKinnon: Mr. Chairman, I would like to say that I have never seen a debate deteriorate so fast in my life before in this House or strayed so far from the subject that we should be discussing with the witnesses that we do have before us. I was all in favour of equalization throughout the Yukon before debate started this morning; however when people get up and start attacking the people in Whitehorse who have all these amenities and not willing to share them, with the other people, that I began to wonder whether we shouldn't be going along with the principle that I was espousing at the beginning of the debate. But there are two very basic principles to decide here, the first one is simply whether we believe in an equalization of electricity plan throughout the Yukon. I do. I am one of those to espouse the philosophy as stated publicly on occasion and I am all in favour of it, until I get convinced of it otherwise but members from outside are doing a pretty good job on me this morning. The second element that we have to decide, the principle that we have to decide in this debate is simply whether money returned to the private distributor company of Yukon Electrical should be used to subsidize those customers of the Crown Corporation. I will make myself perfectly clear on this, I will say no, although I have no



Mr. McKinnon continues....

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qualms at all in these monies coming out of general revenues from the Yukon Territory to be used for these customers so that rates will be equalized throughout the Territory. As I see it, the two principles facing us today, the two that we will have to make a decision on, and for goodness sake if we can get off the nationalization issue in this debate and get down and go through the report I think that we could really accomplish something for the benefit of all people in the Yukon. So let us get to work please.

Mr. Taylor: At this point I will resume the Chair.  
I think at this point we will recess until two o'clock.

RECESS



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2:00 p. m.

Mr. Chairman: At this time we will call Committee to order. We S.P. #6  
will continue with the discussions on the Sessional Paper.  
Mr. Barnett will you care to continue.

Mr. Dumas: I tried to get down to the nitty gritty on this whole problem, without too many complications. The argument for and against the proposals that are but before use here. What I want to find out is what is going to be the best for the people of the Yukon Territory as a whole. It seems to me that the proposal that we see here put forward by Yukon Electric as opposed to the one put forward by N.C.P.C. and to which Mr. Barnett says one is too generous and the other isn't generous enough. Either one of these proposals would probably work very well. What I would like to know Mr. Chairman is, if the Yukon Electric were providing Hydro power in the Yukon, would they be interested in building dams if it came to that point?

Mr. Choate: We certainly would be we've done a number of studies on hydro potential as I said before to a number of you hydro's only cheaper when it costs less. As an indication of it and this is indeed a very complicated problem and we recognize it and I am sure that the Commissioner recognizes it because on the Whitehorse-Carmacks-Anvil system by the end of this year fifty per cent of the generating capacity available will be diesel power so I am sure that these weren't installed because they were more expensive than hydro, they were installed because under the circumstances are the cheapest form of generation available. There are some other problems that we have been told quite frankly by one of the former Deputy Ministers of Northern Affairs that we needn't bother applying for a water licence to develop hydro in the Yukon because they would consider granting us that licence, it's a rather alarming situation but that is part of the difficult position we find ourselves in, in the Yukon and I think in all fairness I would have to say that the Commissioner's in an equally difficult position, not the same position but a difficult position. We certainly are interested in developing facilities as they are required.

Mr. Tench: Mr. Chairman I would just like to make a little statement on this matter of diesel power. We will have connected to the system by December fifty per cent of the commission's generating power, but that does not mean that it is going to be on. . . we are putting 5,00 units at Faro and another 5,00 here. The 5000 at Faro is emergency units, that is to say if the transmission lines between here and there, or either one of the two big units breaks down here, that the third one will be put on customers' lines to meet the requests. And it is quite true that we will have connected that power but we do not expect to be using it, and we have to protect the customer and by the customer I mean Faro and Anvil and this shows to what degree there has been a change in our policy. We have run pretty skimpy with no backup power. That policy seems to have been changed and we are bring in 10000 kilowatts, and where over rated 11,000 kilowatts but in this year, one here and one at Faro.

Mr. Shaw: Mr. Chairman I was wondering if the village of Carmacks that it is diesel power electricity there, is there some plans for hooking it onto the hydro power which will give them cheaper electricity?



Mr. Choate: The proposal is now on site and I think that within the next month or so that the necessary arrangements can be completed with the omission at Carmacks will be relieving its power from Whitehorse.

Mr. Shaw: A supplementary question, then we can expect that the rates will be substantially reduced in that area, is that correct.

Mr. Choate: I wouldn't say substantially reduced, as it has been stated before or publicly here, there are other factors and the fact that we are tied to the Hydro doesn't mean that the rates are going to come down to the Whitehorse level, this a very high cost transformer involved so that we are going to be able to make some reduction but certainly they are not going to be in the order of 50 per cent or 60 per cent rate reduction.

Mr. Chamberlist: Mr. Chairman what - Mr. Chairman said in reference to the possible refusal of the Government to give the Yukon Electric the right to construct a power dam is correct and this is one of the items that I will be discussing when I will be visiting Ottawa to discuss this Northern Waters Act which has come forward. Under the terms of that act, a licence can be refused, now this has got nothing to do with pollution, this is where the department, because of the fact that it has a Crown Corporation the N. C. P. C. under its direct jurisdiction it would not give a competitive area to somebody else to put in a hydro development area. I would like to also make one mention of the fact that Mr. Tench made reference to the diesel installation, both at Faro and at Whitehorse, I wonder if Mr. Tench could answer whether or not that at that time it was installed, it was installed because of necessity because the power the hydro power that was available in the Whitehorse area was insufficient to supply the need of electricity in the Faro area. And this is why the diesel unit had to be in conjunction with an extra unit.

Mr. Tench: Mr. Chairman the two diesels were put in as the cheapest form of stand by power to back up the largest hydro unit. We have not been generating power from those units for the past 5 or 6 weeks, and by September we will be running them, to meet the necessary demand for 12 to 16 hours, and by December the first we should be using in the neighborhood of eight thousand by diesel to meet the required demand on the system.

Mr. Dumas: Jus one more question Mr. Chairman, Mr. Choate replied to a question from the Honourable Member from Dawson - he said that they do not anticipate a lowering in the rates at Carmacks necessarily because of a hydro line going in there. Do I have it correct that if the equalization rate goes in it is a permanent thing for each year, no matter what plan we follow.

Mr. Choate: Mr. Chairman there will be a reduction at Carmacks certainly. The reason we tied into this line naturally because it is a benefit to us, because we can buy power from N. C. P. C. rather than buying fuel oil from some one else. So that we certainly are going to pass on this benefit to our customers but as I say we have increased considerably our investment there so we have to be able to recover our capital costs and the cost of servicing. As far as our proposal for the rating equalization it would be based on, it would be reviewed annually under the phase b part of the rebate because certainly as you know no business pays the same amount of income tax each year you may suffer losses which tend to increase or decrease the tax you pay, you may have different capital cost allowances

Mr. Choate continues: because of the having additional generating capacity, or large assets become reality, and for tax you can't claim different amounts of capital costs, so that this amount certainly will vary, I would say here with the steady growth we have had I think it is fairly safe to say that we can't see any reason why we would have to depart from this type of proposal for four or five years anyway. Unless we did get into a stage where we are able to get a stage where we are able to negotiate with the Federal Government and the Commission whereby we install say these engines instead of them. If we had to start investing large amounts of capital like that it could have an effect upon the amount of income tax that was returned in any given year. I don't think that this is a problem.

Mr. Dumas: If I could just follow up on that Mr. Chairman. What you are saying then is that a rate increase might be necessary within four or five years, but that would apply the whole Territory then?

Mr. Choate: I thought you meant the change in the income tax rebate, I would like to separate it from the rate increase as Mr. Tench has just said with the load growth here the number of hours that these diesels are going to run will increase year by year so that eventually the time is going to come when there cost will increase. I am sure that they are going to have to be passed on to us and then we will be faced with passing them on to our customers so that, I think inevitably the rates will go up.

Mr. Chairman: We will now call a brief recess.

#### RECESS

Mr. Chairman: At this time we will call Committee back to order.

Mr. Livesey: I have a question Mr. Chairman I would like to direct it to Mr. Choate. In relation to this Carmacks change over from diesel plant to transformer plant, it seems to me that there is an obvious difference between the cost of the maintenance of a step down transformer system and that of supplying mechanical equipment and I am not altogether clear at all on the basis of the replies that Mr. Choate as to - besides what he is going to do apart from the equilization system situation here. Why it would be that Carmacks couldn't receive the same power rate of Whitehorse, because it would seem to me that you have got step down transformer systems here in Whitehorse and you are going to have to have them in Carmacks which is a smaller area and should be smaller cost. Why is it then that the same rates would not apply in Carmacks as it would in Whitehorse?

Mr. Choate: In the first place we are not paying the same price to the wholesaler we are paying considerably more it is almost 100 per cent more in Carmacks then we pay here. This is a set price we have tried to negotiate another one and we have been unsuccessful in doing this with N. C. P. C. the Commissioner has the correspondence on that. That is the first part the second part is for a load the size of Carmacks this is approximately 300 kilowatts you have to buy a transformer that is approximately six to ten times larger then that to get into at all where it is at all economically feasible, you just wouldn't buy one smaller. We are hoping we can serve such loads in the area as the coal mine so that we are facing an additional expenditure like something near \$50,000. We still have to leave a diesel engine there as stand by in the event that the line isn't off in the winter time, so that we still

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Mr. Choate continues: have some investment, we are removing some of the engines from there so that we can reduce our capital investments in that manner. The over-all effect will be a rate reduction, regardless of this rate equalization there will be a rate reduction in Carmacks. I would like to make that point clear, but we are not able to lower the rates to the Whitehorse rate because here we have a much higher load factor, we have higher loads on our transformers and we are buying at a considerable more favourable price then we are out there.

Mr. Livesey: Another question Mr. Chairman in relation to the amount of rebate of income tax do understand correctly that this \$167,00 applies to a rebate for the year 1966.

Mr. Choate: This is correct.

Mr. Livesey: Well if you have a rebate of \$167,000 in one year wouldn't it indicate that the company is making a fantastic profit and if the company is making a profit why are or why haven't the rates been reduced before.

Mr. Choate: They have been reduced before.

Mr. Livesey: Yes but a much greater degree then especially in the out-lying areas to a much greater then - I can see as a matter of fact - I have heard this point that in the out-lying areas of the Yukon that the rates have been reduced. But the rates have been reduced and it seems to me that the customers bills have gone up, that's what they tell me, and I know I have tried to discuss these questions with my constituents in my particular area and when they bring out all the rigamarole which finally winds up with their bill at the end of the month. They try to equate the cost as it is laid out in relation to the bill, and very few of them can actually come up with an answer that seems to show that they understand precisely what is going on. Because there are so many if and buts in the proposition to create the bill that it is totally confusing to the consumer, especially when we look at this \$167,000 as merely income tax, very people can understand why they are paying the high rates that they have been paying over the last two or three years because this would indicate, certainly a profit of fair proportion and they don't understand why the rates have not been reduced to a substantial amount and I think that if you look on this list that it is even supplied in this report. Although I know that percentage figures are confusing and don't really give you any answer at all they look good on paper but they don't really mean any thing. I was wondering Mr. Chairman if Mr. Choate could advise Committee as to why the cost has not been reduced to a substantial amount and not only this year but last year or the year before?

Mr. McKinnon: Mr. Chairman what are we discussing here I thought we had three proposals before us to try and come up with an answer to equillize power through out the Territory and instead we seem to be a debate whether power in the Yukon should be nationalized or not. We seem to be having a debate - why are the rates in such and such an area such and such? I maintain that that is not our point at this time, I am sure that Mr. Choate would be happy to sit before us before the Committee to discuss power problems that the company has in out lying Communities but certainly we are stirring so far from what we are attempting to do that we are just getting into a useless type of debate and going absolutely no where.



Mr. Livesey: Mr. Chairman I object to my question being called useless. Maybe the Honourable member from across the aisles thinks it is but that is his own personal opinion. Could I have my question answered Mr. Chairman.

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Mr. Choate: Mr. Livesey we have always, well to start off with there is no utility commission in the Yukon so that there is no board that rules as to what is a fair rate of return and what isn't; we have on our own attempted to keep our rates down to where we think it is a fair return on our investments and I am sure that our rate of return is such that it wouldn't attract too many other investors in the Yukon. They are not prepared to invest at the type of return that we realize which is not in excess of 9 per cent on our investments. And when money costs 9.5 and 10 per cent to borrow in the provinces, I am sure that you will agree that this isn't an outlandish profit. In fact we refer to it in the utility business as the cost of money, it isn't a profit.

Mr. Shaw: Thank you Mr. Chairman in discussing this particular matter which seems to center around the \$167,000 as I stated we can't just look at it right now, we must look at it next year, next year, and next year. The company in question may show no profit for 1967 then what happens to these reductions it puts them all out of whack, because I think it is based on a hypothetical profit that a company can make or a loss which they can make, I mean it can go both ways. The fact that the profit is large small or indifferent because I don't know all the facts concerned and as Mr. Choate has stated if you run a business to run a business and that's that.

Mr. McKinnon: Profit-is there any thing wrong with a profit?

Mr. Shaw: So I don't think that I would like to get into this - I would like to get into the fundamental parts of it Mr. Chairman and to look into the future for example. The largest producer of power is no doubt the N. C. P. C. and if we are going to have reduction of rates for any length of time that we can look forward to I think that, or equ lization of rates, I think we must base it on the wholesale cost of power, that is generated at the plant down below here. Now I wonder Mr. Chairman in looking through the profits of the N. C. P. C. which they can't do any thing with its tied up. I hope that the Legislation has changed to make it a more flexible unit but as it is there is nothing that can be done if they make ten million dollars or two dollars or loose twenty dollars. So the - at the rate they are producing the flexibility could be established in the wholesale rate. Now I wondered Mr. Chairman if Mr. Tench could inform this Committee whether or not the N. C. P. C. is making a profit or making a loss in respect to wholesale of power, in respect to the particular insulation we have here.

Mr. Tench: Mr. Chairman I do not have the 68-69 reports, but somewhere it was whispered along the line that we cleared a hundred and forty thousand dollars last year. I have no positive proof of this figure that has been handed down to me. As to the wholesale price I believe Mr. Choate will agree that we are selling the power at 1.25 cents in the Whitehorse area, outside the Whitehorse area the price is higher to allow for line loss and other factors. I believe the cost of power we where generating in the Whitehorse system last year was one point four cents per kilowatt hour, a difference of point one five.

Mr. Chamberlist: Point two five.

Mr. Trench: Your right point two five.

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Mr. Shaw: Mr. Chairman a supplementary question, it was sold for one point two five cents less then what it cost to produce.

Mr. Tench: Point two five for the power sold in this immediate area that does not take into effect the power sold to Anvil.

Mr. Chamberlist: I agree with the Honourable Member from the Whitehorse North that we are going away from the main factor. What we must look for is which plan do we intend to use because as it happens the Government has to subsidize this we are faced with. For the moment the edification of the Honourable Member from Carmacks-Kluane the people of the Whitehorse area have been subsidizing through the Company the electricity supply in the smaller communities because if the smaller communities have to pay the actual cost of production and operation, you would find that the cost would be higher. Every body knows that I have fought Yukon Electric and I would continue to fight them if I thought they were taking advantage of a situation. But I think that you should understand that they are interested in making a profit and I find nothing wrong with making a profit. Let's get down to the brass tacks and work out a way that we can accept one or the other of the suggestions that have been put forward.

Mr. Livesey: I have one question for Mr. Tench Mr. Chairman now is it not true that N. C. P. C. operates on the promise that it is a non-profit organization. In other words it is not working as a business, it is working as a service to the people and the amount of charges that it does make are to cover the natural costs of the operation, plus what ever overhead is necessary to cover depreciation. Is this not correct Mr. Tench?

Mr. Tench: This is fundamentally correct-the Commission, I believe every one is aware, goes to the Treasury for its money at a given rate of interest to build a transmission line and a plant or both and it is agreed that that money will be repaid in so many years and at the end of that time when the capital has been repaid, the people own the power house which has then been paid for by the customers.

Mr. Dumas: Is this on a national basis Mr. Chairman.

Mr. Tench: No, Mr. Chairman I am not too sure whether you mean by N. C. P. C. or other people.

Mr. Dumas: N. C. P. C.

Mr. Tench: N. C. P. C. has twenty-four plants from Moosemees to Frobisher Bay to Inuvik.

Mr. Dumas: It is spread over the whole area. I wanted to find this out because I understand that C. N. T. has something of the same principle and I also understand that the Yukon operation of C. N. T. subsidizes most of the rest of C. N. T. operations. I wonder if the same might not occur in the Yukon operation of N. C. P. C.

Mr. Chamberlist: Yes Mr. Chairman it does occur because if you look at the Northern Canada Power Commission when they bring out **their** statements it will show that their statements of operation included the Northwest Territories as well. So that any gains that are made here are figured in the losses that are sustained elsewhere, so really this is not a true picture this is a picture where the Yukon and Northwest Territories are bulk to show that it is just paying its way, not the plant is paying its way but just the Northern Canada Power Commission is paying its way.

Mr. Tench: Mr. Chairman I would take exception to that statement and ask the Right Honourable Member to approach the general manager and state his case and I am sure he will get an explanation. S.P. #6

Mr. Shaw: Just to clarify a question I raised just a minute ago. I had it that at the present that the Northern Canada Power Commission is wholesaling power to a retailer in the Whitehorse area at less than what it costs. Am I correct when I assume that that was the discussion?

Mr. Tench: Mr. Chairman the figures I gave are that cost of power in the Whitehorse system is 1.4 cents per kilowatt hour.

Mr. Shaw: You are selling that Mr. Chairman?

Mr. Tench: At 1.25 to Yukon Electric in this immediate area.

Mr. Dumas: Just one minute Mr. Chairman, we have an average here in the one case but in the other case we are only talking about Whitehorse. Could somebody explain to me how you come up with a \$140,000 profit if you are selling at less than your producing cost?

Mr. Shaw: My question is what is the situation today, and I think it was answered, thank you.

Mr. Chairman: Is it your wish to go back to the paper now gentlemen. I am wondering now if Mr. Barnett can continue.

Mr. Barnett: We were on page 5 dealing with the subsection III NATURE OF A RATE EQUALIZATION PLAN, it states in this section that a rate equalization plan involves the subsidy of some consumers by money collected from consumers in other areas. In a rate equalization plan you have to give a subsidy from one close group to another group. Secondly there is point here that I think Mr. Dumas pointed out, once you have started an equalization plan you are pretty well forced into it, if you start a plan, for example that you accept the plan as recommended in support of mine, then you could not I do not think that you could politically go back to the existing set up of rates once you are in it you are in it. You could not, .... the bills back to the present level, this would mean that the customers in Carmacks and Carmacks serves as a rate which most of the communities served by the Company, would under the plans proposed here would be paying \$7.50 a month for 300 kilowatt hours, their bill if you reverse to the old rates will be \$30.00 per month it would be a very grave person who would want to go back to this state of affairs. I think once you start a plan you are forced into it, or tied into it you cannot get out of it. At the bottom of this page I see that normally a rate equalization plan is instituted and controlled by a utility. The utility can manoeuvre this to maintain the plan. In the present case the Territorial Government would be the - implementing the plan but the Territorial Government does not have much control over the circumstances which control the cost of the subsidy and I listed seven items here which I thought of and there may well be more, which would effect the control of money into the Government Treasury to maintain this plan. First one is the money that has been made available by the Federal Government. the Federal Government may change this attitude, particularly if there are provincial tax sharing agreements, that a tax-sharing agreement between a Federal and a provincial Government is set up on a different footing. The second item I put down here was the Nationalization of the Company, I am not anticipating, Councillor Taylor, here it was simply that I had seen quoted thunder marks by one of the Federal Ministers to the effect that in his opinion the power in the North of Canada should be Nationalized. Third item is a decline in the Company's earnings it is fairly obvious that a Company's earnings decline,



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Mr. Barnett continues: the amount of income tax that it pays will decline and you have got less money available for subsidizing customers. Items four and five perhaps you could take together and this would be the effect of growth, the number of customers who have been subsidized in cases and each customer had also each new customer has to be subsidized and this is an additional expense on the subsidy. The fifth item is the consumption used by customers is subsidized, this is also will increase your subsidy up to a certain level. The sixth item is a rate increase by the company if the company increases its rate, there are two choices you can maintain the subsidy at the same level or you can maintain the customers bill at the existing level. To maintain the customers bill at the subsidized level would cost more money than if you pass the rate increase on to the consumer. The seventh item is that the other utilities Northern Canada Power Commission can increase the rates either those rates they charge as a wholesale price or the rates which they charge as a retail office or both. My last statement on this section, that in view of these uncertainties and the danger which can't be over stressed in creating a situation whereby the amount of subsidy required in the future grossly exceeds the tax rebate available, a conservative rather than a liberal plan is indicated. This is something that really cannot be over emphasized that any rate equilization plan may take off and become a little bit like an albatross around your necks, it maybe you will live to regret if you are too liberal. If you start by not being too generous you can be more generous in the future if you start by being very generous, then you have to cut back and this does not satisfy the consumer, and probably is not to any ones advantage. In the next section I discussed the two rate equilization proposals which have been presented and I would just like to perhaps to make a few additional remarks. The company and the Commission both made proposal, I think of August last year. The Commissioner was not fully satisfied with these proposals, and felt that it would be better if an independent person who had no local affiliations were to assist the situation and make some proposal. According the Commissioner wrote to B. C. Hydro and asked if any member of authority would be available and would help with this matter. The management of the B. C. Hydro said that I would be available and that I could help. I must emphasize that I am doing this not as an employee of B. C. Hydro, B. C. Hydro has got no interest in the proposal this is as an individual that I am making it, the management has not seen nor do they wish as I know, the proposal that I have made. I am not here as a representative of the B. C. Hydro but as an individual, I work for B. C. Hydro because I have to work for some one. With this preamble I think maybe we should look at the comments on the two plans. The Northern Canada Power Commission Proposal was that the first 200 kwh of the residential rates be standardized at 3.4¢ or 4¢ or 5¢ perkwh. I have said latter on that this is not a generous enough proposal it would not come any where near using the amount of money that is available. The Company's plan I think you have a copy of

Mr. Chamberlist: Could I ask at this time dealing with (a) you finish up your remarks, on (a) by saying due to lack of information these tables are inaccurate and misleading. I wonder Mr. Barnett if you can expand on why you say the tables are inaccurate and misleading.

Mr. Barnett: Yes they were prepared on the assumption that every customer in each community would use exactly 200 kwh. and every customer in each community does not so this is really the

Mr. Barnett continues: reason I say this. Also when you look at the actual revenue that is being compared with, I forgotten but there is one place where the rate of subsidy was more then the residential revenue, and this shows the inaccuracy. It is one of the difficulties I guess with working data a thousand miles away. And the Company's proposal was to establish the Whitehorse Residential rate through out the Territory, but then it is franchised area and returning the balance of the available money as a percentage across the board reduction. I have said that I think the Company's proposal is some what too generous. I think the catch there is that if areas outside of Whitehorse, were to be able to purchase electricity for 1.6¢ per kwh this is getting pretty close to the fuel price they are paying, and I rather think that there would be strong tendencies for people to use electricity for heating. We obtained from the Territorial Government the price of fuel in the various localities through out the Territory and I asked our heating section to estimate the equivalent cost of electricity and depending on circumstance the electricity is at least 1.75 to 2¢ per kwh, so if you are selling it less then 2¢ per kwh you are I think giving people an insensitive to use electricity for heating. Now there is nothing really wrong with this electricity is a good fuel as I am sure that Mr. Choate and Mr. Tench will both say, but the problem is that if you are serving the area with a small diesel plant and you very quickly load up that plant and this requires a new plant a bigger plant, more labour, more maintainence. In the current state of the economy interest costs are exceedingly high and the large plant expansion would lead I feel to a an increase in the Company's cost and either a rate increase or a decline in their revenue.

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Mr. Dumas: Question Mr. Chairman, I would like to ask Mr. Choate whether Yukon Electric took this into consideration, when they made the proposal?

Mr. Choate: Yes we did, we feel that the way we proposed this is that the rates that are in effect will still apply and all new extentions will be based on the rates so that the revenue as far as that particular location will generate enough revenue to substantiate the plant increases. From our study we did for the Commissioner it indicated that it would only require \$16,000 to bring about the equilization of residential rates and there would be an additional \$95,000 left for this across the board rebate to every body so that there was a large enough cushion there so that we couldn't see that this problem would arise. Just thinking about it today and last night, we could put an additional safety check in there, which is what B. C. Hydro has done in Atlin and the Nothern Canada Power Commission has done in Pine Point is that they put in what you call a balloon rate so that after 1200 kwh or a 1000 the rate goes back up to a level that will discourage this. We did concider this but I don't know whether this is the point to discuss or not. When you look at the smaller communities there aren't really that number of people who are going to create a problem, most of them are on as I am sure most of you know, on thick means and the will because of the size of the house they are living in for instants they will only impose a certain demand on our system at that point it wont continue, unless they get any more money and a job that enables them to life in the same manner as the people in Whitehorse. We took this into consideration as another safety check we could put a higher rate on the back end to stop this. We do feel that we can safely introduce this residential rate through out our services areas.

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Mr. Barnett: I want to comment on what the Mr. Choate has said at the moment but I may like to comment on that latter on. As I continue with the report. There was one other flaw I thought in both plans for the Commission's plan and the Company's plan the Commission's plan customers in Whitehorse did not get any decrease at all, and under the Company's plan the customers in Whitehorse were getting as a decrease only the balance that was left after the rates had been established in the outside areas. In view of the fact that 70 per cent of the customers, residential customers in the Territory live in Whitehorse and that the - it is unlikely that the smaller areas are being served at a profit and it is a very slim profit if they are getting a profit. It seems to me that the residents of Whitehorse were entitled to some thing a little bit more than a token reduction. I felt that those were the flaws, one plan is not generous enough, the other was generous in that it could lead in the future to a large increase in the expenses. This is the experience we had in British Columbia where we instituted a postage red stamp rate and we latter on had to put a balloon on the rate, as Mr. Choate mentioned in order to discourage these people. We are in a happier position than the Territory would be in that we have large numbers of consumers in dense metropolitan areas around Vancouver, and minor adjustments in rates there will more than make up for losses in the smaller areas. This type of action is not available to the Territorial Government. Section V I got around to making a proposal and I dealt with residential areas first, on the basis on what had been said before, I felt that residential customers in Whitehorse should receive a reasonably substantial reduction in their monthly bill, I thought that it was essential to make sure that the subsidy can be continued I thought that the subsidy should not be in such a form as to in courage load growth, to the extent that additional generation plants are required. The fourth point I thought that both from the utility and the consumers point of view, the rate should be fairly easy to understand and fairly easy to administer. I then looked at the Whitehorse residential rate to see what reduction could be made in that rate, there are four steps to the rate it starts at 5¢ per kwh and works its way down to 1.6¢ per kwh, the 1.6¢ per kwh I felt should not be reduced because this will lead to increased load growth which in turn needs increased capacity. So this will restrict you then to the 300 kwhs. I have several thoughts about this and eventually thought that it might be fair to reduce for the Whitehorse rates reduce the first 200 kwhs to 2.5¢ which would be a months reduction of just over \$2.50 per customer. I did - the 2.5¢ could have been varied it could have been more it could have been less I thought that if it was made less that might be to much at the present time, then you could reduce it to a lower figure at a latter date, once you see how the plan is working. Looking at the . . . I then ended up thinking that 300 kwh at 2¢ per kwh. The next problem was to try and find out what this would mean to the residential consumer in the outside areas and also in Whitehorse, and as you can see in Table IV the reduction, this is a maximum reduction is a substantial amount. Now these figures should be qualified because as I mentioned in a mte in table I not too many people in the outside areas seem to be using as much as 300 kwh per month. There are some who use quite a lot, a large number of consumers in these areas seem to be using less than three hundred. The equivalent reductions in Dawson and Mayo are shown, and Mayo this again would be because it has been . . . This is the extent to which an individual customer could benefit and the maximum per cent to which he could benefit. On page 9 I tried to estimate



Mr. Barnett continues: the cost that these benefits would total and Table V shows the maximum subsidy for each area. This is arrived at very simply by multiplying the maximum subsidy for each customer by the number of customers in each location as of 1968. There are two qualifications that should be made about the maximum subsidy and initially it wouldn't be as much as this because not all customers are using 300 kwhs a month. But all - as the number of customers grow then the subsidy will tend to get up to this maximum figure. And in fact the maximum figure, maximum possible subsidy itself will increase as the number of customers in any location increases. The Company was able to apply the proposed rates to the . . . and came back with an estimate that within the franchised areas the cost of implementing this proposed rate would be 102,000 dollars. The Commission was not able to do this same sort of calculation and I estimated the cost in the Commission's areas as \$73,000 for Dawson City and \$10,000 for Mayo this - if you compare these figures with the maximum of \$26,000 for Dawson and \$15,000 for Mayo it gives you some idea in this possible error. It would appear that in the beginning you have got enough money available to implement this plan. On page 10 I discussed the national customer and unfortunately I was unable to obtain enough data to make any effort at proposing a uniformed rate for the commercial customers. One item that did seem to be fairly obvious was that the amount of revenue that the company receives and its commercial rates if from either from the Federal Government or the Territorial Government, and I assume that it was not particularly the intent of Council to subsidize either Government with money received from the Government. Electricity usually is not a high proportion of the sales rate of any product until you get into aluminum and salt and paper. Therefore if you reduce the cost of electricity to a commercial customer it is unlikely to make very much the difference in the price of the end product that he sells, he might make more individual profit. Because of the lack of data then mainly because of this large number of Government accounts and because of the relatively minor impact a commercial reduction would have I thought that it was not advisable to consider a rate equalization plan for the commercial customers.

Mr. Livesey: I don't quite understand this attitude Mr. Chairman it seems to me that there is a tremendous difference between what one is using and what the other is using and what the company is using and what the company is receiving. Lets take the first item on the list which happens to be Beaver Creek and it seems to me that Commercial customers are - total annual bill is \$24,000 from the commercial customers and from residential customers it is \$2,751 so I would say then if you are going to talk about that kind of a subsidy we are not talking about a subsidy at all, one is almost minute compared to the rest. Chairman we are talking about reduction of rates, now and some politician at the moment are talking about little people of course they are going to think very much of the little people this year even though they might have forgotten about them last year. The difference in the cost of operation I think Mr. Chairman when Mr. Barnett says that it wouldn't make any difference and when you are talking about \$24,000 in one small area, commercial area against \$2,751 I don't understand the equation, because one is a gigantic amount in comparison to the other and if you are going to reduce the small amount it certainly isn't going to take up too much of your \$167,000 to reduce your small residential contribution. I think some one is kidding some body and I would like to know who it is Mr. Chairman.

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Mr. McKinnon: Well Mr. Chairman with respect maybe I don't know Beaver Creek as I used to, but it seems to me that the Honourable Member thinks that we should be giving the rebate to the big users which would be the Territorial Government, Federal Government, the United States Pipeline and a lodge owned by an American citizen on the Alaska Highway, I mean those are the biggest users in the Beaver Creek area. Does the Honourable Member think this are the people that we should be considered with instead of the householder who - that we would be reducing in effect \$25 on his bill in Beaver Creek.

Mr. Livesey: I don't understand that the United State Pipeline uses any bodies power except there own. The situation is as far as the Government is concerned yes, of course the Government rates there is \$13,000 in this particular spot you could look at any area. In Watson Lake the Government is spending \$38,000 were as your profit is spending \$7,144 I am talking about the distribution of the subsidy and I personally feel Mr. Chairman that you are just barely talking about this type of subsidy of the smallest area - what is being contributed is mind you is naturelly it is an important area but if you are just going to pick on the smallest one of course you are not providing much of a subsidy at all. This is what I am talking about this is the point I am trying to make, you are just on the basis of an equation you are attacking the 3 per cent and you are saying well we will subsidize the 4 per cent but the 85 per cent we wont look at that it doesn't really matter. I have copies of some bills of commercial organizations along the highway Mr. Chairman that are paying \$800 to \$1500 per month for power now surely this certainly is in the peak periods. And if any one turns around and says this doesn't matter of course it matters, I mean this subsidy as far as I can see is going to spread over the whole of the Yukon Territory and if you are going to sort it out on this basis then I am afraid the out lying average is not going to recieve much of a subsidy.

Mr. Dumas: The statements are a little misleading in so far as a quick look at the two tables submitted by Mr. Barnett indicate that there are four private users of commercial electricity in Beaver Creek but there are twelve residential users and a quick looks shows that we would under this plan hit 75 per cent of the users, we would hit in fact the people of the Territory.

Mr. Livesey: Well I can understand that aspect Mr. Chairman but we are not touching the area that is paying the bills we are touching the small amounts and the item tht I am stressing here is that the contribution is going to be small.

Mr. Chairman: I think at this time we will declare a recess.

RECESS

Monday, April 13, 1970  
3:30 o'clock p.m.

Mr. Chairman: At this time we will call Committee back to order and I wonder if you would now continue. SESSIONAL  
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Mr. Burnett: We've now reached item 6 on page 10 of this report which I made 3 recommendations. I recommend that an equal rate be adopted which would be the first 300 kwh per month at 2½ cents per kwh and all consumption over 300 kwh per month would be at the rate which is published in the present rate. The rest of this plan would be \$102,000 if it is the Council's decision that this plan be applied in the Company's franchise area only, and would be \$135,000 to apply the plan in Dawson and Mayo as well. That figure may be somewhat less if the Mayo rates have been reduced in November. Now I do not say in this where the additional \$73,000 should come from. This is what I thought, was not, that I didn't ask to do. My second recommendation was that if you're initiating this plan at this time and you've got certain uncertainties with regard to the availability of money in the future you must make sure what the effects of the plan are going to be and it would be better to take the unspent money and put this in a reserve fund. Once you've started the plan you've pretty well got to continue it and you may need this reserve to balance out payments and the income proceeds from rebates from the Federal Government is less than the income at the present level. One would expect that the cost of the subsidy is going to increase. It doesn't necessarily follow that the companies earnings and therefore the amount of income tax they pay will increase at the same rate, it may do and it may not. My third recommendation was that after you've had about 2 years experience with this plan then let there be an appropriate time to review it and see whether it is desirable at that time to make a more liberal plan. On the other hand you may feel at that time that you have done what you've wanted and it should not be relaxed any farther. So with those three recommendations gentlemen, I have finished my report and if there are any special questions that are directed to it of course.

Mr. Dumas: I wonder, Mr. Chairman, if we could get some comments from Mr. Choate, and from Mr. Tench on these recommendations, but I do believe that the Honourable Member has a question too.

Mr. Livesey: Mr. Chairman, I wonder how the Territorial Government is going to police this situation, if you can use that term, in order to know whether the subsidy is actually activated or to what percentage it is activated per year. How could this be covered?

Mr. Burnett: I think that in this situation it would have to be administered by the utilities or those utilities if both utilities are involved, and that those utilities would have to make a statement, probably a monthly statement in with the billing procedures of the amount of money that has been utilized in that plan in that particular month. You would have I guess, to rely on the utilities to not cheat and I can't see why they would do it.

Commissioner: Mr. Chairman, this is accounting procedure, and there is no difficulty at all in determining that those moneys would, held and claimed by the utility as rebate money or whatever we wish to term them, that they have in fact been returned to the customers, this is in fact no problem at all.

Mr. Livesey: How will this be worked? Will the subsidies be paid out by the utilities and then submitted to the Territorial Government, and the Territorial Government will transfer the



SESSIONAL Mr. Livesey continues . . .  
PAPER #6 the funds to the utility in view of their statement, or what process will be used?

Commissioner: Mr. Chairman, the plan as envisaged will show the discount on the customer's bill at each billing period. In other words the discount would apply to what appears right on the face of his bill and that amount would simply be rendered as an account by the utility to the Yukon Territorial Government either monthly, quarterly, or whatever was practical and the Territorial Government would by virtue of a vote that would be required in the estimates and at the time authorize payment to the Utility. money to the utility.

Mr. Chamberlist: Mr. Chairman, does it not appear to me, that the only thing that we're looking for is an amount of money for Dawson City? Is this correct? Well I think what we have to say is, how much are we going to need, and whether we're going to accept the proposition.

Mr. Chairman: Councillor Chamberlist would you take the Chair?

Mr. Chamberlist takes the Chair.

Mr. Taylor: I have a question I would like to direct to Mr. Barnett, and it has reference to A in the recommendations. We say the above plan would cost \$102,000 to be applied to the companies franchise area only. It seems to me that this is the area the money did come from and it seems to me that at this moment this is where the money should go back to. I would like to ask if there was any consideration given to how much money we would be talking about if we turned this back also to the commercial customers.

Mr. Barnett: The \$102,000 is an estimate of what it would cost in the first year of operation of this plan. Probably with load cost it would be somewhat higher than the \$102,000. This would leave approximately 50 to \$65,000 additional. But you have 2 choices, you can spend it or you can save it. I suggested in recommendation B that though you see where this plan is taking you, you should save it. If you wish to spend it then there are I guess three ways in which it could be spent. You could refund this to residential customers only that would cost the board once per year at refund, you could refund it to commercial customers only, and again I would recommend that it would cost the board, or you could refund it to both. One of the problems of refunding it to customers on the commercial base is that it complicates the administration procedure. You don't want to go back to Government again so you've got to do it to all residential customers, you've got not to do it to some commercial customers you've got to do it to all commercial customers. But, this is what could be done with the money, you could spend it. I would recommend against it. I would say hold this money until you see where this plan is taking you. It's a generous plan and the amount of the rebate that people get is not too bad for Whitehorse. Something that people should notice if you are more generous at this time you might regret the generosity later on.

Mr. Taylor: Mr. Chairman, I'm still having difficulty, because it seems to me that people in shops, stores, garages, banks, and this type of thing that have paid the public utility, company, that they should be entitled to a rebate as well, and what we've got here is an amount sum of where in the area of about \$76,000 floating around here and mind you if we deduct \$102,000 well I think it was suggested that it might be a little more than that. So we've got a sum of 60 or 65,000 floating around, can we not use a portion of this to affect

Mr. Taylor continues . . .  
a return to the commercial user because I think it's only fair that we do because this is the guy that's really taking it on the chin as well and you go and talk to some of the people around the Territory and see their light bill.

Mr. Barnett: The Commercial person generally will recover their light bills from their customers. They can gain the money back. Now, if you want to give it to the Commercial Customers then you can by all means give some of it or all of it whatever you wish. The question I would ask is how many of the Commercial Customers will pass this on to their customers and I would suggest that very few of them will. It may be necessary that some phase of the business should be subsidized but most utilities will not do this. But B. C. Hydro has probably had more experience with rate equalizations than other utilities in Canada. They and Quebec have probably the same basic procedure after the private companies in Quebec would butt out. In Manitoba and Saskatchewan and also in Ontario and in the Maritimes the postage stamp rate philosophy is what a rate equalization plan is also got. It has not been adopted. B. C. led the way in this and Quebec followed suit. Not too many utilities in the States do. Of the Utilities that are doing it they are not doing it in the field of commercial customers.

Mr. Taylor: Well I'm still having problems here. Now we've talked about affecting a subsidy and I notice in the submission to the standing Committee on Indian Affairs and Northern Development, Mr. King of Yukon Electric or Canadian Utilities stated that However a proposal is that we would continue to charge our normal rate. Now it was my understanding that people would get a rebate of this money, even through this scheme by reducing the rate. Now I'm just wondering where there is a change or are we talking about taking it from those who have already paid and giving it to those who will be paying in the future. I'm having difficulties in this area, the exact manner that this would be paid out as soon as we bought the program to return this \$102,000 to the Companies Franchise areas only.

Mr. Barnett: What I would suggest is happening is would be that the person in Carcross use 300 kwh one month. He would receive a bill which said \$70.40 and this has the value of the 300 kwh calculated and according to the Company rate in Carcross. There would be a subsequent line on the Bill which would say Territorial Government rebate, \$22.90, balance due \$7.50, and the \$7.50 would be what the customer would pay to the company, and the \$22.90 would be what the company would collect from the Territorial Government. This is how I would envisage the plan being followed out in practice.

Mr. Choate: Mr. Speaker, I think Mr. King's proposal was basically the same only that the amount that was shown as Territorial Subsidy would be arrived at in a different manner. We've suggested in the case of the Commercial Customers that it would be a percentage figure estimated at 4% under the proposal presently before the Council or as Mr. Barnett's proposal it would be just on the basis of the Residential Customers. But it would both be done in the same way, we would bill them at the now existing rate and they would be credited with an amount shown as the Territorial Government subsidy, or rebate, tax rebate.

Mr. Barnett: Mr. Chairman, if you change the Companies rate, then there remains the certain fact that they wouldn't agree to it. Their earnings would change and you lose your income tax rebate for your subsidy.

Mr. Dumas: Yes, Mr. Chairman, a couple of the points I wanted to make have been made by Mr. Barnett, regarding the Commercial

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Mr. Dumas continues . . .

rebates. I don't feel that it is necessary. In the first instance as he said, the cost of electricity is part of the over-all operating cost of any business. And it is eventually recovered from the consumer, then again the people are paying for it. Secondly if four businesses are in competition, they are all paying a high electrical rate, they're all going to recover their rates. Thirdly, if we did say to each of them, okay you got a \$1,000 cut this year or a \$1,000 rebate this year it's highly unlikely as Mr. Barnett pointed out that they are going to turn around and say to their customers, well look here fellows we are going to pass this on to you. But I think we should stick with the residential customer when we're talking about the rebates. Now, Mr. Chairman, I've tried to keep a fairly open mind on this whole problem, and the recommendation that is laid out in this paper seems to me to be a fairly good one in light of lack of further evidence or further information put before us, Mr. Chairman. And we only have what's put before us by all three sources. Now, Mr. Chairman, for myself I think the recommendation in item 6 is generous and quite good. I do think that Dawson, and here again we're talking about the Dawson area should be subsidized so that their rates are the same as everywhere else in the Territory. And the idea of having a rate that is equal throughout the Territory, equal to Whitehorse or whatever, I think this is good and I would myself go along with the recommendation as laid out by Mr. Barnett in the paper.

Mr. Livesey: I like this idea you know of some people that say that, Mr. Chairman, that the business man can pass along every problem that ever shows up on his desk. But just as soon as you do that you become uncompetitive and what the customers do in the Yukon is they travel through the high cost area and they stop in the low cost area. It is just as broad as it is long in that way you're only kidding yourself if you think that high prices don't prevent people from making purchases. They most certainly do. On the cost of any item, be it service or be it products it is reflected in my estimation in the end sales at the end of the year when you check up and find out how much you have made at the end of the year. Well, you put your prices up, I guarantee you're turn-over is going to go down, but people are getting far more conscious of this as time goes on, especially the people where a good many businesses in the Yukon are catering to and that is the travelling public and the travelling public, most of them come from a low cost area and when they come to a high cost area they pick the lowest of the high cost people, believe me. There is no question about that, and they can laugh at that all they want Mr. Chairman, all you have to do is go out there and you will get the questions quick enough. That's it so this just passing it on to the business man and saying that he can pawn it off onto somebody else; in my estimation, Mr. Chairman, this is a lame excuse. I was interested in a statement by Mr. Choate, though, where he said that his Company had made a proposition that Commercial users have a 4% reduction and I am quite interested in this point and I wonder if Mr. Choate could expand on this proposal and perhaps give us his proposals for residential rates if such a proposal does exist. I'd like to hear about this.

Mr. Choate: I was under the assumption that this has been put before Council, this was part of our proposal where all residential rates in the Territory would be equalized to Whitehorse rates. Of the \$167,000 our estimate was that this year it would require \$68,000 to do that. This would leave another \$95,000 to be distributed across the board, and when this was applied to everybody, this was all residential accounts all general service accounts, be it the Government or privately owned and industrial accounts would receive a 4%



Mr. Choate continues . . .  
reduction. Our philosophy is somewhat different than Mr. Barnett's or the B. C. Hydro's and this is because in Alberta we have to appear before a Public Utilities Commission of the province and we cannot by law discriminate between one class of customer and another, but by our standards we don't really care where the money's coming from but the same benefits should go to every consumer and I realize that this is somewhat different than the opinion held by the Council. This is the basis that we worked the 4% out - that this would go back to everybody. Now as far as the cushion on this plan, there is a built in one now because it should be the second year's tax flowing back to the Territory I would think, if it isn't here already, it was in March last year so it should be here shortly so you have a complete **year** of our income tax so it could be used as a cushion so that any changes could be done gradually if they were indicated.

Mr. Chairman: Anything further.

Mr. McKinnon: I wonder if, Mr. Dumas asked originally some ten minutes ago if Mr. Choate would give a critique of Mr. Barnett's proposals, I wonder if he would be willing to do this.

Mr. Choate: There are a couple of other points I haven't made. One observation, this rate for the first 100 kwh would put a rate into effect in the Yukon which is lower than Vancouver, which I would question if it this is reasonable to go that low in the first 300 kwh of residential consumption. Certainly for a normal three bedroom house if you go back to, say your 5 cent step it's going to cost people trying to live in a normal house in Watson Lake, under this scheme their bills are still going to be considerable. I haven't calculated it. This is one observation I'd make. The second, that by not returning any ~~per~~centage of the income tax rebate to the General Service or Industrial customers as you are in terms discriminating to some extent against them and this might influence industry or something such as this. We have found in Alberta that it is, it does come into play when negotiating with a new industry to come into the area, when you can show them that they will get a further 4% or 5% reduction in their power bills because of the tax rebate. So . . .

Mr. McKinnon: I'm just following the argument that a normal 3 bedroom house in Watson Lake, it seems to me that under Mr. Barnett's proposal that it would run into about \$25 per month so even if they, their first 300 kw would be \$25 less than what they had paid before, I can't understand how this wouldn't be a substantial saving.

Mr. Choate: It will be if they want to live in the same manner as someone living in Whitehorse. Their consumption is going to be somewhere up around 1,000 kwh and at the time I haven't calculated what their bill would be but it will be considerably more than that of a person who is living here.

