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YUKON LEGISLATIVE COUNCIL

VOTES & PROCEEDINGS

AND

PAPERS

22ND WHOLLY ELECTIVE COUNCIL

VOLUME 6

SPEAKER: MR. R.A. RIVETT

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ERRATA

PAGE 3 - COLUMN SHOULD START: "THURSDAY, MARCH 21, 1974".

PAGE 44 - PARAGRAPH 12, LINE 40 SHOULD READ: "FROM THE COMMUNITY OF SHEFFERVILLE WHICH WAS..."

PAGE 44 - PARAGRAPH 14, LINE 3 SHOULD READ: "BE HELD IN 1976 IN SHEFFERVILLE? IN 1976, IT..."

PAGE 45 - PARAGRAPH 1, LINES 3 AND 4 SHOULD READ: "THAT DECLARE OFFICIALLY THAT SHEFFERVILLE, QUEBEC IS THE SIGHT OF THE 1976 ARCTIC."

PAGE 68 - PARAGRAPH 6, LINE 4 SHOULD READ: "\$1,312,000.00 FOR Y. H. C. I. P. OUR CURRENT EST-..."

PAGE 68 - PARAGRAPH 6, LINE 4 SHOULD READ: "IMATE OF EXPENDITURES FOR Y. H. C. I. P. ARE "

PAGE 68 - PARAGRAPH 6, LINE 8 SHOULD READ: "TABLED ON Y. H. C. I. P., THE \$600,000.00 ARE FROM "

PAGE 68 - PARAGRAPH 8, LINE 3 SHOULD READ: "THAT THE \$600,000.00 IN THE Y. H. C. I. P. ACCOUNT "

PAGE 85 - ABOVE PARAGRAPH 20 IT SHOULD READ: "MOTION No. 6 "

PAGE 91 - ABOVE PARAGRAPH 9 IT SHOULD READ: "QUESTION RE: LAND IN CARMACKS AREA FOR RAILROAD YARDS "

PAGE 94 - ABOVE PARAGRAPH 13 IT SHOULD READ: "QUESTION RE: COMMISSIONER'S ORDERS FOR 1970/2 "

PAGE 94 - PARAGRAPH 13, LINE 4 SHOULD READ: "1970/2. WOULD MR. COMMISSIONER INDICATE FROM "

PAGE 95 - PARAGRAPH 4, LINE 3 SHOULD READ: "IONER. WHO AUTHORIZED YOU TO ISSUE C.O. 1970/2 "

PAGE 96 - PARAGRAPH 18, LINE 1 SHOULD READ: "MR. CHAMBERLIST: MR. SPEAKER, A QUESTION TO THE COMMISSIONER "

PAGE 101 - PARAGRAPH 2, LINE 1 SHOULD READ: "MR. CHAMBERLIST: MR. COMMISSIONER, THERE ARE SOME "

PAGE 101 - PARAGRAPH 7, LINE 1 SHOULD READ: "MR. CHAMBERLIST: MR. SPEAKER, TO MR. COMMISSIONER. THERE ARE "

PAGE 150 - PARAGRAPH 4, LINE 3 SHOULD READ: "WHICH IS GIVEN TO THE FEDERAL PARLIAMENT THE "

PAGE 150 - PARAGRAPH 10, LINE 5 SHOULD READ: "THE YUKON, BY BEGGING THE QUESTION, THIS IS A "

PAGE 204 - PARAGRAPH 2, LINE 5 SHOULD READ: "COST OF TEN STAPLE ITEMS INCLUDING BREAD, EGGS "

PAGE 276 - PARAGRAPH 1, LINE 6 SHOULD READ: "OF TAXES FOR \$499,949.00. "

PAGE 336 - BILL No. 12, AN ORDINANCE RESPECTING THE ELECTORAL DISTRICT BOUNDARIES COMMISSION, WAS GIVEN SECOND READING.

PAGE 341 - BILL No. 7, AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE, WAS GIVEN SECOND READING.

PAGE 402 - PARAGRAPH 7, LINE 1 SHOULD READ: "MR. STUTTER: MR. CHAIRMAN, I'M SORRY I'M GOING "

PAGE 414 - PARAGRAPH 2, LINE 8 SHOULD READ: "THROUGH ECONOMY OF SCALE THAT THE OTHER "

PAGE 418 - THERE IS NO PAGE 418.

ERRATA (CONT.)

PAGE 425 - PARAGRAPH 2, LINE 1 SHOULD READ: "MR. STUTTER: MR. SPEAKER, SUPPLEMENTARY. THE "

PAGE 425 - PARAGRAPH 4, LINE 1 SHOULD READ: "MR. STUTTER: ONE FURTHER POINT MR. SPEAKER, AND "

PAGE 474 - PARAGRAPH 3, LINE 10 SHOULD READ: "BUDGET. WE ARE GOING TO BRING IT TO THE "

PAGE 477 - PARAGRAPH 3, LINE 5 SHOULD READ: "MEMORY SERVES ME CORRECTLY, IT'S \$16,000. THERE "

PAGE 477 - PARAGRAPH 4, LINE 1 SHOULD READ: "MR. CHAIRMAN: THIS \$16,000 IN RESPECT OF THE "

PAGE 501 - PARAGRAPH 10, LINE 4 SHOULD READ: "PREDITOR CONTROL. GO INTO DETAIL ON THE "

PAGE 503 - PARAGRAPH 12, LINE 7 SHOULD READ: "ONLY RESOURCE, THE ONLY ONE THAT THE GOVERNMENT "

PAGE 676 - PARAGRAPH 17, LINE 1 SHOULD READ: "MR. TAYLOR: MR. SPEAKER MY QUESTION THIS "

PAGE 690 - PARAGRAPH 5, LINE 2 SHOULD READ: "BILL NO. 5 "

PAGE 692 - PARAGRAPH 8, LINE 1 SHOULD READ: "MR. CHAIRMAN READS SECTION 1 AND 2(1) OF BILL
No. 6 "

PAGE 755 - AFTER PARAGRAPH 6, MRS. WATSON INTRODUCES BILL NO. 9,

PAGE 755 - PARAGRAPH 7, LINE 1 SHOULD READ: "MR. SPEAKER: IT WAS MOVED BY THE HONORABLE MEMBER FOR

PAGE 1491 - PARAGRAPH 6, LINE 2 SHOULD READ: "SUBSECTION (D) OF SECTION 73(1). WE HAVE "

PAGE 1491 - PARAGRAPH 8, LINE 3 SHOULD READ: "THAT SUBSECTION (D) OF SECTION 73(1) BE "

WEDNESDAY, JUNE 26, 1974

MR. SPEAKER READS THE DAILY PRAYER.

MR. SPEAKER: MADAM CLERK, IS THERE A QUORUM PRESENT?

MADAM CLERK: THERE IS, MR. SPEAKER.

MR. SPEAKER: COUNCIL WILL NOW COME TO ORDER. ARE THERE ANY DOCUMENTS OR CORRESPONDENCE TO BE TABLED?

MR. STUTTER: MR. SPEAKER, I RISE ON A POINT OF PRIVILEGE. I WOULD AT THIS TIME LIKE TO DRAW THE ATTENTION TO THE PRESENCE IN THE GALLERY TO MR. NORMAN SMITH WHO WAS FORMERLY TERRITORIAL COUNCILLOR FROM THE NORTHWEST TERRITORIES AND RECENTLY RETIRED FROM THE OTTAWA JOURNAL.

MRS. WATSON: MR. SPEAKER, I HAVE FOR TABLING TODAY, LEGISLATIVE RETURNS 87 AND 88.

MR. TAYLOR: MR. SPEAKER, I WOULD LIKE TO TABLE THIS MORNING COPIES FOR MEMBERS OF A TELEX SENT TO THE ASSISTANT DEPUTY MINISTER OF JUSTICE RESPECTING THE ELECTIONS ORDINANCE.

MR. SPEAKER: ARE THERE ANY BILLS TO BE INTRODUCED? ARE THERE ANY NOTICES OF MOTION OR RESOLUTIONS?

MR. MCKINNON: YES, MR. SPEAKER. I WOULD LIKE TO GIVE NOTICE OF MOTION CONCERNING THE CANADIAN TRANSPORT COMMISSION.

MR. CHAMBERLIST: MR. SPEAKER, I WOULD LIKE TO GIVE NOTICE OF MOTION WITH REFERENCE TO ALL TERRITORIAL COUNCILLORS LEAVING THEIR OFFICE AFTER OCTOBER THE 5TH OF THIS YEAR.

MR. SPEAKER: ARE THERE ANY FURTHER NOTICES OF MOTION OR RESOLUTIONS?

MR. MCKINNON: MR. SPEAKER, I WOULD LIKE TO GIVE FURTHER NOTICE OF MOTION CONCERNING THE TRANSFERING OF FUNDS FROM THE CAPITAL BUDGET TO THE OPERATION AND MAINTENANCE BUDGET.

MR. SPEAKER: ARE THERE ANY NOTICES OF MOTION FOR THE PRODUCTION OF PAPERS?

MOTION NO. 4

MR. SPEAKER: WE COME TO MOTION NO. 4 FOR THE

PRODUCTION OF PAPERS. IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR CHAMBERLIST THAT THE POLICY MANUALS OF THE INDIVIDUAL DEPARTMENTS OF THE YUKON TERRITORIAL GOVERNMENT BE TABLED BEFORE THE YUKON LEGISLATIVE COUNCIL.

ARE YOU PREPARED TO PROCEED WITH THIS MOTION AT THIS TIME?

SOME HONOURABLE MEMBERS: QUESTION.

MR. SPEAKER: ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: WE NOW COME TO THE QUESTION PERIOD. MADAM CLERK WILL YOU PLEASE ASCERTAIN IF MR. COMMISSIONER IS AVAILABLE? WE WILL NOW HAVE A SHORT RECESS.

RECESS

QUESTION PERIOD

MR. SPEAKER: COUNCIL WILL NOW COME TO ORDER. ARE THERE ANY QUESTIONS?

QUESTION RE: PACKAGE ON HAINES JUNCTION L.I.D.

MR. MCKINNON: MR. SPEAKER, I WOULD LIKE TO ASK MR. COMMISSIONER WHEN THE PACKAGE ON THE L.I.D. OF HAINES JUNCTION IS TO BE EXPECTED BEFORE COUNCIL.

EVERYBODY KNOWS WHAT THE RECOMMENDATIONS OF MR. COLE ARE EXCEPT THE YUKON LEGISLATIVE COUNCIL. THE INDIANS KNOW THEM, THE TRUSTEES AND THE CHAIRMAN OF THE HAINES JUNCTION L.I.D. KNOW THEM. ALL OF THEM ARE AWARE OF THEM. THE ONLY PEOPLE WHO ARE IN IGNORANCE AT THIS MOMENT ARE THE YUKON LEGISLATIVE COUNCIL. MR. SPEAKER, I JUST FIND IT TOTALLY UNFAIR THAT THIS HAPPENS OVER AND OVER AGAIN THAT THE YUKON LEGISLATIVE COUNCIL ARE THE LAST TO KNOW.

MR. COMMISSIONER: WELL, I DON'T THINK IT IS ANY PARTICULAR FAULT OF MINE THAT THEY ARE THE LAST TO KNOW, MR. SPEAKER. I DON'T MIND TAKING THE BLAME FOR SOME THINGS BUT I'M NOT GOING TO TAKE THE BLAME FOR THIS.

THE PACKAGE AND THE RECOMMENDATIONS AND THE HOPED FOR SOLUTION OF THE PROBLEMS SHOULD BE

AVAILABLE HERE IN COUNCIL WITHIN THE NEXT DAY OR SO, MR. SPEAKER. IT IS BEING PREPARED AND WILL COME FORWARD AS QUICKLY AS IT IS WITHIN THE POWER OF MY OFFICE TO DO SO.

MR. CHAMBERLIST: SUPPLEMENTARY, MR. SPEAKER. ISN'T THE COMMISSIONER AWARE THAT EVERYTHING THAT TAKES PLACE IN THIS ADMINISTRATION IS HIS RESPONSIBILITY? DOESN'T HE REALIZE THAT MEMBERS OF THIS COUNCIL WISH TO WIND UP AS EARLY AS POSSIBLE AND WILL BE UNABLE TO DO SO IF THE INFORMATION THAT HAS BEEN ASKED FOR ON VARIOUS MATTERS IS NOT BROUGHT FORWARD TO COUNCIL?

MR. COMMISSIONER: MR. SPEAKER, TELL ME SOMETHING I DON'T KNOW.

MR. SPEAKER: ORDER.

MR. MCKINNON: SUPPLEMENTARY QUESTION. DID THE INFORMATION TO THE YUKON COUNCIL OF INDIANS AND TO THE CHAIRMAN, AND TO THE TRUSTEES OF THE L.I.D. COME FROM THE TERRITORIAL GOVERNMENT OR COME FROM THE FEDERAL GOVERNMENT?

MR. COMMISSIONER: RIGHT AT THE MOMENT, MR. SPEAKER, I CAN'T ANSWER THAT QUESTION. I REALLY DON'T KNOW.

MR. MCKINNON: WELL, MR. SPEAKER, THAT'S THE POINT. IF MR. COMMISSIONER IS BEING KNIFED IN THE BACK BY THE FEDS IN OTTAWA AND THEY ARE RELEASING THE INFORMATION WITHOUT HIS KNOWLEDGE PRIOR TO IT COMING BEFORE COUNCIL, I HAVE SOME VERY REAL SYMPATHY WITH HIM BECAUSE I KNOW THIS DOES HAPPEN ON OCCASION. BUT IF THE TERRITORIAL ADMINISTRATION IS GIVING OUT THIS INFORMATION THAT HAS BEEN ASKED FOR OVER AND OVER AGAIN BY MEMBERS OF THIS COUNCIL WITHOUT GIVING THAT INFORMATION TO COUNCIL FIRST, THEN I WOULD THINK THE TERRITORIAL ADMINISTRATION IS AT FAULT.

IF MR. COMMISSIONER COULD UNDERTAKE TO ANSWER THAT QUESTION AND IF THIS INFORMATION WAS COMING FROM THE FEDERAL DEPARTMENT WHICH DOES JUST WHAT THEY WANT ANYWAY, IN SPITE OF MR. COMMISSIONER OR ANY OF THE MEMBERS OF THE COUNCIL, THEN I WOULD BE A LOT HAPPIER, BUT IF WE COULD HAVE THE ANSWER TO THAT QUESTION.

MR. COMMISSIONER: WELL, MR. SPEAKER, IN ALL HONESTY I JUST DO NOT KNOW EXACTLY THE CIRCUMSTANCES AROUND THIS THING. I AM HOPEFUL THAT WE CAN GET A PROPER PACKAGE HERE THAT WILL BRING

THE MATTER TO SOME KIND OF A SATISFACTORY CONCLUSION. AS WE HAVE NOT ONLY THE MEMBERS COUNCIL BUT OF THE PEOPLE IN THE HAINES JUNCTION AREA, NOT ONLY THOSE WHO ARE PARTICULARLY INTERESTED IN THE EXTENSION OF THE L.I.D. BUT THOSE ALSO WHO ARE CONCERNED THAT THE EXTENSION OF THE L.I.D. WILL HAVE A DETRIMENTAL EFFECT UPON FUTURE CLAIMS THAT THEY, AS A GROUP OF PEOPLE, POSSIBLY WILL HAVE ON SOME OF THIS LAND.