Mr. Shaw: Mr. Chairman, I, the average house where they have to pay the rates that are, where they are fairly high I think would run around 300 or 400 kw I don't think that we ever get to the 1,000 kw. I stated Mr. Chairman, where these are expensive. This isn't expensive here. If you used the rates, the amount of kilowatts they do where it's cheap in these other areas you couldn't possibly use it. I mean you just couldn't afford to pay the shot, that's all. But the average users I think will use possibly 300 or 400 kilowatts, now I haven't got down to asking everybody what they use, but

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Mr. Shaw continues . . .

I've been using it for years and 300 or 400 kilowatts I think would be possibly a rather high average if anything. And it's the, we endeavor to do certain things to help certain people in certain directions and one of these is that there is no fuel tax on electricity, on fuel used for electrical production, that's in order to give a break to the people in general. Now when we are talking about this amount of money, putting it to certain sectors of the Community, if we took the 4% as Mr. Choate has mentioned, basis as subsidization it's not going to make a great deal of difference to someone that's paying 8 or 9 or 10¢ a kilowatt, it's going to make some difference but it isn't going to make that amount of difference, so that because you have the larger Commercial users. Now, I'm a Commercial user myself so the rate is higher for me, which is, it's accepted, I never could figure out why, but like many things I suppose it's based on those that have the ability to pay, that have the least votes in order to pay, I don't know which, but, the point is that what I'm mostly concerned with at the present moment, later on of course I think that the whole structure should be brought down but if these people that use 300 kilowatts, I agree with these recommendations of Mr. Barnett in so far as giving the break to these people that are possibly raising a family and are trying to get by with the high cost of everything in the Country. Now if they use more than the 300 kilowatts then they've just got to be prepared to pay the going rate for that. In other words what we are doing is providing the essential amount of electricity at a reasonable rate. I think the philosophy of that is good. I'm for that recommendation as outlined by Mr. Barnett in this paper. Three hundred kilowatts be the first consideration. Now if there is anything left over well then you go onto the rest.

Mr. Choate: I would just like to make it clear. We're prepared to put whatever suggestion this Council wishes into affect immediately. If they want to go to this type of rate, fine. Our main concern is to see that this income tax is returned in some manner to our customers. And we will not object to this if Dawson City is included.

Mr. Shaw: I would just like to get one thing straight about this amount of tax, Mr. Chairman, this amount of money. This amount of money belongs to the Federal Government, it doesn't belong to anyone actually. It's taxes that have normally been paid to the Government, and they are very generous about it and they say, well we'll make you a grant of this much. I think that these are, nobody is giving anything away. When I pay tax I don't know where it goes, I have no idea, it goes to all segments of the economy. But if they said to me, We'll give you that money back, well that would be wonderful. But, they are giving it to me, it's their money, because by law they have taken it away from me and by law they'll say we'll give it back. This is actually money of the Parliament of Canada, you might put it that way, and they are giving that. They are making a grant, nobody else.

Mr. Chairman: Mr. Choate, would you like to reply to that you have indicated.

Mr. Choate: Mr. Shaw, under the Public Utilities Transfer Act this money is the property of the Provinces and the Territorial Government.

Mr. Shaw: Mr. Chairman, If the Public Utilities were not a Public Utilities I'm sure they wouldn't get that money back. The object of giving the money back is a grant from the Federal Government to make it easier on the people. Nobody is... for goodness sake this is money that belongs to the Parliament of Canada, that they have given to the Yukon

Mr. Shaw continues . . .

Territory, to use in the best way they see fit. That's it!

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Mr. Taylor: Now, Mr. Chairman, In view that this money is returned from whence it came and that is from the customer's of the area's on the franchise I believe if you invest your own Company because that indeed is where the money did come from. I do say this that I have a tendency to agree with this proposal, as far as it goes but this would not include Dawson and Mayo. Now if you include Dawson and Mayo, actually you would have to include Faro, I should point this out. Possibly not in this first year but in future years as I believe this is three years. But I think if there is any subsidy to be given to Dawson and Mayo, and I think Dawson is the one that is really having the problem that some suggestions should be made to the Northern Canada Power Commission in the powers that be, to change their policies and indeed to offer a subsidy from the operation that's their operation, however it works. But I don't think you should take these funds that have been taken from the Private Enterprise area and use them to subsidize other areas in the Yukon. So I would agree tentatively, subject to the return of these funds to the people that paid the bill.

Mr. Shaw: I wonder if the Honourable Member from Watson Lake would object to the interest on this money that is received went to these other poor localities. Because that isn't what was returned to the Federal Government, we made that ourselves.

Mr. Choate: I wonder if I might make a comment. There is an Act to be tabled before Parliament, at the House of Commons that this sitting to amend the Northern Power Commission Act. One of the clauses in it will allow them to utilize profits made or surpluses accumulated in one location to offset the losses in another. This has been a very contingent point. There has been hours of argument about it, whether they have been doing it or whether they haven't. Certainly that their Council kept separate so that from a counting stand point I guess you can say that they haven't been using them. But in effect they are having rate increases where losses are sustained, because there was a loss in 1966 here of \$12,000 and the next two years there have been surplusses of \$133,000 and \$147,000.

Mr. Chairman: From the chair, this is a point that I made earlier because of what happened. They had no intent that the Power Commission had been doing it without Legislative authority. Now they are making it legal by getting some Legislative authority.

Mr. Taylor: Yes, Mr. Chairman, well then if this Bill is approved and I would assume that it very likely will be, unless there is something of a highly contraversial context otherwise. That would seem to me the N.C.P.C. could give very close consideration to bringing their power equalization scheme into affect, which would parallel that which we're dealing with today, and so . . . I think then we should as I mentioned very early in this debate, and I seemed to have gotten a great flap going around the table when I mentioned it I think we should be taking a long look at the Nationalization of power in the Yukon, so that we could offer rates right from Old Crow to Watson and east and west across the Territory so everybody would get the same bill, and get it all under Government control and live with the Hydro. That's the idea.

Mr. Chairman: Any further comments?

Mr. McKinnon: Well Mr. Chairman, I would just like to end my comments with it. I would like to thank Mr. Barnett for coming before Committee. We've had 3 people from different B. C.



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Mr. McKinnon continues . . .

authorities before us, and in the city of Whitehorse, with their help in the last few months I must say how impressed I am with the quality and the intelligence of these witnesses that we have had, and I can see why our friends in British Columbia run such a very viable and profitable Province with the quality of the Civil Service under his control. I would like to say that I don't have any trouble in finding where the money came. The money is the rebate to the private distributor, Yukon Electrical Company, and rebate from the taxes that they paid in 1966, came to the consolidated revenue funds for the representatives of the people of the Yukon Territory to do with what ever they pleased to do with it. We can use it to build bridges, build roads, to do whatever we like to or give it back as a rebate to try and equalize power rates throughout the Yukon Territory. I think that this is an excellent idea. I think I'd agree with the arguments I've heard with the contents of the paper as presented by Mr. Barnett and I would like to make it clear that I do object and I object most strenuously, and I would be against the money's that have been refunded as a tax rebate to be used by two customer's of the Crown Corporation. I think the amount of money involved for customer's other than the customers served by the distribution by Yukon Electrical will amount to about \$25,000 a year. I agree so much in the principle and the philosophy of having rate equalization through the Territory I think this money should be found from amongst the General Revenues of the Consolidated revenue fund to be used to subsidize the power in the Dawson area so that the citizens there can also enjoy the fruits of rate equalization throughout the Territory. I think that it amounts to almost in every area that is habited in the Yukon Territory to about \$25 a month off the power bill. This is a substantial and a real rebate and I'm sure one that will be appreciated by the majority of the citizens throughout the Yukon. I think it should be also pointed out that you could make an argument, and I think a good one, that 70% of the money should be rebated to the area that uses 70% of the power. And I think that often members from the Whitehorse area are decried as being very insulated and insular toward the Whitehorse area, and I haven't heard objections from one of these members today towards using this money, on a basis spread throughout the Territory to equalize these rate. I would just like to close my remarks by saying that unless people have arguments that I haven't heard around the table that I think the contents of the paper by Mr. Barnett should be accepted, but I certainly think that the areas subsidized such as Dawson should be earmarked as coming from the Yukon Consolidated revenue fund, rather as specifically from the rebate to the Yukon Electrical Company Ltd.

Mr. Chairman: Any further discussion.

Mr. Taylor: I will resume the Chair at this point.

Mr. Taylor resumes chair.

Mr. Shaw: Mr. Chairman, I note the remarks of the Honourable Member from Whitehorse North, he has got a lot of points there. Some I agree with and of course some that I don't. If the . . . The cruz of this matter is that the Yukon Electric have made a profit and that is to be turned over to the people who are their customers. There is nothing wrong about that. Just one little thing that enters into there that doesn't quite sound very good is that by law up to this time the N.C.P.C. have not had the power, I'm not talking about electric power, I'm talking about Legislative power, to balance one profit side of their ledger onto a debit side of their ledger. Each insulation they had must run on some merits and the charges made accordingly. Now if this were the case with Yukon Electric I'm afraid that they would have quite some problem in operating their particular section, because no doubt the largest source of profit must certainly be where they have this power available to purchase at

Mr. Shaw continues . . .

a wholesale rate. So that this could be alleviated by permitting, if the law would permit the Northern Canada Power Commission to jack up their wholesale rates by  $\frac{1}{4}$  of 1% to  $\frac{1}{4}$  of 1¢ per kilowatt would easily cover I'm sure their operations in the Territory. I wonder if the Honourable Member from Whitehorse North would feel on the basis that their's is mostly wholesale that this would be justified?

Mr. McKinnon: Mr. Chairman, I would never disagree with the Honourable Member from Dawson at his last session of Council. Never.

Mr. Chairman: Do you have any further questions to ask of the three gentlemen with us today? Councillor Gordon.

Mrs. Gordon: I have a question Mr. Chairman, and I think Mr. Choate could probably answer it. Where would Keno fit into these various tables? I'm assuming that the possibility that the possibility exists that their rate structure is somewhat similar to Watson Lake.

Mr. Choate: It's the same as Watson Lake.

Mr. Commissioner: Mr. Chairman, while the relative benefits would be much greater the total amount that is involved is not a significant amount of money. I believe that this would be the Honourable Members question Mr. Chairman, and it would be . . .

Mr. Choate: The omission of it isn't going to upset the figures by any more than a fraction of 1%.

Mr. Chairman: I have one question from the chair, just in relation to Faro, how will these rates compare with other rates in the Territory at the present time.

Mr. Tench: Mr. Chairman, the Faro rates and the Mayo rates are now exactly the same. A person using 300 kilowatts is after deductions, after the 10% off of the \$8.90, it is in effect in Mayo and in Faro.

Mr. Commissioner: Mr. Chairman, basically speaking the rates that are charged by N.C.P.C. in Faro and Mayo are basically equal to the rates charged by Yukon Electrical Company of Whitehorse. Is there a cut off point in there, Mr. Tench?

Mr. Tench: You will have to check that a little further on Mr. Chairman, and Mr. Commissioner. We indicate that anything over 200 kilowatts is 2¢ for Mayo and Faro.

Mrs. Gordon: May I ask a question here Mr. Tench. Is there a rate reduction of 10% on payment of Bills in Faro the same as there is in Mayo? This isn't reflected in these rates. These are strictly cross the board and the cut off amount here is 600 kilowatts, which essentially isn't true, because at 600 kilowatts there's a reduction of \$1.49, which brings it down to \$13.00 or something.

Mr. Tench: Mr. Chairman, I'm afraid I'm lost. If there is no cut off on the statement I have it says anything over 200 kilowatts is that 2¢.

Mrs. Gordon: I'm referring to a table that we received last November which is dated October, 1969.

Mr. Chamberlist: I wonder, Mr. Chairman, if Mr. Tench could indicate whether the N.C.P.C. charge any interest on overdue accounts?

S.P. #6

Mr. Tench: Yes, I remember now a chap in Mayo who contacted me at the head office with a bill that had interest on it.

Mr. Chamberlist: I wonder Mr. Chairman, if Mr. Tench could indicate of N.C.P.C. that interest on overdue accounts has already been made illegal.

Mr. Tench: I think I'll pass that on.

Mr. Chairman: Are there any further questions?

Mr. Livesey: Yes, I would like to address a question to Mr. Barnett and ask him if on Table 2 of page 3 if we follow out his suggestion I have outlined in this paper, what will be the new rates for rate 1, 2, 3, 4, 5 and so on.

Mr. Burnett: It would be  $2\frac{1}{2}$  a kilowat hour for each kwh up to 300 so at 40 that would be \$1.00 100 would be \$2.50 , 200 would be \$5.00, and 300 would be \$7.50 and 600 is a lot more difficult to work out. It would be the difference between the 300 as taped and the 600 as taped plus \$7.50. On rate 1 that would be \$13.50 then. Rate 2 would be \$19.50, rate 3 \$31.90, rate 4 \$52.50, \$12.40 for the 5, \$27.50 for the 6, and rate 7 has been changed so at the moment the figures are no longer accurate.

Mr. Chairman: Are there any further questions?

Mr. Livesey: The rate structure would be the same across the board, would it not.

Mr. McKinnon: Mr. Chairman, if there are no further questions of the witnesses I would like to move that it is the opinion of Committee that Sessional Paper #6 be accepted with the provisions that 1, tax refund money to be used to refund rebates to equalize power rates in Yukon Electrical franchise areas, and 2 funds from the Yukon Consolidated Revenue Funds are used to bring the same rate structure to Dawson as in the Yukon Electrical Franchise areas.

Mr. Shaw: Mr. Chairman I quite agree with it but the point is getting the funds of the Yukon Territory. It is pretty hard to squeeze this but on the surface and taking a chance I would be pleased to second the motion.

Mr. Chairman: I'm just wondering at this time if you have any further need for the witnesses? Order please. May they please be excused?

Some members agree.

Mr. Chairman: I would like to thank you Gentlemen for the assistance you have been able to give us here in Committee and I think it has been most useful exercise for all of us. Thank you again. I will declare a brief recess.

#### RECESS

Mr. Chairman: At this time I will call Committee back to order. We have a motion before Council, moved by Councillor McKinnon seconded by Councillor Shaw that "Sessional Paper #6 be accepted with the provisions that (1) tax refund money to be used to rund rebates to equalize power rates in Yukon Electric Franchise areas, and (2) funds from the Yukon Consolidated Revenue Fund be used to bring the same rate structure to Dawson as in the Yukon Electric Franchise area. Mr. Chamberlist would you take the chair?

Mr. Chamberlist takes the Chair.



Mr. Taylor: Mr. Chairman, here is why I say it's a two barrel motion. I would go along as I say with the proposals as outlined here but I don't feel that we should be taking funds out of the Yukon Consolidated Revenue Funds to equalize power in the Crown Corporate area and I think that this is something, as it was pointed out that it may be passable with this new bill in Ottawa, to affect for the Crown Corporation to affect somehow subsidies out of their revenue and secondly I would like to point out that we can't even find \$1500 for the chamber of Mines and I wonder very much how we are going to be able to find the revenues . . . S.P. #6

Mr. Chairman: Order Please!

Mr. Taylor: Where we are going to be able to find the revenues to offer power subsidization elsewhere in the Territory. So this is why I had hoped that the Honourable Member would have restricted his motion to the one area, because I think the area involving itself around Dawson should be the subject matter of another motion and a completely different area of discussion at this point of time, Mr. Chairman.

Mr. Dumas: Mr. Chairman, I think that the Honourable Member has a point. However I also think that N.C.P.C. is doing their best to equalize rates every where and I think they will have got this about in a few months so what we will be looking at is a one shot effort there to subsidize the Dawson area. And the cost at the outside \$25,000 from then on I think it will be free sailing and I just don't think it would be fair if everybody else in the Territory had a nice low rate of power and Dawson had a nice high rate, Mr. Chairman, so I think the total Motion as submitted is probably a good one.

Mr. Taylor: Mr. Chairman, I can't buy that. I think it is quite unfair to people who produce this revenue, to put it a different way that N.C.P.C. have their own customers, and they are the best people to be in a position to subsidize their own customers. We've got the tax rebate money from the customers of Canadian Utilities, or Yukon Electric and we're trying to turn this back to those customers and I can't see taking revenues out of the Consolidated Revenue Fund to look after area customers, I really can't see that. That's why as I say this should be the subject of another motion or another discussion. I think that the motion is good as far as it goes in accepting this proposal that we have discussed today but not with the addition of taking revenues out of the Consolidated Revenue fund. These are two areas of discussion and I would hope that the Member would modify his motion to exclude this other area.

Mr. Livesey: Mr. Chairman, I wonder if I could direct 2 questions to the Commissioner. One, does he think it's possible that we will obtain this money from a budget and 2-what amount does he figure that this will come to per annum?

Mr. Commissioner: Mr. Chairman, I would have to have some time to actually study the thing to give an answer in finality but I would say that with certain anticipated savings that we could see cropping up in the Insurance Field, by participation of the Federal Government Fire Insurance Fund that the answer would be in the affirmative, to the first part of the Honourable Members question. The second question, the only figures that we would have to go on at this time would be the figures as supplied to us by the report and this is somewhere in the neighbourhood of \$23,000 for a full year.

Mr. Livesey: That was very reassuring, Mr. Chairman, and I am very happy to hear it because now I feel we will be able to get that \$1500 for the Chamber of Mines and also don't forget the \$500 for the Burwash Historical Society as well.

S.P. #6 Mr. Chairman: Order please!

Mrs. Gordon: Mr. Chairman, notwithstanding the fact that certainly Dawson needs a subsidy, the submissions in this paper would indicate that Mayo have subsidies due it too. The motion does not include it. We have essentially the best rates in the Territory as it stands, but if we're going to be left out on a limb when the rest of them are being helped out, if this is a one shot deal, fine, but if it's on a continuing basis I think we're . . .

Mr. Commissioner: Mr. Chairman, with respect, the question as raised by Councillor Gordon, while it may have a slight merit, the, remember that this is, you are going to be called upon to look at this each year in the Territorial budget, and certainly at the present time the rate structure in Mayo unless information that is supplied to me is not accurate, is certainly in a favourable position, even after this equalization plan, if it is passed by Council is put into effect.

Mr. Chairman: Any further discussion?

Mrs. Gordon: This may very well be true, but according to this paper we have a rate structure that is slightly less than 3¢ a kilowatt, but if the rest of the Territory is going to get it at 2½¢ and ours is 2.8 I think we are being discriminated against.

Mr. Livesey: I think the Honourable Member has got a point there, Mr. Chairman, there is no question about that. If you're going to equalize it for everybody else, why don't you equalize it for Mayo as well.

Mr. McKinnon: Didn't I say Mayo? I'm sure it must have been an error.

Mr. Chairman: Order please! I wish you members would conduct yourself in a somewhat more orderly fashion.

Mr. Taylor: Mr. Chairman, actually the motion is out of order and there will have to be another motion restated in any event because we cannot move that money be spent, but I might say that Mr. Chairman, I was wondering if this motion could be held over until morning, to give us some time to consider this because if indeed we're going to go this far well then we must include the Community of Faro.

Mr. Chairman: Is there any further discussion on the motion?

Mr. Taylor: I wonder if I could have concurrence of Committee Mr. Chairman, that this matter be held over until tomorrow morning?

Mr. Shaw: I will support the Honourable Member from Watson Lake.

Mr. Chairman: Can we have a vote on this?

Some Members agreed.

Mr. Taylor: I will resume the Chair at this time.

Mr. Shaw: I move that Mr. Speaker do now resume the chair.

Mr. Dumas: I second it.

Mr. Chairman: It has been moved by Councillor Shaw, seconded by Councillor Dumas that Mr. Speaker do now resume the Chair. Are you prepared for questioning. Are you agreed.

Some Members agreed.

Mr. Chairman; Motion Carried.

S.P. #6

MOTION CARRIED.

Mr. Speaker: I will now call Committee to order. May we know have a report from the Chairman of Committee.

Mr. Taylor: Mr. Speaker, Committee convened at 10:30 a.m. to discuss Bills Sessional Papers, and Motions. Mr. Barnett of the B. C. Hydro Authority, Mr. Tench of N.C.P.C., AND Mr. Robert Choate, of Yukon Electric attended Committee to discuss matters of equalization of power in the Yukon Territory. Committee recessed at 12:00 noon and reconvened at 2:10 p.m. I can report progress in this matter. It was moved by Councillor McKinhon, seconded by Councillor Shaw that it is the opinion of Committee that Sessional Paper #6 be accepted with the provisions that (1) tax refund money to be to be used to refund rebates to equalize power rates in yukon Electrical franchise areas, and (2) funds from the Yukon Consolidated Revenue Funds are used to bring the same rate structure to Dawson as in the Yukon Electrical Franchise areas. This matter has been left in committee for discussion tomorrow morning. It was then moved by Councillor Shaw, seconded by Councillor Dumas that Mr. Speaker do now resume the Chair and this motion carried.

Mr Speaker: We have heard the report from the Chairman of Committee? Are we agreed?

Some Members: Agreed.

Mr. Speaker: May I have your pleasure for tomorrow regarding the agenda?

Mr. Taylor: Mr. Speaker, I believe tomorrow we will be proceeding with several matters on Bills, Sessional Papers, and Motions.

Mr. Chamberlist: I wonder, Mr. Speaker, if there is any indication if Session will prorogue tomorrow?

Mr. Speaker: None that I am aware of. It is my impression that it will not prorogue until the end of this week. Order please. Is there anything further.

Mr. Shaw: I would move Mr. Speaker, that we call it 5:00 o'clock at this time.

Mr. Speaker: It has been regularly moved that we call it 5:00 o'clock. Are we agreed?

Some members: Agreed:

Mr. Speaker: Committee will now stand adjourned until 10:00 a.m. tomorrow.





Tuesday, April 14th, 1970.  
10:00 o'clock a.m.

Mr. Speaker read the daily prayer. All Councillors, except Councillor Shaw, were present.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call the House to order. The Honourable Member for Dawson may be late or absent this morning due to illness. I would draw to your attention the tabling of Sessional Paper No. 12. Are there any Reports of Committee? Introduction of Bills? Notices of Motion or Resolution? Are there any Notices of Motion or Resolution? Would the Honourable Member for Watson Lake please take the Chair?

Mr. Taylor takes the Chair.

Mr. Livesey: Mr. Speaker, I'd like to give Notice of Motion this morning, seconded by the Honourable Member for Watson Lake, "That the question of higher education facilities for the north Alaska Highway be discussed in Committee of the Whole and that Dr. Reid Shields, Superintendent of Education, be asked to attend the discussions, together with other witnesses as may be required".

MOTION #18

Mr. Livesey resumes the Chair.

Mr. Speaker: Are there any further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? Passing to Daily Routine, under Motions, the only motion we have before the House this morning is Motion No. 17, moved by the Honourable Member for Dawson who is absent, so in view of the fact that the Member is not here, we will proceed to Questions. I wonder, Mr. Clerk, if we could have the Commissioner present for Questions this morning? I will call a five-minute recess.

RECESS

RECESS

Mr. Speaker: At this time, I will call Council back to order. We have Mr. Commissioner with us, but before we commence, I wonder if I could direct a question to the Clerk of the House and ask him if there is any possibility of the questions now on the Order Paper being answered soon as the Session may close this week?

Mr. Clerk: Yes, Mr. Speaker. Answers are forthcoming just as quickly as we can get them.

Mr. Speaker: Mr. Speaker, I'm not attempting to be light when I ask the Commissioner this question. Has the Federal Government completely lost all confidence in his office, the officers of his Administration, the representatives of the Yukon Territory? I'm getting scared to open a paper or listen to a news report. The latest one, which I just found out last night when reading the Whitehorse Star, is that the angling fees have been increased to \$3.00 for a resident and \$10.00 for a non-resident. Could I ask the Commissioner who made this ruling, whose advice was sought, on whose idea the decision was made, and whether any persons from the Yukon was involved in the decision, whether anybody was asked from the Yukon as to whether we thought this was a good idea, and if there is anything that can be done by the people of the Yukon to make representations to the Department of Fisheries to see whether this licence fee in fact could be reduced again?

QUESTION RE  
INCREASES I  
ANGLING FEE

Mr. Commissioner: Mr. Speaker, without attempting to answer in individual detail the points an enumerated by the Honourable Member, I am not aware of any consultations that were sought nor any advice sought from the authorities, and in this case it is the Federal Department of Fisheries that have this authority, with any member of my Administration, myself included. This matter came to my attention in the form of a memorandum from the Department of Travel and Information, decrying the fact and pointing out the basic effect that this conceivably can have on an industry that is ruling evermore important in the economy of the Territory, namely, the tourist industry. I was asked by the Director of Travel and Information to make representations directly to the Federal authorities involved and this has been done; this representation was made approximately the middle of last week, Mr. Speaker, and so far I am not aware of any reply that has been received.

Mr. Speaker: Are there any further questions?

QUESTION RE  
TAKEOVER OF  
FISHERIES

Mr. Chamberlist: Supplementary, Mr. Speaker, I wonder if Mr. Commissioner could indicate when the Fisheries Department is going to be taken over by the Territory?

Mr. Commissioner: Mr. Speaker, no one has tried any harder than my officers to bring this about, and the most recent development is that a further submission to Cabinet is being sought and it has to have the concurrence of the Minister of Fisheries and my own Minister. I believe that this concurrence is to be forthcoming, and I am ... should I answer the question in the same way that I did already in this Session, that I am a little more optimistic that in fact this highly desirable transfer can be looked forward to coming about.

QUESTION RE  
EXECUTIVE  
COUNCIL

Mr. Chamberlist: I wonder if Mr. Commissioner can indicate now any information that he might have received with reference to the Executive Council for the Yukon Government?

Mr. Commissioner: Mr. Speaker, when I opened Council, I intimated the most up-to-date information I had at that time, and there is no change in this. A Cabinet decision on this matter was expected shortly after the Easter recess. I have not received any further word up to this point, Mr. Speaker.

Mr. Speaker: Are there any further questions?

QUESTION RE  
CHANGE IN  
SCHOOL SYSTEM

Mr. Chamberlist: Mr. Speaker, a question to Mr. Commissioner. Concern is being shown by many parents that the special posts of music teachers and school librarians are to be dispensed with in education system after this year except for one or two schools in the Whitehorse Area. Could the Commissioner confirm that this is the situation or otherwise?

Mr. Commissioner: Mr. Speaker, I would want to have time to get an accurate answer in this particular matter.

Mr. Speaker: Are there any further questions?

QUESTION RE  
MOTIONS FROM  
INDIAN BAND  
COUNCIL

Mr. McKinnon: Mr. Speaker, I would like to ask whether Mr. Commissioner has received the motions from the Whitehorse Indian Band Council concerning the replacement of the Takhini sewer line and also more frequent water delivery in the Indian Village Area, and whether he is discussing these motions with the Indian Affairs Department in Whitehorse?



Mr. Commissioner: Mr. Speaker, I have received the representations from the Band Council, and there has not been any conversations that have involved myself with the local Department of Indian Affairs, but I have asked my officers internally to get this matter taken care of. I think that questions that have been raised and the requests made by the Indian Band Council are very reasonable, Mr. Speaker, and I would like to give Council the assurance that every thing that is within the capabilities of my Administration to bring these changes about that they have requested, is being looked into and will be done.

Mr. Chamberlist: Mr. Speaker, a question to Mr. Commissioner. I wonder if the Commissioner has any information with reference to a large herd of horses that are now living in the Forestry camp-ground area at Tagish? There is an offensive effluvia beginning to emanate from that particular part. What can be done about it?

QUESTION RE  
HORSES AT  
TAGISH

Mr. Commissioner: Mr. Speaker, I would be open to suggestion.

Mr. Speaker: Are there any further questions?

Mr. Taylor: Mr. Speaker, I'd like to direct a question to Mr. Commissioner this morning and ask Mr. Commissioner, Mr. Speaker, if any studies have been made within, departmental studies that is, within the Administration aimed at looking into the high cost of living in the outlying areas for Territorial employees and as to whether additional salary increases would be levied for these employees in order that they can meet this higher cost of living in outlying districts?

QUESTION RE  
COST OF  
LIVING FOR  
TERRITORIAL  
EMPLOYEES

Mr. Commissioner: Mr. Speaker, this forms part and parcel of the ongoing salary reviews that are done internally in the Administration, and there has been up until this time only one attempt to, should I say, equate the value of the dollar bill as far as Territorial public servants are concerned between the outlying areas and Whitehorse, and that is in the rental that is charged for living accommodations where it is provided. This is scaled down by means of a formula with Whitehorse representing 100 and the outlying areas being scaled down from that point. This is the only area, Mr. Speaker, in which this recognition takes place as far as compensation to Territorial employees is concerned.

Mr. Speaker: Are there any further questions?

Mr. McKinnon: Mr. Speaker, I have a written question for Mr. Commissioner. "How many square miles of the Yukon Territory are under the control of the Commissioner?"

QUESTION #8

Mr. Commissioner: Mr. Speaker, I have several answers for questions that have been asked over the last several days, and it would be up to yourself, Mr. Speaker, whether I should give these verbally or whether you wish them to be tabled in written form.

Mr. Speaker: Please proceed, Mr. Commissioner.

Mr. Commissioner: The first one, Mr. Speaker, Councillor Taylor asked, where is the steamer for the Watson Lake Local Improvement District? The answer is that the steamer was shipped to Watson Lake in the latter part of March and had been received by the Local Improvement District before the Annual General Meeting held on April 1, 1970. Councillor Taylor asked if there will be a water line installed at the Ross River Indian Village. The answer to this is that an agreement has been reached with the Department of Indian Affairs and the water line to the Indian Village at Ross River will be installed this summer. Councillor Livesey asked, what is the status of the piped water system for Haines Junction? About eight years ago a report was prepared by an Engineering Consultant on a piped system for Haines Junction. At recent meetings with the Trustees of the Haines Junction Local Improvement

Mr. Commissioner continued ...

District, a request was made to up-date this report and provide sufficient funds for the work to be done, if possible, in 1971/72. The Trustees have been asked to submit their request in writing. In the five year capital funds projection, funds have been requested for water and/or sewer system in various communities for the next five years with priorities to be decided each year. Councillor McKinnon asked for the name of the insecticide to be used for insect control this year instead of D.D.T. The answer is, after careful study of all available technical data and after confirming the information received with the Canada Wildlife Service Branch of the Department of Indian Affairs and Northern Development, the insecticide Malathion - 95%, was selected to replace D.D.T. in the 1970 program. There was a question on the dust control program for 1970/71. This program will essentially be the same as the one completed in 1969/70. Each community will be consulted before the work is actually done and within the funds available any request for changes in the program will be accommodated, wherever possible. Councillor Livesey stated that Beaver Creek wants to do their own spraying for insect control. The answer is that Beaver Creek has been deleted from the Aerial Spraying Program and no aerial spraying will take place at Beaver Creek until a written request has been received for this service. As no D.D.T. is available for any mosquito control program, the community of Beaver Creek will be able to receive Abate 4E and/or Malathion - 95% for the ground control program. However, the use of Malathion by ground fogging equipment has to be undertaken with great caution and it will be necessary to assure that the person handling the program at Beaver Creek becomes familiar with the insecticide and its application. Councillor Chamberlist asked if the community well at Carcross is now repaired. The problem of sand in the wells at Carcross is re-occurring from time to time and it usually takes a long time before the problem can be overcome. The Engineering Department has sent an air lift pump and crew to Carcross this week in order to pump out the well in the Carcross Fire Hall and this will be repeated when required until the problem has been resolved. Councillor Livesey asked why, in establishments 688 and 692 of Municipal Affairs operation and maintenance budget for Burwash Landing and Ross River fire protection, only provision for six months for siren and power and twelve months for fuel. The answer is that this error crept into the estimates when the exact wording was copied from the previous year's submission. However, sufficient funds are available within the establishments and no change in the totals is necessary. Councillor McKinnon asked how much of the \$227,781 in establishment 696, Housing Accommodation, is recoverable. The answer is that it is all recoverable except rentals paid by the Y.T.G. on D.P.W. and other rented units during the periods when accommodation units are vacant pending the arrival of a newly hired employee; it is not possible to estimate this with precision. And, (b), the Yukon Territorial Government subsidies on the 45 D.P.W. units at \$15 per month from April 1 to August 31, that is 45 units at \$15 a month for five months is \$3,375. The Department of Public Works charges us \$235 per month and we recover \$220 per month. Councillor Taylor asked why notices were posted in Watson Lake removing lots in Watson Lake from the disposal list. The notice referred to was one which had been received by the Land Agent in Watson Lake from Mr. T. Retallack, Supervisor of Federal Lands, and posted in the office at Watson Lake for public perusal. It was dated January 30, 1970, and notified the public that the original boundaries of the areas withdrawn from disposal have been extended. In other words, further applications for lands in the withdrawn area will not be accepted by the Federal Lands Office without a release from the Commissioner. This does not prohibit people from applying for lands, but it does mean that the Federal Lands Office will not deal with applications in the withdrawn areas unless they had been first cleared by the Yukon Territorial Government. Councillor Dumas asked if it was true that lots are not being sold because of lack of water in Porter Creek. The

Mr. Commissioner continued:

answer is that it is not true that lots in Porter Creek are not being sold because of lack of water in Porter Creek. Lots in Porter Creek are still available to prospective home builders. The only thing different this year is that we cannot give any assurance that piped water services will be available in areas which are not already fronting on a water main. Councillor Taylor asked how many lots were sold in Faro on April 8 to buyers other than Anvil. There were three lots applied for. Councillor Chamberlist asked what was the cost of updating the Whitehorse Metropolitan Plan. The proposal from Reid, Crowther & Partners Limited, dated April 2, 1969, estimated that the assignment would be completed within five to six months and that the cost would not exceed \$9,900.00. The proposal further stated that "In the event that factors which cannot be anticipated at this time should at some stage of the study necessitate an agreed upon revision to the study program, any resultant increase or reduction in the estimated cost shall be provided in writing for your approval." An invoice for \$8,975.25 has been received, but payment is being delayed until fifty copies of the final report have been received. Councillor Chamberlist asked if it was true that Central Mortgage and Housing Corporation is restricting loans to people earning over \$11,000.00 per year. Mr. Robert Henderson, C.M.H.C.'s representative in Whitehorse, has advised us that the latest regulations issued by his head office state that in order to qualify for a direct loan from C.M.H.C. a person must earn not more than \$11,000 if he is buying an existing home or \$12,000 if he is buying a new home. This apparently is intended to encourage persons in the higher income brackets to borrow from other lenders than C.M.H.C. I understand there has been further supplementary information given to Council already on this question, Mr. Speaker, which would indicate that this is looked upon as a resource development area and these restrictions are not applied as per the letter of the regulations. There was a further question, Mr. Speaker, asked by Councillor McKinnon about anti-litter signs and barrels being placed on highways and I would report that the program that applies in the areas close to campgrounds will be proceeded with and although the cost is estimated at approximately \$6,000.00 to put up the proper signs and provide the necessary barrels in other sections of the highways and funds have not been specifically provided for this, every effort will be made, and I will be reporting further to Council on this matter at a later date. The question asked by Councillor Taylor about whether there was any definite word yet on the takeover of the Alaska Highway by the Yukon Government ... the tentative date for handover has been set as April 1, 1971. Councillor Taylor asked what date the Canol Road will be opened this spring. Work is proceeding at the moment on opening this road between Ross River and the N.W.T. boundary, and the McMillan Pass should be reached by April 15. The balance of the road from Johnson's Crossing to Ross River will be opened by May 15. Councillor Taylor asked whether a grader could make one trip into Aishihik in the spring to facilitate the prospecting the mining in that area. The answer is that funds have been provided in 1970/71 for the maintenance of the road as far as Otter Falls only, therefore, it will not be possible to make the grader trip as suggested.

Mr. Speaker: From the Chair, I would like to thank the Commissioner for his return of answers for questions asked by Members of the House.

Mr. Taylor: Mr. Speaker, I'm wondering if Mr. Commissioner could now advise Council as to the proposed date for the next Session?

QUESTION RE  
NEXT SESSION

Mr. Commissioner: Mr. Speaker, I would very much appreciate it if I would not be held to a firm date at this time. I think that Council realizes that a little flexibility in this matter is necessary in the hope that we can call Council at an appropriate date subject to the passage of certain changes in the Federal House of Commons relating to the Yukon Act.



Mr. Dumas: Mr. Speaker, I wonder if it would be possible at this time to provide a little information to the House regarding something that Mr. Commissioner spoke about; that is, the C.M.H.C. loans. I have been told by the Corporation several times that C.M.H.C. would welcome applications for loans throughout the Territory. I think this is a divergence of policy, Mr. Speaker, that may be of interest to Councillors from outside the Whitehorse Area.

QUESTION RE  
CHANGES TO  
YUKON ACT

Mr. Chamberlist: I wonder, Mr. Speaker, whether Mr. Commissioner could now indicate what are the proposed changes to the Yukon Act? Does he know of any of these proposed changes?

Mr. Commissioner: Mr. Speaker, I do not know the last final detail and wording of them, but they are the changes as enumerated by my Minister when he spoke to Council in November of last year, and also the changes that will be required as a consequence of the presentation from the Department of Justice about taking over certain Justice functions. I'm sorry that I can't go any further than that, Mr. Speaker. Perhaps the Legal Adviser might have something to offer on this.

QUESTION RE  
INCREASE IN  
COUNCILLORS

Mr. Chamberlist: I was wondering, Mr. Speaker, whether Mr. Commissioner could indicate whether there has been any reply to the motion that was submitted by Councillor Taylor with reference to the increase in Council Members?

Mr. Commissioner: Mr. Speaker, that motion was worded and directed to the Administration. This matter is on my desk at the moment and it is being ... certainly the request as made to the Administration is being passed on to the Department in Ottawa, but I would hesitate to feel that there is any possibility of anything transpiring in the current changes to the Yukon Act. I am assuming that these have already been made available to Cabinet, Mr. Speaker, much prior to the motion that was passed by the Honourable Members in this House.

QUESTION RE  
INCREASE IN  
COUNCILLORS

Mr. Taylor: Supplementary to the question just raised by the Honourable Member from Whitehorse East, I'm wondering if Mr. Commissioner could assure Council today that he will be forwarding this recommendation with dispatch.

Mr. Commissioner: The answer is in the affirmative, Mr. Speaker. All I point out is that the motion was directed to the Administration to consider, and this is being done.

Mr. Speaker: Are there any further questions?

QUESTION RE  
UPDATING OF  
METROPOLITAN  
AREA PLAN

Mr. Chamberlist: Just one further question, Mr. Speaker, arising out of the answer re the cost of the updating of the Metropolitan Area. Is it the Commissioner's intention to pay this bill for nothing that has been done?

Mr. Commissioner: Mr. Speaker, I would like to have all my options left open and I would ask to be excused from answering this question directly at this time. I may say, Mr. Speaker, I have already indicated my particular sympathy concerning the question that is raised by the Honourable Member. I think it has a lot of merit to question the amount of money that is involved here.

Mr. Speaker: Are there any further questions?

QUESTION RE  
APPLICATIONS  
FOR LAND

Mr. Taylor: Mr. Speaker, I have a further question out of or resulting from the answers given to other questions this morning. I refer to Watson Lake and land applications, and I think this applies in other areas where the Commissioner has withdrawn land. It was stated by Mr. Commissioner that the Federal Lands Office will not accept applications where Territorial land is involved.

Mr. Taylor continued:

I'm wondering if Mr. Commissioner could advise me under what procedure do you follow then to get the Commissioner's permission, as I understand these people are both Territorial land people and Federal land people in the Recording Office? How do we go about this.

Mr. Commissioner: Mr. Speaker, the land is simply withdrawn from disposal and there is no impediment to anyone applying for this land. Before the Lands Department will consider the application, they are seeking a release from the Yukon Territorial Government. In other words, they are asking for the prior concurrence of the Yukon Territorial Government before the Federal people will act upon the application. As to whether it will be granted or denied is a question still for the Federal people subject to our prior concurrence, and it is my understanding that a certain group of Council has been working on a committee concerning disposal regulations and this will be the routine and route that will be applied.

Mr. Taylor: A further supplementary question then, Mr. Speaker, can I then take it that, from the answer of the Commissioner, he will be notifying all these people selling land in the Territory of this procedure as outlined by the Commissioner this morning?

QUESTION RE  
APPLICATIONS  
FOR LAND

Mr. Commissioner: Mr. Speaker, with respect, people selling land, they don't need any permission from me or anybody else. I think the question would be related to people applying for land in the Territory.

Mr. Taylor: I'm talking about Territorial Lands Offices, no matter how you pronounce it; the people accepting or supposedly accepting land applications in these areas withdrawn by the Commissioner, will they be receiving instructions outlining roughly what Mr. Commissioner is saying today. Right now, Mr. Speaker, nobody knows how to do anything down there.

Mr. Commissioner: Mr. Speaker, I will see that my Municipal Affairs officers do everything that is within their power to clarify the situation as per the answer given here this morning. Would that be a satisfactory ...

Mr. Chamberlist: That's nothing, that's totally unsatisfactory.

Mr. Speaker: Order, please. Are there any further questions? If not, would the Honourable Member please take the Chair?

Mr. Taylor takes the Chair.

Mr. Livesey: I have a question to the Administration this morning, Mr. Speaker. "In view of the shutdown of the activities at the Experimental Farm at Mile 1019 on the Alaska Highway, can the Administration indicate the proposed method and means of disposal, if any, and the possibility of acquisition of some of the land and buildings for schools and other educational purposes?" Thank you, Mr. Speaker.

QUESTION #9

Mr. Livesey resumes the Chair.

Mr. Speaker: May we now pass to Public Bills and Orders?

Mr. Chamberlist: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council forms into Committee for to discuss Bills, Sessional Papers and Motions.

Mr. Speaker: Is there a seconder for the Honourable Members's motion?

Mr. Dumas: I'll second it, Mr. Speaker.

Mr. Speaker: It has moved by the Honourable Member for Whitehorse East, seconded by the Honourable Member for Whitehorse West, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

SESSIONAL  
PAPER #6

Mr. Chairman: The first item for consideration this morning is Sessional Paper No. 6. We have a motion before Committee which was made yesterday and which I will read. It was moved by Councillor McKinnon, seconded by Councillor Shaw, "It is the opinion of Committee that Sessional Paper No. 6 be accepted with the provisions that 1. tax refund money to be used to fund rebate to equalize power rates in Yukon Electric franchise areas, and 2. funds from the Yukon Consolidated Revenue Fund be used to bring the same rate structure to Dawson as in the Yukon Electric franchise areas". Would you take the Chair, Councillor Chamberlist?

Mr. Chamberlist takes the Chair.

Mr. Taylor: Mr. Chairman, in thinking about this last night, I still feel that the motion, being two-barrelled, should be broken into two motions. It looks like a little blackmail to me when you put these two items in one motion. You like half of it and you'd like to vote for it, but you don't like the other half and you can't vote for it. I don't think this is fair. However, I feel that Faro and Mayo should be included in any rate equalization scheme, and I also feel that if this is done and the motion does carry, that the Territorial Administration should begin negotiations with N.C.P.C., the Northern Canada Power Commission, to get a rebate of the amount amounting to the subsidy from the profits of that corporation in those areas.

Mr. Chairman: Any further discussion? Councillor Gordon.

Mrs. Gordon: Mr. Chairman, I would like to move an amendment to the motion. The amendment would read that the words Mayo and Faro be included in the second section of the motion.

Mr. Dumas: I'll second the motion, Mr. Chairman.

Mr. McKinnon: Mr. Chairman, it has just been brought to my attention by the Commissioner that the communities of Faro and Mayo receive a special 10% discount rate, so if the words of the motion are involved, it will mean bringing their rates up for the first 300 kilowatts to the average that Yukon Electrical franchise areas will be granted, but if that's the way the motion should read, go ahead.

Mr. Chairman: We'll deal with the amendment. Councillor Dumas.

Mr. Dumas: Mr. Chairman, as I understand it the rate would be 2.5 in the Yukon Electric franchise areas and the rate right now is 2.8 in Mayo.

Mrs. Gordon: I'm sorry, I beg your pardon. I used 2.8 as an average. The possibility exists that it might be higher or it might be lower, but I would suggest if the 10% reduction is included, this is not equalization. The 10% reduction should be above, and when the 10% reduction is applied, then you've got equalization. In other words, if you don't pay your bill, it's going to be a little higher.



Mr. Taylor: Mr. Chairman, I see lots of joking and laughing going on here. It's very, very difficult for a Member who has to dig and root for any bit of information he gets upon which to base these decisions. We have no access to files and this type of thing, and these motions are flying at you during the day, all day, and you've got to just get on your feet and deal with them. Certainly, there is no intent in the motion, I'm sure, stated by the Honourable Member from Mayo, to increase power costs anywhere, and although it may sound as a great joke, I think that Committee here depends on the information, factual information, to base its decision. I would like to hear from Mr. Commissioner as to what his opinions are and what effect this will really have and what suggestions he might have to cure this problem.

Mr. Chairman: In respect ... order ... from the Chair, do you not think that I should read the amendment to the motion now that it's on the floor and been seconded, and deal with the amendment first. There is a motion on the floor that ... the motion as read be amended to make provision for equalization of subsidy at Faro and Mayo. Are we agreed on this point?

Mr. Taylor: Mr. Chairman, I've asked a question of Mr. Commissioner and I would like to hear Mr. Commissioner's opinion and answer.

Mr. Commissioner: Mr. Chairman, it is not quite as clear cut a situation in the billing process at Mayo and Faro as maybe elsewhere. There is an element of advice on arithmetic that we will have to have in order to bring about what is sought in the amendment to the motion without having the opposite effect, in other words, a further benefit to Mayo and Faro. I am sure that this information can be made available to us. I'm sure that we could get Mr. Barnett to do the necessary calculations for us so that this can be. From the administrative point of view, if this amendment is Council's wish, we know what you are looking for and are fully prepared to have the necessary accounting procedures taken care of to bring this about, Mr. Chairman.

Mr. Chairman: Is there any further discussion? It was moved by Councillor Gordon, seconded by John Dumas, that the motion be amended to make provision for equalization of subsidy at Faro and Mayo. Are we agreed? The motion is carried.

MOTION CARRIED

MOTION  
CARRIED

Mr. Taylor: I'll resume the Chair at this time.

Mr. Taylor resumes the Chair.

Mr. Chairman: Is there any further discussion on the motion as amended?

Mr. McKinnon: No further discussion, Mr. Chairman.

Mr. Chairman: Question has been called. Are you agreed with the motion as amended? I will declare the motion carried.

MOTION CARRIED

MOTION  
CARRIED

Mr. Chairman: The next matter of discussion is another motion. It was moved by Councillor McKinnon, seconded by Councillor Chamberlist, and it is related to the Sessional Paper on Forest Management. "It is the opinion of Council that timber cut rights in the Tagish lumber harvesting unit and in the Nisutlin timber harvesting unit not be advertised nor awarded until a cost benefit study be initiated by Territorial Government be completed, and the recommendations of the Territorial Council be forwarded to the Government of Canada for their consideration".

SSIONAL  
APER #10

Mr. McKinnon: Mr. Chairman, in presenting the motion, I think it is a reasonable request of this Council; I think there is not a Member of Council who hasn't complained about the non-involvement of the Territorial Government at Federal decision making levels. Simply stated, the motion asks for a study to be initiated to show whether this area in the future is going to be of more benefit dollar-wise if it remains as a recreational wilderness area or if it is used to allow for cutting rights in the Nisutlin and the Tagish harvesting area. I think that this study should be initiated; I don't think that it will take that long to complete; and I think that it should be brought before the Territorial Government and the Territorial Government make representations to the Federal Government on the strength of the study as completed. I don't think that it is essential that the Federal Government at this moment advertise for the timber cutting rights in that area and I don't think there will be a great delay in the progress of resource development in the Yukon if this is delayed to a period in time when the people of the Yukon are able to make some concrete results to the Federal Government as to whether they believe that timber cutting rights should be given or whether the area which I stated before is in my opinion the most beautiful inland water way on the North American continent, should remain at this time as a wilderness recreational area. Mr. Chairman, just to inform Council, over the weekend, I took the opportunity of sending a telegram to the Prime Minister of Canada, and I would like to read it into the records. "The Department of Indian Affairs and Northern Development intends to accept immediate bids for cutting rights in the Tagish timber harvesting unit and in the near future in the Nisutlin timber harvesting unit. This area is destined to become one of Canada's great recreational wilderness areas. Before your Government unwittingly destroys the country's most beautiful inland water ways please listen to the Yukon's representations. Knowing of your genuine interest in such matters, may I take this opportunity of cordially extending an invitation to yourself and the Minister of Indian Affairs and Northern Development to join me on a camping trip through this area this summer." It's signed Ken McKinnon, Member of the Yukon Legislative Council. Mr. Chairman, I would just like to reiterate that I think that it will prove to be beneficial to the Yukon Territory in the years to come that this area does remain in an unspoiled state as far as the timber along the shores are, and I think the dollar return to the Yukon Territory in the future, saving this area as an unspoiled recreational area will far exceed the dollars that would go not to the Yukon but to the Federal Treasury if cutting rights were now given along this water way. I haven't had the opportunity of receiving a reply from the Prime Minister yet, but I am sure that with his concern in this area, he and his great belief in the area of participatory democracy, that he will at least allow the Yukon to make representations before the cutting rights are given. This is all that I ask for, and all I ask for in the motion, and I would ask that the House accept the motion as it stands.

Mr. Livesey: Mr. Chairman, I've got to go along with the Honourable Member's proposal as far as the beauty and the nature of the area is concerned, but what does puzzle me is when he asks for a study to be made. Mr. Chairman, I understood the Honourable Member was opposed to more studies for the Yukon.

Mr. McKinnon: On a point of order, Mr. Chairman, only when the studies are initiated by the Federal Government. I've never been against studies initiated on the bias of the Territorial Government.

Mr. Livesey: I don't think that was a point of order, Mr. Chairman, either, that was merely a point of debate and the Honourable Member should not interfere when another Member rises.

Mr. McKinnon: On a point of order, Mr. Chairman, I'd like to apologize to the Honourable Member.



Mr. Livesey: The apology is accepted with grace. These studies that are asked for by the Honourable Member for Whitehorse North it seems to me, this is the greatest puzzle of the motion. I don't understand what he wants a study for. If the Honourable Member is familiar with the area and uses the area as I believe he does and especially in view of his invitation that he mentions in his telegram, surely he would know in his own heart and his own mind whether he wants to preserve this or doesn't want to preserve it. I don't understand, Mr. Chairman, why he wants a study made, and I would like to ask him how long he thinks this study is going to take, when he's going to get an answer, how much it's going to cost and who is going to pay the bill. Thank you.

Mr. McKinnon: Mr. Chairman, in my heart I know that it's right now to leave this area as a wilderness area, however, because other Members of Council have expressed some concern as to whether it would be to the benefit of the Territory to leave it without giving cutting rights, I think it is only fair that this Council has as much information that is available ready to Members so that they are able to make a sound decision. As the Honourable Member from Watson said already this morning, it is very hard to arrive at a decision on a motion just right off the top of his head; it is so much easier if you have the facts and the figures and the statistics before you to be able to make a wise decision. I have been in consultation with the Commissioner of the Yukon, and he has informed me that he can provide the people to provide such a study at a minimal cost to the people of the Yukon and in this instance I think it would be money well spent because I think the dollars that it would bring into the Yukon Territory in the future would certainly more than offset the cost of any such study at this time. Perhaps Mr. Commissioner should be allowed to state how he feels such a study could be undertaken?

Mr. Livesey: Mr. Chairman, I don't believe the questions were answered. I wanted to know how long it was going to take, who is going to foot the bill and how much it is going to cost approximately.

Mr. McKinnon: Mr. Chairman, I cannot give the answer to the question at this time because as the Honourable Member from Carmacks-Kluane knows, I am just not involved in government at the executive level to be able to give these answers. I am in exactly the same position as he is; I'm a Member of the Yukon Legislative Council, fighting for the rights of the people of the Yukon, and I would have to ask these questions of the Administration because I'm not involved in the administration end of the government.

Mr. Livesey: The Honourable Member is a member of the Financial Advisory Committee, something which some of us have not been able to participate in in the last three years.

Mr. Dumas: I think you mentioned that before.

Mr. Livesey: I did.

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

RECESS

RECESS





Tuesday, 14 April, 1970,  
11:00 o'clock a.m.

Mr. Chairman: At this time I will call Committee back to order. We were dealing with a question asked of Mr. Commissioner. S.P. #10

Mr. Commissioner: Mr. Chairman, I can appreciate the concern of the Honourable Member about something of this nature. You were asking as to how much a study of this nature may cost. I would hesitate to put an actual dollar bill figure on it but I would say that the cost would be very nominal and furthermore, in relation to the question that is involved, I don't think there is any relative comparison here that could be assessed as far as cost is concerned. You are asking about a time factor. I would suggest a period of weeks; we are not talking about any great length of time but the request that Council has made, I personally consider it to be a very genuine and real one and in light of the tremendous importance that is involved, remember that you were talking about an industry and a resource, one related to another. I think that any reasonable homework that is going to give everyone concerned an opportunity to make their final analysis based on the knowledge and information that is available, is going to be a better answer than an answer that is predicated on something that might not be.....

Mr. Chamberlist: Mr. Chairman, we can always have a study to study the cost of these studies. This is what continually happens and this is what will happen again. Mind you, I don't agree, I am agreeing with the Motion and I have seconded the Motion but I worry about the study. The position I would like to make clear is that I do not wish to have a large area removed from possible benefits to the people of the Territory where an extra industry could be brought into the area but my objection is to the fact that things are being done without us being given the opportunity to discuss what is being done. The motion itself is a sound one. I would ask all Members to agree with it so that the Federal Government will not put up for sale timber leases until such time as a comprehensive consideration is given to the matter by Members of Council.

Mr. Chairman: Councillor Chamberlist would you take the Chair?

Mr. Chamberlist takes the Chair.

Mr. Taylor: Mr. Chairman, I cannot agree with this Motion. No doubt I won't even have a vote on it. But where I can have a vote I would not approve it. In the first instance there has been one study made and that was the Schultz-Theriault study which was done at a cost of \$70,000 of the taxpayers' money. There has been another study in respect of the recreation possibilities of this area. I think it was occasioned by request of this Council and that was the Baker Study when we asked for the development of the Territorial Parks System where we could allow optimum use of resources such as we suggest here and I understand that report was commissioned by the Department of Northern Affairs and that the matter is confidential, or was confidential when last requested. So, I don't know how much this costs but I would venture to say that we must be getting around the \$100,000 mark now. Now it is suggested that we tie up any further development in the Tagish Timber Harvesting Unit and in the Nisutlin Timber Harvesting Unit while we occasion yet another study. I don't feel that this is in the best interest of the

S.P. #10

Mr. Taylor continues...

Territory. I feel that we are retarding an industry which can and should function side by side with the recreation industry, or whatever you want to call it. I cannot see where, in the Tagish or the Nisutlin area that the timber cutting, as suggested here, under adequate forest management - I can't see where it will destroy the landscape - I can't buy that argument. I think the subject has arisen more out of emotion than fact and it has been pointed out in a Sessional Paper that provision will be made for either restocking or just natural regeneration throughout the country. The matters of wild life, the protection of lake shores; there would be a minimum 200 foot swath of trees along the lakeshore which will obscure any part of the cut from the lake. I find it difficult to understand an uphill cut in this country because your timber is not that good on your sidehill slopes in this Country. Your timber is in the bottom land. I feel adequate provision can and will be made by the Forest Service to exercise proper forest management over this area. By withdrawing accepting this Motion you would withdraw potential industry in that area and also in the Nisutlin area where employment could be offered to local residents. I feel also that the money, we seem to be having trouble finding money but ever since we came around with a \$1500 Chamber of Mines grant and you mention anything else there is always lots of money available. I don't know where this is coming from. So, I would say that the study, I would agree with it if the monies can be found but I would not agree to the withholding of this particular industry in these two timber units.

Mr. Dumas: Mr. Chairman, what is the use of having a recreation study after the timber has been cut down; we let them go ahead and start cutting timber and then do a study, it may be too late and the Honourable Member heard both the Forestry Department and others say it would take a hundred and fifty years to regrow what is cut down and the regeneration or reseeding program, either natural or artificial, either way it is going to take one hundred and fifty years and speaking of industry in the Yukon, the second largest industry in the Yukon, Mr. Chairman, is recreation. Therefore, I think a study of this type is simply going to weigh the facts and the Honourable Member is willing to accept a study done by Ottawa without any discussion with Members of this Committee, and Members of the Administration. In this case he is willing to accept that study as being a fact. In the case of other studies, the Touche-Ross is one that comes to mind, the Honourable Member was leading the argument as to why we should reject this study because we haven't heard the other side of the argument and this is what the Motion says in this case, Mr. Chairman, that we hear the other side of the argument, the recreation side of the argument. It may well be that some of the areas, some stands in this area should be logged and others should be left and a compromise such as that may work out to the benefit of all concerned, but until we have an unbiased study, Mr. Chairman, we will not know. For this reason I would support the Motion.

Mr. Taylor: Mr. Chairman, in reply to the Honourable Member, I might say that possibly he has not been attentive this morning when I was speaking because I did not at any time indicate that I accept or reject the Baker Report. I think you will recall that this matter is confidential. I am still making an effort and have been trying for the last week in an effort to get one of these reports. I have been trying ever since last Friday to get one and haven't got it.

Mr. Taylor continues....

This Baker report was the recreation study referred to the Honourable Member; I don't know if we have to duplicate that one. I don't know what is in it so how can I accept or reject it. What is suggested here is almost an ecological study. This would appear to be the case; if it be the case it is going to take a great deal of time and money to produce and I don't feel that this industry should be held up for that.

Mr. McKinnon: Mr. Chairman, just on one point, a cost benefit study is not ecological. I am trying to keep my arguments from the emotional field. I am trying to put them on a dollar-cent basis and say a cost benefit - say this is what the Yukon Territory is going to gain from timber study. This is what the Yukon Territory is going to gain from keeping it as a recreation area, completely on an economic basis so I won't get branded with the brush that I am a flaming conservationist in trying to hold up all resource development in the Yukon Territory, which I am not. I just believe it is dollar-cent wise economically at this time to keep this area without giving timber-cutting rights and this is what I would like to see, whether my ideas on this can be backed down or whether my arguments are going to be shot full of holes. I am ready to accept it. They can be!

Mr. Livesey: Mr. Chairman, would it be possible for us to apply to the Federal Government and ask them for a copy of the study that has already been made. We are going to talk about economy, economics, let us talk about economics in a practical manner and if the study has already been made, surely we should be able to know what is in it.

Mr. McKinnon: Mr. Chairman, every time we have had a Federal Government study and I will just mention a few, the Touche-Ross, the Travacon, the Stanford Report; everyone of them has been absolutely biased against the Yukon Territory in doing things that we all thought were probable and reasonable to do and I think probably the reason why the Baker Study is upheld as confidential is that it must be favourable to the Yukon Territory because that seems the only ones we don't see - the ones that are favourable. I have no objections whatsoever to asking the Federal Government for this Baker Study. I didn't even know it was commissioned, to tell you the truth and I would certainly like to see it. I have no objections at all; if any Honourable Member wants to try and get hold of it I'll support them in trying to get hold of this study. I am just asking that a study be done, initiated at a minimal cost as the Commissioner says can be done from a Yukon viewpoint to see whether we are heading in the right direction for development in this area or not.

Mr. Chairman: We should also obtain the Schultz-Theriault report as well.

Mr. Taylor: I will resume the Chair at this time.

Mr. Chairman: Is there anything further on this Motion?

Mr. Dumas: Question.

Mr. Chairman: Are you agreed.

All: Agreed.

Mr. Chairman: Any contrary? I declare the Motion carried.



S.P. #10

MOTION  
CARRIED

Motion Carried

Mr. Chairman: The next item will be Bill No. 12.

BILL #12

Mr. McKinnon: Mr. Chairman, I would like some witnesses here, mainly the Director of Municipal Affairs or the Housing Administrative officer, whoever it is, and the Commissioner too, please.

Mr. Chairman: I wonder - then you wish to defer this matter until two o'clock.

All: Agreed.

Mr. Chairman: Two o'clock this afternoon. Mr. Clerk would you see if those witnesses can be here at two o'clock? We have several Sessional Papers here at the moment. Sessional Paper No. 11. Do you wish then that this die in Committee.

S.P. #11

Mr. Dumas: Yes, Mr. Chairman.

Mr. Chairman: Agreed?

Mr. Dumas: Agreed.

S.P. #7

Mr. Chairman: We have Sessional Paper No. 7, Northern Communications Conference - Yellowknife. It was asked for further consideration. Is there anything further on it?

S.P. #9

We have Sessional Paper No. 9. Damages by Exploration Companies.

Mr. McKinnon: Mr. Chairman, if we are going to hold up dispatch of Council because of my request to keep this before Committee at this time I would be prepared to discuss this Paper at the next Session of Council.

QUESTION RE  
POLLUTION  
CARMACKS  
AREA

Mr. Chairman: We have the question of pollution in the Carmacks area to be discussed in Committee of the Whole. I believe this request required Dr. Black.

Mr. Dumas: Mr. Chairman, I wonder if we could ask that Dr. Black be in attendance at 3.30 P.M. today.

Mr. Chairman: I am wondering, would you then agree you will have all your debates on housing prior to that time?

Some Members: I would think so.

S.P. #2

Mr. Chairman: Mr. Clerk, would you see if Dr. Black can be here for 3.30 P.M.? The next one is Sessional Paper No. 2. Councillor Chamberlist, would you take the Chair.

Mr. Chamberlist takes the Chair.

Mr. Taylor: Mr. Chairman, I would like someone in attendance from this Administration here to discuss this Paper, possibly the Commissioner or somebody. I think that one of the Senior Administrative Officers of the Territory should be here during the discussion in order to hear the remarks we have to make on this matter.

Mr. Chairman: I note we haven't a member of Administration

Mr. Chairman continues....  
here at all, no press or public. At this time I will  
declare recess until two o'clock.

RECESS



Tuesday, April 14, 1970  
2:00 p. m.

Mr. Chairman: I think at this time we will bring Committee back to order. We were discussing Bill No. 12 and we have with us Mr. Darychuk from Municipal Affairs. We will proceed.

BILL #12

Mr. McKinnon: Mr. Chairman I am not going to go and delve into past history for too lengthy a time on this Bill. I think all Members are well aware of the representations that we have made both to the Territorial and the Federal level, to have this amount changed so that it would really affect housing programs and would really allow the people who live outside of areas where C.M. H. C. is involved to build a home in the Yukon. I have several questions I would like to ask on the Ordinance and I wonder Mr. Chairman been read into Committee and are we able to ask questions at this time.

Mr. Chairman: (Reads Bill No. 12)

Mr. McKinnon: Mr. Chairman I think every Member of Council will recognize that section 2 of the Ordinance is still assinine that you still penalize a person who builds a house over \$15,000 to the benefit of himself, his family and the community and because he has built such a home he is not given the opportunity of applying for the second mortgage, this is penalizing the fellow who wants to build a better home. The Council has made representations on so many occasions that it is almost pathetic to have to come up and say how many times Council has unanimously gone to the . . . to have this changed and we still have it so I think in this instant we should just accept it at least we could be getting \$12,000 on the first mortgage that people can apply to the cost of a home, no matter what the cost of a home is. I would like to ask either the Commissioner or Mr. Darychuk what the reasons are why there is still a limitation if you build a home over \$15,000 that you are not eligible for second mortgage. Secondly what happens to a person who under the old ordinance was allowed an amount of \$8,000 under the first mortgage could apply for the loan now up to the maximum amount of \$12,000.

Mr. Darychuk: Mr. Chairman I will try and answer the questions. The first one as the reason why second mortgage loans are available only to those who are building homes not exceeding a certain value. What I recall of the history of this program it was designed to assist people in the low income brackets who were building low cost homes. I believe this was the reason why the assistance of a second mortgage loan was extended only to those who were building low cost homes. Now this may or may not be the correct answer but this is my understanding of it.

Mr. McKinnon: Mr. Chairman it isn't.

Mr. Darychuk: The second question should or will the loan be increased the existing loans where they have been authorized. My understanding the Ordinance has not been passed, but it is my understanding that if the Ordinance is passed increasing limits to \$12,000 we would be unwise to deal with applications which have already been received and accepted. Because you don't know how far you are going to have to go back, people who have built a house may want to add on to it and the money will be used to increase the size of the house. Other people who have started a house and wish to finish it, then the additional \$4,000 will of great advantage to them. I think the Administration



BILL #12

Mr. Darychuk continues: it would be a very difficult problem for us to decide who shall and who shall not receive the additional money, if it was made available to those applications which have already been approved. My thoughts were that when the Ordinance is passed it would apply only to new applications, which have been received and approved.

Mr. McKinnon: My understanding was that when it was raised from six to eight were allowed to apply for the maximum and did so. The representations are that they were able to do it then why shouldn't they be able to do it now. I don't know whether actual cases of people who when the moneys were raised did re-apply and receive the additional money.

Mr. Dumas: I heard there were.

Mr. Darychuk: The Administrative problems resulting from the increase from six to eight and if there were any serious problems, however this is the decision of the Council and the Administration will certainly try our best to administer it and go along with the decision.

Mr. Dumas: I think Mr. Chairman we could run into some real difficulty here for the obvious reasons. However the witness Mr. Chairman has said only new applications would be considered, how about a person who has applied but hasn't drawn any money or started with the construction because it seems to me that all he would have to do is cancel the application and then reapply. To save that step would it not be feasible that they would be allowed, in fact, the increased amount.

Mr. Darychuk: We would have to draw the line somewhere, Mr. Chairman. If he has applied and his application has been processed and has gone so far as being approved by the Rules Committee and by the Commissioner, possibly that person - we have completed the transaction with him. Now if he has applied and his application has not been approved yet, then we are dealing with something new.

Mr. Dumas: Mr. Chairman, even if he has gone through all of the process and the fellow has not started to build the house and hasn't put any lumber on or bought any lumber or had any... all he has to do is turn around and say, I cancel, I have decided I don't want that loan, and then he comes back in and he reapplies and there is nothing to stop him from doing this. It seems to me that if no action has been taken, or no clause has been made at all, the cut-off point should be fine enough so that the fellow who has not made a move can have the increase made, otherwise he is going to cancel out and reapply, naturally and that saves bookwork.

Mr. Darychuk: Mr. Chairman, the Honourable Member has made a good point and needless to say possibly this is the way we should handle this. Those who have not received any money and nothing has been done insofar as - he hasn't received any money from us then I think he is in a position to cancel the application and start over again.....

Mr. Livesey: Mr. Chairman, I would like to direct a question to the witness. In relation to the actual cost of a house that is the gauge of how much a man may borrow, or if he may borrow under the Ordinance, how does one actually gauge what the cost may be with regard to a man's own personal work in relation to building of his own home or whether he hires someone to do it or not; for instance if he wants to build a larger home and did the work himself, would this still be considered within the meaning of the \$15,000 or would the one who judged the actual costs from another vantage point.

Mr. Darychuk: That is a very difficult question to answer. I have not been involved with the detailed handling of the applications but there must be a way of determining the value

Mr. Darychuk continues....

and what credit to allow a man for his work but I don't know how this is handled, really.

Mr. Livesey: Well, Mr. Chairman, what has been the criteria in the past?

Mr. Darychuk: I can't speak for the past Mr. Chairman since I have not been dealing with actual operation, this has been - my branch head which has not been available, his position is vacant now and I can't get the information at the moment. I can find out possibly but I can't say at the moment.

Mr. Dumas: Mr. Chairman two points on this, one that \$15,000 limit only applies I understand if there is an application for a \$1,000 second mortgage is that correct? And the other thing to answer the question the Honourable Member from Carmacks-Kluane generally and what has been happening in the Territory is that when you get specifications of any house, which you have to have when the application is made, the inspector determines from that the cost of the house. And they can come within 5% of the value of the house, notwithstanding who does the labour. In other words a house with a full basement may be worth 22 or 23 dollars a square foot, if it meets N. H. A. Specs it doesn't matter if you hire someone to do the labour or not, this is usually the amount of money that any borrower will put as a value of the house. C. M. H. C. does this and I think that the Territorial Housing has done approximately the same thing.

Mr. Livesey: My point that I raised was a question in relation to the cost of construction, certainly the cost of construction would be altered if a person does the work himself as a difference to hiring someone else under contract. Surely cost is what we are talking about in this, and certainly in the explanation Mr. Chairman where it says that the purpose of this Bill is to increase the maximum amount of the loan available to the borrower from \$8,000 to \$12,000 in respect of first mortgage and to increase the cost of construction of a house from \$10,000 to \$15,000 in order for the borrower to qualify for second mortgage of \$1,000. I would suggest that the word cost here, must be defined and this is precisely what I am trying to do with these questions Mr. Chairman is to find out what this word cost means. And I would suggest that the word cost surely means the actual cost, and it should not be a - any permeditated type of cost evaluation because I think this would be quite false.

Mr. Dumas: Can I say something more on that, Mr. Chairman. That there is no other way that we can determine the cost of a house, and certainly a man who puts his own time into a house his time is worth something. And if he is a carpenter his time is worth five bucks an hour, and if he is a labourer he is worth three-fifty or four dollars an hour, and that is just part of the cost of the house. The cost of the house is not determined in dollars but in time and as everybody knows time means money.

Mr. Livesey: My argument is Mr. Chairman that there is a difference between cost and value. I think the Honourable Member is talking about value, I am talking about cost, cost related to the actual expenditure not to what it should have cost had the expenditure been made.

BILL #12

Mr. Chamberlist: What does concern me is the remarks that have been made by the Members from Carmacks and from Whitehorse West. The area where people are profiting from what was intended to be moneys to be made available for those people who couldn't afford to build a home. It has been brought to my attention just a couple of nights ago that there are some people in the Porter Creek area who are using the money from Low Cost Housing to construct homes to resell at a profit. Now this is defeating the intent of this Ordinance and this money, it is defeating it completely. This money was meant to be available and why there is a shortage of money, there was a shortage last year, because the money that should have been made available to people who actually wanted to build for themselves was being used up by people who were constructing for resale. I don't know how the Administration is going to police this type of thing but I think there is a responsibility that they do police this, so that the money is available to the individual for the individuals home. The remarks that the Honourable Member from Carmacks-Kluane makes with reference to the difference between actual costs and value is quite so. Because if a man wishes to build himself a house that is worth \$20,000 and he is prepared to put in \$5,000 of his own labour and his family are helping him, the wife, the children, the cousins, the uncles and the aunts are all helping him and not charging for the labour, why shouldn't he build a home that's worth \$20,000 or \$25,000. I think that we are - the way the money is being distributed is based on value instead of it being based on cost and I think that this should be altered so that we have two areas which really have to be looked at. On the person that makes the application for a loan is indeed making an application for a loan for a home to live in by himself, and there should be a restriction that he has to live in for "x" number of years before he resells, I think that D. V. A. have a set up like that where before he can sell or rent for his deeds he has to live in it for a number of years, other wise he must pay back the whole amount that has been borrowed. Now I don't know if this will over come it because by selling it they would pay the money back and still have a profit. And the other area is the fact that if a person can build a home that has a greater value for themselves then the maximum of \$15,000 they should be allowed to do it and not have their own labour and the labour of their relations to help in doing this added against the actual cost of the place.

Mr. Chairman: Councillor Shaw will you take the Chair.

Mr. Shaw: Takes the Chair.

Mr. Taylor: I can't necessarily agree here, I kind of agree with the Member from Carmacks-Kluane that we have got to get some definition of cost. But when this first came into being as I recall support vouchers we required to show that you had indeed spent the money, and I believe labour could be computed against that cost. I understand now - I have received several complaints from within my electrol district about this matter and I am told that the Building Inspector or the Housing Inspector pardon me, The Administration here go around and they have a list of allowable costs and none allowable costs. I haven't seen one of these I asked for one but I didn't get one. What is permissable in a basement, what is permissable in a room and this type of thing, you just follow this list apparently and I asked the housing officer about this and gave him the complaint and I was told that was the way it was going to be and it might be worse. But I believe that there is in existence such a list and I am wondering Mr. Chairman if Mr. Darychuk has that list.

Mr. Darychuk: I don't have the list with me but I have seen a schedual which the Inspector uses when he goes to inspect a house that is under construction. Certain percentage of the total cost of the house is for foundation another one for framing and an additional percentage for roof lining and so on. This probably is list that the Honourable Member is refering to, this is the only one I know of.

Mr. Taylor: Well Mr. Chairman in as much as it appariently is working to the dissatisfaction of some of the people of the Yukon I think that this type of thing should be made available to Members who - so that at least we can attempt to possibly revise it and find where the problems lie.

Mr. Dumas: Mr. Chairman two more points. One as far as the progress payments are concerned I think that not only there but in all areas the Low Cost Housing, the Administration of the Low Cost Housing Ordinance is carried out as closely as it can with what we see in the following of C. M. C. A. type of inspection etc. and it is a very fair way of doing things. In other words if a man puts his own labour into building his basement he has got the sub-floor in and they go out and say that's 10 per cent of the house. They don't ask who did the labour or any thing else and they make a progress advance on that basis. When it is framed in and the insulation is in and the wiring etc. they do the same thing, it doesn't matter who did the labour once again Mr. Chairman. That is one observation the other one is that there has probably been about forty or fifty homes built in Porter Creek by contractors who had made the loan built the house and then sold it. To my way of thinking there is nothing wrong with this because the house gets to the people and it gets to the people generally with a low down payment. Now this is the idea, this is the name of the game, to get housing down to the people and this is what they are doing there is no difference in doing that then an individual going out and saying I want a loan and once they get the loan they go to a contractor and ask the contractor to build them a house. So far I don't think it has worked to the detriment of anybody Mr. Chairman, and I would be interested to hear what Committee has to say on it.

Mr. Taylor: Resumes the Chair.

Mr. Shaw: Mr. Chairman I think we have to consider that there is only so much money available for this whether we like it or not, is not the point, the point is the facts in the case. This is a Low Cost Housing Ordinance and when we talk about \$15,000 or \$12,000 I think that we have to admit that it is a Low Cost Housing Ordinance. Some yardstick has to be used on how you value a house, and certainly a value in a house is the value of the labour and the value of the material. For example if a person can get \$15,000 from this based on, or say a loan of \$15,000 and they are going to provide all their own labour, it seems to me that they can build a \$25,000 or maybe a greater value house which would comply with C. M. H. C. specifications. So that I think we have to bear in mind that this Ordinance with the available money, very limited money, is to help people who can't normally qualify for C. M. H. C. housing. Therefore I think that if we do, if it were changed from the procedure as is now in valuation, and there is only one valuation to value something, we could be running into a situation where people could be building bigger homes which they could, it would be possible for them by providing their own labour to get a C. M. H. C. Mortgage. Therefore the people that didn't have that skill or knowledge, there wouldn't be enough money left for these people. There is only so much money and I think that we have found that we have run out of money, if I recollect and we had to get some more from Ottawa.



ILL #12

Mr. Shaw continues: So that in facing this type of program that we must assure as much as possible that this money goes to the people that cannot afford C. M. H. C. or comply with their regulations.

Mr. McKinnon: Mr. Chairman as I stated in the first part of my debate, the last thing I wanted to do was to go back into the sad history of this Low Cost Housing, but I am going to have to refresh Members memories. The reason why we went after this and I thought everybody had it far removed from their mines that it was a Low Cost Housing Ordinance, it should be a Territorial Housing Ordinance. The reason the Territorial Government has to put the money there are because these people who are applying for the areas where the Low Cost Housing is being built are ineligible for CMHC moneys because they do not live in approved CMHC subdivisions with water and sewer. There are all kinds of people who would have built under CMHC specifications in the Porter Creek-Crestview area if these moneys had been available to them. They are capable of meeting the payments they make enough money, it was perfectly acceptable that CMHC would provide the money to bring the moneys there. We went to CMHC time and time again and said please make the moneys available they said no dice man, you are not on our approved property with sewer and water, we can't do it for you. So we said lets revise the Low Cost Housing Ordinance which . . . this Council stated that if a man made over \$5,000 a year he was ineligible for the loan under the Low Cost Housing Ordinance. It eliminated 98.9 per cent of the people who wanted to build under Low Cost Housing Ordinance. We fought we argued for months and finally got that eliminated then we got it raised up to \$8,000 first mortgage and \$1,000 second mortgage which is in the mid 60's at least provided the basic rudiments of the persons - into a house that was available. But it isn't a Low Cost Housing Ordinance the people that want money available under this would be more then happy to accept the terms of the NHV, CMHC Act if those moneys could be made available to them, it is impossible to make that money available to them, CMHC will not do it. Now the Territorial Government and I am proud to have been part of it was engaged in a real great subterfuge on the second mortgage loan, because depending on the humanitarian aspects of the Housing Administrator at the time, you could look at any house and say "oh man, that house is only worth \$10,000 and is eligible for second mortgage" but if another Housing Administrator came who was really wanting to abide by the rules and regulations of the Low Cost Housing Ordinance then he would say "oh no that house is over \$10,000 and you can't have the second mortgage." Now what in the name of goodness is here to stop us and I would like to ask Mr. Commissioner to answer this that if a person if he has to under the terms of the Low Cost Housing Agreement live in the house for ten years before he is eligible for the whole of the second mortgage payment, it is waved at the tune of a \$100 a year for ten years, so that at the end of ten years if he lives in the house he has actually received a \$1,000 grant from the Government of the Yukon Territory for becoming a citizen of the Territory, and for building a home in the Territory. It is a good program, but why if the person dares to have the audacity to build a home over \$15,000 should he either have to one work in a whole bunch of subterfuge with the Government to get the money under second mortgage by declaring that his house isn't over \$15,000, but anyone in their right mind looking at it knows it is. Or secondly why should he be penalized for it, he has built a better home under the only money that he can get made available to him into these areas because CMHC wont. I can't see any reason I have never been able to accept the reasoning, I have everybody from the Prime Minister down and nobody has ever given me a satisfactory answer why a person, no matter what the cost of his house is after living in it for ten years shouldn't be eligible for the second mortgage. And I ask once again, Mr. Commissioner if you could give me that answer because I have never been able to have it answered in the ten years that I have tried to get the answer.

Mr. Commissioner: Well Mr. Chairman I don't profess to have any more knowledge now than what any of us have had in the past. The Honourable Member who has asked the question has put in a lot of time and effort with regard to this and so have a lot of other people. Effectively the Territory in Administering these moneys is acting as an agent of the Federal Government, this is where the money comes from. The terms and conditions under which the money can be made available to prospective home builders, are effectively laid down by the people who are providing the money. As far as the \$1,000 situation is concerned I think that Members of Council are aware that we have under study at the present time, and hopefully we will have something concrete in the future, some kind of a similar scheme that would apply all across the Territory. I don't think that it should simply apply to people who have to build under the so called Low Cost Housing Loan Ordinance, if there is to be second mortgage forgiveness for having occupied a home for ten years under this Ordinance, why should there not be second mortgage loan forgiveness for people who have to build houses under other mortgages. It is along these lines that I have directed my Officers to see if there is some workable scheme that looks as if it is within our capabilities of financing. Because I think that we are interested in creating home ownership in the Territory and one of the ways of doing this is trying to equate the cost of acquiring that home with something in relationship to what it is in other parts of Canada. One way of doing this is by this type of mortgage forgiveness, it is active and operative I believe on a once in a life time basis, in the province of British Columbia and at least in certain areas and I am not sure if this is a province wide scheme or not and I am not entirely certain if the sum of money is \$1,000 or not. I am told by the Honourable Member that it is \$500. Now a scheme of these lines Territorial wide that is financed and administered from Territorial resources is one that we could control ourselves, and would be able to lay down our complete and own rules on it. I am sorry I have nothing further that I can offer Mr. Chairman, I am sure that the Honourable Member who asked the question knows that, myself and the members of my Administration are just as anxious as all Members of Council to make it as easy as possible for people to become home owners in this area. The only way this can be done is by financing, making money readily available to them no matter whether they live in what might be termed a Central Mortgage and Housing Corporation approved subdivision or not. Mr. Chairman while I am on my feet I would say that the remark made to Council this morning by Councillor Dumas on the philosophy of Central Mortgage at the present time that they would welcome applications from areas other than the metropolitan areas was indeed a welcome one. I was told this myself by Mr. Haden when he was in town this week and I am hopeful that Central Mortgage will be giving wide publicity to this. I am very hopeful that this will probably start a whole new round in the acquisition of reasonable housing here in the Yukon Territory.

Mr. Dumas: Mr. Chairman I would like to see the \$15,000 lifted in this Ordinance but there is no way that we can do that. The one thing that I might caution Councillors on, if you put no value on a persons labour in his house, then what would happen would be this; the inspector would come out when the sub-floor was on and he would say, that is actually worth 10 per cent of the total, it is worth \$3,000 but your labour is not worth any thing so it is only worth \$1,500, therefore I can only give you a progress on the actual material that has gone into it

BILL #12

Mr. Dumas continues: that is the only way that you could deal with it, you can't have . . . and follow the other. So I feel the situation would be to have the \$15,000 lifted, but as the Commissioner has pointed out it is not within our competence to do this as a matter of fact, I am just reminded that some time ago we unanimously passed a motion to change the Low Cost Housing Ordinance to the Territorial Housing Ordinance and I see that hasn't been done either.

Mr. McKinnon: The facts are that we thought it was that we brought about ten motions before this table, one was accepted the only one that was accepted was changing the cost of the Low Cost Housing Ordinance to the Territorial Housing Ordinance and we through it in file 13, that is the truth of the matter. Mr. Chairman that is exactly the same answer I received from Mr. Commissioner the Feds since 1961 "it's our money we are going to tell you the way to spend it, like it or lump it." This is a heck of lot better then the way we had it before so lets like it.

Mr. Shaw: It seems that I got my hands slapped for not knowing any thing about this Ordinance but I think I do understand a lot of this, I do understand that last year the Central Mortgage and Housing person told me that it was possible to build houses on the CMHC in other places then where they had full services. So therefore in my statements I was referring to a program which the Federal Government finances in loaning us the money. We have no say in how much we get from them we can squawk and howler and we get just the same number of dollars and I would say that perhaps a program like that - to define it in certain amounts rather then allow it to get to large amounts would give more people the oppurtunity to build housing. In other words if we were going to make loans of \$30,000 only half the people could take advantage of it. That was my particular point that I was trying to raise Mr. Chairman. While I am on my feet I would like to ask a question of Mr. Darychuk or Mr. Commissioner, Is there such a thing as a home improvement loan in the Yukon. In other words say for example we want to put an additional room or fix the roof or any alteration like that that requires a few thousand dollars is there some means other then the bank this can be obtained.

Mr. Darychuk: I am not aware of any through the Territorial Government, there could be some thing under the National Housing Act but I am not conversent with it

Mr. Dumas: Mr. Chairman there is through the banks and NHA Guaranted Improvement Loan of a maximum of \$4,000.

Mr. Shaw: The reason I raised the question Mr. Chairman is because people in the city of Dawson have moved quite a number of houses from Bear Creek, they wished to spend quite some money fixing them up and I wonder if there is a possiblity of them obtaining loans in order to improve and finish them on the new locations.

Mr. Dumas: That was mentioned by Mr. Haden when I was having a discussion with him, the moves of the houses into Dawson and he was wondering why they had not applications to CMHC to finance that because in fact a house was moved from Bear Creek to Mayo and CMHC accepted a mortgage on it. They could get a first mortgage on it which would provide them the total cost of moving, setting the house up and buying the house.

Mr. Commissioner: Mr. Chairman with respect, there are many, many schemes and things available through Central Morthgage and housing but there seems to be a very great reluctance on the part of the individual to approach them. I think that their

Mr. Commissioner continues: philosophy of by gone days in which they were very restrictive in their application of monies have some how put a halo around their heads that people seem to feel that they are totally unapproachable and I think that any thing the Members of Council can do to encourage people no matter what type of housing loan that they are looking for to direct their inquiry to CMHC it may be amazing the approaches that are available at the present time. BILL #12

Mr. Livesey: I will bow to the Honourable Member

Mr. Shaw: Mr. Chairman I wonder if you could give the question to the gentlemen here who are knowledgeable here, could inform me on this, is the application required to go to CMHC would it, is that the group?

Mr. Livesey: Mr. Chairman I would like to direct this question either to Mr. Darychuk or the Commissioner, if either one could inform Committee as to approximately how many people last year who applied for this loan were turned down as individuals, not as people representing a construction company.

Mr. Darychuk: Mr. Chairman I don't have the details with me I would have to search the files to see.

Mr. McKinnon: It was the practise in future years that we had a paper outlying the number of loan applications that were made, how many were accepted and how many where refused and what monies where involved and what monies were left and I think it would be helpful for Council that this be tabulated and presented to Council again this year.

Mr. Livesey: One more question Mr. Chairman I wonder if Mr. Darychuk knows or can give us a rough idea as to how rate payments of the loans are taking place. Are they taking place in a very satisfactory manner or are we having difficulty in any return of the loan money per annum or just exactly how is the operation coming.

Mr. Darychuk: The last report I received from the housing administrator was that out of two hundred and some odd loans which were made, there was about a handful, five or six who were getting behind in thier payments. But no action was necessary.

Witness leaves chambers.

Mr. Chairman: It has been moved by Councillor McKinnon and seconded by Councillor Livesey that Bill No. 12 be reported out of Committee without amendment. Are you prepared for the question. Are you agreed? I will declare the motion carried. The next item is Sessional Paper No. 2. Councillor Shaw will you take the Chair.

MOTION  
CARRIED

Mr. Shaw: Takes the Chair.

S.P. #2

Mr. Taylor: Mr. Chairman for many years now we have been attempting as Legislators here in the Territory to encourage the Canadian Broadcasting Corporation to provide us with at least minimum broadcasting facilities in radio and more recently in the field of television. We dig and we dig and we send a whole series of questions to Ottawa to CBC and usually they are stopped up at the Northern Service level, but I think on occasion while in Ottawa we did get up to the CBC Ivory Tower and we got a little above that level and we were promised all sorts of consideration. Now in this paper that comes before us today it again retards just about every thing we have considered in respect of LPRT installations and in respect of Frontier



S. P. #2

Mr. Taylor continues: Package Television, it has every thing retarded an additional three years. They have the Yukon population down here at 14,400 people and they feel that they are servicing out of that about 13,000 people I think that this is something that should have been corrected, it should have been corrected some time ago. It suggests in here now that the installation of a LPRT at Ross River which of course was requested and required many years ago is now going to be advanced to an application of 1972. Now I don't know whether they mean here the one at Faro has been prepared and one at Ross for '72. I can't see any reason at all why we can't have this in the coming season. Canadian National are just in the process of it they have not yet completed putting a circuit in to Ross River. It seems to me that now is the time to add an additional circuit to they two they have put in, and provide this community with radio. In the case of the Frontier Package Television I believe it was the policy of the CBC to institute one of these a month that would be twelve a year across Canada. I would think that in Northern Canada the Yukon should have been considered for further continuing installations here, this has been dropped. They were talking about one at Faro now I see here that the one that was planned for Faro may not go in there because of the cable television system supposedly suggested. I am wondering how we can get back to these people in CBC and present them again with a restatement of our dissatisfaction of their services which they are giving to the people in the Yukon. It also states here that they have got lots of money for approving the facilities of the at the Sakville shortwave plant over a basis of five years, I understand that this involves a lot of money. I haven't been able to conclude nine years ago or even this year as to what use this Sakville transmitter has to the people of the Yukon unless of course your up in Hersial Island and then some remoter areas in the Northern Yukon and then of course we have the blessing of radio Moscow and the Voice of America, which is indeed in English, and they do provide music and news. I just deplore this as far as I am concerned the CBC would appear have lost confidants in the people of the Yukon, and it also seems to me that they could shut down one year of their development in Sakville or with hold color television somewhere in Canada in order to find the funds to impliment some of the Frontier Packages, either that or scrape the whole system and put up a 50,000 watt transmitter here in Whitehorse and attempt to serve all areas in the North. I would just like to say that I am completely dissatisfied and I am wondering if Mr. Commissioner has had any further communications since the last session, I understand that there was maps coming and all sorts of things coming from CBC and this is what we were waiting and I am wondering if we had any communications with CBC in respect to changing the program and making it more realistic.

Mr. Commissioner: Well Mr. Chairman CBC's answer to us on these matters is that funding is the problem and that is exactly what they are saying in this paper is that this is the schedual and in other words this is the line from which they see funds will be available with which to make these things possible and quite frankly I think that everyone in the Yukon wants the very best of communications. I know that if I lived in one of these small communities I would certainly be most anxious to have the best possible communications telephone, radio and television broadcasting as limited as it is. And of course once it is there the programing which is only four hours of broadcasting - even the very best that there is too offer even if it was available to every part of the Territory is very minimum. I think the Honourable Member with the Council group went to Ottawa and we were ushered into a building which I am sure costs more money then the provision of total communications over the whole of the Yukon has cost in the past seventy years and would cost in the next seventy years, to build the building. They had a Conference Room which puts

Mr. Commissioner continues: this Legislative Chambers to shame and if this is where the money is going to be spent, Mr. Chairman I don't see how you are going to have anything left to provide communication where it is going to do some good. If Council Members have any wishes with regard to further Communication with CBC believe you me I would be very happy to see that they get them and I have my Ministers support in this matter as well.

S.P. #2

Mrs. Gordon: Mr. Chairman to say that I am unhappy with this paper is the under statement of the Year. We were supposed to have had Frontier Package in Mayo at this time, in November the date was extended to 1971 and at the beginning of this Session it was extended to 1972, which puts it two years in the future. I would sincerely ask that the Administration of the Territory prevail on our Minister to make particular representation on a re-evaluation and an up dating on the provisions of Frontier Package Television in the community of Mayo. For this reason more than fifty per cent of all our population are either Indian or Indian origion and I believe the concept behind our Ministers representation in his department of Indian Affairs is to bring these people into contact with the main stream of life in the rest of Canada. I don't know of any better way to do it at this time then even four hours a day of Frontier Package Television and I think it is something that we urgently need.

Mr. McKinnon: When I was going through this paper I really seriously would love to rise at this time and give a critique you will notice that the areas I have under lined and the paragraphs I have indented all contain half truths, untruths, false assumptions and without a doubt I just agree with the Honourable Members it's just a paper that actually says nothing in the nicest terms possible and completely puts on the representatives of the Yukon Territory just as a complete and total ignoramuses in the fields of communication and television reception or receiving. I won't do it because I think that my motive would be questioned but I do disagree whole heartily with the Members and then the final always at the end that we can't do this and we can't do that and we are just sorry that this is not available at this time but in 1972 when Brother Satellite gets up in the sky all your problems are solved, which is of course just leading every one down the garden path because such isn't the truth and I think that some Member other then myself should demand from the CBC what is the program with ground reception facilities in the Yukon following the installation and the orbitting of the communication satellite because I am positive with that the extention of Frontier Packages now is just a myth, with the advance in two years time of the communication satellite. I would be one of the most surprised people here if you did see an extention of the Frontier Package service and they are continuously giving the answer that the reason they are not going to do it is because of the satellite going up. I think that it is only fair to the people of the Yukon to know what the facilities are for reception of the satellite following its lauching, any thing else as I say is just leading the Yukon down the Garden path and if any Members would like me to give a critique on just about every one of the paragraphs in this paper and the absolute, well I will just leave it at that becaue I just don't buy it.

Mr. Taylor: Mr. Chairman I think that what the Honourable Member says is very correct. CBC are playing some kind of a ballgame up here, I think as all Members will recall we keep requesting information and we keep getting documents

Mr. Taylor continues: changing dates that is when we do get them. this document here is all that the Council could get out of CBC. If the Honourable Member was expecting a request to get the information on the satellite will be here long before the actual information to this Council anyway. I think that what I will suggest is a Motion and it is just a little too quick to get it down right now but I will propose a Motion under the Orders of the Day, asking once again that we consideration be given to the implimentation of at least radio facilities if not Frontier Package Television in the Yukon. I think that these people who have not got these facilities have become to a position where they have absolutely no faith in the CBC, and have lost their confidence in CBC, especially when you get garbage presented like this Sessional Paper. I will attempt to draft a Motion which would do something about this. Maybe the Honourable Member from Whitehorse East might go and haunt the Ivory Tower when he is in Ottawa.