QUESTION RE: PAMPHLET FROM B.C. ON TAX BENEFITS

MR. TANNER: MR. SPEAKER, I HAVE A QUESTION FOR THE COMMISSIONER TODAY. COULD THE COMMISSIONER TELL MEMBERS OF COUNCIL AND ALSO MEMBERS OF THE PUBLIC WHEN THIS TERRITORY JOINED THE PROVINCE OF B.C. WHY EVERY MAILBOX IN THE YUKON OR CERTAINLY EVERY MAIL BOX IN WHITEHORSE RECEIVED A PAMPHLET SAY "ARE YOU ELIGIBLE FOR PROPERTY TAX BENEFITS OR THE RENTOR'S GRANT", WHICH IS GIVEN OUT BY THE PROVINCE OF B.C.?

MR. MCKINNON: DID YOU APPLY?

MR. COMMISSIONER: WELL, MR. SPEAKER, I WOULD SUGGEST THAT EVERYONE WHO RECEIVES THIS, TRY AND APPLY. IT SAYS HERE YOU MAY WRITE FOR APPLICATION DIRECTLY TO THE SURVEYOR OF TAXES, PARLIAMENT BUILDINGS, VICTORIA. I SUGGEST WE TAKE THE ADVICE. I'M GOING TO CHECK MY MAILBOX AND IF THERE IS ONE IN MINE, I'M QUITE PREPARED TO, IF SOMEONE IN BRITISH COLUMBIA WANTS TO SEND ME A RENTAL SUBSIDY I WOULD BE VERY HAPPY TO RECEIVE IT, MR. SPEAKER.

QUESTION RE: SALE OF LOTS IN WATSON LAKE

MR. TAYLOR: MR. SPEAKER, I HAVE A QUESTION I WOULD LIKE TO DIRECT TO MR. COMMISSIONER THIS MORNING IN RELATION TO HIS ANSWER TO THE QUESTION OF THE SALE OF LOTS IN WATSON LAKE.

WHILE HE INDICATES THAT PROVISIONAL PLANS FOR SUBDIVISION WERE RECEIVED IN OTTAWA ON MAY 23RD, 1974 AND WE EXPECT TRANSFER OF SAID LAND MOMENTARILY, CAN HE GIVE ASSURANCE TO THE HOUSE THAT IMMEDIATELY UPON THE TRANSFER BEING EFFECTIVE THAT HE WILL RELEASE THESE LOTS FOR IMMEDIATE SALE NOTWITHSTANDING THAT THE GOVERNMENT IS UNABLE TO O.K. SEWER OR PIPE FOR CONSTRUCTION.

MR. COMMISSIONER: MR. SPEAKER, YES, THIS IS OUR INTENTION AND IF WE CAN JUST GET A LITTLE CONFIRMATION FROM OUR DEPARTMENT IN OTTAWA THAT

THEY ARE GOING FORWARD WITH THIS REQUEST, THAT WILL PERMIT US TO GO AHEAD ON THE SALE OF LOTS. WE WANT TO GET THEM UP FOR SALE JUST AS BADLY AS THE PEOPLE ARE TO BUY THEM.

QUESTION RE: SEWER AND WATER PROBLEM IN MAYO

MR. TAYLOR: MR. SPEAKER, I HAVE A FURTHER QUESTION, WITH RESPECT, THAT IT IS INVOLVED WITH YOUR ELECTORAL DISTRICT WHICH I WOULD DIRECT TO MR. COMMISSIONER THIS MORNING. IT HAS COME TO MY ATTENTION AND OTHER YUKONERS THROUGH THE MEDIA YESTERDAY THAT THERE IS A SEWER AND WATER PROBLEM IN THE COMMUNITY OF MAYO. IT HAS EXISTED FOR SOME TIME, AT LEAST SINCE FEBRUARY FOR SOME PEOPLE AND A LOT LONGER FOR OTHERS.

COULD WE BE INFORMED WHY THE MIGHT OF THE GOVERNMENT OF THE YUKON TERRITORY HAS BEEN UNABLE TO REMEDY THIS SITUATION UP TO NOW? COULD WE ASK WHEN THEY ARE GOING TO REMEDY IT ON BEHALF OF THE PEOPLE THAT ARE INVOLVED IN THIS MOST DISCOURAGING AND DISGRACEFUL SITUATION IN THE COMMUNITY OF MAYO?

MR. COMMISSIONER: WELL, MR. SPEAKER, I'M SURE THAT I AM NOT TELLING YOU ANYTHING THAT YOU ARE NOT ALREADY THOROUGHLY FAMILIAR WITH AS THERE WAS A SEWER AND WATER PROBLEM IN MAYO BEFORE THIS SYSTEM WAS INSTALLED. THERE WAS A SEWER AND WATER PROBLEM WHILE IT WAS BEING INSTALLED AND THERE HAS BEEN A WATER AND SEWER PROBLEM EVER SINCE IT WAS INSTALLED.

ALL I CAN TELL YOU IS WE KEEP THROWING MONEY AFTER IT, MR. SPEAKER. WE DON'T SEEM TO HAVE VERY MUCH SUCCESS WITH THROWING MONEY AFTER THE PROBLEM AND CURING IT, BUT WE CONTINUE TO DO THIS AND WILL CONTINUE TO DO IT. I'M SURE AS YOU ARE PERSONALLY VERY MUCH AWARE, EVERY ONCE IN A WHILE WE GET A LITTLE LUCKY AND HAVE SOME SUCCESS BUT MOST OF THESE SUCCESSES GET NEGATED BY A COUPLE OF FAILURES, WHILE WE GAIN THAT ONE SUCCESS.

MR. TAYLOR: MR. SPEAKER, I HAVE A FURTHER QUESTION. WHEN YOU CONSIDER THAT THESE GREAT LITTLE FAILURES AND EVERYTHING ELSE ARE COSTING NOTHING BUT MONEY TO THE TAXPAYER OF THE YUKON AND MORE PARTICULARLY THE TAX WHOSE FRONTAGE IS THESE SYSTEMS, INASMUCH AS YOU INSIST AS IN OTHER SUB-DIVISIONS OF THE YUKON UNDER SEWER AND WATER SYSTEMS THAT PEOPLE HOOK ON TO THESE

SYSTEMS AND GET AWAY FROM SEPTIC TANKS AND WELLS, DOES THE COMMISSIONER, MR. SPEAKER, NOT FEEL THAT IT IS INCUMBENT AND URGENT THAT THE GOVERNMENT OF THE YUKON TERRITORY, WHEN THESE THINGS DO FAIL, TAKE EVERY EFFORT TO REMEDY THE SITUATION. AND I ASK AGAIN, WHAT IS GOING TO BE DONE TO THE PEOPLE IN MAYO WHO HAVE, FOR TOO LONG, BEEN WITHOUT THESE SERVICES?

MR. COMMISSIONER: WHATEVER IS WITHIN OUR POWER TO DO, MR. SPEAKER, THAT'S WHAT WE'RE DOING RIGHT NOW.

MR. TAYLOR: WITH RESPECT, THAT IS NOT AN ANSWER TO THE QUESTION. THERE MUST BE SOME WAY THAT THIS MAGNIFICENT GOVERNMENT CAN DEAL WITH A QUESTION IN ENGINEERING PROBLEM SUCH AS THIS WHICH IS SO IMPORTANT TO THE PEOPLE INVOLVED. I WOULD THINK IT BEHOOVES THE COMMISSIONER TO GIVE AN ANSWER TO COUNCIL WHICH IS MEANINGFUL AS TO WHAT STEPS ARE GOING TO BE TAKEN TO REMEDY THIS SITUATION, RATHER THAN IGNORE THE POOR PEOPLE WHO ARE INVOLVED IN THIS TROUBLESOME MATTER.

MR. COMMISSIONER: MR. SPEAKER, THE PEOPLE ARE NOT BEING IGNORED. MAYBE ONE SOLUTION WOULD BE TO GIVE EVERYBODY A COUPLE OF MONTHS VACATION IN HAWAII FOR MAYO, I DON'T KNOW. QUITE FRANKLY, MR. SPEAKER, THOSE THINGS WHICH ARE BEING RECOMMENDED TO US BY OUR ENGINEERING STAFF WITH REGARD TO THE MAYO SEWER WATER SYSTEM ARE BEING DONE. THERE'S NO QUESTION AT ALL ABOUT IT THAT THERE'S GREAT DIFFICULTY INVOLVED WITH THIS THING. I'M SURE, MR. SPEAKER, THAT YOU ARE PERSONALLY AWARE OF THE EFFORTS THAT ARE BEING MADE AND IF YOU THINK THAT THERE IS SOMETHING FURTHER YOU WOULD LIKE TO SEE DONE, I WOULD BE VERY HAPPY TO SEE THAT IT CAN BE DONE.

QUESTION RE: ROADS TO MAYO AND HANSON LAKES

MR. MCKINNON: RATHER SUPPLEMENTARY, MR. SPEAKER, WHILE WE'RE TALKING ABOUT THE MAYO DISTRICT. I DON'T THINK THE PEOPLE DO WANT TWO MONTHS IN HAWAII BUT THEY'D VERY MUCH LIKE TO BE ABLE TO GET OUT TO MAYO LAKE AND HANSON LAKE. THEY TELL ME THAT THE RECREATIONAL ROADS LEADING TO THESE AREAS ARE IN EXTREMELY POOR CONDITIONS SO THAT A LIGHT VEHICLE COULD NOT SAFELY GET ACROSS THESE ROADS TO THESE RECREATIONAL AREAS. PERHAPS WITH THE SEWER AND WATER

SYSTEM BEING SUCH A MESS IN MAYO, THAT IF THEY COULD GET OUT TO THE LAKES IN THE SUMMER, THEY MIGHT BE IN A LITTLE BETTER MOOD. I WONDER IF MR. COMMISSIONER COULD UNDERTAKE TO FIND OUT WHETHER THESE STATEMENTS ARE CORRECT AND WHETHER THESE STATEMENTS ARE CORRECT AND WHETHER THE ENGINEERING DEPARTMENT COULD MAKE SOME PASSES ON THE ROAD TO HAVE THEM IN BETTER SHAPE.

MR. COMMISSIONER: I WOULD CERTAINLY CONSIDER THIS TO BE A MATTER OF URGENCY, PARTICULARLY DURING THE HEIGHT OF THE FISHING SEASON, MR. SPEAKER. I'D BE VERY PLEASED TO LOOK INTO THIS.

MR. SPEAKER: I'D LIKE TO THANK THE HONOURABLE MEMBERS FOR THEIR INTEREST IN REGARD TO THE RECREATION ROADS. THERE HAS BEEN SOME WORK DONE AND IT WILL BE CONTINUED TO BE DONE UNTIL IT MAY BE FEASIBLE. BUT IN REGARD TO THE OTHER PROBLEM, BOTH OF THE SOLUTIONS HAVE NOT BEEN FLUSHED AWAY.

QUESTION RE: CONTENT OF MOTION NO. 35

MR. TAYLOR: MR. SPEAKER, I HAVE ANOTHER QUESTION. MY DAILY QUESTION TO MR. COMMISSIONER. COULD HE TELL ME WHEN THE ADMINISTRATION WILL RECOGNIZE THE CONTENT OF MOTION NO. 35 AS PASSED MANY, MANY DAYS AGO AND WEEKS AGO IN THIS HOUSE RESPECTING THE CONSUMER PROTECTION ORDINANCE.

MR. COMMISSIONER: WELL, MR. SPEAKER, AS A CONSEQUENCE OF QUESTIONS RAISED BY THE HONOURABLE MEMBER, I HAVE HAD MY STAFF LOOKING INTO THIS PARTICULAR THING. I FIND THAT I GUESS WE HAVE A REAL PROBLEM ON OUR HANDS HERE BECAUSE THIS MOTION IS A VERY EXTENSIVE ONE. IF WE'RE GOING TO BRING ANYTHING FORWARD THAT IS GOING TO BE ANYTHING MEANINGFUL AT ALL, THERE'S GOING TO HAVE TO BE A LOT OF WORK DONE ON IT, MR. SPEAKER. THIS IS FAR BEYOND OUR ABILITY TO GET DONE WITHIN THE CONFINES OF THE TIME LIMITATIONS THAT APPARENTLY THE HONOURABLE MEMBER WHO IS ASKING THE QUESTION FEELS THAT IT CAN BE DONE WITHIN. IT'S A VERY IMPORTANT MATTER, MR. SPEAKER, WHICH THERE IS A TREMENDOUS POLICY DECISION INVOLVED HERE. AS I UNDERSTAND THERE IS A SUPPLEMENTARY MOTION BY COUNCILLOR MCKINNON, SPONSORED BY HIM, THAT HAS TO DO WITH WHETHER THE APPLICATION OF THIS ORDINANCE OR THE WIPING IT OFF OF THE BOOKS. IS THAT A CORRECT STATEMENT?

MR. MCKINNON: MR. SPEAKER, THE MOTION ON THE FORMAL ENFORCEMENT OF THE ORDINANCE IS THAT IF IT IS NOT FORTHCOMING THEN A MOTION WILL BE COMING FROM MYSELF CALLING FOR THE REPEAL OF THESE ORDINANCES FROM THE STATUTES BOOKS ON THE BELIEF THAT IF LEGISLATION IS THERE, IT SHOULD BE ENFORCED. IF IT ISN'T GOING TO BE ENFORCED AND IT'S JUST AN UNNECESSARY AND SUPERFLUOUS LEGISLATION, IT SHOULD BE REMOVED FROM THE BOOK.

MR. COMMISSIONER: IN THE FACE OF THIS, MR. SPEAKER, COULD I SUGGEST THAT THE CORRECTION OF COUNCIL, AS A CONSEQUENCE OF THIS MOTION, WOULD BE AN INDICATION TO THE ADMINISTRATION AS TO WHAT WAY WE ARE TO GO FROM THIS POINT ON, IN REGARD TO THIS PARTICULAR ORDINANCE, THE CONSUMER PROTECTION ORDINANCE.

QUESTION RE: ENFORCEMENT OF CONSUMER PROTECTION AND LANDLORD AND TENANTS ORDINANCES

MR. TAYLOR: MR. SPEAKER, THIS INFORMATION WAS SOUGHT A LONG TIME AGO AND THE ADMINISTRATION ARE, WELL, INCAPABLE OF PROVIDING THE ANSWER, FOR INSTANCE, SUCH AS WAS JUST GIVEN TO MR. COMMISSIONER ABOUT THREE DAYS AFTER THE MOTION WAS PASSED IN THIS HOUSE. I'M VERY DISTURBED THAT THE ADMINISTRATION HAVE IGNORED OR REFUSED TO BRING TO COUNCIL THIS INFORMATION UNTIL NOW. I'D LIKE TO ASK MR. COMMISSIONER THAT IF THE MOTION IS APPROVED, TO BRING INTO ENFORCEMENT THE CONSUMER PROTECTION ORDINANCE AND THE LANDLORD AND TENANTS ORDINANCE, WOULD THE ADMINISTRATION ASSURE THE HOUSE THAT THIS IN FACT WILL BE DONE.

MR. COMMISSIONER: WELL, MR. SPEAKER, WITH RESPECT I WOULD LIKE TO HEAR THE DISCUSSION AND GET SOME INDICATION FROM COUNCIL BEFORE I CAN LET MYSELF ANSWER IN THAT PARTICULAR ASPECT.