Mr. Taylor: Resumes the Chair

Mr. Shaw: Mr. Chairman all I can say is that comparing the CBC with the Department of Indian Affairs and Northern Development the Department of Indian Affairs and Northern Development epitamise the extreme of full information and full co-operation in every thing. As far as my estimation of the CBC I am afraid is pretty low down on the totum pole. I had written to the President, I have written to the Vice-President on various matters and I get beautiful letters in return but they don't say anything. Neither can I see that there is much action taken. Now I was one of those a year ago or something like that that was so delighted by the satellite that was coming up, it was going to revolve around in this area and all you had to do was buy a color television set and plug it into your socket and boy oh boy color television. I thought this was just great, so the next information I got on this, I didn't get it from CBC that is what is going to happen, only if you have a quarter of a million dollar installation to pick up this message from this satellite and to re-transmit it so that you can pick it up on the expensive receivers. So, what does that mean, that presents a problem of where are these stations going to be located in the Territory. If these stations, now I am not an expert either but they tell me you can only get it within line of sight. Now these small stations are 5 watts, well you know now what a 5 watt lamp is well that produces 5 watts of light now are these deals producing 5 watts of power, so that they don't extend very far. The point is that they are not very powerful but if it is necessary to add these two hundred or two hundred and fifty dollar stations to re-transmit this programming from the satellite how many communities are going to have this television in 1970. Another thing I don't understand Mr. Chairman is with these proposed Frontier Package Television Stations going into various parts of the Yukon now these are going in 1971-72, now the satellite is also coming in I believe a year earlier then scheduled, that is about 1971. Well if this satellite is going to provide the service that it indecates here, what is the necessity of putting in the Frontier Television Package System.

Mr. Chamberlist: Mr. Chairman I would like to make one remark we hear lots of remarks attacking CBC but I think we should all make it clear that we may disagree with the policy of the CBC but this Committee does not extend the criticism to the local level. I think perhaps there might be a wrong impression given, we are happy with the local branch of CBC.

Mr. Livesey: It all depends as to whether the reporter is in the house or not as to whether we like it or not appariently. What I would like to point out in relation to this paper and I am not going to speak to long on it because I think it is more then obvious what the paper is trying to impart. They are trying to impart to us that they are very sorry but they can't do what we want them to do and perhaps there is not possibility that they are ever going to get around to it. I would like to draw one point to the attention of the Committtee and that is it says the "further television development is being concidered for Beaver Creek, Carcross, Haines Junction, Teslin, Carmacks and Destruction Bay I don't know how many more shoots they can fire into that district, if they keep shooting the biggest gun they got they wont push them any further down because this seems to be the way it goes in every point. It seems to me that this area, needs just a little more attention then what it is getting at the moment in order that the people there can get encouragement not only to stay, but to attract others to come into the area as well. As far as the operation of the organization is concerrred I think that it is more then obvious that they are a Crown Corporation and a Crown Corperation as you know is protected to a certain extent from political influence and I think this is the situation as far as CBC is concerned they not only live in an Ivory Tower but also behind a thick rubber wall.

S.P. #2

Mr. Chairman: Councillor Shaw will you take the Chair.

Mr. Shaw: Takes the Chair.

Mr. Chairman: It has been moved by Councillor Taylor and seconded by Councillor Gordon that: " That it is the opinion of Council that the Administration be requested to convey to the Canadian Broadcasting Corporation a request for an immediate reconsideration of priorities in respect of LPRT and Frontier Package Television in an effort to speed up installation of these facilities in the Yukon communities who have long awaited these services and to include a copy of Votes and Procedures relative to dicussions of this Motion."

Mr. Chamberlist: The Motion reads that it is the opinion of this Council, we are not in Council now should it not be in the opinion of this Committee of Council.

Mr. Taylor: Mr. Chairman not being an alderman, I might say that these motions have been dealt with in Committee as long as I have been a Councillor.

Mr. Chairman: I must agree that the Honourable Member has a technical point, and I think it should be changed "in Committee"

Mr. Taylor: Mr. Chairman if the Committee so rules I do not wish to change the Motion I will have to put it through the normal proceedings of the day. I wish to Council to be represented not the Committee.

Mr. Chairman: Any discussion on the motion? Are you agreed?  
The Motion is carried.

MOTION  
CARRIED

Mr. Taylor: Resumes the Chair

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

RECESS





Mr. Chairman: At this time we will call Committee to order. The next item of business in Committee is the result of motion number . . . Order please! The next item of business before Committee is the result of Motion #14, that the question of pollution in the Carmacks area be discussed in Committee as a whole. We have with us Dr. Black, Chief Medical Health Officer, to assist us in these discussions. Would you proceed.

S. P. #2

Mr. Livesey: Yes, Thank you Mr. Chairman, I am very happy that Dr. Black could be with us this afternoon in Committee to discuss a problem to which I am quite sure he is familiar. As we all know this question of pollution is not necessarily one around the Carmacks area, but the point that I wish to stress this afternoon is in this particular zone. The question of pollution of course is, not only Yukon wide it's the total width of Canada in some respects, it's in the North American continent we can say that we have a . . . definitely have a pollution problem. It's far worse in the South than it is in the North, however in the North we have to take the proper safeguards before pollution gets completely out of hand, and I would suggest Mr. Chairman, that this is an excellent time to start. Now, I must say that Whitehorse got itself into the news when it got the Northern Vision Award in the Star, Toronto Star, and I would like to read that Mr. Chairman. It says: "The Northern Vision Award to the town of Whitehorse, Capital of the Yukon Territory, the little Northern town that pours raw sewage into the now polluted Yukon River." This is the type of advertising we are getting, and I would suggest, Mr. Chairman, that this is about the worst type of advertising we could be getting if we're talking about the tourist trade and attracting creating an attraction in the North and in the Yukon for travellers throughout the world to come in the summer time. Now, to go further than this, I think, I heard the statements raised the other day, the statement made that of course certain people in this area knew nothing about this problem of pollution but I think if the Journals were searched that they would find that about six or seven years ago, I pass a little further back than that, I raised the question in Whitehorse and we were told by the experts of the day that Lake LaBarge was a natural sewage outlet for the city of Whitehorse. Something that I condemned then and I condemn now, and there is no question about it, this has grown. Where we should have taken steps then we certainly should and can take steps now. Now to go further to the, towards the actual area of discussion this afternoon, I would like to read from a paper put out by the Carmacks school and this letter was written by Mr. E. J. Walker. It is in itself quite a revolution. It says: "The following is a copy of the reply I received from a Provincial Laboratory of Public Health in Alberta. I had sent a sample of water taken from the Yukon River. I sent the sample in conjunction with the W.I.'s campaign against water pollution. The following note of explanation was attached by the Health Inspector, March 3, 1970. You will note that the standard plate count and total color form count are very high. This water is not safe for human consumption. This water is to be treated before it is used, one method of treatment is to boil for 15 minutes." This sample that I sent in was taken from a hole that is cut in the ice over half way across the river, in fact the hole is very close to the middle of the river, probably a little closer to the village side. In other words it is impossible for anyone to argue that the river is polluted only close to this bank or that it is polluted only in certain small areas. It is also safe to assume that the situation is going to get worse during break-up through run-off and as time goes on and Carmacks grows. We have already seen the results of pollution through the outbreak of infectious hepatitis. Many other serious diseases are caused by polluted water, among them typhoid fever.

S. P. #2 Mr. Livesey continues . . .

We feel that the time to stop water pollution is now, not after there has been a human sacrifice. The responsibility for keeping our water clean lies with all of us. But the greatest responsibility lies with our Government, both Federal and Territorial. It is up to them to provide and enforce adequate water protection laws, it is also their responsibility to plan for proper sewage disposal facilities in all the cities and towns in the Yukon. This is not being done and the authorities tell us that it would cost too much. I will not read any further, the letter goes on to state various other problems they have in connection with it but sufficient to say I think the letter sufficiently descriptive to give us a good idea of what actually is going on. I have also other correspondence, one I would like to touch on from Carmacks Women's Institute. "Dear Mr. Livesey, The Yukon is one of the few spots in Canada where one can admire the scenery without seeing abandoned garbage at every turn, however it is fast becoming like the rest of Canada, an eye sore because citizens do not take an interest in the preservation of it's natural beauties. Continuation is to blame in part if not entirely for the recent outbreaks of hepatitis in several communities. Other diseases caused by contamination are, typhoid fever, enteritis, and tetnus. Fortunately we have not had any occurrences of these other than hepatitis. But this does not mean we should forget all about them. Maybe if the two of our Government Officials developed the ill effects of pollution we would get laws passed which would make the dumping of raw waste where they cause contamination illegal." It is signed: Yours sincerely, Carmacks Women's Institute. I have quite a lot of other correspondence on this particular subject, but I think suffice it to say Mr. Chairman, that we're talking about a real problem, I think in the Carmacks area, and I have information from some of my constituency in Carmacks that the Territorial Government is perhaps as much to blame as anyone else and I understand from them that the R.C.M.P. barracks and the Territorial Government Building are contributing to this pollution by dumping raw waste into the Yukon River at Carmacks. Now if this is so then I think we have something here that the Territorial Government should be looking toward and doing something about in a practical way, and I would like to ask, Dr. Black at this particular moment, Mr. Chairman, what he thinks would be a good plan in order to solve the problem in the Carmacks area.

Dr. Black: Well Mr. Chairman, the problem in Carmacks is not essentially terribly difficult, to the problem we have in Whitehorse. Essentially what happens is that on the one side of the village where the non Indian population resides, people get the water themselves, now from this side of the . . . the sewage outlet is going straight into the river, one in the Arkell area, the second is from the R.C.M.P., and the third is from the Territorial Housing. The remainder of the housing on that side of the village have septic tanks. Now the problem with compounding here because as this community has developed the situation has occurred that a well is located near a septic funnel area. So that when we test the water from the well, as the Health Inspector has been doing we do find bacteria in the well water. As far as the river is concerned yes, the river is contaminated. This is a special problem on the Indian side of the river, cause the well there has been out of commission for several months, and they have been taking water out of the river and they have had hepatitis there as well as in Whitehorse. The well in Carmacks I must say is not working but we still have a major health problem and health education problem to persuade people not to use river water. In Whitehorse, we have a somewhat similar problem, here in that we are pouring sewage into the river water, toward the downstream where the Indian Village is located. The Indian people are taking water out of the river. So we will have another problem if we have another hepatitis outbreak here. There is not

Dr. Black continues . . .

enough water in the Indian Village and Whitehorse here either to allow for enough water in all the homes. Now what can be done about it, several ideas but I think this has to be done over a period of time. First thing I think is Community planning so that we don't end up with wells and housing units, this will only end up with contaminated water. Second, I think that the areas of the village which are presently discharging their sewage into the river be consolidated, into one outlet. There are various ways of dealing with this. One way we can just keep the people from throwing their garbage, and by pouring disinfectant into their sewage. This is perhaps the cheapest way. The real expense involved here would be the necessary piping. The second way would be to set up a treatment plant similar to the one in Clinton Creek, which is a very good way but is quite expensive. The third way of dealing with this is to run this sewage off into an adjacent area in a lagoon. Now this would be quite expensive because there is a lot of pipe required, and it's only, a point to keep in mind is it's only going to affect a relatively small portion of the community anyway. There are people who say well what is the matter, there is no one drinking river water, and the . . . but I do feel that this is a short sighted point of view, and I agree with the Honourable Member that unless we start planning now we are going to end up with a very expensive Bill in years to come. The population is going to increase and we are going to have more public health problems. This hepatitis epidemic I haven't calculated the cost yet but it will certainly cost the Territory an awful lot of money to treat, what is an avoidable illness, and we're still not over the hill with this yet, but it is dying down. So that's just a brief statement there Mr. Chairman, perhaps I could ask if there are any questions.

Mr. Shaw: Thank you Mr. Chairman. Councillor Livesey is quite correct, this was brought up many years ago, and the matter of the sewage emanating from Whitehorse. And of course the same thing applies all over the Territory, except this just happens to be a larger area, so we're not picking on this particular area any more than the rest of them. However, Councillor Livesey was quite correct. When we were informed that LaBarge, Lake LaBarge was just a natural sewage lagoon, so that would, what ever happens, a bacteriological process takes place and the water goes on perfectly clean until further on so it was no problem and it was brushed to one side. Now, according to what appears to me to be the reports, is that the water in the Yukon River above the village of Carmacks is polluted, in other words, does that mean that on account of no other villages in between that this pollution then, it's obvious or fairly conclusive that that pollution is created from the sewage that emanates from this community. Do I have that correct, I wonder if Dr. Black could inform me..

Dr. Black: It is difficult to be certain about this Mr. Chairman. What we do know is that we can take water from almost anywhere in the Yukon River and find evidence of sewage contamination. At Carmacks, Pelly, down around Whitehorse, above Whitehorse. We also notice that in relatively cold water the declaration of sewage is prolonged. It takes longer for it to break down, so I think it is a reasonable assumption that the bacterial contamination from Whitehorse is going a long way down stream. We do know from table tests at Lake LaBarge that there are traces of sewage along the shores of the lake, and quite far down the Lake. I think perhaps with a small Community some years ago that it would be not unreasonable to say that Lake LaBarge could act as a treatment lagoon, I think as you are thinking there wasn't really anyone down stream from there but now with the increase in population, the increase in the amount of sewage this all out of balance.

Mr. Dumas: Mr. Chairman, I wonder if the witness could say if



S.P. #2 Mr. Dumas continues . . .  
effluent from this area is getting as far down stream as Carmacks  
it seems to me it is well over 100 miles.

Dr. Black: I can't be sure, Mr. Chairman, I know from countless tests from the MacKenzie river that we have picked up traces of sewage, 50 to 100 miles down stream from small communities of less 1,000 people. So I . . .

Mrs. Gordon: Mr. Chairman, I would like to direct two questions to Dr. Black. Has there been sampling of the water in the Stewart River below the town. Because a large number of the population there won't have themselves in the water delivery service and they're taking their water directly out of the river, which is below the place where the sewer system empties into the Stewart.

Dr. Black: I'm sorry, Mr. Chairman, I don't know off hand if we have taken samples from that area. I can find out and report back.

Mr. Shaw: Well, Mr. Chairman, what appears to me in this situation we can do all the screaming we like in these Chambers but we really don't get any place, and it would appear to me that a matter such as this and we have sewage going from every community in the Yukon. The bigger the community the more sewage, it's just as simple as that. But it would appear to me that if we are going to keep the Yukon waters clean as the population increases that somehow or other, however it can be done, there has to be what we might term, relatively speaking a massive infusion of money to create purification plants, or whatever you may call it. Something similar to what they have in Clinton Creek, and establish them in every new community that comes up and have strict regulations in relation to this. Of course we have problems here that are not inhearant South or we don't have it here but we do when we go further North when we run into perma frost. Now, with perma frost, you just can't have septic tanks and neither can you have wells. So the water must be taken out of the river or a well that's adjacent and the input in some places that I don't think it ever gets purified in any event, it just keeps some of the silt out and sometimes it doesn't even do that. So that the only way we can do it it would appear, and the cheapest way in the long run is to start now. And perhaps there should be a concerned effort by this Council and all people concerned to see if we can get the Federal Government to make a grant to construct these purification plants or whatever you may call them. It would never be any cheaper than it is today, and certainly there will be more requirements in the future but once we have established a policy, when every new town starts, as happening in Clinton Creek and that is a very good example this, all this sewage and so forth goes into this building. It's not a very big building, I don't think it's an bigger than this Chamber actually, might be a little bit wider, and they told me that when the water came out of that that I could drink the water. Now I wasn't very fussy about drinking it but apparently it's a lot purer to drink that than it is to go on the Yukon River over there and take a shot of that water. Now this private Company has set a very good example, Mr. Chairman, in doing something like this, and I think the should be commended for it and in fact last summer when some people were visiting from. . . These people were people connected with the state department of the interior and it was one of those persons that was so interested that they wanted all the data on this particular plant that they have at Clinton Creek so they could possibly institute it in certain areas of the United States. So I sent them where you could get the information. So it's something that has only cropped up recently the realization of this problem, has only cropped up these last four or five years. There has been a certain amount of discussions on it but the public has not really

Mr. Shaw continues . . .

become aware of how big and deep this can reach, and I think that all we can do is to start. Get some money to put in these plants, there's no other answer to it. The money has to come from some place, I don't think that we have that kind of money that is required and the only people that have it is our good uncles down in Ottawa.

Mr. Livesey: As a point of clarification, I'd like to point out that one of my statements was that the Territorial Government and the Territorial Government in Carmacks were contributing to this in my opinion, because apparently after their winters operation why all the residue of their operation remains on the river surface on the ice, and is visible in the district. And I would suggest, if the Government is contributing to this pollution and contamination in the Carmacks area or any other area in the Yukon it's high time that the fact that we had pollution with us registered with the Government and that the Government should do something about it. I was wondering if Dr. Black, Mr. Chairman, if Dr. Black could advise committee as to what his thought might be with regard to the Government pollution of the area and what suggestion he might have that would help Committee in coming up with a decision.

Dr. Black: Mr. Chairman, I think in Whitehorse we have an extreme sample of Government pollution in the outlying communities, of Hillcrest, Takhini, and Valleyview. The raw sewage in large quantities is just poured out of an open pipe onto dry land. Now, I could speak to the Honourable Member about this as far as Whitehorse is concerned we should advise them that they start planning now. In a place like Carmacks it is difficult because you have to establish a community and it's going to be very expensive to put in as I mentioned before, as a treatment facility would only initially affect a few of the residence and so you have pipes for all the other houses. I'm in complete agreement however, that with any new Community, I think it is just common sense, that before you even start a community you make sure you have a supply of water, you make sure you can get rid of the garbage and sewage to make sure the land is liveable and then you start planning the community. And I suppose in years gone by if it wasn't feasible it wasn't realized. But I think pressure on Government locally and if needed legislation to ensure that no new Community would go up without adequate preparation for this. There is evidence to my way of thinking of a very marked lack of co-operation in these areas. There has been a great improvement over the last year, but certainly in the Health Department we find that we are really working this out. We find, say a man has put up a restaurant on the highway. We haven't heard anything about this, we are in a position of going and looking at this restaurant and telling the man that it's not satisfactory. Now this imposes a great hardship upon the individual, after he has invested his money. So I think that it's not just in large communities but in small ones as well we do need this co-operation and I am very thankful to say there has been a marked improvement over the last year. I think more is needed yet before we can really get to avoid any of these problems which will cost a lot of money.

Mr. Chairman: Councillor Shaw, will you take the Chair.

Councillor Shaw takes the Chair.

Mr. Taylor: Mr. Chairman, I agree that we should have some pollution legislation, and at the former Session I believe that the Honourable Member from Whitehorse North was looking into this matter, and again at this session the question was raised and we don't seem to be able to produce anything. But it seems to me in relation to this pollution problem at Carmacks that it must be the effluent coming from the city of Whitehorse. It is considered, wherever this sample came from mid-stream I don't

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Mr. Taylor continues . . .

think it is coming from Carmacks. And it seems to me that this river is being polluted on down because if Whitehorse effluent carries to Carmacks probably Carmacks carries far enough to Dawson in order that Dawson can then I believe their sewage dumps in order to provide the Americans with some nicely polluted water. And it seems to me that they have got to go to the treatment plant route. Now, I'm not sure but I was working on the assumption that there was funds available from the Federal Government, now I'm not sure whether it's on a match and match basis or how it works, but there are funds from the Federal Government available for assisting municipalities etc. etc. in setting up treatment plants. And I think that certainly the Department of Health and Welfare should take initiative at the Federal level here to encourage the installation of these plants, because I don't think that to put disinfectants in this raw sewage is doing much good because it is still polluted, and a treatment plant seems to be the answer. Secondly is that I think a piece of legislation that is now before the Government which would in effect require the municipality to take out a permit for the water. And it is a charge, a responsibility against the municipality, to ensure that the water in returned to the river in the same condition that it was taken from the river. And penalties, and very strict penalties, I believe should be imposed in this legislation, and I think this must be taken into consideration. In other words it might be one great deal cheaper to get on the ball and put in a treatment plant than it would be to pay the penalties that would be levelled after this water act. Now I don't know but this is my understanding of the situation. But I think that this idea of well, it will take quite a bit of time to cure this is not valid, I think it should have been cured yesterday. It has certainly been discussed in this House by us as long as I have been in Council, and that's nine years. And I think that all members who have been here any length of time have had a good kick at it, and I think that the Federal Department of Health and Welfare are the people that should take the initiative.

Mr. McKinnon: Mr. Chairman, I think it's a tremendous, I believe it's probably even more politically acceptable subject this day to speak on anti-pollution measures than to speak in favor of mother-hood and that's going somewhat but the verbiage of politicians are using these days would fill volume after volume on the anti-pollution kick, and Sessional Paper #3 I've listened with very much interest, the continuous blaming of the Federal Departments for not providing such things as sewage treatment plants and allow systems that they have created and systems that they operate and maintain Governments of all levels to pour raw sewage into the Yukon River particularly here at Whitehorse, which is the most serious violator because of the size of the population, and the population growing. And there is of course under the National Housing Act, funds available for the sewage treatment plant on a very generous interest basis and of course on moneys being forgiven if the Municipality uses the money for a sewage treatment plant. And as an example they give a project costing \$300,000 in the city of Whitehorse, the city could borrow up to an amount of \$200,000 and \$50,000 of that loan or 25% would be forgiven if it were used in the construction of a sewage treatment plant. And I think it's the responsibility of the Senior Government at the Territorial Government level in this instance to put all the pressures available on it. That it can use to the city of Whitehorse in particular, to make sure that they avail themselves of these moneys and I have talked with Mr. Jack Hadden of C.M.H.C. and he assured me that this money were available and there for the asking providing that the city of Whitehorse could have enough pressure put upon it to ask for these moneys being made available for a sewage treatment plant. Now what's the use of going around and be-rating all different Government Departments when actually the money is available and all that



Mr. McKinnon continues . . .

has to been is an application made for these monies and a plebiscite held in the city to allow for such moneys to be used in the formation and in the construction of a sewage treatment plant. Here's something that we can do at a local level, or we can get involved at a local level, and hopefully provide that at least in this one instance that we can provide a sewage treatment plant be constructed in the Whitehorse area and I'm really amused and I've used this example time and time again of the hypocrisy of Government when they say that we have to put these regulations on Companies, we have to put these regulations on this person and that person, to make sure that we have our air and water protected so that it will be clean for old time sake and here we have Government systems maintained and operated by Federal and Territorial agencies on the one hand condemning people for doing exactly the same thing they are doing themselves and how in the name of conscience can they ever stand up and be serious about this until they're willing to do and provide the moneys to be able to provide the facilities to have a sewage treatment plant particularly in the Whitehorse area at this time. And I think it's incumbent upon all of us at the Territorial level of Government to make sure that the knowledge that the moneys are available for the building of a sewage treatment plant are available in the Whitehorse area that this should be told to the public that these money's are available and that as soon as possible these moneys be applied for and used for the construction of a treatment plant in the Whitehorse area and I think that the Territorial Government should be prepared to accept part of the cost of the installation of such a treatment plant. And here is a very positive action that we can all move forward to in providing at least one of the biggest offenders in the whole of the Yukon which is the city of Whitehorse in dumping raw sewage into the Yukon river. Here at least we have a practical solution and here we can, at the local level solve something so let's quit bleeding our gums and go about the program and get the sewage treatment plant going.

Mr. Livesey: Mr. Chairman, I would like to ask Dr. Black if there is a possibility that we could put a seepage lagoon in the village of Carmacks. Especially, from what I understand to prevent the gross sewage pollution coming from Territorial Government Buildings and the R.C.M.P. barracks which I understand from the inhabitants of the area that this is where most of it is coming from, or a great deal of it is coming from and I was wondering if the Government could consider either that or putting in a large enough septic tank for these outlets so that they don't pollute the river water to that extent.

Dr. Black: This can be done, Mr. Chairman, but as I indicated before that we are talking about a lot of money and I think the only reasonable thing to be done in Carmacks would be down stream, on the river bank down stream and there would have to be pipe involved and it would be very expensive. I'm in agreement that I think Whitehorse is probably the largest offender, but this doesn't necessarily mean that we can condone what is happening at Carmacks. I'm having a Public Health Officer Engineer visit in May and I will ask him for some opinions and facts and figures about what's a reliable cause. Certainly a treatment plant can be installed but it is quite a sum of money there is nothing difficult about a treatment plant, except the amount of money.

Mr. Dumas: Mr. Chairman, it all boils down to a matter of dollars and cents and I wonder if the witness Mr. Chairman, could give us any indication of the feed back in the feeling that he gets from Ottawa, as to just how prepared they may be to tackle the overall problem head on.



S.P. #2 Dr. Black: I have very open information, Mr. Chairman, it has been mentioned here that the funds are available, the Federal Government is certainly involved in an anti-pollution course, however effective they would be to the idea of . . . I do not know.

Mr. Taylor: I will resume the Chair at this time.

Mr. Taylor takes Chair.

Mr. Shaw: Mr. Chairman, before you tackle anything you have to have study of what it is. Now, I know that many times studies are made just so that you can shove the particular project, but I'm serious about this, that the study should be made. Now I don't think that we can expect the people of Whitehorse to accept the major cost of such a program. I think it's a little bit beyond reasonable capabilities to pay, after all in a municipality, Whitehorse is no exception, municipalities are on a National scale have tremendous difficulties meeting their obligations on the job of providing the services that are necessary and I would feel that though the city of Whitehorse should certainly make a contribution that's reasonable, I think that the major share of this must be taken by a more senior form of Government which of course doesn't exclude the responsibilities of the people that are using it. Looking at it this way, perhaps it's a kind of a back handed way of looking at many things, the residence of the Community themselves it doesn't effect them if the stream is polluted where they are because that is going to some other part, so therefore it doesn't have the same implication perhaps as paving a highway or road someplace that is creating a lot of dust. But we must start someplace somewhere, and this is the major contributor, by virtue of it's size, I think that certainly the Territorial Government should have meetings with the city and see if between them they cannot come to some arrangement where they could have a survey to the cost of this. I'm not talking about the feasibility, I'm talking about the cost, because the whole situation is contingent on whether you have enough money to do it. Now, I don't know whether this would cost \$1, 000,000 \$500,000 - \$200 I haven't a clue of how much it will cost. But certainly before we go anyplace we've got to find out what this kind of a project is going to cost and then after we have established the cost it is not something that is optional it is something that is a necessity and will become more as the years go along. That means should be found of financing the project, and I feel that this would be the place to start in. Once we get this cleaned up then we can go to other communities and make similar type of installations which of course doesn't mean that in the mean time you ignore these other communities you try and get along and keep them cleaned up and put in as Dr. Black has suggested, maybe put disinfectant into the water. But here that can't be done, a treatment plant is the only answer as far as I can see, and I think that a pre-engineering survey should be. A meeting should be held and. . . to establish ways and means of getting a pre-engineering survey and then find out the cost and then go ahead and do it, somehow finance it.

Mr. Dumas: Mr. Chairman, I proposed a motion that Council unanimously support it, in January or February. That meetings be initiated by the Territorial Government that they look at this over-all problem, the problem of polluted water in some of the areas around Whitehorse and the over-all problem of pollution. I suggested at that time that the Federal Departments involved, Territorial Departments and municipal departments all get together and start now to see if we can't look towards the amount of monies that will be required to do something about the problem because it doesn't matter how much it costs Mr. Chairman we've got to do something about it. It's a simple hard fact and if we don't do it now we are going to have to do something about it ten years from now and the sooner we get started the better. I wonder Mr. Chairman, if Mr. Commissioner could tell

Mr. Dumas continues . . . .

me if there has been any meetings in this shade, if there has been any moves in this direction.

Mr. Commissioner: Mr. Chairman, the answer is in the affirmative, but I was to have a report for Council on this and I don't know whether Municipal Affairs has put this together yet but there was one specific meeting and there has been a series of others which form part of it and I have promised this report to Council, Mr. Chairman, and I am sorry that it hasn't been forthcoming so far but I will see to it that it does get into Council.

Mr. Livesey: Mr. Chairman, in view of the motion before Committee at the present moment, I wonder if Mr. Commissioner could advise if the Territorial Administration has come up with any solutions to the problems created by Territorial Buildings and other buildings in the village of Carmacks.

Mr. Commissioner: Mr. Chairman, it isn't only the village of Carmacks. There is a great tendency in the part of the Territorial Government to build their buildings under the cheapest possible conditions. And I say this with no disrespect or criticism of any kind. This has been the general policy of the Yukon Territorial Government. I think that members of Council are aware that we embark on a crash program here about three years ago to get sprinkler systems installed in the buildings that we have because their value is such that we couldn't afford to be without sprinklers but they were built without them. And just as they have been built without sprinkler systems and without properly built grounds and in many instances not even being properly furnished they have also been built in most instances without being connected to any kind of a proper sewage disposal system. So it's not only in Carmacks, I'm sure that the Honourable Member from Watson Lake would agree that either we have the same situation in Watson Lake with regard to some of the Government buildings in that area. I think in Dawson we are located on the sewer lines with all the Government buildings in that community. But may I suggest that at Carcross where we have at the present time, the Carcross Residential School which we are still using for a school, we have literally the same problem. So it is a matter that we in future design Territorial buildings, I hope that we are not going to build any more that are not going to be equipped with either connected proper sewage systems are going to have proper sewage treatment as part of their original construction. But we have an awful lot of catching up to do Mr. Chairman all over the Territory with regard to the problem the Honourable Member raises with regard to Carmacks. And in Carmacks we have the school the Federal Government has the Forestry Installation, R.C.M.P. have two buildings I believe at Carmacks, the Territorial Government I believe have four houses, and to my knowledge there is not any kind of a reasonable attempt to even put them altogether into one sewage system. I could be wrong on this now Mr. Chairman, but I don't believe so.

Mr. Dumas: If we could even have some sort of assurance that in future when Government buildings are built a septic tank and a disposal bed either be included in the protective cost of the construction. If there isn't a proper sewer system in the area, even this would be a great help, I think Mr. Chairman. And I realize again that it's going to increase the cost of buildings in the Yukon but we have to do it Mr. Chairman.

Mr. Shaw: In Dawson, they are connected up to a sewer system. But that doesn't alleviate the problem, all the sewage goes right into the river again so whether you take it by the route of seeping through the gravel or going into a pipe it all gets out into the same place.

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Mr. Dumas: Mr. Chairman, could the witness tell us whether a septic tank and disposal bed is preferable to a sewage pipe directly into the river.

Dr. Black: It depends on the local conditions and the type of soil Mr. Chairman. With good soil conditions a septic tank is perfectly acceptable. The advantage of using a pipe sewage is you can bring all your sewage to the same point and then over a period of time you can prove the sewage treatment. Where-- as if there is pipe going in different areas as around Carmacks it is going to be very expensive.

Mr. Chairman: Is there anything further in this matter? I wonder if the witness can be excused at this time?

Mr. Livesey: I have one more question for the Commissioner. I wonder if the Commissioner out of the back log of all his knowledge of the operating qualities of the finances of the Territorial Government could give some rough estimate as to when this, when the position may appear to him to be clear whereby something can be done in the Carmacks area about this situation which has been admittedly here as causing disease and illness in the area.

Mr. Commissioner: Well, Mr. Chairman, very obviously there is no hope of doing anything during the course of this coming construction season. I think we have to be very frank and honest about this. But I think that we have to embark on a program throughout the Territory that is going to correct the various situations that the Government is creating in Carmacks as we are doing it elsewhere. I am sorry, Mr. Chairman, I wouldn't care to say that Carmacks should be the number 1 priority anymore than I should say that maybe Carcross should be the number 1. I think that as part and partial of our next physical exercise in looking off into the future here that this type of thing has got to take a very high priority in the scheme of things, just the same as our last series of financial exercises our Fire Departments took a very high priority, I think the next time around, so do Sewage treatments have to take a high priority. Its part and package of public Health and Public Safety.

Mr. Chairman: Is there any further questions in this matter?

Mr. Shaw: Just one! Would Dr. Black agree that the major problem right at the moment, I say the major problem would be this particular district.

Dr. Black: Yes, Mr. Chairman, it is. I would like to let you know that the city of Whitehorse are interested in the specific problem. They were provided with figures of various types of plants some time ago and I have recently been requested that these be outdated and this information will be available with in the next few months. There is a tremendous hurdle to overcome though, I think that the excessive use of water in the system. The more water that is used the more sewage disposal and it is more expensive. So this is a handicap that must be overcome before anything can be done.

Mr. Chairman: Are we now clear? I'm wondering if Dr. Black could now be excused?

Some Members: Agreed.

Mr. Chairman: Well thank you very much for assisting us Dr. Black. We have before us the matter of land disposal policy I think there is another meeting required on that. We have the probability of securities amendments to our legislation coming in maybe tomorrow. We have the operation and maintenance budget I believe budget programming are going to meet tonight, and we

Mr. Chairman continues . . .

have a motion in circuit introduced this morning in the House I'm not sure how this will affect Committee as a whole. I would suggest that we might be well advised at this time to move the Speaker back to the Chair.

Mr. Commissioner: I don't know if this is the right time, I am subject to correction, I have one announcement that I would like to let Council have. I just received it by telephone, and I have the answers to three other questions and at any appropriate time that is satisfactory to Committee or Council I would be pleased.

Some Members: Agreed.

Mr. McKinnon: Any information Mr. Chairman, forthcoming from the administration certainly we should bend over backwards to here it because it is so seldom we get any.

Some Members: Agreed.

Mr. Commissioner: Mr. Chairman, I think that Council Members will agree with me that for several years we have been attempting to have some kind of a satisfactory arrangement with the Unemployment Insurance Commission which was necessitated by the disappearance of a proper U.I.C. officer resident here in the Territory, and I have just been informed by Mr. Duncan Young, the Regional Director, Pacific Region of the U.I.C. that a letter has been mailed to me that contains the following. "The number of employers and the number of unemployed insurance claimants filed in the Yukon Territory do not warrant the opening of a full UIC Office, although the activity in the Yukon Territory appears to justify a UIC presence. Arrangements have therefore been made for one of our auditors to be located in Whitehorse. In addition to his audit function, this officer will be available at pre-determined times for the answering of inquiries regarding UIC claims and other aspects of UIC work. We have assigned Mr. C. C. Padley of our Prince George office to serve in Whitehorse for the foreseeable future. It is anticipated that Mr. Padley will assume his duties in Whitehorse on or about 1st of June, 1970. We feel that, although this is a limited service, it will meet the immediate needs of Whitehorse and environs and I am sure that Mr. Padley will be of inestimable service to both employers and claimants living in your Territory." I have subject to whatever your wishes are Mr. Chairman, I have the answers to three questions here if you wish me to give them at this time.

Some Members: Agreed.

Mr. Commissioner: The first one was a question from Councillor Dumas asking whether tuberculosis and Venereal Diseases were increasing or decreasing in the Territory. The answer: The Tuberculosis rate is showing a continuous upward trend. Venereal Disease, however, is decreasing very slightly over past years. The question asked by Councillor Taylor asked why people working in restaurants are required to pay for their Tuberculosis x-rays in view of the out-patient service benefits now being increased. The answer: Chest x-rays are provided to all persons of the Yukon free of charge at survey time. If persons choose not to receive a chest x-ray during the survey, they must pay for it at a later date. The extension of out-patient benefits under Y.H.I.S. covers diagnostic services only. A question was asked by Councillor Chamberlist, if I was aware of the proposed changes to Section 93 of the Yukon Placer Mining Act as outlined in the Whitehorse Star on March 30. The answer is in the form of a letter signed by Mr. G. McIntyre, the Regional Director of Resources. It reads as follows: "Unlike the Yukon Quartz Mining Act, the Yukon Placer Mining Act offers little control of surface rights. For example, it has been impractical to establish an historic



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Mr. Commissioner continues . . . site on Bonanza Creek because of the lack of limitation in the Placer Act. Bill S-4 will repeal Section 19 which gives the placer claim owner the right of first refusal of surface rights. New Section 93 (1) will make it possible for the Governor in Council to set aside a national historic site (or park). As with all government bills the contents were not released to the public until after first reading. As soon as this had taken place copies of the bill were sent to interested parties such as the Yukon Chamber of Mines to give them an opportunity to present briefs at the committee stage. Thank you Mr. Chairman.

Mr. Chairman: Thank you Mr. Commissioner. What is your pleasure at this time.

Mr. Shaw: I move, Mr. Chairman, that the Speaker do now resume the Chair.

Mr. Dumas: I second the motion.

Mr. Chairman: I has been moved by Councillor Shaw, seconded by Councillor Dumas, that Mr. Speaker do now resume the Chair. Is there any question. Are you agreed?

Some Members: Agreed.

Mr. Chairman: To the contrary? I declare the motion carried.

MOTION CARRIED.

Mr. Speaker: I will now call Committee to order. May we have a report from the Chairman of Committee.

Mr. Taylor: Mr. Speaker, Committee convened at 10:40 a.m. to discuss Bills, Sessional Papers, and Motions. Committee discussed a motion placed before them on April 13 with relation to Sessional Paper #6. It was moved by Councillor Gordon, seconded by Councillor Dumas that the motion be amended to make provision for equalization subject to Mayo and Faro. Both the amendment and the motion as amended were carried in Committee. Committee then considered a motion in relation to Sessional Paper #10, as placed before Committee April 10. This motion was carried in Committee. Committee recessed at 12 noon and reconvened at 2:10 p.m. Mr. Dreychuck, Director of Municipal Affairs attended Committee to discuss Bill #12. It was moved by Councillor McKinnon, seconded by Councillor Livesey, that Bill #12 be reported out of Committee without amendment. This motion carried. It was then moved by Councillor Taylor, seconded by Councillor Gordon that it is the opinion of Council that the administration be required to convey to the Canadian Broadcasting Corporation the request for immediate reconsideration of priorities in respect of L.P.R.T. and frontier package T.V. in an effort to speed up installation of these facilities in Yukon Communities who have long awaited these service, and to include a copy of votes and proceedings relative to discussions of this motion. This motion carried. It was then moved by Councillor Shaw seconded by Councillor Dumas that Mr. Speaker do now resume the Chair and this motion carried.

Mr. Speaker: We have heard the report of the Chairman of Committee. Are we agreed.

Some Members: Agreed.

Mr. Speaker: May we have indications of the agenda for tomorrow.

Mr. Taylor: Mr. Speaker, before Committee we have several odds and ends. I would suggest for tomorrow Bills, Sessional Papers, and motions and possibly a recess maybe in order that some of

Mr. Taylor continues . . .

Councillors studying land policy can conclude their work.

Mr. Speaker: Before we close I wonder if I could now ask from the Clerk if there is any possibility that the questions now standing on the order paper will be answered tomorrow.

Mr. Clerk: Mr. Speaker, I can't do anything but answer the same as this morning. We are doing everything we can to get the answers as soon as possible.

Mr. Speaker: Thank you, Mr. Clerk. Is there any further business?

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

Mr. Speaker: It has been regularly moved that we call it five o'clock. Are we agreed?

Some Members: Agreed.

Mr. Speaker: We now stand adjourned until 10:00 a.m. tomorrow morning.



Mr. Speaker read the daily prayer. All Councillors were present except Councillor Chamberlist.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call the House to order. I would draw your attention to the change which should be made on the first page of the Journals this morning with reference to the Speaker, and I would draw your attention to the tabling of Sessional Papers No. 13, 14, 15, 16 and 17. Are there any Reports of Committee? Introduction of Bills? Notices of Motion or Resolution?

Mr. Taylor: Mr. Speaker, I would like to give Notice of Motion this morning respecting the Summer Session at Watson Lake, and I would further give Notice of Motion respecting Sessional Paper No. 17.

MOTION #19

MOTION #20

Mr. Speaker: Are there any further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? Moving to Orders of the Day, under Daily Routine, Motion No. 17, moved by the Honourable Member for Dawson, seconded by the Honourable Member for Whitehorse West, "That the new hospital at present under construction at Dawson City be called the Father Judge Hospital". Is the Honourable Member for Dawson now prepared to move Motion No. 17?

MOTION #17

Mr. Shaw: Yes, Mr. Speaker. I do not wish to go into great discourse of this. I have a paper that I have provided to the Members of Council, Mr. Speaker, which essentially is a request from the Yukon Order of Pioneers at Dawson City, and I very much agree with their sentiments. All I can say further to this, I could talk on this subject for quite some hours because I have studied some of the history of this great man. He was a great man whose object was to help his fellowmen rather than help himself and that is unusual I think in any place. Now, this is the person who constructed the first hospital in the Yukon Territory, and also something that doesn't seem to be too well known, he was what you might say the first person certainly in the Yukon to introduce hospital insurance. He knew the vagaries of the miners' fortunes and he had a system in order to help him build a hospital whereby for so much down, he would assure hospital services to all the miners of the area. That was really something when you think that hospital insurance was first introduced into the Yukon Territory just about seventy years ago. He was a great man. I feel quite honoured to be able to introduce the resolution that we name this hospital after this person, and I would ask that Council concur with this motion, Mr. Speaker. Thank you.

Mr. Speaker: Is there any further discussion? Question has been called. Are we agreed? I will declare the motion carried.

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Moved by the Honourable Member for Carmacks-Kluane Lake, seconded by the Honourable Member for Watson Lake, "That the question of higher education facilities for the north Alaska Highway be discussed in Committee of the Whole and that Dr. Reid Shields, Superintendent of Education, be asked to attend the discussions, together with other witnesses as may be required". Question has been called. Are we agreed? I will declare the motion carried.

MOTION #18

MOTION CARRIED

MOTION  
CARRIED



Mr. Speaker: At this time, I wonder, Mr. Clerk, if we could have the Commissioner with us for the Question Period? I will call a five-minute recess.

RECESS

RECESS

Mr. Speaker: We now have the Commissioner with us and I will call Council back to order. You may proceed with the Question Period.

QUESTION RE  
MOTION ON TIMBER  
CUTTING RIGHTS

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner whether the Council's motion passed in this House yesterday concerning timber cutting in the Tagish and Nisutlin Timber Harvesting Units has been forwarded to the Minister's office and what was the reaction to the motion.

Mr. Commissioner: Mr. Speaker, the motion itself is getting telexed to the Minister's office this morning, although the actual content of the discussions that preceded this on a prior day have been verbally communicated to the Minister's office and to the department. I would request that I wouldn't be called upon to answer the last part of the question, Mr. Speaker.

Mr. McKinnon: Mr. Speaker, I wonder if you could instruct me in this. I have a communication from the Prime Minister's office and I've sent a further reply to him. I wonder if I could make this information to the House or at what opportunity I could make this information available to the House?

Mr. Speaker: I'd be very happy to do that.

Mr. McKinnon: Mr. Speaker, I received a telegram this morning: "Ken McKinnon, Yukon Legislative Council. Thank you for your telegram of recent date inviting the Prime Minister to join you on a camping trip this summer. Because of an already crowded schedule for that period, we see no possibility of the Prime Minister being able to accept your kind invitation. With best wishes and kind regard, Mrs. Madeline LaFleur." Undaunted, Mr. Speaker, I replied by telegram this morning to the Prime Minister of Canada, "Sorry that prior commitments prevent you from visiting one of the country's finest recreational wilderness areas this summer. Can you assure Members of Territorial Council that no cutting rights will be advertised or awarded in this area until our representations have been heard?" Thank you, Mr. Speaker.

Mr. Taylor: What was the question, Mr. Speaker.

Mr. McKinnon: Mr. Speaker, I asked for permission from the House and I thought that was given. I'm sorry if I have breached any etiquette of the House. I was acting under Mr. Speaker's instructions.

Mr. Speaker: The Honourable Member is perfectly in order. Are there any ... order, please. Are there any questions this morning, gentlemen? The Honourable Member for Watson Lake?

QUESTION RE  
TAKEOVER OF  
ALASKA HIGHWAY

Mr. Taylor: Mr. Speaker, I have a question related to the Commissioner's reply in respect of the Alaska Highway yesterday. I would like to ask Mr. Commissioner this morning, Mr. Speaker, in contemplating this takeover in 1971, as to whether this will form a separate ... the fiscal negotiations in respect of this will form a separate group from the normal fiscal agreement. In other words, will this be outside the fiscal agreement or will it indeed form part of the fiscal agreement?

Mr. Commissioner: Mr. Speaker, I am perfectly flexible. All I care about is if we get the money. I have no comments; I couldn't even answer the question.

Mr. Taylor: Mr. Speaker, I have a further supplementary question. I'd like to ask Mr. Commissioner if he has the information, if he could inform me as to whether or not this would affect the paving program now underway in respect of the Highway?

QUESTION RE  
TAKEOVER OF  
ALASKA  
HIGHWAY

Mr. Commissioner: Mr. Speaker, if Council would reflect upon the discussions that have taken place in this Chamber, we are talking about taking over the maintenance and operation of the Alaska Highway. We are not talking about any interference with upgrading programs, reconstruction programs; these, as per the discussions that have already taken place in this House, will continue to remain the prerogative and the responsibility of the Federal Government.

Mr. Speaker: Are there any further questions?

Mr. Taylor: I just have one further question relative to the disbursements now of this equalization subsidy payments to, or in relation to residential users of power, and ask Mr. Commissioner if there is a fixed date established when this program will be implemented?

QUESTION RE  
EQUALIZATION  
RATES

Mr. Commissioner: Mr. Speaker, in the first instance, I have to have supplementary estimates passed by the House to give me the authority to give effect to Council's wishes. I'm hopeful that these supplementary estimates will be available for tabling in the House tomorrow and that the House will see fit to deal with them before they prorogue. At that point in time, we can then deal with the enabling authority, Mr. Speaker. The enabling authority will be the Yukon Electrical Company and the Northern Canada Power Commission and as soon as the necessary accounting procedures can be established, the wishes of Council, subject to their approval in the supplementary estimates of the actual funds that are involved, will be given effect to. I am very hopeful, and I say this as hopeful, that the effective date will be April 1, 1970, but this I cannot absolutely assure the Members on. That is the wish as I would see it of the House in this matter, Mr. Speaker.

Mr. Speaker: Are there any further questions?