MR. MCKINNON: MR. SPEAKER, THE QUESTION IS, WHEN A PERSON HAS A COMPLAINT UNDER THE CONSUMER PROTECTION OR THE LANDLORDS AND TENANTS ORDINANCES, THE INSPECTORS OF THE YUKON TERRITORIAL GOVERNMENT NOW WILL HEAR THEIR COMPLAINT. SO THE BUREAUCRACY IS ALREADY SET UP FOR THE HEARING OF THAT COMPLAINT. THE PROBLEM IS, IF THE COMPLAINT IS VALID THE INSPECTORS AFTER THEIR INVESTIGATION WILL SAY: "YOUR COMPLAINT IS VALID, BUT YOU HAVE TO GO AND SEE A LAWYER TO BRING ACTION." SO WITHOUT THE INCREASE IN THE BUREAUCRACY AND WITH THE GOVERNMENT ALREADY DOING THE WORK OF THE INVESTIGATION OF THE

COMPLAINT THERE ARE TWO SIMPLE IMMEDIATE QUESTIONS. ONE, AFTER THE INVESTIGATION IS COMPLETED, IF THERE IS A LEGITIMATE COMPLAINT ON BEHALF OF THE COMPLAINANT, WILL THE GOVERNMENT TAKE THE NECESSARY ACTION? OR, SECONDLY, WILL THE GOVERNMENT BRING INTO EFFECT THE MOTION PASSED UNANIMOUSLY BY THIS HOUSE, BRINGING IN A SYSTEM OF CIVIL LEGAL AID, WHERE IF THE COMPLAINT IS VALID UNDER THIS ORDINANCE, A PERSON CAN SEEK LEGAL HELP WITHOUT COSTS. THESE TWO AREAS MEAN NO INCREASE IN THE BUREAUCRACY OF THE YUKON TERRITORY. NO FURTHER GOVERNMENT INSPECTORIAL STAFF. IT'S JUST THE PUTTING INTO EFFECT OF VALID COMPLAINTS UNDER THESE ORDINANCES WITHOUT JUST TELLING THE POOR SOUL: "YOU HAVE A VALID COMPLAINT. THERE'S NOTHING WE CAN DO. GO HIRE A LAWYER."

MR. COMMISSIONER, THE AVERAGE GUY WITH THE COMPLAINT, CAN'T AFFORD TO HIRE A LAWYER. IF HE'S GOT TWENTY-FIVE BUCKS A MONTH INCREASE ILLEGALLY, IN HIS RENT. HE'S GOT TO PAY MORE THAN FOR FIVE YEARS OF THAT RENT INCREASE BY HIS ONE VISIT TO ANY LAWYER IN TOWN. THESE ARE THE AREAS. CAN THE COMMISSIONER ANSWER IF EITHER ONE OF THOSE TWO AREAS THAT I HAVE MENTIONED CAN BE PUT INTO EFFECT AND THE PROBLEM IS NOT WITH US ANY LONGER. WITHOUT THESE HUGE CHANGES TO THE ORDINANCE, THESE HUGE INCREASES IN THE BUREAUCRACY THAT MR. COMMISSIONER IS THREATENING THE COUNCIL WITH, THAT THESE ORDINANCES ARE PUT INTO EFFECT, INTO FORCE.

MR. COMMISSIONER: WELL, MR. SPEAKER, FIRST AND FOREMOST THE QUESTION CONCERNING THE CIVIL LEGAL AID HAS BEEN DEALT WITH BY MOTION OF THIS COUNCIL. WHICH AS I UNDERSTAND IT COUNCIL CLEARLY INDICATED THAT THEY WANT TO HAVE A PROGRAM ON CIVIL LEGAL AID INSTITUTED IN THE TERRITORY. AND THE NECESSARY LEGISLATION IS BEING PREPARED AND THE NECESSARY FUNDING ARRANGEMENTS ARE WITH THE SENIOR GOVERNMENT.

THEY ARE IN THE PROCESS OF NEGOTIATION AT THIS TIME. NOW IT WILL BE SOMETIME BEFORE THESE THINGS CAN BE BROUGHT INTO EFFECT, I THINK THE HONOURABLE MEMBERS ARE AWARE, BUT WE ARE ACTING ON THE RECOMMENDATIONS OF THIS HOUSE, ABOUT A CIVIL LEGAL AID SYSTEM. NOW WITH REGARD TO THE PRIOR QUESTION, BOTH BY THE HONOURABLE MEMBER, IF I UNDERSTAND CORRECTLY, MR. SPEAKER, AND I'M SUBJECT TO CORRECTION ON THIS, THE MATTER HAS BEEN MOVED INTO COMMITTEE FOR DISCUSSION. I WOULD WELCOME THE OPPORTUNITY, IF PROVIDED WITH IT, OF HEARING

COMMENTS AROUND THE COUNCIL TABLE AND HAVING THE OPPORTUNITY OF DISCUSSIONS WITH THE COUNCIL FAR BEYOND THE CONFINES OF THE QUESTION PERIOD, AND THEN HAVE AN OPPORTUNITY TO PROPERLY ANSWER THE QUESTION THAT WAS POSED BY THE HONOURABLE MEMBER.

SOME HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: COUNCILLOR WATSON.

ANSWER RE: SALE OF BEER AT FASTBALL TOURNAMENT

MRS. WATSON: MR. SPEAKER, I HAVE AN ANSWER TO COUNCILLOR MCKINNON'S QUESTION REGARDING THE SALE OF BEER ON THE F.H. COLLINS GROUND FOR THE FASTBALL TOURNAMENT THIS WEEKEND. NO FORMAL OR WRITTEN APPROACH HAS BEEN MADE TO ANY DEPARTMENT FOR THE USE OF THE COLLINS GROUND FOR THE SALE OF BEER DURING THE FASTBALL TOURNAMENT THIS WEEKEND. THIS WAS BROUGHT UP IN A CONVERSATION, HOWEVER, THIS CONCEPT WAS BROUGHT UP IN A CONVERSATION WITH A MEMBER OF THE DEPARTMENT OF EDUCATION AND WAS MENTIONED CASUALLY TO ME AT THAT TIME. I POINTED OUT AT THAT TIME THAT THERE IS A GOVERNMENT POLICY REGARDING, PROHIBITING USE OF ALCOHOL ON GOVERNMENT PREMISES AND PROPERTY. WHILE THE GOVERNMENT, AND I MYSELF PERSONALLY CERTAINLY SUPPORT THE POLICY THAT WE'VE TRIED TO ENFORCE, OF THE PUBLIC MAKING USE OF SCHOOL GROUNDS AND SCHOOL FACILITIES, I THINK WE MUST IN THIS INSTANCE MAINTAIN THE POLICY THAT THE GOVERNMENT HAS REGARDING THE ALCOHOL AND GOVERNMENT FACILITIES. THIS IS NOT THE FIRST REQUEST THAT HAS COME TO THE GOVERNMENT REGARDING THE USE OF SCHOOLS OR SCHOOL FACILITIES FOR SALE OF ALCOHOL. WE ENDEAVOR TO BE OF ASSISTANCE IN THIS POLICY. I THINK, IF AT THIS STAGE OF THE GAME, WE CREATED A PRECEDENT AND COMMITTED THE SALE OF BEER ON THE F.H. COLLINS GROUND THIS WEEKEND, WE WOULD BE SETTING A PRECEDENT FOR THE USE OF OUR SCHOOLS FOR THE SALE OF ALCOHOL, THE CONSUMPTION OF ALCOHOL. I DON'T THINK THAT THE GENERAL PUBLIC OF THE YUKON TERRITORY WOULD COMPLETELY AGREE WITH SUCH A GOVERNMENT POLICY.

I MYSELF PERSONALLY DO NOT OPPOSE THE CONCEPT OF THE SALE OF BEER AT THIS TOURNAMENT. I THINK IT'S A GOOD CONCEPT AND I WOULD HOPE VERY MUCH THAT THE FASTBALL PEOPLE WOULD BE ABLE TO LINE UP SOME OTHER BALL DIAMOND. I UNDERSTAND

THERE'S ONE AT THE REC CENTRE AND THE TAKHINI CENTRE TO USE FOR THE TOURNAMENT SO THAT THEY WOULD BE ABLE TO CARRY ON THIS PROJECT THAT THEY WANT TO CARRY ON FOR THE SALE OF BEER, FOR THEIR TOURNAMENT THIS COMING YEAR.