Mr. McKinnon: Mr. Speaker, as Chairman of the Financial Advisory Committee, I would be very interested in knowing when the Commissioner made the decision that the supplementary estimates would be presented before the House tomorrow. I was under the impression that they would be presented at a further Session of Council, not tomorrow, because of changes in budgetary items as far as the Budget Programming Committee is concerned. Also, there are other items that we want to consider before supplementary estimates.

QUESTION RE  
SUPPLEMENTAR'  
ESTIMATES

Mr. Commissioner: Mr. Speaker, I don't know, it appears to be my responsibility to bring these matters forward and I signed the documents this morning and asked that they be brought together. This doesn't mean to say that we don't have other Sessions of Council to deal with other matters after this, Mr. Speaker.

Mr. Speaker: Order, please. Are there further questions? If not, may we proceed to Public Bills and Orders? May I draw your attention to Third Reading - Bill No. 12?

Moved by Councillor Shaw, seconded by Councillor Taylor, that Bill No. 12, An Ordinance to Amend the Low Cost Housing Ordinance, be given Third Reading.

BILL #12  
THIRD  
READING

MOTION CARRIED

MOTION  
CARRIED



BILL #12  
TITLE  
ADOPTED

Moved by Councillor Shaw, seconded by Councillor Taylor, that the title to Bill No. 12, An Ordinance to Amend the Low Cost Housing Ordinance, be adopted as written.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: I will declare that Bill No. 12 has passed this House. Order, please. May I have your further pleasure?

Mr. Shaw: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council resolve itself in Committee of the Whole to discuss Bills, Sessional Papers and Motions.

Mr. Speaker: Is there a seconder for the Honourable Member's motion?

Mrs. Gordon: I'll second that motion.

Mr. Speaker: Moved by the Honourable Member for Dawson, seconded by the Honourable Member for Mayo, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

MOTION #18

Mr. Chairman: The first item of discussion in Committee this morning is the context of Motion No. 18, "That the question of higher education facilities for the north Alaska Highway be discussed in Committee of the Whole and that Dr. Reid Shields, Superintendent of Education, be asked to attend the discussions, together with other witnesses as may be required." I would like to ask the Honourable Member if there are any other witnesses at this time that he does require?

Mr. Livesey: Not at the moment, Mr. Chairman.

Mr. Chairman: Mr. Clerk, I wonder if you could ascertain if Dr. Shields is available? I'll just declare a very brief recess while we get in order.

RECESS

RECESS

Mr. Chairman: I will now call Committee back to order. We have with us Dr. Shields, Superintendent of Education, to discuss this matter. Councillor Livesey.

Mr. Livesey: Yes, thank you, Mr. Chairman. I'd like to rise at this time in connection with the motion that I placed before the House in connection with higher education facilities for the north Alaska Highway. I think, Mr. Chairman, Committee realizes the necessity of branching out in education on the north Alaska Highway especially, in fact, in a good many other areas of the Yukon, but I think in this area where we have no real higher education facilities for students, quite a number of problems have arisen with regard to transportation and finding accommodation in Whitehorse and the distance from home that a number of students find awkward as far as meeting with their families on weekends and so forth. I admit that there are a number of items which one could talk about which would provide argument in this case, but considering that education in the Yukon, I think, is an exceptional item, very important, in fact, an absolute necessity if these youngsters are going to proceed later on in life and accept the responsibility to which they are entitled, I don't see any other course but the



Mr. Livesey continued:

Territorial Government will have to undertake to provide a higher form of education. We can't continue to argue that Whitehorse is the hub of the wheel and everything must come here. This is no longer feasible nor is it any longer possible. During the last six months to a year especially, there have been quite a number of discussions between various school committee groups and petitions I believe have been forwarded to Beaver Creek, Destruction Bay and Haines Junction about where this would be possible to locate a place in which we could have higher educational facilities. In this regard, I would like to read from a letter addressed to Dr. Shields, Superintendent of Education, which comes from the School Advisory Committee at Haines Junction and is signed by two members, W. L. Donoghue, Secretary, and Mrs. G. Desjardins and W. G. Brewster, Chairman. The suggestions to the Superintendent of Education read as follows: "Subsequent to our public meeting which you attended on the 24th of February, 1970, we have had further discussions on the two-phased motion made at that meeting. We now realize that this motion is not what the residents of the Northwest Highway actually want. We feel the cost suggested by you in connection with this motion is ridiculous, especially when we have accommodation and school space available. We are also not satisfied that this program should be spread out over a two year period. We are therefore making the following suggestions: (a) That the Territorial Government take over the Experimental Farm at Mile 1019, specifically the living accommodations and the office lab building, and this would provide living accommodation for the present teachers as well as any additional teachers required for Grade 10, with a view to the future that this Farm property could very easily be developed to provide facilities for a small Yukon university. (b) That the principal move out of his present quarters in the old school to one of the quarters on the Farm and this would provide two more classrooms. (c) That the same building include a library; a small vacant apartment in the old school is adequate for this purpose. At the same time, the basement should be utilized as a recreation area. This is apparently the purpose for which the basement was intended. (d) The office lab building at the Farm is adequate for a lab and classroom. This is a large building with a full basement." The letter continues with other and further advice. It is my understanding that these suggestions came out of discussions that the School Advisory Committee of Haines Junction and the people of Haines Junction had with Dr. Shields with respect to their discussions in relation to higher education for the north Alaska Highway, and at this time, I would like, Mr. Chairman, to ask Dr. Shields if he could explain the situation as it now stands.

Dr. Shields: The Department of Education was invited to a meeting at Haines Junction to discuss the possibility of centralizing a school on the Northwest Highway. This was early in February. After discussing it with the meeting that evening, we suggested that we try a similar program as was utilized at Mayo on a trial basis. The Elsa students came down and were centralized at Mayo, and then we continue the centralization program. At the present time, it is working very well in this area. The motion that was passed in general consensus said that they would make a survey of parents to see if they would be satisfied to centralize at Haines Junction the Grade 9 classes in 1970. There would also be a survey to see if they had adequate accommodation. With the understanding of this then, that students coming from the Northwest Highway would not be accepted in Whitehorse; this is the area they would have to attend. That was the motion they passed. I received that letter Councillor Livesey just read after that and a reply was drafted I believe for the Commissioner's signature to them.

Mr. Dumas: Mr. Chairman, I have a copy of the letter; it was sent to me by the Haines Junction School Advisory Committee insofar as I'm a member of the Financial Advisory Committee and also have been



MOTION #18

Mr. Dumas continued .... involved with the Department of Education over the last three years in teachers' salary negotiations. On reading the letter as it is presented, Mr. Chairman, it seems to me an excellent example of participatory democracy; an excellent example of people in an area knowing what they want and making suggestions to that effect. Now, it says here that eight families in Haines Junction have offered to board students this year, both native and white. Some have offered to board two students. Three additional families will board students in the 70/71 school year. We have no difficulties whatsoever in obtaining these boarding homes. They suggest the community hall could be put to use as a sports facility; they suggest an expanse in program. Item No. 6 in the letter says "We see no reason whatsoever for the expenditure of \$170,000 which you quoted was required to provide for Grade 10 education here over the next two years." May I remind Committee that this letter was written to Dr. Shields. "The facilities are already here and very little remodelling is required. This program is being taken very seriously here. We have the will and the desire to get this Grade 10 program on the road this fall. All we need is a little co-operation from your department and the Territorial Government." The petitions total ... 89 signatures in that section of the Yukon, Mr. Chairman. I would like to hear some good arguments against this proposal and so far I certainly haven't heard any.

Mr. Commissioner: Mr. Chairman, the proposal that has been made without doubt has got a lot of merit. You can't ... there is no way of arguing against this thing. However, there's a very practical application of whether or not in fact it is within the financial capabilities of Yukon to give effect to the suggestions. Now, at the present time, we are anticipating in the school year that is coming ahead here now ... I don't think that would be the right terminology ... in the fiscal year that we are into now, that we are anticipating operation and maintenance expenditures of \$1,000 per pupil. These operation and maintenance expenditures of \$1,000 per pupil are simply those expenditures which are identified with the day to day operation of the school. They take nothing into account at all for the provision of capital moneys, the provision of building maintenance funds, insurance on the buildings; all these things are handled in other elements of the budget which are not directly attributable to the school system. Now, the question that is raised here is one that is the basic philosophy of the Council and has been for many years, namely, that the Council wishes to see the highest possible practical grade taught in each community in the Territory, and that is the basis on which the school program has been predicated for many years in the past and no doubt, subject to Council's approval, will continue many years in the future. Now, as far as the use of the facilities of the Experimental Farm are concerned, no matter how one looks at it, we will without doubt find ourselves in the same situation as what we found ourselves in with the operation of the facilities of the Carcross Residential School, and that is, the minute that you start using something for a purpose for which it wasn't originally designed, you keep on putting out money just at a tremendous pace in the operation and maintenance side. Now, I would suggest this, Mr. Chairman, that the suggestion about getting another centre of education for the higher grades on the highway north is a basic policy and a basic principle and I think that Dr. Shields would agree with me on this, it is a very good and desirable situation. As far as using the facilities at the Experimental Farm is concerned, certainly the information that has been provided to me up until now would indicate that before we even open the doors, we're \$50,000 in the soup just to look after the plant and the facilities. I think what we should be looking at, Mr. Chairman, and I strongly recommend this for Council's consideration, that the idea of locating a higher education facility on the Alaska Highway north should be an accepted principle. I think it's a very, very good one; I'm sure Dr. Shields would find no fault with this at all. As to how we are going to bring it

Mr. Commissioner continued ...

about, I certainly highly recommend that we should attempt to bring it about by new and proper facilities that are designed for the job that we are going to use it for. As to whether it should be in Haines Junction or whether it should be somewhere else, this is something I pass no judgement on, but this business of taking over these facilities that have been designed for another purpose and converting them to other uses, the experience of the Territorial Government is just absolutely terrible. We have never at any time succeeded. I look at some of the prime examples just within a few blocks of where we are right now; for example the old T.C. Richards' house out here which we continue to pour money into lock, stock and barrel, or the old C.P.A. Staff House on Fourth Avenue here which was a tremendous deal. It was tremendous all right, for C.P.A., it wasn't tremendous for the Territorial Government. And, the Carcross Residential School, Dr. Shields can correct me if my figures are wrong on this, but I believe that we have found that we inherited a \$45,000 annual fuel and electricity bill. Now, we are going to get out of this as quick as we can. I simply pass this on for Council's information.

Mr. Dumas: Mr. Chairman, if I could follow up on two points here, Dr. Shields has suggested that it would cost \$170,000 I presume in capital expenditures to build a new facility. Now, if his estimate is as accurate as his estimates have been in the last two years, we can see that going up to somewhere around \$300,000 without batting an eyelash once we get quotes on construction of any type. The Commissioner has suggested we're probably looking at a \$50,000 bill to remodel or do whatever we have to do to the Farm site, so say we have to spend \$125,000 doing whatever we have to do to the Experimental Farm, we're still ahead of the game. The other thing that I think Committee should keep in mind in this discussion is the fact that Hudson's Bay Exploration Company will be opening up operation probably within the next year or so; there will be 100 employees and the suggestion is at least 20 families in that area. I would suggest that this will increase the potential Grade 10 population of that area. What I would suggest, Mr. Chairman, is that a detailed study be taken on this whole project and let's look at the feasibility of the proposals put forward by the Haines Junction Educational Committee, and see just what merit it does in fact have. Let's have a composite picture of the original program as proposed by the Department of Education and the program as proposed here by these people who live in that area so that we can compare the two of them, and let's see what merit there is in each.

Mr. Commissioner: With respect, Mr. Chairman, what the Honourable Member said is absolutely dead right, but I would like to correct just one thing. If I have misrepresented what I have said with regard to the \$50,000 figure that I quoted with regard to the Experimental Farm, this is the minimum annual operating costs, simply heat, light and maintenance for the buildings with a minimum staff necessary to do this. I hope I haven't mislead the Committee, Mr. Chairman, on this point. I couldn't agree more; I'm quite confident that Dr. Shields would agree very much with the idea of taking a real hard look at the proposal but not tying ourselves in, please, Mr. Chairman, to a commitment with regard to a facility which bears no relationship to an educational facility of the type that we are talking about here.

Mr. Livesey: Mr. Chairman, there wasn't a single Territorial school in the electoral district when I started as a Councillor, first got elected, and I've been involved with the erection and location of everyone that now exists. When I first made my suggestion with regard to these schools, everyone of them was up to Grade 9, and when I was not a Member of the Council, I think they decreased in some areas, between 1964 and 1967, back down to Grade

## MOTION #18

Mr. Livesey continued:

7, and that has been the trend and that has been the trend in the thinking as well as far as this particular area of the Yukon is concerned. It is the only area in the Yukon which has no high school facilities of that type and nature. Now, this simple just cannot continue to go on this way, and the arguments can't possibly remain the same. We've got to be looking ahead; we can't be looking back. As far as I can see, the cost of education, sure it's been going up in the Yukon, but who's footing the bill without the added facilities. Sure, the facilities and the high costs are going up in other areas but they're certainly not going up in this area as far as I can see, nor are we providing the type of higher education facilities that the children need in this area, and if it is going to grow, then they're going to have to do the same for this area as we're doing for other areas. It will be tough enough no matter what you do, no matter how we solve it; it will still be tough enough. There will be lots of ground to cover and lots of transportation for parents to worry about no matter how we go about solving this problem. Now, as far as the Experimental Farm is concerned, and the suggestions of the School Advisory Committee at Haines Junction are concerned, why obviously what they are trying to do it trying to find a way to solve the problem. This is what they're trying to do and you can imagine if this was school district rather than it being a part of the Yukon Territory as a whole district, well then they would have this problem themselves and they would look in every nook and corner to try and find out how they're going to solve the problem that is facing them at the present time. In my estimation, Mr. Chairman, this is precisely what this committee is doing. They are looking at something available and they are trying to find out why they can't have it in order to get over the problem. Personally, with regard to the cost of operating the place, I think if we cut down to the specifics of their suggestions and talk about the operating costs of the buildings that they are actually, they actually require, I personally, unless someone can show me different, I don't see any \$50,000 involved in the maintenance of these buildings. I really don't. They're not asking for the whole Farm. What they are talking about is possession of certain buildings to ... perhaps in a temporary situation, to get around the problem so that they can continue to move in a higher educational direction without just simply having to sit here the same way as we've been sitting here year after year, year after year, listening to the same arguments, we can't afford it, we can't do this, we can't do that, and that's all I have been listening to, Mr. Chairman, for a long time about this situation, and this isn't the first time I've brought it up; it is probably the fifth, sixth or seventh time I've brought it up. Thank you, Mr. Chairman.

Mr. Shaw: Mr. Chairman, I'm not conversant with all the ramifications of the proposals as set forth, but it does generally boil down in my estimation to the fact that you take out the principal who has quarters in the school, and you put him to another house to live in; I believe that's the way it appears to me. His quarters you convert into school rooms. What's wrong with building a house in Haines Junction for the principal and converting the quarters into classrooms. I can very much agree with the Commissioner's statement on maintaining a certain building. I was one of the Members here when we took over the, for example, the C.P.A. Staff House. It was \$50,000; that was a tremendous bargain. I thought it was a bargain along with everybody else. Still, we found that the cost of maintaining this building ... if they had given it away for nothing, they would have been ahead of the game. And, the same could apply to the Experimental Farm being such a large unit for this purpose. I agree that at some future time, I would like to see the Government take that over; let's take it over for a Correctional Institution program. But, this matter, it seems if the accommodations where the principal now lives is adequate for classrooms, then what we need is a house



Mr. Shaw continued ...

for the principal. Now, perhaps this proposal could be figured out on this and see what we could come up with. I don't know where the \$170,000 comes in; it seems to me this is two classrooms to be added.

Mr. Commissioner: Mr. Chairman, the desirability of this matter that has been brought before Committee by the Member from Carmacks-Kluane is undeniable. There is no argument from anyone. I am sure that every Member of Committee would agree; I'm sure the Department of Education agrees. It is a matter as to whether or not it is possible and practical; this is what has to be looked at. This is the suggestion of Councillor Dumas and until it has been looked at in a real hard light and brought before Council on the basis of that, there's one hundred and one situations that cannot be resolved simply by this Committee.

Mr. Dumas: Just one question, Mr. Chairman, this is something that we have to look at for the future. It's not something that I think we should rush into. I wonder if the witness, Mr. Chairman, has an idea as to how many students there will be in Grade 10 in September of this year, how many they are projecting from that area.

Dr. Shields: The Haines Junction population in Grade 9 this year was six. We have a total of seven who might be there in Grade 10. I could give you a little broader figures if you like, Mr. Chairman. In 1970, if we started off with Grade 9 centralized at Haines, we would have thirteen students there. In 1971, if we moved from 9 to 10, we would have twenty in 9 and thirteen in 10. In 1972, we would have fourteen in 9 and twenty in 10 and probably they would want to continue on to Grade 11 at this time as they did at Mayo.

Mr. Dumas: Mr. Chairman, the suggestion from the people up there is that they have Grade 10; they're not talking about anything higher at the moment. Also, I don't think the figures take into consideration the Hudson's Bay Mining operation that is going in here.

Mr. Livesey: Not only that, Mr. Chairman, we're not just talking about Haines Junction; we're talking about the whole Highway. This takes in a different pattern than what we're thinking about in other areas. What has been happening is the same thing that happened before Carmacks had a school to start with. When I tried to get that school started, there was no building, and I happened to find out that the Department of Transport was going to release, were going to move out of one of the buildings in the Territorial garage area in Carmacks and we started that school with six children. Listening to the arguments from Whitehorse, that school would never have been started at all. What I told them was that just as soon as you put your school there, the families are going to move back and that's exactly what they did, and look at it today, what is it, 116 pupils including kindergartens or something like that, and a lot more to follow in my opinion. This situation, Mr. Chairman, is something that is a serious matter and it's not something that we can just keep turning over and saying, well, we'll forget about it until next year. You can't just keep forgetting about it; something has got to be done. I would certainly like to see more action, Mr. Chairman, from the Department of Education on this than I've seen in the last ten years.

Mr. Chairman: Have you anything further in this matter?

Mr. Livesey: Yes, I would like to ask the Commissioner if he could provide something firm for Committee and some assurance that we are going to start to work along this line of thinking and provide the proper type of higher educational facilities at Haines Junction that we need for the simple reason that what's happening is that



OTION #18

Mr. Livesey continued ...

we are losing a lot of families, and I brought this up time and time again too, where people are simply faced every summer with the fact that their children are in a certain age group or in a certain bracket, so where do they go? They have got to apply to their employers to get a transfer to go somewhere else or else they have to find some kind of switching arrangement with some of their friends and this is going on and on and on and on. We say, well, these people are not there, well naturally, they can not stay there. That's the situation. What we've got to do is provide something so people can stay in these communities and so we can build up these outlying communities from the skeleton form of transitional occupation that we have at the present time. It's a serious thing, Mr. Chairman, and I would like assurance from the Commissioner that they are going to work on it, and I don't mean tomorrow, I mean now.

Mr. Commissioner: Mr. Chairman, what the Honourable Member has to say, as I have said before, there can be no refuting the desirability as far as residents of the Territory are concerned to have educational facilities to the maximum possible located in their community. There is no argument about this at all. As to whether it is possible and practical to provide these things is something that relates to money and to the number of pupils that will be available and to our ability to provide the physical facilities to make this possible. Certainly, I am quite prepared to give assurances to Members of Committee that the Department of Education will investigate this matter fully and properly and come forth with the actual facts of the situation and what the cost element is going to be. Now, the Honourable Member says he wants it done yesterday; there's no way. But, it will be done promptly and I want the Honourable Member and all Members of Committee to know that I couldn't agree more with what he has to say about losing families and making it difficult for employers to retain desirable employees in the small communities of the Territory due to the lack of higher educational facilities, but I would also point out, Mr. Chairman, that it is absolutely stupid to charge around the Territory on a white steed, being the hail-fellow well met, saying that you're going to provide higher educational facilities everywhere and wind up with providing a standard of education that is not worthy of the name. Now, we can be just as stupid in one direction as we can be in the other, and I see no point of establishing grades beyond the reasonable student level and beyond our ability to provide a standard of teaching in these schools that is something less than what you would expect to find and what the parents consider to be acceptable. So, there is a matter of finding some common ground here on which the needs of the community are going to be met in a manner which is going to be acceptable not only for today but for the future. I think that this has been the policy in the past as dictated by this Council, and it will certainly, I'm sure, be the policy in the future. I personally support it 100%, and I can assure Members of Committee that we will be bringing forward, but certainly not yesterday as had been suggested, the practical and possible approach to this problem, not only as it applies to the Highway north, but to other segments of the Territory as well that find themselves in similar circumstances.

Mr. Chairman: Are we now clear in this matter? I wonder if Dr. Shields could be excused at this time? Thank you very much, Dr. Shields. I will now declare a recess.

ECESS

RECESS

Mr. Chairman: I will now call Committee back to order and I am wondering if you would care to deal now with Bill No. 5, the O. & M. Budget?

BILL #5

All: Agreed.

Mr. Chairman: I wonder if the Chairman of the Financial Advisory Committee has any comments to make.

Mr. McKinnon: As far as I am concerned there were two items which we are waiting for before this Bill could be passed out of Committee. One of the items was the budget presented from the various Local Improvement Districts, and as far as I am understand, these have been presented to Council for their consideration. The other item was the inclusion in the Estimates of the draft to the Yukon Chamber of Mines. We had a Budget Programming Committee meeting last night and I can say that the monies to give to the Yukon Chamber of Mines as per the traditional grant, are included in the Supplementary Estimates that will be tabled before this House tomorrow morning, according to the Commissioner, so with these two items cleaned up I see no reason why Bill No. 5 cannot be reported out of Committee without amendment.

Mr. Chairman: Councillor Shaw, will you take the Chair?

Mr. Taylor: Mr. Chairman, this is correct and with the assurances of the Financial Advisory Committee that Vote 8, Establishment 18, Chamber of Mines Grant in the amount of \$1500 will be considered in Supplementary Estimates, and in light of the fact that we now have these Local Improvement District Budgets, I would withdraw my objections to Bill No. 5.

Mr. McKinnon: Mr. Chairman, **unlike** Members of Administration, I am happy to give that assurance and would move Bill No. 5 out of Committee without amendment.

Mr. Dumas: I second the Motion, Mr. Chairman.

Mr. Chairman: It has been moved by Councillor McKinnon, seconded by Councillor Dumas that Bill No. 5 be reported out of Committee without amendment. Are you prepared for the question? Are you agreed? Any contrary? I declare the Motion carried.

MOTION CARRIED

MOTION  
CARRIED

Mr. Chairman: The remaining items in Committee at this time are Motion No. 7 respecting land disposal policies and coming into Committee tomorrow will be the matter of Sessional Paper No. 17 and I believe that we have now completed the Bills, is this correct, Mr. Clerk? Sessional Paper No. 17 will be processed tomorrow morning and moved into Committee. I believe there is going to be a Supplementary Estimate submitted tomorrow morning for consideration of Council as well. I am wondering at this time if it would be the intention of Committee that the Committee dealing with land policy would sit this afternoon to conclude this work?

MOTION #7  
S.P. #7  
S.P. #17

Mr. Shaw: Is it possible that we complete everything, including this land policy deal this afternoon - is there anything we can do so that tomorrow morning all we will have will be Supplementary

Mr. Shaw continues.....

Estimates - to complete all business now? Is it at all possible to do that?

Mr. Commissioner: Mr. Chairman, there are some enabling pieces of legislation, along with the Supplementary Estimates, I believe, to enable us to do certain things that Council has agreed to already but we need the legislative authority to do so. This will be coming forward all in one package tomorrow morning.

Mr. Chairman: How many Bills would this involve?

Mr. Commissioner: I believe it would possibly be three and the Supplementary Estimates being the fourth one but they are enabling legislation, Mr. Chairman, simply to authorize us to do that which we already have been told we can do.

Mr. Livesey: Mr. Chairman, is this going to take until tomorrow? Isn't there some way we can prorogue today?

Mr. Chairman: It would appear not, the Land Policy Committee will require time to improve their deliberations.

Mr. Shaw: Mr. Chairman, that was the point. It seems we will not be able to get these and I think we must consider that it does take time - I would like very much to have gone today but the Supplementaries were not discussed so it does take the following day to make up all the necessary paper work and I can understand that but what I would like to know Mr. Chairman, that anything else that is on the table - can we conclude that today before we go on this Committee?

Mr. Chairman: We have everything with the exception, and I will repeat again, of the Land Policy question which has to be determined, apparently four Bills of legislation coming in tomorrow and Question No. 17 coming in, pardon me, Sessional Paper No. 17 coming in tomorrow.

Mr. Dumas: Mr. Chairman, could we meet this afternoon at 3:15; would this give those people involved in getting together on the Land Policy paper time enough to do what they have to do; secondly, we could revert back to Orders of the Day and get Sessional Paper No. 17 into Committee and discuss it, if Committee wishes.

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

RECESS

RECESS

Mr. Chairman: At this time we will call Committee back to order. What is your please now?

Mr. Shaw: I would move that Mr. Speaker do now resume the Chair.

Mr. Dumas: I'll second the Motion.

Mr. Chairman: Moved by Councillor Shaw, seconded by Councillor Dumas that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed? Any contrary? I will declare the Motion carried?

MOTION  
CARRIED

MOTION CARRIED



Mr. Speaker: I will now call Council to order. May we have a report from the Chairman of Committees?

Mr. Chairman: Mr. Speaker, Committee convened at 10:30 A.M. this morning to discuss Bills, Sessional Papers and Motions. Dr. Shields, Superintendent of Education, attended Committee to discuss Motion No. 18. It was moved by Councillor McKinnon, seconded by Councillor Dumas that Bill No. 5 be reported out of Committee without amendment and this Motion carried. It was then moved by Councillor Shaw, seconded by Councillor Dumas that Mr. Speaker do now resume the Chair and this Motion carried.

REPORT OF  
CHAIRMAN OF  
COMMITTEES

Mr. Speaker: You have heard the report of the Chairman of Committees. Are we agreed? May I have further indications of the agenda for tomorrow.

Mr. Taylor: Mr. Speaker, it would appear from the little amount of work now in Committee that it may be possible to prorogue tomorrow and I believe it is the intention of the Members of the Land Committee to sit in Committee this afternoon to finalize their deliberations.

Mr. Speaker: Are there any additions? May I have indications of your pleasure at this time?

Mr. Shaw: Mr. Speaker, I would move that we call it five o'clock.

Mr. Speaker: It has been moved that we call it five o'clock. Are we agreed? The House now stands adjourned until 10:00 a.m. tomorrow morning.

ADJOURNED





Mr. Speaker read the daily prayer. All Councillors were present except Councillor Chamberlist.

Mr. Speaker: Mr. Clerk, is there a quorum present?

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call the House to order. I will draw your attention to the tabling of Sessional Paper No. 18. Are there any Reports of Committee? Introduction of Bills?

Moved by Councillor Shaw, seconded by Councillor Dumas, that Bill No. 13, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Three Hundred and Fifty Thousand Dollars from the Government of Canada to to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be introduced.

BILL #13  
INTRODUCED

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that Bill No. 14, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Four Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be introduced.

BILL #14  
INTRODUCED

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Dumas, seconded by Councillor Shaw, that Bill No. 15, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding One Hundred and Eighty Thousand Dollars from the Government of Canada in Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be introduced.

BILL #15  
INTRODUCED

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Dumas, seconded by Councillor Shaw, that Bill No. 16, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be introduced.

BILL #16  
INTRODUCED

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Notices of Motion or Resolution?

Mr. McKinnon: Mr. Speaker, I would like to give Notice of Motion re Sessional Paper No. 18.

MOTION #21

Mr. Speaker: Are there any further Notices of Motion or Resolution? Notices of Motion for the Production of Papers? And, moving to Daily Routine under Orders of the Day, under Motions, we have Motion No. 19, moved by the Honourable Member for Watson Lake, seconded by the Honourable Member for Whitehorse East, "In the opinion of Council, the forthcoming Summer Session 1970 be held in Watson Lake in a similar manner to that held in Dawson City for the Spring Session 1970". Would the Honourable Member for Watson Lake be prepared at this time to move Motion No. 19?

MOTION #19

Mr. Taylor: Yes, Mr. Speaker. I think it was found this spring, while in Dawson City for the first week of our deliberations that the exercise was a very successful one inasmuch as we did take government to the people and allowed the people an opportunity not only to individually discuss problems with Administration and

## MOTION #19

Mr. Taylor continued ...

Council, but to show them or give them an opportunity to see just how Council functions and how the government of their Territory works. Now, it is recognized that since the days of 1898, Dawson City, the frontier community in the Yukon, the old frontier days sort of thing, has been representing more or less that era. Watson Lake is a newer community than Dawson and has possibly only been in existence for thirty-five or forty years as such, but nevertheless, it is a very important representative of the new frontier in the Yukon. I might say also that it has contributed greatly to the economy of the Yukon inasmuch as it is a key communications and supply point serving the southern Yukon, our neighbours in northern British Columbia and indeed the western section of the Northwest Territories. I think, indeed, I know that the citizens of Watson Lake would be very proud to have the opportunity to see their Council at work, again to discuss with the Administration and Councillors alike the problems of the day, and I feel that all the facilities required to implement this are available, including telex communication, accommodation, etc. So, it seems only right and fitting, Mr. Speaker, that at the Summer Session, that we consider holding this Session in the community of Watson Lake.

Mr. Speaker: Is there further discussion on Motion No. 19? Question has been called. Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

## MOTION #20

Mr. Speaker: Motion No. 20, moved by the Honourable Member for Watson Lake, seconded by the Honourable Member for Mayo, "That Sessional Paper No. 17 be discussed in Committee of the Whole". Would the Honourable Member for Watson Lake be prepared to move Motion No. 20? Question has been called. Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: Mr. Clerk, may we have the Commissioner present for the Question Period at this time? I will call a five-minute recess.

RECESS

RECESS

Mr. Speaker: I will now call Council back to order. We have the Commissioner with us and you may proceed with the Question Period.

QUESTION RE  
BRIEFS ON  
WHITE PAPER

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner whether he's had a chance to study the brief submitted by the Whitehorse Chamber of Commerce and the Yukon Chamber of Mines on the White Paper to the House of Commons Committee on Taxation, and whether or not his government is willing to endorse the brief as presented by these Chambers?

Mr. Commissioner: Mr. Speaker, the brief referred to by the Honourable Member came to my desk yesterday afternoon and I must admit that up until now I have not had the opportunity of looking at it, but certainly it would appear to me to be a very commendable effort and while I realize that there may not be an opportunity for me to give my Administration's comments on it at the present time, I would certainly undertake to do so at the earliest possible time.

QUESTION RE  
FOSTER CHILDREN  
ALLOWANCES

Mr. Dumas: Mr. Speaker, I wonder if the Commissioner could tell us if his Administration is looking into the feasibility of increasing the allowances for foster children placed in homes?

Mr. Commissioner: Mr. Speaker, the answer is in the affirmative. The matter has been under review for some weeks, even prior to the receipt of a petition I believe from the group of interested

Mr. Commissioner continued ...

individuals and after we have accomplished this study, Mr. Speaker, I am confident that there will be the necessary changes in these allowances and they will be getting dealt with promptly. I would anticipate that the changes as they will be, will be made retro-active to the first of April in this fiscal year, Mr. Speaker. I trust that that is the satisfactory approach that the Members would like to see taken in this matter.

Mr. McKinnon: Mr. Speaker, following a general meeting of the Child Care Centre Society, a report came out that the Child Care Centre may have to close its doors because of a grant that was not forthcoming from the Territorial Government. I thought, Mr. Speaker, that we had discussed this at the Fall Session of Council and I wonder if Mr. Commissioner could give us any light on this subject?

QUESTION RE  
CHILD CARE  
CENTRE

Mr. Commissioner: Mr. Speaker, one of the conditions that was intimated in the Paper which was a recommendation from the Budget Programming Committee that I consider to be very acceptable was that the rate of the Child Care Centre would be set at the realistic cost of providing the service; I believe that figure was quoted at \$90 a month per child. When the Child Care Centre had seen fit to establish this as the rate for those who had the capability of paying, then the Territorial Welfare Department would undertake to pay the difference between that rate and what could be paid by those who did not have the ability to pay the full \$90. This was clearly indicated in the Paper that was presented to Council and I had the opportunity yesterday of speaking with an officer of the Child Care Centre, and I do believe that they have a clear understanding of what is required. I am quite confident that the matter will be satisfactorily resolved. I may say, Mr. Speaker, just to bring the matter further to Council's attention, this is a scheme that is a participating scheme under the Canada Assistance Plan.

Mr. Dumas: Supplementary, Mr. Speaker, did I understand the Commissioner to say that he had been contacted in the last twenty-four hours by a director of the Child Care Centre?

QUESTION RE  
CHILD CARE  
CENTRE

Mr. Commissioner: Mr. Speaker, I do not know the office that the individual holds; I can't attest to that, but by a responsible individual who is connected with the Child Care Centre.

Mr. Taylor: Mr. Speaker, in view of the apparent need for further amendments to the Municipal Ordinance as required by the City and also in view of some problems existing in the outlying districts, I'm wondering if Mr. Commissioner could advise me this morning if such amendments will be forthcoming at the Summer Session?

QUESTION RE  
MUNICIPAL  
ORDINANCE

Mr. Commissioner: Mr. Speaker, I'm sorry, I couldn't promise that. I think that Council has agreed for some time in the past, Mr. Speaker, that a complete new Municipal Ordinance is required. Every day in every way we find that it is just like the Liquor Ordinance; the inefficiencies in it have resulted in a list of amendments. Many, many amendments have been made. I believe that it has been some ten years, Councillor Shaw, since the Municipal Ordinance was amended and the fact that such things as plebiscites are being held under conditions that make it impossible to properly deal with them is certainly a pretty clear indication that it isn't amendments we need, Mr. Speaker, it's a whole new Ordinance. I wouldn't like to promise too much about this. I would be very hopeful, Mr. Speaker, that I would have elected Members sitting on the Legislative Programming Committee in the fairly near future to assist us in bringing forth a new Municipal Ordinance.

Mr. Taylor: Mr. Speaker, I have another question I would like to direct to the Commissioner this morning having reference to the Alaska Highway maintenance takeover which appears to be imminent. The question is this if the Commissioner is able to answer it, I

QUESTION RE  
TAKEOVER OF  
ALASKA  
HIGHWAY



Mr. Taylor continued ...

am wondering if he could tell me if employees' seniority will be protected in the case of the Department of Public Works employees transferring over to the Territorial function?

Mr. Commissioner: Mr. Speaker, this is a detail which I would be very hesitant to even attempt an answer to at this time. I think that the Honourable Member is aware that there has been tremendous amounts of details gone into by the Personnel Department, the Treasury Department and their counter-parts on the Federal side in these matters, and all I can say, and I would hope that this would be reasonable reassurance to the Honourable Member, that we are not about to go around destroying individuals in the process of saving the Federal Government and the Territorial Government a few dollars in maintaining the Alaska Highway. If we have to destroy individuals in order to do it, we'd better stop doing what we're doing right now.

**QUESTION RE  
EMPLOYMENT  
ADVERTISING**

Mr. Taylor: Yes, I have a further question, Mr. Speaker. I am just wondering if Mr. Commissioner could indicate to Council this morning as to how successful the Administration has been in curtailing the North Slope employment advertising as it seems to be emanating out of the City of Whitehorse?

Mr. Commissioner: Mr. Speaker, sometimes I pick up publications and I am absolutely amazed at what the printed word is conveying. It would appear to me that we are not having any success at all, Mr. Speaker, and it is simply, as I intimated before, the hopes of the Canada Manpower Centres across Canada who have been advised that this type of advertising is entirely misleading will ultimately reach the ears of the majority of people before they come here on a quest which we all know to be entirely fruitless. I may say that most of the government publications of a news circulation type are making it very clear that this type of advertising is entirely misleading, but beyond those two avenues, Manpower and government publications, there is just nothing else that we have the ability to do at this time.

**QUESTION RE  
EMPLOYMENT  
ADVERTISING**

Mr. Taylor: I have a supplementary question, Mr. Speaker. In view of the fact that it affects the Yukon to the extent of us picking up, among other things, the welfare bill for some of these people, and also in view of the fact that we do have under Chapter 35 of the Revised Ordinances of 1958, legislation which could curtail this, I'm wondering if the Administration could advise me if they intend on taking action under that Ordinance or should be just scrub the Ordinance?

Mr. Commissioner: Mr. Speaker, I'm sorry the Legal Adviser is not here to answer that question. There was a small omission in that Ordinance; there is no penalty under it, Mr. Speaker.

**QUESTION RE  
EMPLOYMENT  
ADVERTISING**

Mr. Dumas: I wonder if the Administration might look into the advisability of contacting the State of Alaska, the Government of the State of Alaska, with a view to possibly a publicity campaign in conjunction with them, a limited one, by the means of local newspapers outside, and by means of radio and T.V. publicity to offset this problem because it could I think this summer create quite a heavy burden on the taxpayers of the Yukon, Mr. Speaker.

Mr. Commissioner: Mr. Speaker, there's no question that the suggestion raised in the Honourable Member's question has merit. As to whether it has any practical application, I'm afraid that I would have to be given the opportunity of taking a pretty hard look at it. Remember that we're spending about a half a million dollars this year trying to bring people to the Yukon, and now I hope that we're not going to be called upon to spend a half a million to keep them away. Now, we'll have to make a little decision here but, quite frankly, I do think that it would be a worthwhile situation to have our Department of Travel and Infor-

Mr. Commissioner continued ...

mation contact their counterparts in the State of Alaska and see what if anything is practical in the circumstances.

Mr. Taylor: I have a further supplementary question, Mr. Speaker, and I wonder if the Administration would feel that it might be wise to offer an amendment to this Ordinance in order that it could be made workable? I wonder why it hasn't been done already?

QUESTION RE  
EMPLOYMENT  
ADVERTISING

Mr. Commissioner: Mr. Speaker, this green book is full of a lot of things that should be eliminated or updated just as well. I think that the Honourable Member is aware that there has not been any occasion to really even take a look at this Ordinance for many, many years, and I would be very hopeful that we could at least leave it sit the way it is for the time being before we consider any amendments or anything new to take its place. I think we're treading on pretty thin ground and I would much prefer that we had a word with our Legal Adviser before we make any attempt at this suggested change.

Mr. Speaker: Are there any further questions?

Mr. McKinnon: Mr. Speaker, I think the publicity campaign would have to go a little further than Alaska and the Yukon because I see the same advertisement now in the News of the North in Yellowknife, giving a Whitehorse box number to reply to for jobs on the North Slope. Several provinces, Mr. Speaker, in the last few months have passed legislation banning the use of disposable bottles, and the Federal Government of Canada is also looking at the banning of these bottles. I wonder in light of this, Mr. Speaker, whether Mr. Commissioner could bring in legislation at the earliest opportunity to ban the use of disposable bottles in the Yukon? I think this is an urgent problem as I think we are just using our Territory as a junkyard as long as these bottles are allowed.

QUESTION RE  
DISPOSABLE  
BOTTLES

Mr. Commissioner: Mr. Speaker, I agree very much with the question that the Honourable Member has posed. A similar question was posed a few days ago, and I have asked the Territorial Secretary through the Clerk to get the legislation that does prevail in other parts of Canada, particularly that which is being brought into effect in our neighbouring province of British Columbia. Certainly, if Council would feel that this type of legislation should be brought forward, we would certainly make every endeavour to have it brought forward in a form which appears as if it is applicable in the Territory.

Mr. Speaker: Are there any further questions? If not, may we proceed to Public Bills and Orders?

Moved by Councillor Shaw, seconded by Councillor Dumas, that Bill No. 5, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be given Third Reading.

BILL #5  
THIRD  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Dumas, that the title to Bill No. 5, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be adopted as written.

BILL #5  
TITLE  
ADOPTED

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: I will declare that Bill No. 5 has passed this House.

Mr. Taylor: Mr. Speaker, I would move that Standing Order No. 41 be suspended in order that we may return to Daily Routine for the purpose of further processing of Motions and Bills.

Mr. Speaker: The lifting of Standing Order No. 41 will not be required for Bills, but it will be required for Motions.

Mr. Taylor: This is in order to give First and Second Reading to Bills introduced today, and I believe that the Standing Order would have to be suspended to do that, Mr. Speaker.

Mr. Speaker: Standing Order No. 41, for the benefit of the House, is that twenty-four hours notice shall be given of a motion for leave to present a Bill, resolution or address, for the appointment of any committee or for placing a question on the Order Paper, or Private Members' Bills, but this rule shall not apply to Bills after their introduction or to give ... or to the time of meeting or adjournment of the Council; such notice shall be laid on the table before 5:00 p.m. and be typewritten or printed in the Votes and Proceedings of that day. Therefore, Standing Order No. 41 will not be required after Bills have been introduced, but it will be required for Motions or any other business which must be proceeded with in Committee. You may proceed.

Mr. Dumas: I would like to move Second Reading to Bill No. 13 ... First Reading to Bill No. 13 ...

Mr. Speaker: Order, please. The Honourable Member for Watson Lake was proceeding with a motion to lift Standing Order No. 41 in relation to motions.

Mr. McKinnon: Mr. Speaker, there is a motion before the House that I gave notice of this morning and that I would like to see in Committee today if possible, so I would like to second the motion of the Honourable Member from Watson Lake.

Mr. Speaker: It has been moved by the Honourable Member for Watson Lake, seconded by the Honourable Member for Whitehorse North, that Standing Order No. 41 be suspended in order that we may proceed with Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: You may proceed.

Mr. McKinnon: Mr. Speaker, I would move, seconded by the Honourable Member from Watson Lake, that Sessional Paper No. 18 be discussed in Committee of the Whole.

Mr. Speaker: Moved by the Honourable Member for Whitehorse North ... this Motion has already been introduced.

Mr. McKinnon: Notices was given this morning, Mr. Speaker, under Orders of the Day, and now that Standing Order No. 41 has been suspended I will make the motion so that we can proceed with it in Committee when Mr. Speaker leaves the Chair.

MOTION #21

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Watson Lake, that Sessional Paper No. 18 be discussed in Committee of the Whole. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: You may proceed.

Moved by Councillor Shaw, seconded by Councillor Gordon, that Bill No. 13, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Three Hundred and Fifty Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be given First Reading.

BILL #13  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Gordon, that Bill No. 13, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Three Hundred and Fifty Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be given Second Reading.

BILL #13  
SECOND  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Gordon, seconded by Councillor Dumas, that Bill No. 14, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Four Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be given First Reading.

BILL #14  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Gordon, seconded by Councillor Dumas, that Bill No. 14, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Four Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be given Second Reading.

BILL #14  
SECOND  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Dumas, seconded by Councillor Shaw, that Bill No. 15, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding One Hundred and Eighty Thousand Dollars from the Government of Canada in Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be given First Reading.

BILL #15  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Dumas, seconded by Councillor Shaw, that Bill No. 15, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding One Hundred and Eighty Thousand Dollars from the Government of Canada in Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be given Second Reading.

BILL #15  
SECOND  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Gordon, that Bill No. 16, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be given First Reading.

BILL #16  
FIRST  
READING

MOTION CARRIED

MOTION  
CARRIED

Moved by Councillor Shaw, seconded by Councillor Gordon, that Bill No. 16, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be given Second Reading.

BILL #16  
SECOND  
READING

MOTION CARRIED

MOTION  
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Mr. Speaker: May I have your further pleasure?

Mr. Shaw: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair and that Council resolve itself in Committee of the Whole to discuss Bills, Motions and Sessional Papers.

Mr. Dumas: I'll second the motion.

Mr. Speaker: Moved by the Honourable Member for Dawson, seconded by the Honourable Member for Whitehorse West, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried.

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Mr. Speaker: The Honourable Member for Watson Lake will please take the Chair in Committee.

Mr. Taylor takes the Chair.

Mr. Chairman: We have in Committee now, Sessional Papers No. 17 and 18, and four Bills. In view of the time before recess, I wonder if you would care to discuss Sessional Paper No. 18 at this time?

Mr. McKinnon: We need Mr. Legal Adviser here, Mr. Chairman.

Mr. Chairman: Mr. Clerk, could we have Mr. Legal Adviser here? I'll declare a recess.

RECESS

RECESS

SESSIONAL  
PAPER #18

Mr. Chairman: At this time, we will call Committee back to order. We are discussing Sessional Paper No. 18 respecting the voting age in the Yukon. You may proceed. This Paper was delivered and processed this morning so it will be in your documents for this morning.

Mr. Livesey: In opening discussion on the motion, Mr. Chairman, and especially in relation to my question to the Administration which was: "Will time permit or inventive genius provide an opportunity for Council to decide the voting age in Territorial elections to include the forthcoming fall election in view of the suggestion in the Commissioner's Opening Address that the legislature will be provided an opportunity to make such a decision". Now, the answer I got was: "In view of the fact that the voting age for the Yukon is set out in the Yukon Act and also the Yukon Elections Ordinance, I would suggest that you should have a motion put before Council for their discussion". Now, the reason for the question, Mr. Chairman, was that of course the Yukon Act, being a Federal Act of Parliament, it is an Act over which we have no control, but what I was aiming at was to find out if the Administration could let us know by one way or another, whether it may be open or some other way of letting us know, how this could be done, whether this opportunity was going to be provided because when it comes to changes in the Yukon Act, why we can sit here for days on end and still never be able to figure out whether that Yukon Act is going to be changed or not, but there are certain quarters in the Federal Building that know more about these things than we do and this is the reason for the question. What is meant was, and I believe the question was raised before it was known for certain that we were going to have another Session. Without the following Session, there would have been no opportunity to further raise this question so this question was raised on that basis, to find out if the Administration could give us some form of hint or whatever they wished or felt was the right procedure to let us know whether we were going to be able to do this or not because

Mr. Livesey continued ... if we didn't have another Session after this one, well, of course there would be no further opportunity for the Council even to alter their own Ordinance to that effect and I could see problems arising and that is the reason why I asked the question in the first instance, Mr. Chairman.

Mr. Commissioner: Mr. Speaker, I think it must be very obvious to the Honourable Member that this is why I asked that I not be tied down to a firm date for the next Council Session.

Mr. Dumas: Mr. Chairman, I have several questions for the Legal Adviser. One, is it legally possible for us at this Session to pass a motion which would come into effect at the date and time that the Yukon Act is changed by Parliament?

Mr. Legal Adviser: Mr. Chairman, I'm not sure ... a motion expresses the wishes of Council. An Ordinance makes something law. Now, the particular tie-up in voting age is quite difficult. The Canada Elections Act has certain sections which apply to the Yukon. One of those sections which specifically apply to the Yukon, as well as the rest of Canada, is that where the Act applies, any change in the rules of the game do not apply to any election held for six months after the rules have been changed, and this is one of those rules. So, if the Canada Elections Act is changed today by a reduction in the voting age somewhere else, it can't operate for any election that is held for a period of six months. So, the deadline for changing the rules of the game would have been about March for an election in September so that although everybody realizes that the Minister will be changing acts and so forth, without a special specific change for that, it couldn't operate for an election in September.

Mr. Livesey: Mr. Chairman, this was the reason for the words "inventive genius".

Mr. Dumas: Mr. Chairman, following that up, is there any way around this problem?

Mr. Legal Adviser: It's flattering for one of the Honourable Members to say that there are people in the Federal Building who know more than the Honourable Member. I've been cudgeling my brain for months and I can't see any way around it because I can't see how we're going to get the Canada Elections Act changed on that specific item.

Mr. Livesey: Mr. Chairman, I thought that was a flattering compliment.

Mr. Chairman: Councillor Shaw, would you take the Chair a moment, please?

Mr. Shaw takes the Chair.

Mr. Taylor: Mr. Chairman, it's interesting to observe that the Province of British Columbia has just enacted legislation which would grant further rights, almost total rights of an adult to a nineteen year old in the Province of British Columbia, and I am wondering now if it wouldn't be advisable for the Administration upon the recommendation of course of Committee, to get a copy of this particular piece of legislation and study it, and where possible, attempt to bring this into force in the Yukon Territory. Now, it has been suggested that the Canada Elections Act would have to be changed. This is fine. Possibly we can proceed now with representations, following Committee's decision of course, to Ottawa to have this brought into effect, and it's obvious that it won't be possible to have this done for the fall, but maybe all these things can come together, is what I'm trying to say, Mr. Chairman, and maybe this is the approach to take.

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Mr. Legal Adviser: Mr. Chairman, I may have failed to make myself clear. It's not necessary to change the Canada Elections Act because basically it's a good provision that within six months of an election, the rules concerning the election are set. This is a good provision and a sound provision so that a dying provincial legislature or a Territorial Council cannot suddenly, in order to create a self-perpetuating electorate, fix the rules to give themselves power. This is a very constitutionally sound provision and I don't think anyone here would wish that this particular provision be changed. When the Yukon Act is changed, as everyone assumes it will be at the commencement of this particular Session immediately after Easter, and assuming it goes through the House of Commons, then it will be possible for this Council to reduce the voting age to nineteen or any other age exactly as B.C. has done. Now, at the moment they can change the legal attributes of a person of nineteen by saying they have full power to make contracts, full power to marry, as they have already done that they have power to go in and buy alcoholic liquor. They will have power when the Yukon Act is changed to reduce the voting age to nineteen but they can't make that change effective so far as an election here is concerned for six months. So, assuming we are having an election in September, any change between now and then must have a six month period of inviolability of elections. So, the main effect would be this, if the rules are changed and the Council wished the change to operate at the very next election, the election would have to be postponed beyond September.

Mr. Taylor: I'll resume the Chair.

Mr. Taylor resumes the Chair.

Mr. Shaw: Mr. Chairman, this is somewhat final I think the way this is in respect of changing this, and it seems to me that all we can do right now is that we're making a useful prank in anyone's campaign and that's as far as we can go with it.

Mr. Livesey: Yes, Mr. Chairman, this is what bothered me when it appeared to me that the statement that was made that we were going to have the opportunity and I couldn't see how we were going to have it and yet I thought that if it was possible, it would be a good thing for the north and for the Yukon, especially for the next election, but considering the facts that are facing us, I couldn't quite see how this could be done. However, we certainly have been given the proper information this morning, Mr. Chairman, and I certainly would like to thank the Legal Adviser for this information.

Mr. Chairman: I note in the Paper, in speaking from the Chair, that there is a suggestion that a motion could be put before Council. I'm wondering if it's the wish of Council to take any action in this respect?

Mr. Legal Adviser: Mr. Chairman, a motion has value; it expresses the wish of this particular House, and the Administration would at the proper time when it had the legal authority under the Yukon Act to bring in legislation to put before the House, it would put the legislation before the House. So, a motion has value in expressing the wish of this particular Council. At the earliest opportunity after it's legally possible for us under the Yukon Act to bring in legislation fixing, because we would be fixing the voting age for the first time in an Ordinance, we would bring in the appropriate legislation, at least I would think the Commissioner would, in accordance with the wishes of the House. But, we have to have the legal power under the Yukon Act to do this.

Mr. Shaw: Mr. Chairman, I believe the Honourable Minister of Northern Affairs did state that it was his intention to have the Yukon Act changed to permit the Council to establish the voting age and so forth, and that's why I hardly see that any motions or anything else like that will really be of any effect at this time. I think that orally, certainly, he has been advised of the wishes of the people of the Yukon in respect of this, and it appears that it is truly his intention to have this necessary change made. Now, when it will come about, I don't know; they are having quite a time getting Bills through Parliament these days and that might be on the bottom of the totum pole. Let's hope not.

Mr. Dumas: Mr. Chairman, in view of what has just been said, I would like to propose a motion on this so that the Administration has it perfectly clear as to the opinion of Council on the lowering of the voting age, and I'm not suggesting that all Members will be for it but certainly we'll have a debate. I would like to move that the voting age in the Yukon Territory be reduced to nineteen as soon as legally possible.

Mr. Chairman: Is there a seconder?

Mr. Shaw: Mr. Chairman, talking on the matter ...

Mr. Chairman: Order, please. I'm just wondering if there is a seconder for this motion?

Mr. McKinnon: Mr. Chairman, to allow for discussion on the motion as the Honourable Members seem to want to do, I'll second the motion.

Mr. Chairman: I just wish to state from the Chair that there is no motion until there is a seconder.

Mr. Shaw: I merely wanted to point out, Mr. Chairman, that I agree exactly with the intent of the motion if the motion were placed that the Council of the Yukon Territory had the ... in other words, if the section that said that the ... that states it must be twenty-one in the Yukon Act was completely removed and leave this as a matter for the Council rather than ... you're bound right down by that particular section, and I think that if we had the prerogative to set our own voting age, that that would be much more fitting.

Mr. Dumas: Mr. Chairman, the only purpose of the motion is to get the intent of Council on the records so that the Administration knows which avenue to proceed with. Nothing can technically be done until this Council finally approves it anyway, Mr. Chairman, but it's just to get the machinery in motion to try to have this problem brought before Council so that the reduction can finally be made.

Mr. Shaw: Mr. Chairman, that is why I say that we're binding ourselves down. If we could ask that the motion respecting the setting of age be repealed from the Yukon Act, then of course the Council itself has the prerogative of where it's set at any future date. Maybe they want it at fifteen; one never knows. But, at nineteen, if they do change it to nineteen then they are in effect continuing a process of instructing the Council of the Yukon Territory as to what they should do. I think that the Honourable Members will agree, Mr. Chairman, that Council would like to have the right to establish their own voting ages and drinking ages and so on and so forth, and if a motion could be in that line, I think it would be better.



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Mr. Livesey: Mr. Chairman, I wonder if I could ask the Legal Adviser if in his opinion, no matter what we do or do not do at this particular time, even if the changes and amendments to the Yukon Act as now being discussed in Ottawa were to provide that we may have this power to provide the voting age, would it be possible to have any effect upon the next and forthcoming election scheduled for September the 8th this year?

Mr. Legal Adviser: If the election is held in September, no.

Mr. Chairman: At this time, I'll declare a recess.

RECESS

RECESS

Thursday, April 16, 1970  
11:00 o'clock a.m.

Mr. Chairman: At this time we will call Committee back to order. We were discussing Sessional Paper No. 18. And we have before us a motion, moved by Councillor Dumas, seconded by Councillor McKinnon that the voting age in the Yukon Territory be reduced to nineteen as soon as legally possible. Are you prepared for the question? Are you agreed? Any contrary. I will declare the Motion carried.

S.P. #18

MOTION CARRIED

MOTION  
CARRIED

Mr. Chairman: The next item of business will be Sessional Paper No. 17 and we will just declare another brief recess until we see if Inspector Wood is available.

S.P. #17

RECESS

Mr. Chairman: At this time we will call Committee back to order and we have with us this morning Inspector Wood of the Royal Canadian Mounted Police to discuss with us Sessional Paper No. 17. Councillor Shaw, would you take the Chair, please.

Councillor Shaw takes the Chair.

Mr. Taylor: Mr. Chairman, I would like to thank Inspector Wood for coming to be with us this morning. I would like to say that the question they have raised in Council has been one which has been raised by many people in the Territory. I think it well to point out that the little pieces of equipment known as the breathalyzer, since its institution in the Yukon since April has probably had the desired effect of altering our daily lives in the Yukon and in light of all the questions and discussion which has taken place in the general public, discussions and debate and questions raised within the general public, I thought it would be useful if we could have a discussion in Council on this matter and maybe clear the air. I would like to say at the outset, Mr. Chairman, that without any qualification I am not opposed, personally, to the use of the breathalyzer. I think that it should be recognized that the Territory just brought down legislation which indeed did permit drinking in a motor vehicle. The only way that this could work out, I feel, is having the alternate deterrent of the breathalyzer. Now, the problem that I see here is, and the problem with most people is that they wonder if there is being indiscriminate use of the breathalyzer; that is to say it would appear that the spirit and intent of the section of the Act which proclaims, the Federal Act, which proclaims legally the use of the breathalyzer, some of us feel, did not intend that people got put into a box, so to speak and I will explain what I am trying to say this way. A Constable is following a motor vehicle and it is swaying, or appears that the driver is not driving with due care and attention, then he should be stopped and if alcohol is suspected, checked with a breathalyzer. The same would go if someone is found in a ditch or snowbank through possible reckless driving. The same would go if someone had reported anyone in any such circumstances and the Constable was to arrive. The third, of course, would be in the case of an accident of any nature and it would appear, as the Ordinance states, "where a Peace Officer on reasonable and probable grounds believes that a person is committing or at any time within the preceding two hours has committed an offence under Section 222," which I believe is the section respecting impaired driving. But it seems that when you make a normal check of vehicles, Mr. Chairman, possibly a person has a headlight out, taillight out, possibly windshield frosted up or this type of thing, that a person should not necessarily be subjected to the breathalyzer. This is the objection I am getting at and I am sure other Members of Committee must have, at some time or another, heard this and it is in these areas that people feel the breathalyzer is being used indiscriminately. Now, I think there is another area here and I think it is a very, very important one to consider when we



S.P. #17 Mr. Taylor continues....

discuss this subject and that is that people in the north - I know, I have been here now for twenty-two years. People in the north have always looked upon the Force, the Constabulary of the R.C.M.P. with great pride and respect but it seems here that people are having a tendency to fear the Force, with great fear. I don't think this is a good thing, to be quite frank and honest about this. I think, then, that a useful discussion in respect of the use of the breathalyzer, the discretion of the Constable, is very important here because I think here is where the problem lies. So, this is why I asked in the paper what is the existing policy respecting its use and what safeguards exist to prevent what we may term, from the public point of view, possible indiscriminate use which indeed may not be indiscriminate use, I don't know; this is what the clearing of the air is supposed to achieve, Mr. Chairman. Inasmuch as this little box affects all our lives, and I believe there are several in use in Whitehorse, and there will be two in use in Watson fairly shortly and I believe another two are programmed for Dawson, I feel the public should have some idea just what the limitations are. With those initial remarks, Mr. Chairman, I am wondering if it is possible to do so without any breach of rules of anything of this sort on behalf of the witness, Inspector Wood, I am wondering if he could outline just what the policy is in relation to the questions I have just asked.

Inspector Wood: Mr. Chairman, first of all I think one thing is very important to understand is that when you read the section of the Criminal Code that I quoted in my reply to the Commissioner, the most important part is the Police must have reasonable and probable grounds and you have to wonder what these reasonable and probable grounds are. Now, in all the cases so far, and this is the way it will continue to be, unless we are directed to the contrary, we will not set up what were formerly known in B.C. as "sniffing stations". We will not just carry out routine traffic checks to pick off people to take before the breathalyzer; that in each instance so far, and will continue to be this way that first of all motorists must draw attention to themselves and this has happened to each and every instance. Once a motorist has drawn attention to himself and our patrols check him, if then they find there is an indication that he has been drinking, then of course we follow the provisions of the Code, and I think I cannot put it any more briefly than that as that is what does take place and will continue to take place. Now, you did raise one point about routine checks. In the enforcement of the Motor Vehicles Ordinance, and sometimes we have road blocks looking for a criminal, some specific individual, or individuals, and we do happen to come across someone driving a car, we stop them and check them and we find that they are well under the influence of alcohol, then of course, or there is an obvious indication of impairment, then of course we would bring them in for a breath test. This is what you might call a routine check and obviously we would be wrong to ignore people who appear to have been consuming alcohol to excess in driving a car. This is where we may do it on a routine check, but we will not set up road blocks of any description for the specific purpose of looking for people who are driving under the influence of alcohol. I think that possibly we could do this and be within the law in so doing but with the figures I provided you goodness knows we don't have to. We only have two trained operators in the Yukon at the present time and they are losing a lot of sleep. It is not just a matter of coming down to the office and taking two quick tests and back to bed in fifteen minutes; it is usually two hours before, or by the time the man leaves home, if he doesn't happen to be on shift, until he gets back to bed and probably from your own experience you know you don't just fall right back to sleep; so with the result that we are having a new course coming up in Edmonton in May and we are training more breathalyzer operators and



Inspector Wood continues....  
 there will be one breathalyzer as a matter of fact is on order right now for Watson Lake. We are awaiting delivery and we will have operators trained to coincide with delivery. There is just one breathalyzer in Whitehorse; we only need one per location. We have no immediate plans for elsewhere in the Territory at the moment but in due course we can anticipate more. One thing I would be interested in and am concerned about, if there are any specific instances of complaint I would be pleased if they would be brought to my attention and as with any other complaint against our operations we look into them thoroughly and most certainly, if it calls for action to either change or if the matter is serious enough to require disciplinary action, we take this action and while you mention you have received complaints, if you feel there is any basis to them I would be pleased if you wish to come to my office or refer them to me by letter, we will take appropriate action to ensure that a reasonable approach is being taken in the operation of the breathalyzer.

Mr. Dumas: Mr. Chairman, just a few comments. I think it is very interesting that just about three percent of the adult population in this area has been convicted in a three month period, a little over three months, of the adult population, 117 convictions and if you assume that half of the population in the area are adults, it works out to roughly a little under three. But the thing that I would like to ask about, Mr. Chairman, is the amount of time between, that elapses between stopping a person in a car and giving him the test. I understand it is anywhere up to two hours and I wonder why it takes this long, Mr. Chairman.

Inspector Wood: The Criminal Code provides for a maximum of two hours. Now the two hours I referred to earlier is not the same two hours. I am just talking about the time the man loses from his home if he is called out in the middle of the night. A lot would depend on where the offender is located and I believe the purpose for this being in the section was to allow time to travel from the place of the offence to where the breathalyzer is located. The breathalyzers, while they can be mobile, for many reasons they are not. We have it bolted down in our office and that is where it stays. Time has to be allowed for the policeman to drive within the speed limit to get back to the point where the breathalyzer is. Now, in the Yukon, just about everything that is happening in regard to traffic problems is, necessarily in the Whitehorse area because of the volume of traffic. It is much higher here than elsewhere and so this, I think, would be understandable but if we pick up someone at Haines Junction it would be most unlikely that our Member there would bring him in because it is too far. Two hours from Haines Junction you can do, under normal circumstances, but by the time you pick up the individual, make certain that his vehicle is secure and looked after as there may be other passengers in the vehicle, sometimes families, small children; you just don't have time so if there is evidence of impaired driving then we take action on impaired driving; otherwise we just don't do anything other than if there is some doubt and maybe if there is another passenger in the car such as the individual's wife, then we have them change over and suggest - when you are not sure of the violation about the best you can do is suggest, but usually the power of suggestion works very well when a policeman suggests that he would do well to let someone else take over. You comment on the percentage of the adult population; while the code reads .08, I think some of you may realize that we don't charge anyone until the reading is .1 and above and there are reasons. First of all there is a margin of error in the breathalyzer so in order to allow for this margin of error the laboratory people have decided, and the Department of Justice have concurred and they have issued instructions to us that in order to allow for this and to allow for any other factor, that we allow .02 difference so we are not taking action against anyone unless he is impaired; unless there is evidence of impaired driving below .1. Now, there are many people who are impaired well below



S.P. #17

Inspector Wood continues....

that level. I have seen tests and I have had considerable involvement in the past with the breathalyzer, instructional courses and I have seen research conducted with these courses where a man with a reading of .035, in other words, instead of .08, was totally incapacitated mainly because of the type of individual that his system had no tolerance whatsoever for alcohol. This is unusual, granted, but if a man has a reading below .1 and is obviously impaired, all the symptoms, his driving and physical manifestations are impaired, then he would be charged with impaired driving and it will then be up to the Court, of course, to decide whether or not he is guilty.

Mr. Taylor: Yes, Mr. Chairman, I would like to again return, in light of the remarks which have been made by Inspector Wood this morning, which have been very enlightening, to the area that has people worried and from whence comes the fear I spoke of earlier, and that is what they say the rigid enforcement, so to speak, of this taking the breathalyzer test. I think too it has been pointed out that if you consume, or, if the average individual consumes three drinks of hard liquor or three bottles of beer, within the first hour, and one thereafter per hour, he is generally at the level of impairment, or in and around the level of impairment. That seems to be the scale that has been advertised. Now, I think it has to be understood here that a) this is a very mechanized society because everything is so far apart - Riverdale down town or from here to Takhini and this type of thing and just about everybody drives. There is no transit system other than the taxi system here in Whitehorse, and I think, probably this is off the top of the head guess but maybe fifty percent of people driving around, especially on Fridays or Saturdays have certainly gone and had this amount of liquor, which is quite possible. We have cocktail parties, we have bars, clubs and people moving from place to place, and it is quite well to assume that many of these people might be over this legal limit of .08 and yet be capable of good care of their vehicle. It has been pointed out too that in some jurisdictions now; I have been told, for instance, that in Calgary, if it appears that you are impaired, you are pulled over and given the opportunity of handing over your keys and find alternate transportation home and pick up your keys the following morning at the Police Station. This is one way which has gained considerable favour I understand with the citizens of Calgary, this approach but it is the stopping over a headlight or the stopping for any reason other than showing impairment that has people worried, Mr. Chairman. As I say, I am very pleased to hear the policy as laid down by Inspector Wood and it is my hope that it will be operated in much the same manner but it is the stopping of vehicles for other reasons and then determining at that time if that person is impaired is getting through to people and this is what is causing fear.

Mr. Dumas: Mr. Chairman, I think it is perfectly valid to stop a car which has only one headlight or something else is wrong, and then if you do find that the fellow is impaired I think that the enforcement agency would be doing less than their duty if they allowed him to carry on simply because they stopped him for one reason and then found out he was impaired. This man would be a dangerous driver, Mr. Chairman, and I certainly think that some action should be taken in the circumstance. I think the secret here is, in most legislation, that where we have liberal drinking laws, which we have now in the Yukon and certainly the most liberal in Canada, enforcement becomes very, very important and I think that a certain amount of leeway must be allowed the enforcement agency in this respect. We've had the assurance of

Mr. Dumas continues.....

the Inspector, Mr. Chairman, that they are not setting up sniffing stations, as he called them, and that only those stopped for legitimate reasons would in fact be asked to take the breathalyzer if the Officer felt that it was necessary and a good idea. With that type of assurance I personally am quite satisfied that there would be very few if any breaches of discretion in this whole problem.

Mr. Taylor: Thank you, I will resume the Chair.

Mr. Taylor resumes the Chair.

Mr. Chairman: Councillor Shaw.

Mr. Shaw: Mr. Chairman, there was one part I noted that there were a total of 153 people tested, of that nine refused to take the test and I don't know if that is included in the 153. There were nine refusals but even at that, of the total amount, that were there, those that were charged were 134 and total convictions registered 17, 117, so that means it doesn't appear to be excessive. Tests are taken in view of the amounts involved, that is 400 people that were charged and 134 being convicted, it would appear - or I should say, 400 had been tested, tests had been made, then just 134 were charged and it might seem excessive, but where you have just 10 or 15 that weren't found guilty of the particular charge it does not appear excessive.

Inspector Wood: I might comment there that there were a total of 19 of the entire number of 153, this includes the refusals. Maybe this should have been a little clearer. These were people brought in for breath tests. At any rate there were a total of 19 who had readings below .1. Of these 19 there were 9 who had .08 and .09. There were a number, and I didn't take time to count them, who had .07 and there was one who had a reading of .01. In this particular instance I was quite concerned as to what took place and I found that this resulted from a fairly fast chase around the City and this apparently continued for quite a while and they were eventually able to stop this individual; there was liquor on his breath and when they took him in the reading was .01. There were no charges laid of any kind simply because first of all we didn't have sufficient evidence to prove speed and obviously, while the man had had a drink and sufficient that you could smell it, there was nothing to back it up. As a result no charges were laid of any kind against this individual although his driving was to the point of being dangerous; it was a matter of lacking proof of any kind for anything. But this was the exception to the rule; all the rest were - there may have been one or two at .06, all the rest were .07 and above of this total of 19.

Mr. Chairman: Is there anything further?

Mr. McKinnon: Just as a matter of curiosity, Mr. Chairman, there has been nobody who has taken a test or has had no indication of any drinking whatsoever?

Inspector Wood: None whatsoever, however, this is possible. You may come across somebody driving a car, and this has happened not in the Yukon, but in Canada and elsewhere, you find someone who obviously appears to be under the influence of alcohol, is taken in for a breath test, with no reading and you immediately take him to hospital because it is obvious there is something else wrong and this has happened on a number of occasions. I can't state specific cases or where, but this can be a safeguard in that type of situation where somebody is suffering and a diabetic could be one.

S.P. #17

Mr. Shaw: Mr. Chairman, just to know how this particular thing, and we do have an expert on it at the present moment; is there not a test taken as soon as the man - we will say in Whitehorse, for example where the breathalyzer is a few blocks away, that a test is made right at that particular time when he is taken into the office or station, whatever you may call it; that he can also have a test taken two hours later, for example he may have had just one drink and five minutes later was picked up. It would appear to me it would indicate pretty strong on the breathalyzer affair you have, and this person also has the option of one being taken a period after that?

Inspector Wood: There is a safeguard against such a situation. First of all, when an individual is brought in for a breath test he has to remain in the presence and under the observation of the operator for a minimum period of twenty minutes and this is to allow any possibility of alcohol being left in the mouth. To avoid anything being in it people who designed the breathalyzer and various research people scientists, are satisfied that within twenty minutes all alcohol in the mouth will dissipate. We take one breath test and then test the machine and within the time it takes to operate, twenty minutes later we take a second test. There is sometimes a slight variance; for instance you may have a reading of .15 and the next reading could be .14 or .16. Frequently they are at the same level and there could be indications of maybe a poorer sample or the individual is starting to, or the level of alcohol in his system is starting to decline or maybe he just had his peak at the time but these safeguards are there, just to avoid the possibility of anyone putting anything in his mouth or having freshly taken a drink of alcohol and comes immediately before the breathalyzer and the reading then, of course would be unusually high.

Mr. Shaw: A matter of curiosity, Mr. Chairman, if a person drank about half a gallon of water, or a couple of quarters, would that make any difference with the breathalyzer?

Inspector Wood: No, the breathalyzer is so designed that it will test the percentage of alcohol in the blood by breath analysis. There is a formula that makes this feasible and it is the alcohol in the blood, not within the stomach but what is in the bloodstream. Of course, by using breath the lungs where the deep lung breath where the blood of course is mostly in the lower part of the lungs and they want deep lung air to get the most accurate test.

Mr. Shaw: Thank you.

Mr. Chairman: Have you any further questions? I wonder if Inspector Wood can be excused then at this time. I would like to thank you Inspector for coming to be with us and I hope that possibly this might have cleared the air. At this time we will declare a recess until two o'clock this afternoon.

RECESS

Thursday, April 16, 1970  
2:00 p. m.

Mr. Chairman: We will call Committee back to order and we have left in, the only other matter other than Bills, Motion No. 7 respecting Lands Use and Disposal, and from the Chair I can report that the Members from the outlying districts have been now engaged in two meetings and formulated a proposed policy for the consideration of the Administration in respect of this. And I just wondered if there is anything further on this matter or may we clear it in Committee.

MOTION  
#7

Mr. Livesey: I think Mr. Chairman that it would be only right to allow the Administration sometime to draw up the regulations which are necessary and this just can't be done in a few minutes. So we have to give the Administration some time to carry it out.

Mr. Chairman: So are we all clear on this matter. The first Bill then will be Bill No. 13. (Reads Bill No. 13)

BILL #13

Mr. Dumas: Simply Mr. Chairman it is expected that a great number of lots are going to be required to fulfill the demand within the next building season and as this committee knows that in the past these lots have been surveyed and serviced in quantities ranging from anywhere up to forty at a time. And now it is obvious that if we are going to meet the housing demands in the Whitehorse area it is going to have to be done on a larger scale than has been done in the past. With this in mind the Administration is moving ahead to service a large number of lots so that the problems can be solved. It is hoped that a hundred and fifty to two hundred lots will be serviced under this policy Mr. Chairman.

Mr. Chairman: Anything further in this matter. This I believe is 100 per cent recoverable is it not.

Mr. Dumas: Yes, it is.

Mr. Shaw: Mr. Chairman I move Bill No. 13 out of Committee without amendments.

Mr. Dumas: I will second it.

Mr. Chairman: With interest just before the question is called, I would like to direct one question to possibly Mr. Commissioner and ask him what rate of interest do we pay on borrowing this money.

Mr. Commissioner: Mr. Chairman it is the prevailing rate at the time which we borrow the money is what determines the rate. I am sorry I can't name the exact amount that we pay, as the handling charge by the Federal Government office. I do believe and I am subject to correct, but I do believe it is one half of one per cent more than the going rate on long term Canada bonds. Is the charge that is made to us and it is established at the time that we borrow the money, in other words it isn't something that fluctuates.

Mr. Chairman: Moved by Councillor Shaw and seconded by Councillor Dumas that Bill No. 13 go out of Committee without amendments. Are you prepared for the question? Are you agreed? I declare the Motion carried. The next Bill is Bill No. 14 (Reads Bill No. 14)

MOTION  
CARRIED

BILL #14

Mr. McKinnon: Mr. Chairman all the two hundred lots that will be serviced in Riverdale will be, the people building homes on these lots all of them will be eligible for a NHA second mortgage of \$2,000 each. This is the amount that is borrowed from the Federal Government to provide the moneys that is involved if all of the serviced lots have homes built on them and the people



BILL #14

Mr. McKinnon: involved ask the Government for a second mortgage loan on their house. The money of course is borrowed from the Federal Government.

Mr. Chairman: What is your direction in this matter.

Mr. Shaw: Mr. Chairman I would move that Bill No. 14 be reported out of Committee without amendment.

Mr. Livesey: I second that.

Mr. Chairman: It has been moved by Councillor Shaw and seconded by Councillor Livesey that Bill No. 14 be reported out of Committee without amendments. Are you prepared for the question? Are you agreed? Is there any contrary? I will declared the motion carried. The next Bill is Bill No. 15 (Reads Bill No. 15) Councillor Shaw will you take the Chair.

Mr. Shaw: Takes the Chair.

Mr. McKinnon: Mr. Chairman the necessity for an additional \$180,000 is to settle the arbitration award of \$180,000 in favour of Gifco for increased cost of the Faro townsite development. As we all know at the table the actual cost greatly exceeded the estimated cost, and the contractors Gifco claimed for the higher cost, their claim being subject to arbitration, the arbitration award was in favour of Gifco amounting to \$180,000, hence the need for this additional provision, the payment Mr. Chairman is unavoidable and the Yukon Territorial Government will look for reimbursement by way of a loan from the Federal Government, which will be repaid by proceeds from the sale and service of lots. The Federal Government has agreed to this the \$180,000 will be loaned and the only repayment from the Territorial Government will be when those lots are actually sold and surveyed in the Faro townsite. Those moneys will go to the Federal Government to reimburse the \$180,000 that is forwarded to the Territorial Government. If no lots are sold there will be no repayment, if all lots are there will be repayment of \$180,000. The Territorial Government is not out of pocket one cent on the transaction Mr. Chairman.

Mr. Taylor: This is pretty well the answer to my question Mr. Chairman, I think the Honourable Member for giving the information.

Mr. Chairman: Is there any further discussion on this particular Bill.

Mr. Taylor: I will resume the Chair at this point.

Mr. Chairman: What is your further direction on this matter.

Mr. Dumas: Mr. Chairman I would like to move that Bill No. 15 be passed out of Committee without amendment.

Mr. Shaw: I second the motion Mr. Chairman.

Mr. Chairman: It has been moved by Councillor Dumas, seconded by Councillor Shaw that Bill No. 15 be reported out of Committee without amendment. Are you prepared for the question? Are you agreed? I will declare the Motion carried.

MOTION CARRIED

BILL #16

Mr. Chairman: The next Bill is Bill No. 16 (Reads Bill No. 16) We have a break-down sheet and the first item under general is Freindship Centres \$30,000. Clear. Electrical Rate Equalization-Yukon Electrical Company Ltd. Franchise Areas \$102,000. Clear.

MOTION  
CARRIED  
BILL #15

MOTION  
CARRIED



Mr. Chairman continues: Electrical Rate Equalization-Dawson Mayo, and Faro \$35,000. May I ask a question from Mr. Commissioner at this time from the Chair, is it intended that negotiations will be under taken with NCPC to recovery this amount of money from their profits.

Mr. Commissioner: Mr. Chairman it is the direction of Council, from their discussions on this matter that this be done. And we certainly intend to do as Council has asked.

Mr. Chairman: Are you clear on this item? Clear. The next item is Grant-Yukon Chamber of Mines \$1,500. Clear. The next is a deletion under Administration, a deletion of \$600. The next is Recreation and Amateur Sport \$2,500.

Mr. McKinnon: Mr. Chairman I think I would be remiss if I didn't provide the Committee with information on, also thanks for their generosity in the payment of this Bill for air transportation covering the Arctic Winter Games. The total air cost of course was \$22,820, from the Yukon Territorial Government in the main estimates we have provided \$5,000 for travel from the Yukon Arctic Games Committee that is particularly those athletes who participated all contributed \$20 towards the cost of transportation and we received \$5,000 because of the efficiency of the Arctic Winter Games Corporation, of which I am proud to be president, was run, we were able to save quite a bit of money and get a rebate of \$5,000 Corporation to the Arctic Winter Games Committee here in Whitehorse of \$5,000. Each of the seven Councillors was generous enough to contribute \$700 from their community development fund towards the cost of representation, because they felt all their areas were involved with participants and that the idea of the game had been successful, and thought it was a good one. So that amounted to \$4,900 giving us a total of \$19,900 for the bill of \$22,820. The Territorial Government in essence has come up with \$2,500 to meet the main portion of this debt, which leaves the Committee a further \$420 to raise, so all in all I would like to thank everyone concerned for their generosity, the Government and the elected representatives in the Yukon. And I think it was money well spent and I think that we relied far less on the Government then either of the people of the Northwest Territories or the State of Alaska in providing money for the Transportation of athletes, both of these Governments picked up the tab in full. So I think that we can be proud of our endeavors and I would just like to say thank you to all of you.

Mr. Chairman: Is there anything further. What is your pleasure? Oh, pardon me are you agreed upon the sum of \$170,400. Clear. The next item is under Capital Project and Loan, the first item is Health Services \$28,000. Clear. The Next is Mortuary Facilities Yukon Territory \$27,000. Clear. Renovations and Repairs - Mayo General Hospital \$60,000

Mrs. Gordon: Mr. Chairman may I ask a question in relation to this, as to what renovations and repairs does the Territory have to make to have the Hospital acceptable by the . . . . .

Mr. McKinnon: Mr. Chairman I have a list of fifteen different things that have to be done before the Hospital is acceptable and I am sure that instead of reading them out the Honourable Member could peruse then she could see the answers.

Mr. Chairman: The next item is under Municipal Affairs, Riverdale subdivision \$350,000. Clear. Porter Creek Subdivision \$25,000. Clear. Are these streets located where lots have been surveyed.

Mr. McKinnon: The lots are surveyed Mr. Chairman and the reason for them are to provide an area of land where a person can buy a lot to put a mobile home on. These are to provide streets, we



BILL #16

Mr. McKinnon: had hoped that there was going to be moneys available to provide them with piped water, but however the water supply in Porter Creek was so limited, they can't even service the lots that are already sold. And it appears that they are only going to cut streets for the trailers to be put on, until a more adequate water supply is found in the Porter Creek area.

Mr. Chairman: The next is under Engineering, Carcross Road a deletion of \$300,000.

Mr. McKinnon: Mr. Chairman this is a sad thing that the Federal Government has seen fit to say under the Engineering Service agreement that this is not going to be done this year and that is all there is to it. To bring this road up to a . . . highway, this isn't going to be done this year and that is all there is to it. So there is no alternative but to delete the sum from the budget.

Mr. Chairman: The Carcross Bridge \$312,000. Clear. Pre-Engineering Federal Project \$20,000. As a matter of interest what further projects were foreseen in the increase here.

Mr. McKinnon: Mr. Chairman there is no specific project but generally the pre-Engineering necessary for road reconstruction where, but tenders may be called early in the fiscal year before the construction season starts.

Mr. Chairman: The next is Litter Barrels and Signs \$6,000. Clear. Under Welfare, Group Home for Adolescents \$105,000.

Mr. Livesey: Is this towards the present construction Mr. Chairman.

Mr. McKinnon: Mr. Chairman the funds in the amount of \$150,000 were appropriated in the 1969-70 Capital estimates, tenders were open and the low bid was \$227,685 so it just didn't work that that was the - it was just so far and above the estimate that we had planned for that we couldn't proceed with it so instead of proceeding with the original plan for the group homes, we have set it down in priorities in Welfare and this will provide three homes Mr. Chairman, where priorities have shown that it is absolutely necessary that these be built. The first will be a receiving home for 8 to 10 small children which is the number one priority. The second priority will be a small group home for boys age 13 to 17. And the third priority will be a small group home for about 6 to 8 girls in the age range of 13 to 17 years. This is all that our budget can stand and our moneys can provide, these are the priorities that are absolutely necessary according to the Superintendent of Welfare at this moment and we hope that re-adjusting this vote, we can take care of this matter.

Mr. Chairman: Clear. Next is loans to third parties, Loans on Second Mortgage CMHC \$400,000. Clear. And the Faro Townsite Loan \$180,000. Clear. Which gives us a total of Project and Loans Capital \$1,213,000.00, to a total of \$1,383,400.00.

Mr. Livesey: There is one point Mr. Chairman that I would like to raise, and as all Members of the Committee can see this is one massive figure involved, and of course a lot of it comes from the Federal Government. The Member from Carmacks-Kluane made a request from some Members of the Committee to consider some assistance for the Historical Museum at Burwash Landing to the tune of \$500 and you know it makes one feel as though one is kneeling waiting for the crumbs of the rich man's table, and I don't see any mention here. And I think all people in the Yukon are sufficiently aware of the work these people are doing and I don't quite understand why we can't encourage them to continue with their work, the same way we continue to encourage people in Whitehorse with our continued support of the Museum.

Mr. Livesey continues: I personally think Mr. Chairman that this is a very sad omission.

Mr. Dumas: Mr. Chairman I explained to the Honourable Member in private prior to our meeting that if a submission had been forthcoming from the organization in question that quite likely they would have been looked quite favourably on. The other museums in the Territory make submissions requesting grants, and they are looked at in light of the submission, and the organization that he refers to did the same thing quite likely in the future it would be looked upon in the same manner.

Mr. Livesey: I thank the Honourable Member Mr. Chairman, at least it is encouraging.

Mr. McKinnon: Mr. Chairman, as a point of information you will see that in the Maintenance Budget there is not one new grant by the Territorial Government that has been given to any organizations. I have letters on my desk here that any Member can look at, this is from the Boy Scouts of Canada asking for a \$15,000 for each of three years so that they can initiate a program called Yukon Youth Challenge Plan you can see that there is a considerable amount of work has gone into this brief, it is just unrealistic at this time to considering the budget limitations to consider this thing. I have further representation Mr. Chairman from the Yukon Conservation Society asking for a grant of \$1,500 they have said that if we are giving a \$1,500 grant to the Yukon Chamber of Mines, why can't they be eligible as a conservation society for \$1,500, we said it was because of the budget limitations, it is because there are not sufficient moneys available. I have a whole file on representations from the YWCA which they think they have a very worth while project asking for grants too, and the simply fact of the matter is that we didn't initiate one extra grant of all the requests that we have had and I assure you that there was many because of the limited budget which all Members are aware of we have been saddled with this year. I hope that in future years we will be more affluent and be able to put into the budget all types of grants from worthy organizations that appeal to the Territorial Government, possibly for grants for organizations. But all we can do this year is continue with those grants which are traditional and have been in the budget in the past few years.

Mr. Chairman: Just one comment that I would like to make from the Chair is that it is indeed gratifying to see that the Administration has done so well. Because they appear to be quite broke when we were in Dawson City two weeks ago, but they seem to be doing fairly well now.

Mr. Shaw: Well Mr. Chairman I think that you will note that most of this is loan capital coming from the Federal Government and they are getting it back. The others are the amounts that Council has asked should be done, namely the equalization and the necessary work to the Mayo Hospital, I think most of it is stuff like that, there is nothing new introduced I don't think.

Mr. Chairman: Well what is your pleasure in relation to this Bill?

Mr. Shaw: I would move Mr. Chairman that the Bill be reported out of Committee without amendment.

Mr. Dumas: I will second the motion.

Mr. Chairman: It has been moved by Councillor Shaw, seconded by Councillor Dumas that Bill No. 16 be reported out of Committee without amendments. Are you prepared for the question? Are you agreed? I declare the Motion carried.

MOTION CARRIED

MOTION  
CARRIED



Mr. Chairman: I can report at this time to Committee that you have now dealt with all matters before you in Committee. Can I have your further direction.

Mr. McKinnon: Mr. Chairman before Mr. Speaker resumes the Chair and it looks like we will be proroguing this afternoon, I wonder if it is possibly to ask the Commissioner whether he has received information on subjects that have been reported to the House during this session.

Mr. Chairman: Commissioner have you anything

Mr. McKinnon: Specific things, I would like to ask specific things that haven't been answered yet.

Mr. Commissioner: Could I ask the specific question.

Mr. McKinnon: Well Mr. Chairman I would like to know whether representation has been made to the Fisheries Department for deduction of the fishing licences, and whether or not there is any reply from the Fisheries Department in this respect.

Mr. Commissioner: Mr. Speaker I had the opportunity of speaking with a senior official in the Federal Department of Fisheries this morning and I am informed that the - that our representations were taken up with the Minister. I think that Council is aware that the new rates for fishing licences in the Territory is established by the Federal Department of Fisheries in the amount of \$3 for residents and \$10 in the case of non-residents came under considerable question. The matter was brought further to the Ministers attention and I have been advised that no change in the \$3 and 10 dollar fee is contemplated at this time. However the terminology of the resident has been broadened to the extent that a resident of Canada will be looked upon as resident for purposes of obtaining a \$3 licence the \$10 licence will be able to non-residents in other words non-Canadians. The best that I could get from the official that I was speaking to concerning a term licence which was really what I believe the Council and other interested segments of the community had in mind, would appear to be beyond our grasp for this year, it will be at least next year before this matter can possibly come under further review. I have asked that the pleas brought to the Territorial Administration's attention as to what changes are contemplated so that we can have the opportunity of discussing it with Council and pass on our suggestions. I am sorry that the answer is not as good as it should be but that is the current information that I have on it.

Mr. McKinnon: Mr. Chairman I would just like to ask if Mr. Commissioner has determined whether advertising for cutting rights in the Tagish area is going ahead with by the Department of Indian Affairs and Northern Development.

Mr. Commissioner: Mr. Chairman I cannot tell you with certainty that they are or that they are not going ahead, but I have made the very strongest representation to my Minister that in light of motion passed by this Council and the discussions that took place in Committee that this matter should come under his own personal purusal before any move of any kind is made and I am quite confident that this will transfer.

Mr. McKinnon: Thank you Mr. Chairman, very much.

Mr. Livesey: Mr. Chairman I had six questions on the Order Paper and I notice one has been answered, I was wondering if I could now inquire when we are to be able to get the answers to the other five questions.

Mr. Commissioner: Mr. Chairman as quickly as these are made available they will be put on their proper form and will be mailed to all Members of Council and will be tabled at the next session.

Mr. Chairman: What is your further direction?

Mr. Shaw: Mr. Chairman I would move that the Speaker do now resume the Chair.

Mr. Dumas: I will second the Motion.

Mr. Chairman: It has been moved by Councillor Shaw, seconded by Councillor Dumas that Mr. Speaker do now resume the Chair. Are you prepared for the question? Are you agreed? I declare the motion carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: I will now call Council to order. May we have a report from the Chairman of Committees.

Mr. Taylor: Mr. Speaker Committee convened at 10:45 a.m. to discuss Bills, Sessional Papers and Motions. It was moved by Councillor Dumas, seconded by Councillor McKinnon that the voting age in the Yukon Territory be reduced to 19, as soon as legally possibly, and this motion carried. Inspector Wood of the Royal Canadian Mounted Police attended Committee to discuss matters related to Sessional Paper No. 17. Committee recessed at 12 noon and reconvened at 2:10 p.m. It was moved by Councillor Shaw and seconded by Councillor Livesey that Bill No. 13 be reported out of Committee without amendment and this motion carried. It was moved by Councillor Shaw and seconded by Councillor Livesey that Bill No. 14 be reported out of Committee without amendment, this motion carried. It was moved by Councillor Dumas, seconded by Councillor Shaw that Bill No. 15 be reported out of Committee without amendments this motion carried. It was moved by Councillor Shaw, seconded by Councillor Dumas that Bill No. 16 be reported out of Committee without amendment, this motion carried. It was moved by Councillor Shaw and seconded by Councillor Dumas that Mr. Speaker do now resume the Chair, this motion carried.

REPORT  
CHAIR-  
MAN OF  
COMMITTEE

Mr. Speaker: We have heard the report of the Chairman of Committees are we agreed?

Mr. Taylor: Mr. Speaker further to the report of Committees I can advise the Chair that Committee has now concluded all the work that was before it.

Mr. Shaw: Mr. Speaker I would move third reading to Bill No. 13, An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Three Hundred and Fifty Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto.

Mrs. Gordon: I will second that motion.

Mr. Speaker: Moved by the Honourable Member from Dawson, seconded by the Honourable Member for Mayo that third reading be given to Bill No. 13, An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Three Hundred and Fifty Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto. Is the House prepared for question relating to this motion? Are we agreed? I will declare the Motion Carried.

BILL #13  
THIRD  
READING

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Is the House prepared to adopt the title to Bill No. 13.

Mr. Shaw: I would move that the title to Bill No. 13 namely; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Three Hundred and Fifty Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada relating thereto, be adopted as written

Mrs. Gordon: I will second that motion.

BILL #13  
TITLE  
ADOPTED

Mr. Speaker: Moved by the Honourable Member from Dawson, seconded by the Honourable Member from Mayo that the title of Bill No. 13; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Three Hundred and Fifty Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, shall be adopted as written. Is the House prepared for the question on the motion? Are we agreed? I will declare the Motion Carred and that Bill No. 13 has passed this House.

MOTION  
CARRIED

MOTION CARRIED

Mrs. Gordon: Mr. Speaker I would move that Bill No. 14; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Four Hundred Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into An Agreement With Canada Relating Thereto, be give third reading at this time.

Mr. Dumas: Second the motion.

BILL #14  
THIRD  
READING

Mr. Speaker: Moved by the Honourable Member from Mayo and seconded by the Honourable Member from Whitehorse West that third reading be given to Bill No. 14; An Ordinance to Authorize the Commisssioner to Borrow a Sum Not exceeding Four Hundred Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into An Agreement with Canada Relating Thereto. Is the House prepared for the question relating to this motion? Are we agreed? I will declare the Motion Carried.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: Is the House prepared to adopt the Title to Bill No. 14?

Mrs. Gordon: Yes Mr. Chairman I would move that the title to Bill No. 14; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Four Hundred Thousand Dollars From the Government of Canada and to Authorize the Commissioner to Enter into An Agreement with Canada Relating Thereto, be adopted as written.

Mr. Dumas: I second the motion.

BILL #14  
TITLE  
ADOPTED

Mr. Speaker: Moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse West that the title to Bill No. 14; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Four Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into An Agreement with Canada Relating Thereto, shall be adopted as written. Is the House prepared for the question on the motion? Are we agreed? I will declare the Motion Carried and that Bill No. 14 has passed this House.

MOTION  
CARRIED

MOTION CARRIED

Mr. Shaw: Mr. Speaker I would move that Bill No. 15; An Ordinance to Authorize the Commissioner to Borrow a Sum Not exceeding One Hundred and Eighty Thousand Dollars From the Government of Canada in Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development and to Authorize the Commissioner to Enter into an Agreement with Canada Relating Thereto, be give third reading.

Mr. Dumas: I will second the motion.



Mr. Speaker: Moved by the Honourable Member from Dawson, seconded by the Honourable Member from Whitehorse West that third reading be given to Bill No. 15; An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding One hundred and Eighty Thousand Dollars From the Government of Canada In Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development And to Authorize The Commissioner to Enter into An Agreement With Canada Relating Thereto, be given third reading. Is the House prepared for the question? Are you agreed? I will declare the Motion carried

BILL #15  
THIRD  
READING

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: Is the House prepared to adopt the title of Bill No. 15.