MR. CHAMBERLIST: MR. SPEAKER, I DIDN'T GET FROM WHAT WAS SAID, WHETHER OR NOT THAT WAS A DECISION OF THE EXECUTIVE COMMITTEE. NOW WOULD MR. COMMISSIONER AS CHAIRMAN OF THE EXECUTIVE COMMITTEE SAY WHETHER OR NOT THAT THIS MATTER HAD BEEN DISCUSSED IN THE EXECUTIVE COMMITTEE AND THAT THIS IS THE DECISION OF THE EXECUTIVE COMMITTEE. MY QUESTION IS TO MR. COMMISSIONER, MR. SPEAKER, NOT TO THE MEMBER FOR CARMACKS-KLUANE.

MR. COMMISSIONER: WELL, MR. SPEAKER, WITH RESPECT, WHAT IS DISCUSSED IN THE EXECUTIVE COMMITTEE, I THINK THAT IT'S THE PRIVILEGE AND PREROGATIVE OF THE PEOPLE WHO SIT ON THE EXECUTIVE COMMITTEE. THE ANSWER THAT HAS BEEN GIVEN BY THE HONOURABLE MEMBER IS VERY OBVIOUSLY THE POLICY OF THE GOVERNMENT AND THERE'S NO QUESTION AT ALL ABOUT IT THAT THIS IS GOVERNMENT POLICY.

MR. MCKINNON: MR. SPEAKER, I'M REALLY WORRIED NOW BECAUSE NOW THAT THE GOVERNMENT POLICY IS KNOWN AND STATED PERHAPS IT WOULD HAVE BEEN A LOT BETTER THAT THIS HONOURABLE MEMBER HAD OF KEPT QUIET. NOW I CAN SEE THE ENFORCEMENT OF THE GOVERNMENT POLICY. WHEN IT HAS ALWAYS BEEN IN THE PAST THAT PEOPLE HAVE CONSUMED BEER IN THE STANDS WHILE WATCHING THE TOURNAMENT I CAN SEE THE CONSTABULARY MOVING DOWN THERE IN FORCE OVER THE JULY 1ST WEEKEND AND WHISKING THE SPECTATORS AND PLAYERS OUT OF THE STANDS AND PROSECUTING THEM FOR CONSUMING ALCOHOLIC BEVERAGES ON GOVERNMENT PROPERTY. I THINK THAT IT IS A VERY NIEVE TYPE OF APPROACH. I WOULD HAVE NO DIFFICULTY IN A COMMUNITY IF THERE WAS NO OTHER PLACE AND THE COMMUNITY WANTED TO RENT A SCHOOL AUDITORIUM FOR A NEW YEARS DANCE, APPLYING TO THE DEPARTMENT FOR THE SALE AND CONSUMPTION OF LIQUOR. GREAT. THE HALL IS BEING USED AS A COMMUNITY FUNCTION. EVERYBODY IS HAVING A GOOD TIME. WHEN ARE WE GOING TO STOP THIS HIDING OUR HEADS IN THE SAND TYPE OF ATTITUDE. THIS IS REALLY APPALLING AND I WOULD LIKE TO ASK MR. LEGAL ADVISER, NOW THAT THE GOVERNMENT POLICY IS BROUGHT UP IN PUBLIC, WHETHER IT'S GOING TO BE ENFORCED DURING THE JULY 1ST BALL TOURNAMENT AT THE F.H. COLLINS SCHOOL BALL DIAMOND.

MR. LEGAL ADVISER: I DON'T KNOW ANYTHING ABOUT IT, MR. SPEAKER, THIS IS THE FIRST I'VE HEARD OF IT.

(LAUGHTER)

MR. TAYLOR: SUPPLEMENTARY QUESTION TO THE HONORABLE MEMBER FOR CARMACKS-KLUANE. DO I UNDERSTAND THAT THIS POLICY RELATES ONLY TO PROPERTY UNDER CUSTODY OF THE DEPARTMENT OF EDUCATION?

MRS. WATSON: NO, GOVERNMENT. MR. SPEAKER, IT IS ALL GOVERNMENT PROPERTY.

MR. TAYLOR: MR. SPEAKER, THEN HOW CAN THE GOVERNMENT THEN PERMIT PEOPLE RESIDENT ON GOVERNMENT PROPERTY AT RADAR STATIONS AND OTHER GOVERNMENT CAMPS THROUGHOUT THE TERRITORY TO GO AHEAD AND ENJOY THE BENEFITS OF OTHER YUKONERS "TO CONSUME BEER AND LIQUOR ON THE CAMPS.

MRS. WATSON: MR. SPEAKER, THERE IS AN EXCEPTION IN THE POLICY REGARDING GOVERNMENT FACILITIES THAT ARE RENTED-THAT ARE PRIVATE RESIDENCES OF PEOPLE.

MR. CHAMBERLIST: I WONDER MR. SPEAKER, IF MR. COMMISSIONER OR THE MEMBER FOR CARMACKS-KLUANE CAN INDICATE POLICY NUMBER OR THE ORDINANCE OR THE REGULATIONS UNDER WHICH THIS IS WRITTEN SO THAT WE CAN LOOK AT IT AND THEN REFER TO IT.

MRS. WATSON: MR. SPEAKER, THE HONORABLE MEMBER IS A VERY CAPABLE PERSON, I WOULD DIRECT HIM TO THE INDEX OF THE POLICY MANUAL.

MR. CHAMBERLIST: MR. SPEAKER, WITH RESPECT, I AM NOT A MEMBER OF THIS ADMINISTRATION. IT WOULD ONLY APPEAR THAT THEY ARE UNABLE TO OFFER THE ANSWER TO THE QUESTION THAT HAS BEEN PUT IN BECAUSE THEY DON'T HAPPEN TO KNOW. THEY'RE JUST GUESSING AT IT. MR. SPEAKER, I WOULD ASK MR. COMMISSIONER THIS SUPPLEMENTARY QUESTION. I INTEND ON JULY 1ST, TO GO TO THE BALL GAME, I DON'T OFTEN ATTEND BALL GAMES, BUT TO GO TO THE BALL GAME AND DRINK FROM A BOTTLE OF BEER. MR. COMMISSIONER, ASSURE ME THAT I WILL BE ARRESTED.

MR. MCKINNON: ASK HIM TO JOIN YOU.

Mr. Commissioner: Mr. Speaker, I would hesitate to give that a try.

Mrs. Watson: Mr. Speaker, we could assure him though that there are bathroom facilities available.

Mr. Speaker: I hope they work better than the ones in Mayo.

QUESTION RE: DEVELOPMENT OF HYDRO POTENTIAL IN THE YUKON

Mr. Taylor: Mr. Speaker, I have one final question to deliver to Mr. Commissioner this morning and it relates to the development of hydro potential within the Yukon Territory. At the urging of certainly Council and others, apparently the NCPC are undertaking major power studies. I would like to know from Mr. Commissioner this morning where these studies are centering and if he can report anything as to what is being achieved in these studies today.

Mr. Commissioner: Mr. Speaker, I can tell you where they are being concentrated but you're too early in the game to ask any further questions on it because there hasn't been enough work done. Now Francis Lake, Five Finger Rapids (car horn interruption)

Mr. Taylor: Now just supplementary to that. The work was done back in the forties on many of these things including dam design so I felt that possibly NCPC Mr. Speaker might make use of this information. Has the Commissioner any idea as to what sort of timetable was involved here. In other words when we might be getting some information as to the results of these studies and what the Government is going to do in terms of the development of a major hydro potential in the Yukon Territory.

Mr. Commissioner. Well Mr. Speaker, I've been urging the NCPC and my Minister to undertake some kind of major hydro development in the Yukon for so many years, I've lost track of it. All I can tell you is that we're finally kind of coming to concentrate on this

problem and the three areas that I've told you are under investigation, certainly there was work done on them I believe. Ingledow made certain assessments but to say there

was dam design in that area - it hasn't gone to that extent at all. I would suggest that we're an absolute minimum of six months to a year away from any definite recommendation of any definitive results that could be assessed by the NCPC and my Minister in this regard.