Mr. Shaw: Mr. Speaker I would move that the title to Bill No. 15 namely; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding One Hundred and Eighty Thousand Dollars From the Government of Canada In Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development And to Authorize the Commissioner to Enter into An Agreement With Canada Relating Thereto, be adopted as written.

Mr. Dumas: Second the motion.

Mr. Speaker: Moved by the Honourable Member from Dawson and seconded by the Honourable Member from Whitehorse West that the title to Bill No. 15; An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding One Hundred and Eighty Thousand Dollars From the Government of Canada In Order to Reimburse the Anvil Mining Corporation Limited for the Higher Cost of Townsite Development And to Authorize the Commissioner to Enter into An Agreement With Canada Relating Thereto, be adopted as written. Is the House prepared for the question on the motion? Are we agreed? I will declare the motion carried and the Bill No. 15 has passed this House.

BILL #15  
TITLE  
ADOPTED

MOTION CARRIED

MOTION  
CARRIED

Mr. McKinnon: Mr. Speaker I would move that Bill No. 16; An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be given third reading.

Mr. Shaw: I will second the motion Mr. Speaker.

Mr. Speaker: Moved by the Honourable Member from Whitehorse North and seconded by the Honourable Member from Dawson that Bill No. 16 An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, be given third reading at this time. Is the House prepared for the question on the Motion? Are we agreed? I will declare the Motion Carried.

BILL #16  
THIRD  
READING

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: Is the House prepared to adopt the title?

Mr. McKinnon: Yes Mr. Speaker I move that the title to Bill No. 16 namely; An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of The Public Service of the Territory, be adopted as written.

Mr. Shaw: I will second the Motion.

Mr. Speaker: Moved by the Honourable Member from Whitehorse North and seconded by the Honourable Member from Dawson that the



BILL #16  
TITLE  
ADOPTED

Mr. Speaker continues.....  
title to Bill No. 16; An Ordinance for Granting to the Commissioner  
Certain Sums of Money to Defray the Expenses of The Public  
Service of the Territory, be adopted as written. Is the House  
prepared for the question on the Motion? Are we agreed? I will  
declare the Motion Carried and that this Bill has passed this  
House.

MOTION  
CARRIED

MOTION CARRIED

Mr. Speaker: May I have your pleasure before prorogation takes  
place. Is there any further Bills? The House now stands in  
Recess until further orders.

RECESS

Mr. Speaker: Order. I will now call the House to order. As is usual at this time you may now proceed with the closing address. The Honourable Member for Whitehorse North.

Mr. McKinnon: Mr. Speaker, Members of Council. It appears that before too long has passed we will again be meeting around this table. The business of running the Territory is so complex and demanding that no more than several months seem to be able to pass without the calling of a Council Session. Of course this just further re-enforces the argument for elected representatives to be involved in all aspects of Government at the earliest opportunity. I hope that when we meet in June that we will be discussing along the way to changes to the Yukon Act, and will finally be on our way to the establishment of Democratic Government in the Yukon. In the interval the unenvolvement of Yukon in decisions that will affect all of our lives for many years to come, I think should cause as much concern. Whether it be the raising of fishing licence fees, the cutting of timber on Marsh and Tagish Lakes, proposed legislation concerning our water, our resources and our future, all of these decisions are still being made by an absentee landlord in Ottawa with no consultation or communication with the people of the Yukon whatsoever. The only recourse that the elected representatives have is to raise a storm after the facts, and I think that this system is proving itself to be more and more unsatisfactory with every passing month. I ask and implore the Government of Canada to live up to their promise of involving the Territorial Government in decisions affecting the lives and well being of Yukon citizens, and urge all Yukoners to support the Council who are united to a man in this purpose. It is traditional Mr. Speaker, to thank the administrative staff for their help after a session, and this I would like to do. I would however, like to single out the Clerk of the House, Mr. Chris Pearson, for service to the House, well above and beyond the call of duty. Chris has been subjected to three years of debate that he isn't allowed to enter and has always kept his patience and good humor through all of it. He has always been available at any time to aid Councillors collectively and individually, and I think Mr. Speaker, that we should let him know that his efforts are greatly appreciated. Mr. Speaker, I look forward to seeing all Members of Council at the next session which promises to be a historic milestone in the development of Democratic Government in the Yukon. Thank you Mr. Speaker.

Mr. Speaker: The Honourable Member for Dawson.

Mr. Shaw: Mr. Speaker, Members of Council. This Session has been one of the most eventful and I believe one of the most productive sessions of this Council. In the first instance we returned to the old Historic Capital after an absence of about 18 years. This move though only for a week, was what I consider an unqualified success. Council Members had the opportunity of meeting other Yukoners on their home ground and the residents of this area, in turn, had the opportunity to see in action, the whole process of making the laws which affect their daily lives. As a Member from outside of Whitehorse, I hope that this precedence of holding at least part of a Session away from the Capital will continue and that other Members from the hinterland will have the same pleasure of hosting this Council as I have had. About the most salient feature of this Session has been the first step taken into the philosophy of equalization of the payments of essential services to Yukon's people. I refer to the first 300 kilowatts of electric power being at a standardized rate of 2½¢ per kilowatt throughout the Yukon. This has come about through the generosity of the Federal Government in giving the Yukon a Corporation Tax re-



Mr. Shaw continues . . .

venue which was obtained from the Yukon Electric Company. This in turn has resulted in the policy formed which will utilize this tax rebate for the relief of homeowners on their power bills wherever they may live in the Yukon. The residents of Dawson City, the most abused power consumers for a period of seventy years are now going to enjoy this essential service that I have stated. To really appreciate what this means to Dawsonites, is that every household consumer of electricity in Dawson City has effectively received as a comparison of this rebate, an increase in his income of an amount of \$180.00 each year, completely tax free. The same applies in other centers of the Yukon in a similar manner according to what they now pay and no one can lose. So that is why I call this a salient feature. One interesting motion passed by Council while at Dawson City was the matter of increased representation for this Council. With the new executive authority the Minister of Northern Affairs has promised the people of the Yukon, a move along these lines should not be delayed. The increase in numbers in the resolution, in my mind, is not sufficient to allow a political system to work and I would suggest that more consideration also be given to the changing of boundaries. After having been involved in one change such as this, I would suggest that in the future, questions like this be decided by judicial apportionment. While not supporting the resolution as put forward by Councillor Taylor to carve up two districts, I would certainly support him in the spirit of the necessary change. A matter that did receive my full support was Councillor McKinnon's motion calling for and economic survey of the Tagish Lake area in order to establish the potential value of this area over a long term period, and whether it has more value as a recreational asset or a denuded tree farm. Yukoners concern on pollution and destruction of natural resources are very real. As about the last frontier on this continent we must be on guard against any type of industrial pillage. I say pillage, because this seems to fit into a system where huge machines gobble up trees somewhat in the same manner as a combine cutting wheat, and at the rate of about 15 acres each day. When trees are to be cut down to a size of a four inch top, there will be little left of the landscape but barren slopes. Our natural timber resources are here to utilize, but not necessarily at the expense of another resource. Natural habitat is also a resource, a resource which can ring up Yukon's cash registers on a continuing basis. Mr. Speaker, I think I am realistic enough to know that we cannot put this huge Territory into mothballs, neither can we afford the luxury of having it as a wilderness reserve. It is ours to exploit as well as preserve to it's maximum usage. Before we desecrate this beautiful lake section it is very important that all the facts are public knowledge before any move is made. This resolution should, when put into effect, place the whole situation in it's true perspective. The results of this survey should enable us to obtain optimum use of whatever resource is indicated whether it be through recreation and tourism or through the lumber industry. Another matter I think important of comment is the co-operation we have received from Commissioner Smith. In the time I have spent on Council there has never been, in my estimation, the liaison between this body and the Administration as now exists, and the beneficiaries can only be the people of the Yukon. In the meantime I am looking forward to our next Session in June, or whenever it may be, and I am hoping at that time to hear of an announcement from the Honourable Jean Cretien to the effect that Parliament is giving Yukon people more say in the running of their own affairs. I am sure that this will be a happy day for all of us. I would as is usual and certainly well earned, thank the staff and particularly the Clerk who has done a tremendous job in making things efficient for this Council while it was here and particularly when he was in Dawson City. Thank you very much, Mr. Speaker.



Mr. Speaker: The Honourable Member from Mayo.

Mrs. Gordon: Mr. Speaker, fellow Councillors. Through my three years in this Council I have used the maxim, which came from Dionysus who lived in a Greek era, four thousand years ago. He said this: Let thy speech be better than silence or be silent. I think I've maintained this and I think I would continue to maintain it. At this moment I would like to thank my fellow Council Members, the Commissioner, and the Administration, and all those who have worked during our Session just completed and over the past three years. I am looking forward to our final special session sometime in June. Thank you Mr. Speaker.

Mr. Speaker: The Honourable Member for Whitehorse West.

Mr. Dumas: Mr. Speaker, fellow Councillors. I believe that this has been one of the most productive sessions of Council that we've had since I've been on Council. I'd like to thank the Honourable Member from Dawson City for his great hospitality when we were visiting his town for the first 4 days of this Session of Council. I think that we Councillor's can say that we did what we were elected to do in this Session of Council and that was to work on behalf of all the people of the Yukon Territory. I too wish to thank the administration and the staff for the great cooperation they have given us to facilitate the business of the Territory. Thank you Mr. Speaker.

Mr. Speaker: The Honourable Member for Watson Lake.

Mr. Taylor: Mr. Speaker, Honourable Members. During these past three weeks, both in Dawson City and in Whitehorse, many important matters have been discussed, debated and decided, and I would like to make comment on some of these items at this time. It was gratifying indeed, Mr. Speaker, to see that at this Session we were able to finally resolve the question of disposition of tax revenue funds to the customers of the investor owned power system. Through the assistance of the B.C. Hydro Authority, the Northern Canada Power Commission and Canadian Utilities, we were, again through discussion and debate, able to arrive at an equitable means of returning these revenues to the customers of the investor owned utility. The method of doing so, of course, provides us, here in the Yukon, with a subsidy equalization system somewhat similar to systems employed in other provincial jurisdictions. It was gratifying that we were able to extend this equalization to the customers of NCPC in Dawson, Mayo, and Faro as well, even though the customers of NCPC did not participate in the raising of these revenues, inasmuch as they function as a crown corporation. It was, of course, unfortunate that this equalization will only apply to residential consumers and that the commercial consumer will not be credited with a subsidy at this time, but inasmuch as this method of subsidization and the fund itself will be continually under review on an annual basis, I most certainly hope that the commercial consumer will in the future be considered when the time comes to hand out these rebates. In my opinion, the only way that we can effect power equalization across the Territory, is to provide that the power rates in Old Crow should be the same as in Whitehorse or Watson Lake or indeed anywhere in the Territory, and this in my opinion, Mr. Speaker, can only be achieved if we nationalize power here in the Yukon. It is he who controls the hydro power, the power dams, that is best equipped to offer low cost power to the people and it is still my most fervent hope that the Federal Government will give consideration to purchasing at fair appraised value, the assets of the investor owned utility bringing all power under the control of the Northern Canada Power Commission, who would, I would presume, hold same in trust for the people of the Yukon, towards the day when



Mr. Taylor continues . . .

they take control of their own affairs, and resources. I am also pleased that we were able to attack the problem of land use and disposal policies as they affect the outlying districts. It was our feeling on behalf of the people of the Yukon that land was very difficult to obtain, that unserviced land was quite expensive and that regulations respecting land development were somewhat restrictive considering the stage of development in the Yukon at this time. We, the members of the outlying districts, after hammering out changes to the existing regulations, feel we have come up with a more practical and reasonable approach to the disposition of land in these areas. Our biggest proposed changes, of course, would affect residential land where title would be given on purchase; unserviced land could be somewhat cheaper to purchase and the improvement requirement would disappear. One thing is for sure, the people have asked that the land be made available to them and we feel that through this manner and by implementing this policy, we can make land more available to these people. I might say, while on the subject of land, Mr. Speaker, that I am very very disappointed in the manner in which the Department of Municipal Affairs has functioned over this past year. I feel that many of the recommendations of the Department have been so restrictive as to have a sterilising effect and I also feel that the Department has not fully coped with the problems related to development of the smaller settlements, such as Watson Lake and Faro. I might say, Mr. Speaker, that this is supposedly a free enterprise society and is not officially recognized as a dictatorship and it is my hope that this Department will take a close look at its operations with a view to upgrading and re-shaping its policies as they affect both municipal and settlement development here in the Yukon Territory. As a result of a couple of years of research and discussion, and in view of the proposed amendments to the Yukon Act in Ottawa, I felt it was exceedingly important that the proposal to increase the membership of this legislative body from seven to nine members be considered. As I pointed out, Mr. Speaker, the new district will basically involve the communities of Pelly, Carmacks, Faro and Ross River and of course, in order to maintain the balance Whitehorse would receive another seat on the Council as well. All people involved in these areas agree that they now, at this stage of our development, are certainly entitled to representation closer to home than what they now presently enjoy, and when one looks at the situation in relation to distribution of population as well as lines of communications, the proposal has a great deal of merit. It is therefore my hope, Mr. Speaker, that the Federal Government will present such proposals to Parliament when they deal with the forthcoming amendments to the Yukon Act. I also cannot but deplore the Sessional Paper outlining the position of the Canadian Broadcasting Corporation in relation to the provision of L.P.R.T. and frontier package television services here in the Yukon. Where these facilities exist to-day they are both enjoyed and appreciated by the citizens within the listening or viewing areas, that these facilities now serve, however, there are a great many communities, and some long established communities, in the Territory who still require even the facilities of radio not to mention T.V. frontier package service, and the paper presented to Council would indicate that no further services would be provided to the Yukon communities aforementioned until after 1972, which is quite a long time further to wait. It is therefore hoped, Mr. Speaker, that the resolution as passed by this Council asking for a reshaping of both priorities and policies will be listened to closely by the corporation in Ottawa, and that they may resume the programme of installation of these facilities at the earliest possible moment. Finally, Mr. Speaker, I would like to thank all members for all the support they have given my proposal to take the forthcoming summer session to Watson Lake. I am sure that the people of Watson Lake and District would be more than pleased to show all members of Council and

Mr. Taylor continues . . .

Administration and courtesies and hospitalities for which we have become so famous. I would further like to thank all members of Council and the Administration for the courtesies accorded me both in my duties as Deputy Speaker and Chairman of Committees of the House and would wish each and every one a pleasant and rewarding Spring-Summer Season until we meet again at the summer session. I thank you, Mr. Speaker.

Mr. Speaker: Would the Honourable Member from Watson Lake please take the Chair?

Mr. Taylor takes Chair.

Mr. Speaker: The Honourable Member from Carmacks-Kluane.

Mr. Livesey: Mr. Speaker, Members of Council. What looked like the climax is apparently only the anti-climax as far as this so-called last session is concerned. Our much beloved Commissioner has cooked up another session for parliamentary purposes and he is going to let us have a last bit at the political apple during the summer. It could turn out to be a lively event for the stout hearted and the ambitious type especially if the Yukon Act is given the kind of repeal we are all looking for from the parliament of Canada. In any event Mr. Speaker, for the moment it is a wait and see item and we may know soon enough just what favours toward a more democratic system of government for the Yukon are in the package. We are all hoping of course that it will be a truly liberal effort. And speaking of liberal effort we appear to have been attending to this item ourselves especially during this year in our sessions and debates with reference to the up dating of old legislation. The Liquor Ordinance being one, and perhaps the most controversial. At last we appear to have emerged from the dark ages and allowed the individual to take the responsibility for his own actions. What we are hoping for here is of course that the elimination of the severity of the law and in some cases the senseless restriction of a normal use of the product will take away the temptation to do what one is not supposed to do, and by granting reasonable freedom cultivate the normal use of liquor. It is worth a try and I think people generally will accept the new legislation in that light. If it does not work we can always change it. Another change will eventually come about with reference to games of chance and by that I mean the games of chance which most people indulge in at the present time despite the prohibition of the law. No-one in this house, Mr. Speaker is thinking of stretching the point to where it was a number of years ago. Some relaxation is the theme. We will be better informed when the legislation is before Council. In my view, both of the changes mentioned are the result of changes in Federal Government thinking and changes in Federal Law. Another generous gesture from the Federal Government came to us by way of a rebate of \$167,000 of tax collected from the Yukon Electric Company as income tax for the year 1966. The refund of this tax was made in order to bring down the high cost of light and power in the territory especially in the outlying areas of the country. This will come as welcome news to hundreds of people here now paying very high rates in comparison to the rates paid by residents outside. A comment I would like to make here with reference to what took place during debate on this item refers to the exhibits placed before Council for their edification. The facts and figures were concocted by averages and percentages which made the rates appear lower than the true assessed rates, and while the producers operations may be affected by the average rates the consumers interest lies with the actual cost. Diesel power is a high cost producer and is not the answer to cheap power in spite of the arguments, the answer to cheap power is hydro. I would like to make a correction here to the CBC broadcast of the Yukon News last Monday evening. According to the the CBC News

Mr. Livesey continues . . .

the question of commercial rates were not discussed by the Council. This information was incorrect, I raised the question in committee and it was discussed along with other pertinent items. It was my privilege to raise the question of pollution in the Carmacks area during discussions on Tuesday afternoon which brought into discussion the question of pollution in the Whitehorse area as well. I was encouraged by the interest of all Members of Council in this important topic, however no real solution toward the elimination of the problem came from any quarter including that of the administration despite the fact that it was agreed to be a sad state of affairs and one which may worsen with time. More work needs to be done here in order to start the clean-up process at the earliest date. While on the subject of Carmacks, I would like to point out that the motion adopted in Dawson during the first week of the present session, which suggests to the Federal Government that a change should be made in the Yukon Act to provide for another electoral district for the Carmacks area and Faro-Ross River area and one more for Whitehorse. . . is in line with my announcement to the people of Carmacks during our meeting last September that it was my view that this change should take place and that it would be a point of consideration during discussions relevant to amendments to the Yukon Act. As far as the elected Members from areas beyond the boundaries of the metropolitan area of Whitehorse are concerned, I believe the last few days have been our finest hour. We are now getting across to the administration in a most effective manner just what we think of the Scrooge type distribution of land and land use in rural areas. Still in the discussion stage, but looking more like home all the time, comes the news that we may obtain better prices for lots, more realistic prices that look like market value rather than statistical value. The easing of regulations, cash on the barrel head purchase for lots, and a host of other things geared to encourage residents to put their roots down in the country places where we need people. Empty sub-divisions are not the answer to opening up the Yukon nor do empty sub-divisions contribute any tax revenue to the territorial coffers, so we live in hope and without a doubt some worthwhile changes will be made. More hope may be gained from the passage of an ordinance recently passed by Council which raises the first mortgage loans for so called low cost housing from \$8,000 to \$12,000 with a second mortgage of \$1,000. If more people in outlying areas take advantage of the new offer it could mean all the difference in the world to land settlement throughout the territory. In closing, I would like to extend to Mr. Chris Pearson, Clerk of the Council and Miss Julie-Ann Doyle Secretary, the grateful thanks of the Council for all their work and effort to make the visit to Dawson City a success, it was very much appreciated. And to the Commissioner and his entire household and all his staff members, Members of Council and the press, our thanks and appreciation.

Mr. Speaker: You may now resume the Chair.

Mr. Livesey takes the Chair.

Mr. Speaker: Clerk, would you now inform the Commissioner that we are now prepared to hear his closing address. I will call a short recess.

Mr. Speaker: Mr. Commissioner, the Council of the Yukon Territory has at it's present sittings passed a number of Bills to which in the name and on behalf of the said Council I respectfully request your assent.

Mr. Clerk: Bill #1, an Ordinance to Amend the Public Service Ordinance, Bill #2- an Ordinance respecting employer and employer relations in the Public Service of the Yukon Territory, Bill #5- an ordinance for granting to the Commissioner



Mr. Clerk continues . . .

certain sums of money to defray the expenses of Public Service of the Territory, Bill #12- an ordinance to amend the low cost housing ordinance, Bill #13- and ordinance to authorize the Commissioner to borrow a sum not exceeding \$350,000 from the Government of Canada and to authorize the Commissioner to enter into an agreement with Canada relating thereto, Bill #14- an ordinance to authorize the Commissioner to borrow a sum not exceeding \$400,000 from the Government of Canada to authorize the Commissioner to enter into an agreement with Canada relating thereto, Bill #15- an ordinance to authorize the Commissioner to borrow a sum not exceeding \$180,000 from the Government of Canada in order to reinvert the Anvil Mining Corporation Ltd. with a higher cost of townsite development and to authorize the Commissioner to enter into an agreement with Canada relating thereto, Bill #16- an ordinance for granting to the Commissioner certain sums of money to defray the expenses of the Public Service of the Territory.

Mr. Speaker: The House now stands adjourned in order that we may hear the Commissioner's closing address.

Mr. Commissioner: Mr. Speaker, Members of Council, this Session seems to have gone by in a very rapid manner, and no doubt the reason for this is that we have been apportioned the opportunity of sitting in two different locations. Also the productiveness of the Session in itself has no doubt made the time go very much quicker than usual because I'm sure that Members as well as myself feel that they have been accomplishing considerable during the last 2½ weeks. At this time I would take cognizance of the fact that there has been a motion of Council asking that consideration be given to the next sitting being held in Watson Lake. I can assure Members of Council that every consideration will be given to this request. The amount of administrative tasks that lie ahead of us is a consequence of a number of Bills and the things that are now made possible for the administrative arm of Government to do would indicate that we had best stick pretty close to our knitting at the administrative level of Government here, for some weeks into the future, so that we can bring our level of production up to that of the Council, during the past several weeks of sittings. There is unfortunately a certain amount of unfinished business from this Session which I think we all recognize the reason for, and of course this is the main thinking behind the necessity of having a further session before the dissolution of this Council. I would like to thank particularly all Members of Council and yourself Mr. Speaker, for the courtesies that have been extended to myself and my staff during Council Session and I think also that I am simply echoing the words of the Members although I haven't personally heard them concerning the Staff and the work that they have done in connection with this Council Session. Now without a good staff we cannot accomplish anything and they have certainly excelled themselves during the sittings of Council at this time. The Bills that have been enumerated by the Clerk, I am pleased to give my assent to at this time. I would wish those Members who have travelling to do to have a safe journey home, and rest assured that ample time will be given to all Members of Council concerning our next sittings. Thank you very much, Mr. Speaker.

Mr. Speaker: I would like to thank the Commissioner on your behalf for his closing address. I'm quite sure that what he has told you is certainly true and the Council certainly has made a lot of work for the administration and for the Commissioner's Office. I would like to thank all staff members who have contributed to the success of the session and all members of the House for their wholehearted cooperation with the Chair. I think that these things have contributed to our very successful session at this time and I hope that we have the same success at the next session possibly in June. I will now call

Mr. Speaker continues . . .  
the House to order.

Mr. Clerk: It is the Commissioner's will and pleasure that  
this Council be now prorogued, and this Council is accordingly  
prorogued.

PROROGUED

February 6, 1970.

SESSIONAL PAPER NO. 1

Mr. Speaker

Members of Council

Question re: Recreation Centre -  
Faro Townsite

The following question was asked by Councillor Dumas on February 4, 1970:

"Let's take the example of the Recreation Centre in Faro, which is a very fine building, Mr. Speaker, but using it as an example, was there any Territorial inspections done during the construction of that building?"

The Recreation Centre was inspected during the period September 23 to 25, 1969, by Fire Marshal Nairn, Building Inspector Matthews and Electrical Inspector Collins. It was further inspected by Building Inspector Matthews and Electrical Inspector Collins on January 8, 1970.



J. Smith,  
Commissioner.



March 9th, 1970.

SESSIONAL PAPER NO. 2  
1970 (Second Session)

Mr. Speaker

Members of Council

Canadian Broadcasting Corporation Plans

The following is a communication received by me in response to an inquiry made to the President of the Canadian Broadcasting Corporation respecting their plans for the Yukon:

"I am sorry not to have answered your letter, inquiring about the Corporation's coverage plans for the Yukon, before this. I have taken a little more time than usual in order to provide you with as much information as possible in the hope that these details will be of interest to you and make it possible to establish a clear picture of the Corporation's approach to providing broadcast services to the North.

At the present time, the Corporation has 12 radio transmitters in operation in the Yukon, which are joined together to provide the specialized CBC Yukon network service to these areas. In addition, the CBC has 5 television transmitters in operation which, at the present time, provide service by means of videotape recordings.

According to DBS Census information, the present population of the Yukon is approximately 14,400. The CBC radio transmitters now in operation provide first-grade day-time service to approximately 13,000 people, or 90% of the Yukon population, and some measure of service to others outside the Primary Service areas. The CBC short-wave service from Sackville, N.B., also provides a special service to the North and can be enjoyed in many areas where it is presently not practical to provide a connected network service. As far as television is concerned, service is now being provided to approximately 10,000 people, or 70% of the population.

The provision of broadcast service to remote or isolated communities is basic to the Corporation's mandate to provide a National service to the people of Canada. Since it is impossible because of technical and financial considerations to provide immediate service to all areas, an order of priority has been established. The factors determining the priorities are based on practical considerations such as the present population and future development of an area, the socio/economic importance, isolation, and the cost to provide service. These factors and others which may apply in certain cases, are carefully considered by the Corporation for each project, in establishing the priority list. The CBC Northern Service maintains liaison with all agencies interested in the North and the Corporation's future plans for development are guided by their advice.

The overall plan, at the present time, calls for the development of 2 more radio transmitters. One at Faro, for which an application has already been prepared, and one at Ross River, with an anticipated application date in 1972. Implementation of projects usually follows within 6 to 12 months of the Public Hearing of the application held by the Canadian Radio-Television Commission. In addition to these two transmitters, the Corporation has plans for improving the facilities at the Sackville shortwave plant which will provide a much improved shortwave service to the North. Development of the Sackville project will be on a phased basis over the next 5 years.

A total of 9 more communities are listed for possible television development. In the relatively near future, there is Faro with a presently planned application date of September 1970, Mayo with an application date of 1972, and Ross River in 1973. Further television development, with no specific dates attached, is being considered for Beaver Creek, Carcross, Haines Junction, Teslin, Carmacks and Destruction Bay.

Although our present plans for Faro visualize an application date of 1970, it has recently come to our attention that a private CATV system may be installed in the area. If such is the case, development of CBC television service in Faro would be delayed. The reason simply is that the 4 hours per day programming planned for a CBC station would be provided on a 3 or 4 week delay basis and it is more than likely that viewers would have already seen these programs over the proposed CATV system. Should these circumstances obtain, the development of Faro would be delayed until direct live network service could be made available through the proposed orbital satellite which may be launched late in 1972.

Another area being considered for both radio and television development is Tungsten, N.W.T.; however, no suitable common carrier communications facilities are available for bringing in radio network service and inadequate delivery facilities would make television service, by means of videotape recordings, impractical at this time.

The expected development of an orbital satellite, which I referred to earlier, for network distribution in 1972, may provide a means of bringing full live television network service to not only the CBC stations in operation, but also those planned for the future and may make it possible to include the development of a television transmitter at Tungsten.

I would like to make sure that you are aware that the Corporation must comply with Broadcast Regulations which require that applications be submitted to the Canadian Radio-Television Commission, for Public Hearings, before any broadcast project can be undertaken. Briefly, the procedure requires that an application be submitted to the Canadian Radio-Television Commission and the Department of Communications, detailing technical specifications, programming plans and related costs. The applications must be submitted in time to meet pre-determined cut-off dates which usually precede a Public Hearing by approximately 4 months. After the Public Hearing it is necessary to await approval from CRTC, which may be granted 1 or 2 months after the Hearing. I mention this procedure to indicate the span of time required to implement a broadcast project. On the average, the time required to bring a project into operation, from the time it is activated in the planning stage by the Corporation, is between 18 to 24 months.

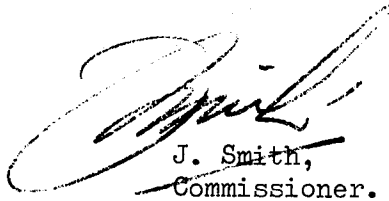
I am sure you know that development of broadcast facilities in the North is a costly undertaking and because of the recent severe Budget restrictions placed upon the Corporation, we are unable to proceed with coverage development as quickly as might otherwise be the case.

We are aware of the fact that new areas may develop quickly in Northern Canada as well as the fact that presently developed areas may also change rapidly.

For information concerning such developments and changes, we of course depend upon our Northern Service and their contacts to keep our plans up to date. We feel our Station Manager at Whitehorse is in an opportune position to keep abreast with current developments in the Yukon, and reports received from him are used to make our plans as meaningful as possible. Notwithstanding our present information system concerning happenings in the North, your comments and suggestions about specific areas would be much appreciated as a guide in developing future plans.

Yours sincerely,  
G. F. Davidson,  
President, CBC."

The foregoing is submitted for your information.



J. Smith,  
Commissioner.



March 18, 1970

SESSIONAL PAPER NO. -3- 1970 (2nd) SESSION

Mr. Speaker  
Members of Council

On February 5, 1970 Councillor McKinnon asked, "Will the Commissioner find out and advise Council what monies are available for the city to construct a sewage disposal plant?"

Section 36F of the National Housing Act states:

"36F. (1) In order to assist in the elimination or prevention of water and soil pollution the Corporation (C.M.H.C.) may make a loan to any province, municipality or municipal sewerage corporation for the purpose of assisting in the construction or expansion of a sewage treatment project.

(2) A loan made under authority of this section shall

(a) bear interest at a rate prescribed by the Governor in Council;

(b) not exceed two-thirds of the cost of the project as determined by the Corporation;

(c) be for a term not exceeding the useful life of the project, to be fixed by the Corporation, and in any case not exceeding fifty years from the date of completion of the project;

(d) be secured by debentures issued by the borrower or by such other security as the Corporation deems necessary to safeguard the interests of the Corporation; and

(e) subject to section 36G, be repayable during the term thereof by such payments of principal and interest as may be agreed upon by the Corporation and the borrower, such payments to be not less frequent than annually.

(3) A loan may only be made under this section if evidence satisfactory to the Corporation has been furnished as to the need for the construction or expansion of the sewage treatment project for which the loan is sought.

"36G. (1) Where the construction of a sewage treatment project in respect of which a loan is made under the authority of this Part is completed to the satisfaction of the Corporation on or before the 31st day of March, 1973, the Corporation may forgive payment by the borrower of

(a) 25% of the principal amount of the loan; and

(b) 25% of the interest that has accrued in respect of the loan as of the date of completion of the project."

ILLUSTRATION:

On a project costing \$300,000.00, a municipality would be eligible for a grant (or loan forgiveness) of \$50,000.00,

calculated as follows:

Total cost of project	\$300,000.00
Total amount of loan which may be granted under the National Housing Act: 2/3 of \$300,000.00	\$200,000.00
Amount of loan which may be forgiven - 25% of \$200,000.00	\$50,000.00

J. Smith  
Commissioner

March 24, 1970.

SESSIONAL PAPER NO. 4 - 1970 (SECOND SESSION)

Mr. Speaker,

Members of Council

Nursing Care for the Aged and Infirm

Sessional Paper No. 16 - 1969 (3rd) Session "Nursing Care for the Aged and Infirm" requested Territorial Council's approval of the basic assets exemption of \$1,500.00 for a single person and \$2,500.00 for a married person in need of Nursing home care. During discussion of this subject reference was also made to a previous sessional paper on nursing care, e.g. Sessional Paper No. 9 - 1968 (4th) Session, and it was agreed that I would ask the Director of Social Welfare to carry out a complete review of known costs relative to nursing care in the Territory and to submit a report including recommendations for the establishment of an equitable maximum daily rate to be charged in cases where the nursing home patient has assets in excess of the recommended levels of exemption.

The present regulations provide that a single person in nursing-home care having assets over the exempted amount must pay the full cost of care until his assets have been reduced to the approved level of \$1,500.00. At this point the only contribution to be made by the patient would be his Old Age Security less a comforts allowance, which is the same contribution that is presently made by the elderly patient with no assets. At present one patient in the St. Mary's Nursing Home at Dawson City has assets in excess of the exempted amounts and has been charged at the rate of \$15.00 per day which is approximately half of the actual daily cost. Present rates charged by private nursing-homes in the western provinces vary from \$250.00 to \$500.00 per month depending upon the type of facility and the quality of care provided.

Review of Costs:

1. St. Mary's Nursing Home - Dawson City

Fiscal Year	Costs	Patient Days	Per Diem Cost
1967-68	\$ 87,785.00	3,989	\$ 22.01
1968-69	\$ 97,415.00	3,345	\$ 29.12

2. Special Care Beds in the Whitehorse General Hospital.

The actual bed charge for a patient receiving acute hospital care in this hospital is \$30.00 per day under the Yukon Hospital Insurance Service, however, the actual per patient day cost is \$54.50. - There are a number of beds designated as special or extended care beds for the accommodation of patients requiring intensive nursing-home care, however, since these patients do not require continuous professional nursing services by the hospital nursing staff a straight bed charge is made which is not based on any particular formula since it is not possible in a large hospital operation to segregate costs which relate specifically to the few elderly patients receiving nursing-home care therein. Therefore, the daily rate charged by the Whitehorse General Hospital for nursing-home patients has absolutely no relation to the actual costs of providing care to these persons.



Rates Charged

Total Payments

1967-68	\$10.00 per day	.....
1968-69 - 3 indigent patients	10.00 " "	\$ 9,080.00
1969-70 - 2 " "	12.00 " "	9,000.00

Note: The proposed rate for 1970/71 is \$18.00 per day. Northern Health Services anticipate that the special-care bed allocation will be cancelled in 1970/71 in view of the need for beds to meet the increasing occupancy rate for acute hospital care.

3. The total cost for nursing-home care in the 1968/69 fiscal year for patients in the Dawson and Whitehorse facilities amounted to \$106,080.00 for a total of 4,250 patient days, this works out to an average per diem cost of \$24.95.

4. 1970/71 Costs

As members of Council are aware, the new nursing home under construction in Dawson City will be connected by a heated walkway to the existing Dawson Senior Citizen's Home. When the new nursing home (welfare) and the new nursing station (health) have been completed the existing St. Mary's Nursing Home/Hospital will be closed permanently because of its age and poor condition. It is proposed to operate the new nursing home and the present senior citizen's home as one complex. Operating costs are expected to be considerably less than at the present St. Mary's Nursing Home. Operating costs of the new complex are projected at \$110,000.00 for 1970/71, with an expected patient load of 15 in the nursing home section and 9 in the residential care section for a total of 24 occupants. Total occupancy days in 1970/71 are estimated at 7,500 for both sections of the complex. This works out to a per diem cost of \$14.50 as compared with the current year's per diem of \$30.00 at the present St. Mary's Nursing Home.

5. Subsidization Costs

If a figure of \$10.00 per day is fixed as the maximum charge to a patient with assets over the exempted level, the element of subsidy would be in the neighbourhood of \$4.50 per day during the 1970/71 fiscal year. Each non-indigent patient would, therefore, be subsidized by the Territorial Government to the amount of approximately \$1,650.00 per year. The following table will indicate the estimated costs of subsidization of non-indigent patients in nursing home care for the period 1970/71 to 1975/76. It will be noted that the maximum charge shown in the Table has been increased each year in proportion to the estimated increase in the per diem operating cost. The figures outlined hereunder are estimated.

	Per Diem Cost	Maximum Charge	Subsidy	Non-Indigent Patients	Total Days of Care	Total Subsidy Costs
1970/71	\$ 14.50	10.00	\$4.50	2	730	\$ 3,285.00
1971/72	16.50 (+15%)	11.50 (+15%)	5.00	4	1460	7,300.00
1972/73	19.00 (+15%)	13.25 (+15%)	5.75	6	1800	10,350.00
1973/74	21.00 (+10%)	14.50 (+10%)	6.50	8	2400	15,600.00
1974/75	23.00 (+10%)	16.00 (+10%)	7.00	10	3500	24,500.00
1975/76	25.00 (+10%)	17.50 (+10%)	7.50	12	3600	27,000.00

Since it is Council's wish that our elderly Yukoners with assets over the level of assets exemption not be charged the actual per patient daily cost for nursing home care and that an equitable rate below actual cost be established as a maximum charge in view of the high costs of operating these facilities in the Yukon, it is suggested for Council's consideration that the rate outlined in the above table for the 1970/71 fiscal year (e.g. \$10.00) be established as the daily rate for patients who are not of indigent status, and that this daily rate be increased each year thereafter by the same percentage figure as the increase in the actual per diem cost. The implementation of this proposal will reduce our recoveries in respect of the nursing-home operation and will result in subsidization costs to the Territorial Government ranging from an estimated \$3,285.00 in 1970/71 and rising to an estimated figure of \$27,000.00 by 1975/76.

When Council's decision has been made known I shall have the new per diem rate implemented retroactively so that it will apply from the beginning of the 1969/70 fiscal year.



J. Smith  
Commissioner.

March 26, 1970.

SESSIONAL PAPER NO. 5 - 1970(2nd) SESSION

Mr. Speaker,

Members of the Twenty-first Wholly-elected Council of the  
Yukon Territory

It is my pleasure to welcome you to this, the Second Session in 1970.

It will be seventeen years in October of this year since the Council of the Yukon sat in Dawson City. It is particularly significant that we are holding the first part of this Session in the "Heart of the Klondike", not only in recognition of it being the last regular session of Council to be attended by its longest sitting member, the representative from this area, Councillor George Shaw, but also to bring the legislative arm of government in close and visible contact with a portion of Yukon that, while it looms large in our history, very few of us ever see.

The Legislative Program for Council at this Session is not lengthy, but nonetheless contains items of significance. One of these is an Ordinance that will permit collective bargaining by the public servants of the Territory. Other items cover such diverse subjects as Securities Regulations, Motor Vehicle amendments, Credit Union and Co-operative Association Ordinance amendments, and of course, the important item for the coming fiscal year being the 1970-71 Operation and Maintenance estimates for the Territory. There will also be an Ordinance requesting supplementary estimates to deal with certain items for the fiscal year which officially ends as of today.

Before the 1960's are too hastily buried, it is well worth recalling that the decade just ended was, for the Territory, the most progressive and productive ever. Arising out of and forming part of this development was the expansion in the activities of government. The Sixties, Mr. Speaker, witnessed a steady change in the role and structure of Territorial Government expenditures.

Territorial Budget - that thick dreary compilation of dry and dusty figures - doubled in volume from \$10,070,766.09 in 1964-65 to \$21,231,235.67 in 1968-69. While the most rapid expansion was required in construction and maintenance of Public Works and Educational facilities, the larger and more affluent population increased demands both quantitative and qualitative for social and administrative services. The "revolution of rising expectations" has indeed converted the luxuries of one generation into the necessities of the next. Inflationary pressures and rising costs during the most recent years also contributed to the big leap in public spending.



Mr. Speaker, I turn now to the formidable task of outlining our financial program for the fiscal year 1970-71. It is a task that is made difficult indeed by the state of the nation, whose adverse effects the Yukon Territory has no way of escaping.

On Wednesday, August 13, 1960, the Prime Minister spoke about actions initiated by the Federal Government in the light of a comprehensive review of its expenditure and revenue patterns. Guide-lines were set freezing budgetary requirements of Federal government departments for Fiscal Year 1970-71 at 1969-70 levels of expenditures. This Council also made it abundantly clear that they were not prepared to increase present levels of taxation at this time. A limit thus arose on the extent of total resources available to the Territory for the forthcoming fiscal year.

No government, Mr. Speaker, can afford to do at once all of the worthwhile things that it would like to do and which it is requested to do. This means that governments must plan to ensure that, within the means available, those things are accomplished that are most urgent and most desirable. Some high priority programs will require expansion and consequently expenditures over and above the normal increase. But the majority of programs and activities cannot be allowed to expand if we are to reach our budgetary objectives without an increase in taxation. The main guideline for preparation of the 1970-71 estimates was the requirement that all programs and activities not specifically earmarked for expansion, would be restricted to 1969-70 levels of expenditure supplemented by uncontrollable increases.

The proposals that will be put before you which, by the way, include the capital monies that have already been passed by Council, indicate a total budget for the year of \$24,896,451.36 made up as follows:

Operation & Maintenance	\$ 14,785,854.00
Capital	7,820,903.00
Loan Amortization	2,289,694.36
	<hr/>
	24,896,451.36
	<hr/>

Time, Mr. Speaker, does not permit me to outline in greater detail the items of expenditure which have gone into the making of the Territory's first budget of the Seventies. The following analysis however, indicates the structure of the proposed expenditures on an activity basis:

Engineering	\$ 7,095,254.00	28.50%
Education	6,832,911.00	27.44%
Municipal Affairs	2,351,387.00	9.44%
Debt Redemption	2,289,694.36	9.20%
Welfare	1,008,988.00	4.05%
Yukon Hospital Insurance Services	969,636.00	3.89%
Loans to Third Parties	800,443.00	3.21%
General	765,018.00	3.07%
Corrections	734,735.00	2.90%
Health	549,097.00	2.21%
Travel and Information	470,325.00	1.89%
Territorial Treasurer & Collector of Taxes	302,759.00	1.22%
Territorial Secretary & Registrar General	274,578.00	1.10%
Yukon Regional Library	235,209.00	0.94%
Game	128,688.00	0.52%
Yukon Council	55,729.00	0.22%
Liquor Control-Capital Loans	32,000.00	0.20%
	<u>24,896.45</u>	<u>1.36</u>
		<u>100.00%</u>

Anticipated revenues during 1970-71 total \$5,510,427.00 from the following sources:

Tax Revenue	\$3,203,047.00
Liquor Profit	1,566,480.00
Licence Revenue	564,700.00
Interest on Investments	70,000.00
Fines	41,000.00
Fees-Registrations, etc.	45,200.00
Sundry	20,000.00
	<u>\$5,510,427.00</u>

The balance of the monies needed to finance our budget will be made up as follows:

Recoveries	\$7,318,612.00
Deficit Grant	4,063,786.00
Capital Borrowing	4,911,603.00
Loan Amortization Grant	1,916,303.00
Surplus carried over from 1969-70	569,005.00
Estimated Lapsing Balances 1970-71	<u>404,220.00</u>
Total	24,693,956.00
Estimated Deficit	202,495.00

It will be readily seen that any new demands on our money supply during 70-71 must be met by either diluting present programs or



finding new sources of funds.

In terms of percentage growth, the revenue side of the budget continues to outpace the expenditures, placing the Territory practically in the "take-off" stage. The process of "taking-off" into sustained growth is only the first problem. Staying in the air and climbing higher can be just as difficult. As men have discovered, often painfully in the economies of the West, the journey can be as arduous as the start and economies encounter hazards according to the point in time of their take-off. The best hope for the Territory during this decade of onrushing prosperity is that the rosier of economic forecasts come true, and that the record-breaking Sixties will be followed by a decade just as productive.

Our budget sums are now so significant a figure that long-range planning is an essential ingredient if we are to continue to balance our income and outgo - in other words - keep our claims and plans within the limits of our capacity.

The trouble with our traditional annual budgeting has been that it removes a good deal of our spending from effective control of either the Legislature or the Administration. The start-up costs of a new program are scaled to the budget of that particular year, but the ongoing, and usually increasing, costs of the program become an uncontrollable burden on future budgets. Government programs notoriously take on a life of their own, and to satisfy new demands some existing claims must be modified. Outmoded and uneconomic programs ought to be either restructured or destined to oblivion.

Other legislative items that are of significance to Council will be made available as the Session progresses. One of these concerns the Low Cost Housing Loan Ordinance in which we are seeking Council's approval to raise the limits on First Mortgage Loans from the present \$8,000 to a maximum of \$12,000. While this amendment is coming at a time when only \$300,000 of the original two million remains uncommitted, I hope Council will agree it is better to have this money available on a realistic basis rather than perpetuate the present inadequate limits.

Several papers for Council's consideration will be tabled; among these will be a proposal whereby certain monies that have been refunded to the Territorial Government from the income tax as paid by privately-owned power corporations in the Territory, will be made available for rebate to bring about an effective policy of electricity rate equalization.



My Officers are endeavouring to have arrangements made whereby fully serviced Crown-owned land on which Central Mortgage and Housing financed dwelling units are to be built, can be sold to prospective builders on the basis of 10% of the total cost as the down payment and the balance of monies to come to the Territory from the first advances that are made to the builder on his project. This will have the effect of placing the original property acquisition financing burden on the mortgage lender, namely, Central Mortgage and Housing Corporation, hopefully making it that much easier for prospective builders to proceed with their plans. Council will be kept advised of our progress in this matter.

As of April 1st, the Liquor Ordinance passed by this Legislature at its last Session, will come into full force and effect and I am pleased at this time to announce the Members of the Board who will be responsible for licensing and disciplinary measures under this Ordinance.

Mr. Oliver Hutton - Mayo

Mr. William Weigand - Whitehorse

Mrs. Helga Germain - Whitehorse

These public-minded citizens have accepted this "treading into new territory" with true Yukon spirit and we should all wish them well in their new duties.

This new Ordinance is a progressive and far-reaching piece of legislation and it is symbolic of this Territory that we are not only catching up to the more heavily populated areas of our country, but are indeed passing them by putting forth legislation in keeping with the era in which we live.

There is no reason to believe that in the course of this coming year, the pace of economic activity will be anything less in the Territory than what it has been in the past year. Our two major industries, mining and tourism, while suffering the pangs of high-cost money and the lack of risk-capital, are showing no loss of enthusiasm to put to the best possible use those dollars which they do have. In the course of this past several months, great interest has been focused by the mining industry in the Canadian Creek area, and while at the moment some of the major activity has come to a temporary halt, the amount of ground that has been staked indicates intensive exploration will be carried out over a large area which until now, has only been afforded cursory glances by the industry.

Increased interest has been focused on the north from all parts of the continent. The oil activity, the opening of new mines, the Centennial celebrations in our neighboring Territory, the voyage of the Manhattan and even the discussions about Arctic sovereignty have all contributed to put the north country into the international spotlight, and it is our believe that this increased recognition will help attract more visitors to our Territory.