QUESTION RE: INTERPRETATION OF A PUBLIC PLACE

Mr. Chamberlist: Mr. Speaker, one or two questions for Mr. Legal Adviser. Mr. Legal Adviser within the meaning of the Liquor Ordinance there is an interpretation of a "public place". It reads as follows: "public place means; (1) a place or building to which the public has access. (2) a place of public resort and (3) a conveyance in a public place."

Now Mr. Legal Adviser, Mr. Speaker my question is this. As there are no restrictions within the Liquor Ordinance against drinking of liquor in a public place and as the public place has been defined as a place or building to which the public has access, is there a breach of the law when a person drinks in here, in a public place?

Mr. Legal Adviser: For general purposes, Mr. Speaker, I don't accept the definition of public place for this question.

Mr. Chamberlist: But it's in the Ordinance.

Mr. Legal Adviser: I don't care what's in the Ordinance. F.H. Collins is not a public place in that sense because the public do not have the right to access to it. It's a private place. And the public can on proper occasions be excluded and on proper occasions should be excluded from the use of F.H. Collins. Because it's operated by the Government as a school. That is not to say that a person does or does not commit a criminal offense or an offense against the Ordinance. It's within the control of the person who is in charge of F.H. Collins at any time, what conduct he will permit from anybody on F.H. Collins, and if they don't conform to the rules laid down by the people in control, then they may be removed as trespassers. It's quite a different thing from the Ordinance all together.

MR. TANNER: SUPPLEMENTARY, MR. SPEAKER, COULD I ASK A QUESTION AGAIN OF THE LEGAL ADVISER. IF YOU FOLLOW THE HONOURABLE MEMBER WHO ASKED THE QUESTION INITIALLY, IT'S LOGIC. WOULD IT THEN BE THAT A MERCHANT ON MAIN STREET COULD THEN NOT STOP SOMEBODY FROM DRINKING ON HIS PREMISES. IF THE LOGIC OF THE MEMBER FOLLOWS, THEN ANY MERCHANT ON MAIN STREET HAS GOT NO RIGHT TO STOP SOMEBODY FROM DRINKING ON HIS PREMISES. IS THAT CORRECT?

MR. LEGAL ADVISER: AGAIN, MR. SPEAKER, I DON'T ACCEPT THAT THERE IS LOGIC IN THE OTHER HONOURABLE MEMBER'S SUGGESTION. BUT ASSUMING THAT YOU FOLLOW HIS TRAIN OF THOUGHT, IT WOULD LEAD TO THE RIDICULOUS CONCLUSION THAT ANYONE CAN DRINK IN ANY SHOP AND THE SHOPKEEPER CANNOT PUT HIM OUT OR IN A STORE AND THE STOREKEEPER COULDN'T PUT HIM OUT, OR AT ANY FUNCTION WHERE ALCOHOL WAS PROHIBITED BY THE PROPRIETOR OF THE PLACE, THEN HE COULD NOT PUT HIM OUT, MERELY ON THE GROUND THAT THE PUBLIC HAVE ACCESS TO IT. THE PUBLIC HAVE ACCESS TO MANY PLACES WHICH ARE PRIVATE PLACES AND THEY CAN BE EXCLUDED.

MR. CHAMBERLAIN: SUPPLEMENTARY MR. SPEAKER, I AM NOT GOING TO GO INTO A LEGAL ARGUMENT AT THIS TIME, BUT JUST DEAL WITH THE MANNER IN WHICH THIS ORDINANCE IS WRITTEN. AND WHAT THE INTENTION OF THIS LEGISLATIVE BODY WANTS. NOW I SIMPLY WANT MR. LEGAL ADVISER, MR. SPEAKER, TO ANSWER WHETHER OR NOT THE INTERPRETATION THAT SAYS THIS AND I'LL READ JUST THE FIRST PART, "PUBLIC PLACE" MEANS A PLACE OR BUILDING TO WHICH THE PUBLIC HAVE ACCESS." NOW IS IT NOT SO THAT THE PUBLIC HAS ACCESS TO THE F.H. COLLINS SCHOOL GROUNDS, TO THE BALL DIAMOND WHICH THE DEPARTMENT OF EDUCATION HAS ALREADY ALLOWED THE GAMES TO BE PLAYED ON. THEY'RE GIVEN THE ACCESS, THE RIGHT. THAT MAKES IT ACCESSIBLE TO THE PUBLIC.

AND THE QUESTION THEREFORE, MR. SPEAKER, IS, IS THAT NOT WITHIN THE TERMS OF REFERENCE THAT THE F.H. COLLINS SCHOOL DIAMOND BEING MADE AVAILABLE TO THE PUBLIC IS A PUBLIC PLACE WITHIN THE MEANING OF THE LIQUOR ORDINANCE?

MR. LEGAL ADVISER: FOR SOME SENSES YES, MR. CHAIRMAN. FOR OTHER SENSES NO.

QUESTION RE: CLOSING OF OTTER FALLS
CAMPGROUND

MR. MCKINNON: MR. SPEAKER, I ALWAYS TAKE WITH A GRAIN OF SALT THE GLIB AND PROFESSIONAL SNOW JOBS DONE BY P.R. MEN. I TOOK WITH A VERY LARGE GRAIN OF SALT THE VERY PROFESSIONAL SNOW JOB DONE BY THE N.C.P.C. BOYS WHEN THEY WERE TALKING ABOUT THE BUILDING OF THE AISHIHIK LIGHT PROJECT. AND HOW THERE WOULD BE NO DISTURBANCE AT ALL IN THE ACCESS TO THE AREA AND ALSO THE OTTER FALLS AND THE OTTER FALLS CAMP GROUND WOULD NOT BE INHIBITED IN ANY WAY. NOW A PRESS RELEASE FROM THE DEPARTMENT YESTERDAY THAT THE OTTER FALLS CAMP GROUND HAS BEEN CLOSED FOR THE SUMMER MONTHS. I WOULD LIKE TO ASK MR. COMMISSIONER WHEN HE WAS FIRST MADE AWARE THAT THE N.C.P.C. ACTIVITIES WOULD MAKE THE OTTER FALLS CAMP GROUND (ONE OF THE MOST POPULAR IN THE YUKON) INACCESSIBLE TO THE PEOPLE OF THE YUKON AND THE VISITORS THIS SUMMER?

MR. COMMISSIONER: MR. SPEAKER, I WAS FIRST MADE AWARE OF IT YESTERDAY AND I WAS NOT AWARE THAT THE CONSTRUCTION ACTIVITY WAS SUCH THAT THE USE OF THE CAMP GROUND WOULD BE INHIBITED FOR THIS PRESENT SUMMER SEASON.

MR. MCKINNON: MR. SPEAKER, A SUPPLEMENTARY QUESTION. IS MR. COMMISSIONER AWARE THAT THE OTTER FALLS AREA IS USED AS A TRADITIONAL FISHING GROUND IN THE SPRING AND FALL BY CERTAIN OF THE INDIAN INHABITANTS OF THE AREA AND WHETHER MR. COMMISSIONER COULD MAKE ANY ENQUIRY TO N.C.P.C. AS TO WHETHER THE RIGHT OF THE PEOPLE WHO TRADITIONALLY USE THE AREA FOR FISHING WILL ALSO BE IMPEDED AND WHETHER THERE WILL BE ANY TYPE OF REIMBURSEMENT FOR THE LOSS OF THESE TRADITIONAL GROUNDS FOR THE PEOPLE WHO USE THEM FOR FISHING?

MR. COMMISSIONER: MR. SPEAKER, I WOULD HAVE TO MAKE ENQUIRIES BEFORE I WOULD BE IN A POSITION TO ANSWER THAT QUESTION. BUT I WILL PROCEED TO DO SOMETHING MR. SPEAKER.

MR. MCKINNON: WOULD MR. COMMISSIONER ALSO MAKE ENQUIRIES AS TO WHAT ACTUAL ENVIRONMENTAL DAMAGE WILL BE DONE TO THE OTTER FALLS CAMP GROUND AREA AND WHAT N.C.P.C. PLAN TO DO TO ANY DAMAGE, TO RECTIFY ANY DAMAGE THAT IS DONE TO THE NICEST CAMP GROUNDS THAT THE DEPARTMENT OF TRAVEL AND INFORMATION IN THE YUKON CAMP GROUND SERVICES HAVE IN THE YUKON TERRITORY.