Our Department of Travel and Information has been playing its part by developing aggressive new programs and putting added strength behind existing ones. They have been distributing travel feature articles on Yukon to all parts of the continent, and for the first time this year an organized advertising campaign has been undertaken. The Department has commenced preparation of the first comprehensive directory of tourist accommodation in the Yukon and a new booklet on Yukon's historic sites is being planned.

The initial planning has been started to develop joint tourist promotion projects with our neighboring provinces, territory and state.

Early returns from the Department's publicity efforts are encouraging. The Department received a total of 4,408 tourist inquiries by mail in the first two months of this year - over 1,100 more than the corresponding period one year ago.

Some good recommendations for the future development of tourism in the Yukon came out of a meeting of the Yukon Tourist Advisory Council held in February. The Department is now organizing a meeting of the Historic Sites and Monuments Board, whose duties are to advise the Territorial Government on projects for the preservation and development of our historic sites.

As Commissioner I have requested the Department, as part of its information service duties, to develop a program of publicizing various business and industrial activities in the Yukon. We believe we have an exciting story of development to tell to the world, and by keeping the "outside" well informed on what is taking place in the Yukon, we believe we'll be in a better position to develop our business, trade and commerce.

Further abetting economic development in the area, My Minister announced several months ago the establishment of a business loan

fund which would be a supplement to funds available privately through banking institutions and those which are available through the Industrial Development Bank and other government agencies. I am pleased to say that this fund will be operative in a very short time and while there are limits on the amount of money that will be available, I am hopeful that it will provide help where it is most needed in the development of business and industry throughout Yukon.

The question of health care has been of continuing interest since the passing of the Federal Medical Care Act in 1968. The conditions under which the Territory could join in the scheme were detailed in a paper presented to Council in the Fall Session of that year and these have not changed except that the original estimate of our share of the cost has increased.

The cost to the Territory will be high. The Federal contribution which is approximately 40% is based on the official population figure of 16,000 multiplied by a national average cost. The calculation of Territorial cost is therefore somewhat higher than it might be since our population is increasing and the cost of living higher than other places. We could reduce our costs but any reduction could be made only by limiting the services which can be provided under the scheme. Our approach to Health Care has been one of caution since means must be found to meet the cost, either by a premium scheme or tax revenue, or a combination of both.

The willing co-operation of the doctors is essential if a Health Care scheme is to be successful, but I have no doubt that this will be forthcoming. Informal talks have already taken place and the doctors have indicated that they will send us a detailed brief on the subject. When this has been received and studied, I expect to have more information for Council.

I mention Health Care at this time since the indications are that most jurisdictions in Canada will be participating in the Federal Plan before the end of the year.

I have been in consultation with my Minister on the progress of changes to the Yukon Act and can advise that the proposals outlined previously to Council will be embodied into amendments scheduled for introduction into Parliament soon after the Easter recess. These will include amendments to permit the transfer of the Administration



of Justice as announced by the Minister of Justice, also the question of establishing the voting age in Territorial elections will become the prerogative of this Legislature to establish.

At this time, I would also wish to re-state my Minister's proposal as given before this house last November about the establishment of an Executive Committee and including elected members in it. The proposal to increase the number of Councillors on the Executive Committee made by Council to my Minister is still under consideration and a Cabinet decision is expected soon after Easter. In the meantime, I see no reason why the details of how the Committee can be established and function should not be discussed prior to the final decision on the number of Councillors to be included.

Two items of significance to Yukon deserve mention: the first concerns the recent successful staging of the Arctic Winter Games conceived as the thought of a few and derided as "never-to-be-held" by many. They were successful beyond the wildest dreams of their strongest supporters. Yukon didn't earn too many medals, but we should all be proud that a Yukoner, Councillor Ken McKinnon as Chairman of the Games, was without doubt the driving force that kept the organization going during its bleakest moments. A sincere thanks to Councillor McKinnon from all of us for a job well done.

The second is another word of congratulation - this time to Mike Wenage - known to all as "Black Mike", on having recently attained his 100th birthday. Canada never had a finer citizen and we are proud he is a Yukoner. Everyone in the Territory joins me in extending our congratulations on attaining your 100th year, Mike, and may you be blessed with your good health to celebrate many more birthdays.

Other items as they arise will be brought before Council. Along with my Officers, I look forward to co-operating with Mr. Speaker and all Members of Council to make this a most productive Session.

J. Smith,  
Commissioner.



March 31, 1970

SESSIONAL PAPER NO. -6- 1970 (2nd SESSION)

Mr. Speaker  
Members of Council

Electrical Rate Equalization for the Yukon Territory

As members of Council are aware, we are holding money received from the Federal Government under the Public Utilities Income Tax Transfer Act, being a refund of income tax paid in respect of public utilities during the year 1966. The total of the monies now held in this account is \$178,760.68 (including accrued interest) and has been paid by the Dawson Electric Light & Power Co. Ltd., the Yukon Electric Co. Ltd., and the Yukon Hydro Co. Ltd.

Professional advice was sought as to how this money could be distributed and the report of the consultants together with their recommendations accompanies this paper.

Council is requested to consider this paper and the report and advise on the course of action to be followed.

The rates in Mayo have been reduced since the report was commissioned and therefore should be excluded from consideration.

"J. SMITH"  
J. Smith  
Commissioner.





A REPORT ON AN ELECTRIC RATE EQUALIZATION PLAN  
FOR THE YUKON TERRITORY

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**I INTRODUCTION**

Under the provisions of the "Public Utilities Tax Transfer Act" the Government of the Yukon Territory has received approximately \$167,000 from the Government of Canada, in respect of income tax paid by Yukon Electrical Company Limited in 1966.

The Government of the Yukon Territory wishes to return this money to consumers of electricity in the form of a rate equalization plan.

This report proposes one method of doing so, and was prepared under the following terms of reference:-

- a) Propose a rate equalization plan which will be applicable to domestic users throughout the Yukon Territory and calculate the costs of instituting such a plan in the franchise areas of the Yukon Electrical Company Ltd. and also in Dawson City and Mayo.
- b) Advise as to whether or not a similar plan should be instituted for commercial customers and estimate the costs in the same areas.
- c) Under no circumstances are special contract customers of the Company to be subsidized.

**II THE PRESENT SITUATION**

At the present time the Yukon Electrical Company Limited distributes electricity in sixteen communities. The Northern Canada Power Commission serves two communities and will be providing service in Faro.

**A. Residential**

The Company has five different residential rate schedules. The Commission has one rate schedule in Dawson City, and two in Mayo - one for customers without electric water heating and one for customers with electric water heating. Details of the proposed rate for Faro are not available.

# 1. Statistics

Table I below shows statistical data with respect to residential customers in Territorial communities, except Keno City and Faro.

TABLE I

Data relevant to the use of electricity by Residential Consumers  
in the Yukon Territory - 1968

<u>Location</u>	<u>Residential No. of customers</u>	<u>Average Annual Use (kwh)</u>	<u>Total- Annual Bill</u>	<u>Average Rate ¢ per kwh</u>
Beaver Creek	12	2644	\$ 2,751	8.7¢
Carmacks	35	3873	11,605	8.6
Carcross	46	2004	6,688	7.3
Destruction Bay	25	5279	9,701	7.4
Haines Junction	39	2175	8,240	9.7
Old Crow	14	726	1,603	15.8
Pelly Crossing	23	1062	2,611	10.7
Ross River	27	2616	6,479	9.2
Stewart Crossing	2	286	113	19.8
Teslin	45	1761	8,084	10.2
Watson Lake	153	4289	34,722	5.3
Sub Total	421	3129	92,597	7.0
Whitehorse	1910	7982	358,313	2.3
Total Y.E. Co. Ltd.	2331	7105	450,910	2.7
Dawson City	255	2257	49,902	8.7
Mayo	140	4126	17,088	3.0
Total N.C.P.C.	395	2919	66,990	5.8

Note: (1) Figures for Watson Lake include Upper Liard and Lower Post.

(2) Whitehorse, Watson Lake, Old Crow and Carcross are each served under a separate rate schedule. The other communities served by the company and also Upper Liard and Lower Post are all under a fifth rate schedule.

## 2. Analysis of Statistics - Inspection of Table I shows that:-

- 70.1% of residential consumers are in Whitehorse; 14.5% are served by N.C.P.C.; and 15.4% live in isolated communities served by the Yukon Electrical Co.



- b) The average annual consumption is higher in those areas where the rates are lower. Carcross and Destruction Bay are exceptions to this general rule.
- c) Less obvious is the fact that, in most communities there is a wide range of individual consumer's consumptions. For example in Beaver Creek the average annual consumption is 2644 kwh and the average rate is 8.7¢ per kwh; under the rate schedule available in Beaver Creek, a consumer would have to use about 650 kwh per month or 7800 kwh per year before the average rate becomes 8.7¢ per kwh. These figures mean that most consumers in Beaver Creek use a very small consumption but one or two have a large use possibly for space heating. This situation appears to hold in all communities except Old Crow and Stewart Crossing. Neither Yukon Electrical Company nor Northern Canada Power Commission were able to supply bill distributions which would have given this information exactly.

### 3. Rates

As mentioned previously Yukon Electrical Company has five residential rates and Northern Canada Power Commission two. Table II below shows the bills payable by a consumer under these different rate schedules for various consumptions.

TABLE II

Residential Electric Bill at Different  
Consumption Levels per Month

KWH	Rate I	II	III	IV	V	VI	VII (a)	(b)
40	\$ 4.80	\$ 3.20	\$ 6.40	\$ 6.00	\$ 2.00	\$ 6.22	\$ 3.30	\$ 4.32
100	10.80	6.80	12.40	15.00	4.10	14.22	6.00	7.02
200	20.80	12.80	22.40	30.00	7.60	25.33	9.00	10.02
300	24.80	16.80	30.40	45.00	10.10	32.00	11.83	16.02
600	30.80	28.80	54.40	90.00	14.90	52.00	16.83	22.02

Rate I - Carcross

Rate II - Watson Lake

Rate III - Beaver Creek, Carmacks, Destruction Bay, Haines Junction, Lower Post, Pelly Crossing, Ross River, Stewart Crossing, Teslin

Rate IV - Old Crow

Rate V - Whitehorse

Rate VI - Dawson City

Rate VII - Mayo (a) With Water Heating  
(b) Without Water Heating

Table II shows clearly the substantial difference between the price of electricity in Whitehorse and the other communities. With the exception of Old Crow which is a special case, the highest bills occur in Dawson City. It is understood that the Commission also distributes water in Dawson City and it may be that some of the costs of the water utility are in the electric rate base.

## B. Commercial

The Company has four commercial rates and the Commission has two; again no details of the proposed rate for Faro are available.

### 1. Statistics

Table III below shows the billing statistics for commercial customers in the Territory. It also shows the billing statistics for accounts of the Federal and Territorial Governments.

TABLE III

Data relevant to the use of electricity by Commercial Customers in the Yukon Territory

<u>Location</u>		<u>No. of Cust's.</u>	<u>Avg. Annual Use (kwh)</u>	<u>Total Annual Bill</u>	<u>Avg. Rate \$ per kwh</u>
Beaver Creek	P.	4	20,879	\$ 11,802	14.1
	G.	8	17,839	13,482	9.5
Carmacks	P.	11	12,543	13,600	9.9
	G.	8	9,546	7,313	9.6
Carcross	T.	19	20,385	32,363	8.4
Destruction Bay	P.	4	23,648	8,310	9.1
	G.	8	10,170	7,736	9.5
Haines Junction	P.	17	8,294	13,352	9.5
	G.	16	10,015	15,255	9.5
Old Crow	P.	3	94	75	26.4
	G.	4	25,390	25,390	25.0
Pelly Crossing	P.	3	8,663	2,526	9.7
	G.	6	9,701	5,490	9.4
Ross River	P.	5	19,146	8,775	9.2
	G.	13	11,349	14,673	9.9
Stewart Crossing	P.	2	14,523	2,630	9.1
	G.	2	19,515	3,770	9.7
Swift River	P.	3	12,010	3,282	9.1
	G.	2	7,954	1,495	9.4
Teslin	P.	7	11,121	7,309	9.4
	G.	16	10,294	15,737	9.6
Watson Lake	P.	43	17,729	70,144	9.2
	G.	30	22,450	38,040	5.6
Sub Total		264	13,374	322,549	9.1
Whitehorse	T.	445	32,353	543,727	3.8
Total Y.E. Co. Ltd.		709	25,286	866,276	4.8
Dawson	T.	113	7,020	77,727	9.8
Mayo	T.	60	10,502	21,103	3.3
Total N.C.P.C.		173	8,227	98,830	6.9



- Note: (1) "P" denotes a private business; "G" a Federal or Territorial account; if this information was not available the total number of accounts are shown and designated by "T".
- (2) Figures for Watson Lake include Lower Post and Upper Liard.
- (3) Old Crow, Whitehorse, Dawson City and Mayo each have a separate rate. Watson Lake and Carcross are both served under the same rate. All other communities and also Lower Post and Upper Liard are served under a common rate schedule.
- (4) No data was received for Keno City.

The average rates in Table III show the difference in price throughout the territory; the restricting effect of high rates on use is less obvious than with residential consumers, possibly because commercial consumers are less able to dispense with the use of electricity, and because they are able to recover their costs from their customers.

## 2. Rates

The form of the rates in the Company's areas other than Old Crow and Whitehorse is such that the customer's bill depends on his connected load or measured demand. This information is not available and consequently data similar to that contained in Table II would be relatively meaningless. In general it would be expected that the pattern would be similar.

## III NATURE OF A RATE EQUALIZATION PLAN AND ASSOCIATED PROBLEMS

A rate equalization plan means that consumers in areas where electricity is expensive to produce are being subsidized by consumers in those areas where production costs are cheaper.

Under a complete plan uniform rates are introduced for each class of customer throughout a utility's service area. Sometimes a complete plan may not be desirable, or possible, and a uniform rate may be made available only to one class of customer. An additional restriction may also be made so that the rate is uniform only up to a particular consumption. This situation occurs when different locations are served by different types of generating plants.

Experience indicates that consumers who receive rate reductions under a rate equalization plan purchase more appliances and increase their consumption of electricity. This has three consequences. It increases the amount of subsidy required. It increases load on generating plants and advances the date when additional plant is required. It makes it impractical to revert to a system of differential rates since the impact on consumers would be too severe.

Normally a rate equalization plan is instituted and controlled by a utility.



In the present case the Territorial Government has little control of circumstances which may lead to the cost of the subsidy exceeding the money available - such as:

1. Policy changes on the part of the Government of Canada.
2. Nationalization of the Company.
3. A decline in the Company's earnings.
4. Growth in terms of number of customers.
5. Growth in terms of average consumption.
6. A rate increase by the Company.
7. A rate increase by the Commission as supplier to the Company, and as retailer.

In view of these uncertainties, and the danger, which cannot be overstressed, of creating a situation whereby the amount of subsidy required in the future grossly exceeds the tax rebate available a conservative rather than a liberal plan is indicated.

#### IV PREVIOUS RATE EQUALIZATION PROPOSALS

Rate equalization proposals have been made by the Commission and the Company.

##### A. Northern Canada Power Commission Proposal

It was proposed by the Commission that the first 200 kwh of all residential rates be standardized at 3.4¢ or 4¢ or 5¢ per kwh. For each of these prices a table was constructed showing estimates of the subsidy required for each community. Due to lack of information these tables are inaccurate and misleading.

##### B. Yukon Electrical Company Proposal

It was proposed by the Company that the Whitehorse residential rate be made uniform to all customers in its franchise areas, and that the balance of the money available would be spread in an across-the-board reduction. It was not stated if customers served under special contract would receive this reduction, but it would appear they were included. The Company attached calculations showing how the rebate would apply and it is to be expected that these would be correct.

C. Comments on above Proposals

Both of these proposals offer substantial decreases in bills for consumers outside Whitehorse. Under both proposals consumers in Whitehorse would receive bill reductions averaging less than \$1.00 per month. This is a very small amount and would probably pass unnoticed.

The Commission's proposal is not generous enough - at least under present conditions - and would probably require less than half the money available.

Under the Company's plan consumers in areas outside Whitehorse would be able to purchase electricity for 1.6¢ per kwh after using only 300 kwhs. It would appear that this price would be less than cost, and also it would be competitive with oil for space heating purposes. It would be expected that some consumers would heat with electricity, leading to a large increase in the subsidy and to additional plant being required in some areas. A situation similar to this occurred in parts of British Columbia after rates were equalized in that province. Therefore it is concluded that the Company's proposal is potentially too generous.

V. A PROPOSED RATE EQUALIZATION PLAN

A. Residential

1. Objectives

It was considered that the rate equalization plan for the Yukon Territory should be such that:-

- a) Residential customers in Whitehorse should receive something more than a token reduction, since the money available exceeds the total residential revenue in the rest of the Territory and since 70% of residential customers reside in Whitehorse.
- b) The amount of money required to maintain the subsidy will not rapidly exceed the amount of money available.
- c) Load growth is not encouraged to the extent that additional generation plant is required.
- d) The rate should be relatively easy to administer.

2. Form of Proposed Rate

In order to see how the first objective above can be achieved it is necessary to examine the Whitehorse residential rate which reads:-



First	40 kwh per month at 5.0¢ per kwh
Next	160 kwh per month at 3.5¢ per kwh
Next	100 kwh per month at 2.5¢ per kwh
All additional kwh per month	at 1.6¢ per kwh

Any reduction in the last step of this rate would conflict with objectives b and c, therefore the reduction should be made in the price of the first 300 kwh's. This is approximately the maximum consumption which is used in a residence without major appliances, and represents what many people consider to be a "necessary" amount of electricity. For this reason it is also a good upper limit of a subsidy intended to aid low income groups.

In the interest of simple administration it is better to apply a uniform price to the first 300 kwhs rather than having prices in steps.

The problem resolves itself into choosing a price which will offer a reasonable reduction to Whitehorse consumers and which in total will not exceed the money available.

### 3. Proposed Rate

It is proposed that electric residential rates be equalized by charging 2.5 cents per kwh for the first 300 kwh in place of the prices in the published rates.

### 4. Effects of Proposed Rate

#### a. Reduction in Bills

Table IV below shows the maximum subsidy which would be paid to a residential consumer in each area.

TABLE IV

Annual Maximum Subsidy per Customer under Proposed Plan

<u>Location</u>	<u>Subsidy</u>
Beaver Creek, Carmacks, )	
Destruction Bay, Haines Junction, )	
Pelly Crossing, Ross River )	\$274.80
Stewart Crossing, Teslin, )	
Upper Liard and Lower Post )	
Carcross	207.60
Old Crow	450.00
Watson Lake	111.60
Whitehorse	31.20
Dawson City	294.00
Mayo	102.00*
	51.96**

\* - For a customer without a water heater

\*\* - For a customer with a water heater



b. Cost of Proposed Plan

As mentioned previously neither utility was able to supply bill distributions, and therefore an accurate estimate of the cost of the proposed plan cannot be made. Table V below shows the maximum amount of the subsidy required in the various communities. This was calculated by assuming that all of the existing customers would use at least 300 kwh per month and receive the maximum subsidy. While it is unlikely that all customers would receive the maximum subsidy it is most likely that the number of customers and the consumption used will both increase.

TABLE V

Maximum Subsidy required to put Proposed Plan into Effect  
based on 1968 Residential Customers

<u>Location</u>	<u>Estimated Maximum Subsidy</u>
Beaver Creek	\$ 3,297
Carmacks	9,618
Carcross	9,550
Destruction Bay	6,870
Haines Junction	10,717
Old Crow	5,500
Pelly Crossing	6,320
Ross River	7,420
Stewart Crossing	550
Teslin	12,366
Watson Lake	17,075
Whitehorse	59,592
Total Y.E. Co. Ltd.	<u>148,875</u>
Dawson	26,170
Mayo	15,300
Total N.C.P.C.	<u>41,470</u>
Total Y.E. Co. Ltd. & N.C.P.C.	<u><u>\$190,345</u></u>

The initial cost of the subsidy would be less than the above figure. The Company has applied the proposed rate to data available in its records and estimates that the cost in its franchise areas would be \$102,000. A similar check was not made by the Commission but an estimate based on rate curves indicates:-

Dawson City \$23,000

Mayo \$10,000

It appears to be reasonably certain that initially the proposed plan would not exceed the money available.

B. Commercial

It has not been possible to propose any uniform rate for commercial customers due to the lack of detailed data and the more complex rate forms used.

The available information indicates that a high proportion of commercial revenue comes from Federal and Territorial Government accounts, and a subsidy to these accounts would be meaningless. In most commercial enterprises the cost of electricity represents a relatively small proportion of the selling price of the product, and it is unlikely that prices would be affected by the modest reduction which the available funds would permit.

For these reasons it is not considered advisable to institute a rate equalization plan for commercial customers.

VI RECOMMENDATION

A. It is recommended that the Government of the Yukon Territory subsidize those residential rates it chooses by returning to the consumer an amount equal to the difference between money paid by the consumer under the published rates of the utility for consumptions up to and including 300 kwh per month and the money the consumer would have paid for such consumption at a rate of 2.5¢ per kwh.

The above plan would cost \$102,000 if applied in the Company's franchise areas only, and \$135,000 if applied in Dawson and Mayo as well.

B. It is recommended that any money remaining be held in a reserve fund set up to maintain the rate equalization plan in future years.

C. It is recommended that after two years experience the above plan be reviewed with a view to reducing the uniform rate from 2.5¢ per kwh to 2.0¢ per kwh.

GB/rds  
19 March 1970

April 3, 1970.

SESSIONAL PAPER NO. -7- 1970 (2nd) SESSION

Mr. Speaker

Members of Council

Northern Communications Conference - Yellowknife

The First Northern Communications Conference, sponsored jointly by the Federal Department of Communications and the Department of Indian Affairs and Northern Development, will be held in Yellowknife August 4, 5 and 6, 1970.

The object is to obtain information and informed opinion on future requirements for facilities in the north for consideration of policy under review in the Department of Communications.

The Department of Indian Affairs and Northern Development will support the Conference as a contribution to the Northwest Territories Centennial celebrations and the Governments of the Yukon and Northwest Territories, together with the Arctic Institute of North America, Laval University and the University of Alberta are participating as co-sponsors in planning and conducting the conference. The entire estimated cost of holding the conference, about \$25,000, will be shouldered by the Federal Government Departments.

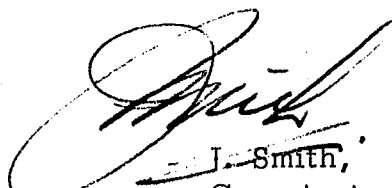
Informed individuals, representatives of the consumers including Eskimo and Indian people and local entrepreneurs will be invited to participate.

The conference has been so structured as to provide a forum for both the exchange of information and of ideas. This will be done by -

- (a) providing advance background information to prevent the conference from becoming a pure lecture session;
- (b) requiring all attending to actively participate in panel discussions and workshop seminars, and
- (c) conclude with the approval, either of general recommendations or of consensus opinions about possible and desirable telecommunications developments, both economic and cultural.

The suggested title of the conference is "The Impact of Communications on Northern Development". The conference will be basically concerned with the requirements for communications in the north, the impact of communications and the possibilities for development in the 1970's.

It is recommended that Council decide whether a Councillor should participate in the conference and, if so, who should be the representative.

  
J. Smith,  
Commissioner.



April 3, 1970.

SESSIONAL PAPER NO. -8- 1970 (2nd) SESSION

Mr. Speaker

Members of Council

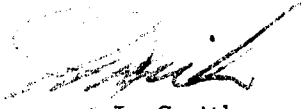
Requested Investigation Into High Cost of Living

Council, at its 1970 1st Session, passed the following Motion:

"That this Council invite the Honourable Ron Basford, Minister of Consumer Affairs to visit the Yukon as early as possible to meet with Council and community organizations to consider making an investigation into the high cost of living in the Yukon."

This Motion was duly forwarded to the Honourable Ron Basford who, because of absence from Ottawa, was not able to reply until March 28. His reply reads as follows:

"Relet Unable to advise at this point re visit to Yukon. Will do so as soon as possible."

  
J. Smith,  
Commissioner.

March 26, 1970.

SESSIONAL PAPER NO. -9- 1970 (2nd) SESSION

Mr. Speaker

Members of Council.

Question Re Damages By Exploration Companies

On February 4th, 1970, during the 1970 First Session of Council Councillor McKinnon asked the following question:

"Mr. Commissioner, has the Director of Game been in touch with your office concerning possible damage done to land used by exploration companies in the northern Yukon and, if so, has this information been passed on to the proper federal authorities?"

A combined air patrol consisting of Game Branch personnel . Fisheries personnel and Yukon Indian Agency personnel was made out of Whitehorse on September 3rd to September 6th, 1969. This patrol visited several lakes north of Mayo where companies were doing certain mineral and oil exploration, as well as the Old Crow flats area.

The following camps were checked:

POTHOLE LAKE Ulster Petroleum Ltd., Calgary. Camp clean and well maintained - small crew employed in collecting fossil samples along Peel River Valley.

OLD CROW FLATS Velocity Surveys, Calgary. Employed on seismic operations. Well operated clean camp. Six Old Crow natives were employed with this crew. No visible damage to fur or fish resource.

HERSCHEL ISLAND Polar Ice Shelf Project crew camped here. Unable to land due to drifting pack ice.

INLAND LAKE NEAR STOKES POINT Imperial Oil had eleven man crew here doing repair work on equipment and seismic rigs for winter operation when a total of forty men would be employed on their leases. This camp consists of trailers mounted on skids.

Camp fairly well operated and in clean condition.

On the coast near this camp are possibly thousands of oil drums of different sizes containing fuel oil and gasoline or lubricants. This mess was left there when a radar station was abandoned. At this time it is not known whether the Federal Electric Company, who operates the Dew line, or the Department of Transport is responsible for this source of pollution, as the barrels will eventually rust and allow the contents to escape into the sea.

MARGARET LAKE Banff Oil Ltd. left a filthy garbage strewn campsite here with broken bottles, garbage, building materials, propane tanks and oil drums at the waters edge.

HUNGRY LAKE V. Zay Smith Co., Calgary left a horrible messy campsite here similar to that found at Margaret Lake.

KATHLEEN LAKE Approximately 80 miles N.W. Mayo. A campsite here was also looked at. A large number of jars and bottles containing different types of acids and other chemicals were abandoned at

this site. It is understood several local prospectors used this camp but most are now out of the country. The Fisheries Department have stated they intend to clean up this site.

HART LAKE

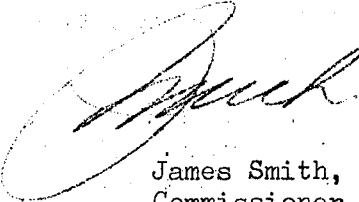
The campsite here was also left strewn with garbage and other abandoned articles quite similar to the condition noticed at Margaret Lake. The people responsible for this are now not readily available and Fisheries intend to take further action in due course.

The information collected during this patrol was supported by photographs and most of this evidence has been forwarded to those companies concerned by the Federal Fisheries Department, Pacific Region.

The Banff Oil Company and V. Zay Smith Company of Calgary have advised that crews will be sent to Margaret Lake and Hungry Lake to clean up the campsites used by them.

The Stokes Point situation is also being further looked at by Federal Fisheries as well as the other locations referred to and it is hoped that further cleanups will follow.

The situation in Old Crow flats is inspected weekly by a Forestry representative from Inuvik and information now at hand reveals that to date only one portion of this operation has been questioned, and this was due to some unnecessary road bulldozing in a creek bottom a considerable distance from the Old Crow flats.



James Smith,  
Commissioner.



April 7, 1970.

SESSIONAL PAPER NO. -10- 1970 (2nd SESSION)

Mr. Speaker

Members of Council

Federal Forest Management and Timber Disposal Policy  
Yukon Territory

Council Members will recall that at the 1969 3rd Session, questions were asked to elicit information about proposed timber operations in the southern portion of the Yukon. Moreover, questions were also raised about the proposed chip mill at Carcross to process timber cuts in northern British Columbia. We have recently been informed by the Acting Director of the Northern Economic Development Branch of the Department of Indian Affairs & Northern Development, that following a survey of forest resources of the Marsh and Tagish lakes area as well as the Teslin river - an area now identified as the Tagish Timber Harvesting Unit - that timber cut rights in the unit will be advertised for sale in the near future.

The background to this sale is as follows:

Early in 1969, Atlin Industries Limited, a Vancouver-based company, submitted a preliminary application for timber cutting rights in the region of Marsh and Tagish Lakes, the Teslin River and the Nisutlin River, within the Teslin Forest Management Division in the southern Yukon Territory.

A second company, Acorn Timber Limited, which had previously obtained a timber management agreement on the Pelly and Macmillan Rivers, also applied for separate timber cutting rights in this area. Both companies were advised at that time that no long-term, or large volume timber cutting rights would be granted in the area until improved forest inventory data were obtained and an allowable cut established.

During the summer of 1969, a forestry consultant firm, Schultz-Theriault, conducted a forest inventory survey of this area, on behalf of the Department, which indicated that there is sufficient timber in the area to support a sizable forest industry. On the basis of the inventory report, two operating areas have been established; the Tagish Timber Harvesting Unit, covering the Marsh-Tagish Lakes area, the McClintock River, Squanga Lake and the Teslin River northwest of Johnson's Crossing; and the Nisutlin Timber Harvesting Unit, covering the Quiet Lake area, the Nisutlin River and Teslin Lake.

As a further result of the forest inventory survey, it has been decided to advertise timber cutting rights in the Tagish Timber Harvesting Unit and invite proposals from forest industry firms for the establishment of forest operations in the region. Logging operations are already being conducted in the Nisutlin T.H.U., under a timber management agreement



with Timberline Development Services Limited, and further cutting in this harvesting unit is not considered warranted at this time.

At this date, no timber commitments have been granted for the Tagish T.H. U. Future tenders and forest development proposals which may be received in response to the advertisement of timber cutting rights will be judged on the basis of bonus stumpage bids and on an assessment of the forest operations which will provide for the greatest utilization of the available timber. It should also be noted that any subsequent timber harvesting licence will not grant any exclusive tenure on the area but will merely grant cutting rights, subject to approved annual operating plans and permits. There will also be provision for natural or artificial restocking of cut-over lands; protection of lake shores, recreation areas and wildlife and for land and water pollution control measures.

Subsequent to the receipt of the initial application from Atlin Industries Limited the company became a Division of Brameda Resources Limited, and Brameda have applied for a 165-acre parcel of land on Tagish Lake, east of Carcross, as a site for a wood processing plant. The company have negotiated timber cutting rights in the Atlin area of British Columbia (the Taku Public Sustained Yield Unit) with the Provincial Department of Lands and Forests, and they propose to process the British Columbia timber at the Carcross mill and ship products on the White Pass and Yukon Route. This proposal has been approved by the Provincial Minister of Lands and Forests, and your Commissioner has also supported the establishment of this wood processing industry in the Yukon Territory.

This development is independent from their interest in acquiring timber in the Yukon, although they are still interested in obtaining further cutting rights, in addition to what they have now been granted, in both British Columbia and the Yukon in order to support their proposed operation on a long-term basis. If Brameda Resources do obtain cutting rights in the Yukon, the timber would be processed at the same plant.

The company propose an integrated sawmill and pulp chip plant with an approximate annual cut of 20 million cubic feet. Initial logging plans provide for utilization of all species to a minimum butt diameter of 6 inches and a minimum top diameter of 4 inches. Such utilization, combined with the chipping of small trees, residual tops and slabs will permit maximum recovery of available timber, will greatly reduce the volume of waste produced and will lessen the problems of pollution as compared with any other sawmill operations now in existence in the Territory. In comparison with present operations, the maximum production capacity of any single sawmill operation in the Yukon now is only about 2 million cubic feet per year and volume recovery is probably less than 60 per cent. The minimum tree size that can be utilized with existing equipment is also about 10 inches.

It is understood that the type of wood processing plant being proposed by Brameda Resources Limited will incorporate modern sawmilling equipment and techniques which will allow for the maximum recovery of wood products. Such a development, which is common throughout British Columbia, will also provide greater efficiency than any existing operations in the Territory.



The Brameda Resources' application for land has been approved in principle and an initial lease with option to purchase is being processed for a 25 acre portion of the area applied for. The lease will contain adequate provisions for waste disposal and for land and water pollution control. The balance of the area will be made available to the company when there is a demonstrated need for additional land, and then only for the establishment of a wood processing plant.

During the past year, there has unfortunately been some misunderstanding between the proposed developments in the Teslin Forest Management Division by Atlin Industries, Brameda Resources and Acorn Timber and the timber management agreements covering operations in other parts of the Territory. In 1969, timber agreements were concluded with Acorn Timber Limited, for operations on the Pelly and Macmillan Rivers; Timberline Development Services Limited, for operations on the Nisutlin River; and B.C. Yukon Forest Products Limited and Watson Lake Lumber Limited for operations on the Upper Liard River. Each of these agreements is based on an estimated annual production of ten million board feet over a 10-year period and each company must have sawmill and planer facilities with a capacity of producing at least ten million board feet of lumber products per year in operation within two years. Minimum production requirements call for an average production level of not less than three million board feet per year during the first five years and during the last five years a production level of not less than three million board feet each year.

The operations being conducted under these agreements are independent from the applications and proposals for the Tagish Timber Harvesting Unit and are not related to the proposed Brameda Resources' sawmill near Carcross. Acorn Timber Limited plan to construct a wood processing plant, with planer and dry kilns, on the Mayo Road north of Whitehorse, in connection with their Pelly-Macmillan operation and if they should acquire additional cutting rights in the Tagish T.H.U., or any other harvesting unit, the timber would probably be processed in the same plant.

It is hoped that this will clarify any questions which Members of Council may have had with regard to forest development in the Territory.



J. Smith,  
Commissioner.



April 8, 1970.

SESSIONAL PAPER NO. -11- 1970 (2nd SESSION)

Mr. Speaker

Members of Council

Northern Inland Waters Act

Members of Council are undoubtedly aware that the Northern Inland Waters Act, Bill # C-187 (formerly known as the Northern Water Rights Act) is presently being debated in Committee of the House of Commons. Members of Council have been sent copies of the proposed legislation and have already discussed the terms of the proposed Bill. The purpose of this Paper is to provide additional information about the proposed Bill so that they will have an understanding of the nature and purpose of the legislation.

The Yukon and Northwest Territories are the only regions in Canada, indeed, in North America, where comprehensive laws relating to the use, diversion, storage and conservation of water resources do not exist. Such laws are commonly known as "water rights" laws and their purpose, as is the purpose of the proposed legislation, is to provide a set of ground rules for the equitable distribution or sharing of surface and ground water resources among persons and private and public corporations with legitimate and often conflicting claims to the use of water and to ensure that the distribution or sharing is done in a manner that is consistent with immediate and long-range regional and national interest. In addition, the proposed legislation is intended to ensure that all water development works are designed and constructed to acceptable engineering standards and in full compliance with federal laws and regulations respecting inland navigation and fisheries protection and finally, the proposed legislation is intended to control the pollution of water in the two northern Territories by establishing and maintaining in principle, that rights to the use of water for beneficial purposes are dependant on users accepting the responsibility for maintaining the quality of the water or restoring its quality after use to acceptable standards before discharging the water back to the natural environment.

The Northern Inland Waters Act will be administered in the Yukon by a Board to be known as the Yukon Water Board consisting of from three to seven members. Federal Government departments such as Fisheries, Energy, Mines and Resources and Indian Affairs and Northern Development, will each nominate one member while the Territorial Government will be represented by at least one nominee to be appointed by the Governor in Council upon recommendation of the Commissioner in consultation with the Territorial Council. Incidentally, the clause in the Act pertaining to the number of members on the Water Board has not yet been accepted by the Committee which is discussing the Bill and there is a possibility that an amendment will be proposed increasing the number of Yukon representatives. The Act would be administered by the field staff of the Northern Economic Development Branch and one of its main duties would be to provide necessary liaison and co-operation between the Water Resources Section of the Branch and the water development interests in the regions concerned which is a vital and necessary feature of any successful water resource management program.

It should also be pointed out to Members of Council, that the Act would only be applicable in areas designated by the Governor in Council as water management areas. These areas would consist of river basins or other appropriate geographical areas and would be only designated if recommended by the Minister of Indian Affairs and Northern Development and the Yukon Water Board.

This Paper is presented to Council so that its members will be informed as to the intention of the Federal Government in introducing the Northern Inland Waters Act.



J. Smith,  
Commissioner.





April 13, 1970

SESSIONAL PAPER NO. -12- 1970 (2nd SESSION)

Mr. Speaker

Members of Council

Cost of Heating Whitehorse Correctional Institution

During discussion of the Budget on April 3rd, 1970, Councillor Shaw asked if Administration would table a report on the heating of the Corrections Institute. The following is submitted for your information:

"Costs of heating for periods as noted below:

November 26/66 - March 31/67	\$10,531.28
April 1/67 - March 31/68	21,077.60
April 1/68 - March 31/69	22,933.54
April 1/69 - March 1/70	18,799.13

These charges are levied by the Department of Public Works and are rated as follows:

Steam	\$4.04 per 1,000 gallons
Water	Standard Charge of 1,000 gallons per day at 44¢ per 1,000 gallons
Sewer	10% of water charge
Plus 10% Administration charge	

These rates formed part of an agreement entered into between the Department of Public Works and the Government of the Yukon Territory in 1966. A meeting was held in 1968 between Messrs. Art Shaw and R. Logan, Department of Public Works, Mr. Ken Baker, Territorial Engineer and Mr. V.L. Ogison, Director of Corrections, after the question had previously been raised in Council. As a result of that meeting the Territorial Government was informed that the Department of Public Works were unable to recommend any reduction in these rates.

  
J. Smith,  
Commissioner.



April 13, 1970.

SESSIONAL PAPER NO. -13- 1970 (2nd) SESSION

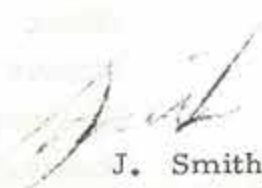
Mr. Speaker,  
Members of Council

Slogan on Yukon Licence Plates

During this Session of Council, a Motion was passed as follows:

"That in the opinion of Council, the Administration consider having the wording changed on motor vehicle licence plates from 'Land of the Midnight Sun' to 'Home of the Klondike' at the earliest possible date."

I am pleased to advise that arrangements have been made for the above change to appear on the 1971 licence plates which will go on sale as usual on the 1st of February, 1971.

  
J. Smith,  
Commissioner.



14 April, 1970.

SESSIONAL PAPER NO. -14- 1970 (2nd SESSION)

Mr. Speaker,

Members of Council

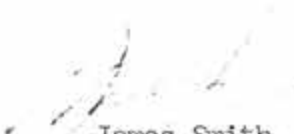
Education Cost per Pupil

The following question was asked by Councillor Chamberlist during this Session of Council.

"Would the Administration table for the information of Council the education cost per pupil in all the provinces and the Yukon."

The following information shows the cost of education per pupil in elementary and high schools of each province and territory of Canada for the most recent year (1967) available.

Newfoundland	-	\$241.
Prince Edward Island	-	358.
Nova Scotia	-	352.
New Brunswick	-	292.
Quebec	-	546.
Ontario	-	580.
Manitoba	-	511.
Saskatchewan	-	507.
Alberta	-	602.
British Columbia	-	555.
10 provinces average	-	\$434.
Yukon	-	733.
Northwest Territories	-	724. "

  
James Smith,  
Commissioner.

April 13, 1970.

SESSIONAL PAPER NO. -15- 1970 (2nd SESSION)

Mr. Speaker,

Members of Council


Hudson's Bay Exploration Company

The Hudson's Bay Exploration Company is finalizing plans to bring into production their Quill Creek property. It is their intention to apply for a block of land bordering on the Alaska Highway at the junction of the road to their mine, which is nine miles from the highway. On this piece of property, well back from the highway, they will develop a mobile townsite. This will consist of a limited amount of family accommodation and the balance to be made up of single men's accommodation, including a commissary and a cookhouse. Somewhere over one hundred persons will be employed at the mine when it is brought into production. It is, of course, uncertain how many of these employees will have families, but the number will probably not exceed twenty.

It would appear that they will require little, if any, in the way of municipal services, and it will be possible to bus school children of the townsite to Destruction Bay, a distance of 28 miles. We have not as yet received firm notice of the date the mine and mill will be operational, but it is unlikely that school facilities will be required before September, 1971.

Negotiations for the provision of other services such as telephone and power facilities etc. are being conducted directly through the Crown Corporations. It would appear that any demand made on the Yukon Territorial Government will not be beyond our ability to deal with in the normal course of events.

The above is provided for your information.

  
J. Smith,  
Commissioner.

April 10, 1970.

SESSIONAL PAPER NO. -16- 1970 (2nd SESSION)

Mr. Speaker,  
Members of Council.


Tote Trail Assistance

On Friday April 3rd, 1970, Councillor Livesey asked the following question:-

"That the Administration table the breakdown of Tote Trail Assistance for the last year."

The following is a list of payments made under Tote Trail Assistance during the fiscal year 1969/70.

<u>Date</u>	<u>Payee</u>	<u>Amount</u>
June 3/69	B. Sampson	\$ 1,000.00
Nov. 17/69	R.M. Bradley-Pelly River Farm	5,788.00
Nov. 17/69	Connaught Mines Ltd.	4,200.00
Dec. 22/69	E.H. Dresen	6,185.00
Sept. 5/69	Canol Mines Ltd.	7,157.08
Oct. 6/69	Nighthawk Lumber Co. Ltd.,	
	H. MacDonald-Deceased	2,800.00
Dec. 22/69	Eagle Bay Sawmills Ltd.,	
	L. Kitchen	2,569.50
Oct. 6/69	Golden Gate Exploration Ltd.	2,490.00
Mar. 2/70	Acorn Timber Ltd.	6,992.25
Dec. 22/69	R.R. Grant	2,682.50
Oct. 6/69	Union Carbide Exploration Corp.	4,000.00
Sept. 5/69	Silver Christal Mines Ltd.	2,987.50
Dec. 22/69	Kathex Mines Ltd.	1,611.00
Oct. 6/69	Harry Thorsen	1,800.00
Dec. 2/69	Silver Spring Mines Ltd.	1,000.00
Aug. 20/69	Casino Silver Mines Ltd.	38.50
Mar. 2/70	Casino Silver Mines Ltd.	16,584.00
Jan. 23/70	Silver Duke Mines	2,100.00
Mar. 2/70	Brameda Resources Ltd.	
	(Tagish Road)	1,498.77
Mar. 31/70	White, Radvak & Assoc. Ltd.	6,600.00
		<u>80,084.10</u>

  
J. Smith,  
Commissioner.



April 15, 1970.

SESSIONAL PAPER NO. -17- 1970 (2nd SESSION)

Mr. Speaker

Members of Council

Question #2 - Breathalyzer Test

The following question was asked by Councillor Taylor during this Session of Council:

- "1. How many charges have been laid involving the use of the Breathalyzer since first introduction in the Yukon Territory?
2. How many convictions have been registered?
3. What is the existing policy respecting the use of the Breathalyzer?
4. What policy safeguards exist to prevent indiscriminate use of the Breathalyzer?"

The following answer was received from Inspector R.S. Wood, of the Royal Canadian Mounted Police, on April 14, 1970:

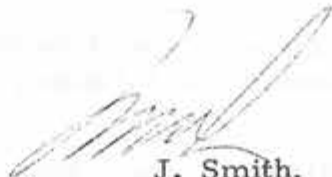
"The following information is supplied in reply to your letter of April 13, 1970. I have listed the points raised in the same chronological order outlined in your correspondence.

1. Total breathalyzer tests for period 23 December 1969 to 31 March 1970: 153 (Refusals 9).
2. Total charges resulting from or supported by tests: 134.  
Total convictions registered: 117  
(Persons released with no charge or outstanding cases result in difference.)
3. The existing policy relating to the use of the Breathalyzer is to follow the procedure as laid out in Sections 223 and 224 of the Criminal Code. I presume that the intent of this question is to determine what change if any has resulted from the recent Supreme Court decision in British Columbia. The answer is that there has been no change in the enforcement policy in the Yukon. However, we have requested direction from the Department of Justice and will be guided by instructions received.

4. Section 223 (1) of the Criminal Code reads as follows:

"Where a peace officer on reasonable and probable grounds believes that a person is committing, or at any time within the preceding two hours has committed, an offence under section 222, he may, by demand made to that person forthwith or as soon as practicable, require him to provide then or as soon thereafter as is practicable a sample of his breath suitable to enable an analysis to be made in order to determine the proportion, if any, of alcohol in his blood, and to accompany the peace officer for the purpose of enabling such a sample to be taken."

A peace officer must have reasonable and probable grounds to believe a person is committing or has committed an offence under Section 222 before he may demand a breath sample. The quality of discipline and supervision is the prime safeguard against indiscriminate use of the Breathalyzer. To date there have been no instances where a nil reading has been recorded on a Breathalyzer. The large number of tests conducted during the period December 23, 1969 to March 31, 1970 may suggest to some that there has been indiscriminate use. This is not the case and these figures only confirm what has long been apparent, that the incidence of drinking and driving in the Whitehorse area is far above what is found in communities elsewhere in Canada."



J. Smith,  
Commissioner.

April 15, 1970.

SESSIONAL PAPER NO. -18- 1970 (2nd SESSION)

Mr. Speaker

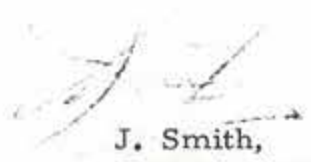
Members of Council

Voting Age in the Yukon

The following question # 4 was asked by Councillor Livesey:

"Will time permit or inventive genius provide an opportunity for Council to decide the voting age in Territorial elections to include the forthcoming fall election in view of the suggestion in the Commissioner's Opening Address that the Legislature would be provided an opportunity to make such a decision?"

In view of the fact that the voting age for the Yukon is set out in the Yukon Act and also the Yukon Elections Ordinance, I would suggest that you should have a Motion put before Council for their discussion.

  
J. Smith,  
Commissioner.