MR. COMMISSIONER: YES, MR. SPEAKER.

QUESTION RE: COMMISSIONER'S ANNUAL REPORT

MR. CHAMBERLIST: MR. SPEAKER, I HAVE ONE OR TWO QUESTIONS TO ASK MR. COMMISSIONER WITH REFERENCE TO HIS ANNUAL REPORT. MR. COMMISSIONER, THIS REPORT IS FOR THE PERIOD OF APRIL 1ST, 1972 TO MARCH 31ST, 1973. WOULD THE COMMISSIONER INDICATE WHY, FOR DURING THAT PERIOD, THERE WOULD BE PHOTOGRAPHS OF MR. FINGLAND AND MR. MILLER, AS ASSISTANT COMMISSIONER EXECUTIVE AND ASSISTANT COMMISSIONER ADMINISTRATIVE, WHEN NEITHER ONE OF THESE PEOPLE WERE IN FACT ASSISTANT COMMISSIONERS DURING THE YEAR APRIL 1ST, 1972 TO MARCH 31ST, 1973. CAN WE GET SOME EXPLANATION?

MR. COMMISSIONER: I WOULD SAY THE HONOURABLE MEMBER'S GOT A VERY VALID QUESTION. I HAVE NO IDEA BUT LET ME FIND IT.

MR. CHAMBERLIST: A FURTHER QUESTION. I ALSO NOTE THAT ON PAGE 13 THERE IS A PHOTOGRAPH OF THE COMMISSIONER AND THE MINISTER WITH THEIR WIVES HEADED AS FOLLOWS: "THE COMMISSIONER'S BALL OF 1973 WAS ATTENDED BY THE HONOURABLE JEAN CHRÉTIEN, MINISTER OF INDIAN AND NORTHERN AFFAIRS AND MRS. CHRÉTIEN, THE COMMISSIONER AND MRS. SMITH." THIS TOOK PLACE AGAIN, IN 1973 AFTER THE FISCAL YEAR APRIL 1ST, 1972 TO MARCH 31ST, 1973. WHAT IS THAT DOING IN THAT YEAR? PERHAPS THE COMMISSIONER CAN ANSWER THAT.

MR. COMMISSIONER: I'LL TRY.

MR. SPEAKER: IS THERE AN OUTLINE OF THE SOCIAL REGISTER THERE?

MR. CHAMBERLIST: THE HONOURABLE MEMBER FROM WATSON LAKE - - (INTERRUPTION). HE WANTS TO GET ON WITH THE BUSINESS WHILE I LISTEN TO HIM ASKING QUESTIONS. THIS IS THE BUSINESS TOO.

QUESTION RE: CUSTODIAL EQUIPMENT

MR. CHAMBERLIST: MR. SPEAKER, THIS IS A QUESTION TO THE MEMBER FROM CARMACKS-KLUANE. I UNDERSTAND SHE HAS RECEIVED A LETTER AND I HAVE RECEIVED A COPY OF THE LETTER OF A CHIEF CUSTODIAL WORKER IN ONE OF THE SCHOOLS WHO HAS COMPLAINED ABOUT THE LACK OF EQUIPMENT WITH WHICH TO WORK. AND I KNOW ON PAGE 15 OF OUR BUDGET, THERE IS A BUDGET FOR 1974-75 OF \$1,471,749 TO PROVIDE SUPPORT SERVICES AND SUPPLIES FOR THE SCHOOLS OF THE TERRITORY WHICH INCLUDES CUSTODIAL SUPPLIES. I WONDER IF THE

HONOURABLE MEMBER CAN POSSIBLY GET A FEW HUNDRED DOLLARS OUT OF THIS ONE AND A HALF MILLION DOLLARS TO ALLOW THESE PEOPLE TO CARRY ON WITH THEIR WORK?

MRS. WATSON: MR. SPEAKER, I'M SUPPOSED TO HAVE HAD THE LETTER. I HAVEN'T EVEN SEEN THE LETTER.

MR. CHAMBERLIST: WELL IT'S ADDRESSED TO MRS. WATSON, I'VE GOT A COPY.

QUESTION RE: NUMBER OF TEACHERS LEAVING

MR. CHAMBERLIST: MR. SPEAKER, I WONDER IF THE MEMBER FOR CARMACKS-KLUANE HAS AVAILABLE THE ANSWER TO THE QUESTIONS I ASKED YESTERDAY WITH REFERENCE TO THE NUMBER OF TEACHERS THAT HAVE LEFT?

MRS. WATSON: MR. SPEAKER, WITH RESPECT TO THE HONOURABLE MEMBER THE INFORMATION WAS AVAILABLE BUT I WANTED TO WAIT UNTIL WE HAVE THE SPECIFIC QUESTIONS THAT WERE ASKED IN THE VOTES AND PROCEEDINGS. NOW THE LEGISLATIVE RETURN IS BEING COMPILED.

QUESTION RE: SIGNS INFORMATION

MR. CHAMBERLIST: QUESTION TO MR. COMMISSIONER. HAS HE GOT ANY INFORMATION ON THE SIGNS INFORMATION THAT I GAVE HIM WITH REFERENCE TO ONE OF THE CAMPGROUND OPERATORS WHO HAD HIS SIGNS TAKEN AWAY.

MR. COMMISSIONER: MR. SPEAKER, IT'S NOT AVAILABLE YET, BUT IT WILL BE HERE PROMPTLY.

MR. CHAMBERLIST: BEFORE THE END OF THIS COUNCIL OR AFTER?

QUESTION RE: HANSON STREET PROJECT

MR. CHAMBERLIST: MR. SPEAKER, I WONDER WHEN WE CAN GET THE DOCUMENTS THAT I HAVE ASKED TO BE TABLED RE THE HANSON STREET PROJECT? NOW THIS IS RUNNING INTO THREE DAYS. WHAT'S THE HOLD UP THERE?

MR. COMMISSIONER: PROBABLY WE'RE SEARCHING FOR THE TITLES.

MR. CHAMBERLIST: THIS I CAN BELIEVE.

QUESTION RE: DR. NORELL'S REASON FOR LEAVING

MR. CHAMBERLIST: A QUESTION TO THE MEMBER FROM WHITEHORSE NORTH. THE INFORMATION THAT I HAVE RECEIVED IS THAT MR. NORELL WAS UNABLE TO WORK EFFICIENTLY WITH THE DEPARTMENT OF HEALTH, WELFARE AND REHABILITATION AND THAT WAS ONE OF THE REASONS WHY HE DECIDED TO LEAVE. CAN THE MEMBER FROM WHITEHORSE NORTH GIVE ANY FURTHER INFORMATION IN THAT PARTICULAR AREA?

MR. TANNER: MR. SPEAKER, I'M NOT GOING TO ANSWER QUESTIONS WHICH THE HONOURABLE MEMBER DREAMS UP FROM SOME MYTHICAL SOURCE AND GIVE HIM REASONS SO THAT HE CAN THEN START BATTERING ANY DEPARTMENT THAT HE CHOOSES, FEDERAL OR TERRITORIAL OR ANY MEMBER OF THE ADMINISTRATION. THE QUESTION IS RIDICULOUS AND I REFUSE TO ANSWER IT.

MR. CHAMBERLIST: I LIKE TO HEAR, MR. SPEAKER, THE APPLAUSE COMING FROM THE MEMBER FOR CARMACKS-KLUANE. AS I SAY THEY'RE BOTH PUPPETS AND THEY'RE SHOWING HOW THEY ANSWER EACH OTHER. MR. SPEAKER, MY QUESTION IS A CLEAR QUESTION THAT WAS ASKED. I ASSUME FROM WHAT THE MEMBER HAS JUST SAID THAT THERE IS QUITE A CONSIDERABLE AMOUNT OF TRUTH IN THE SUGGESTIONS THAT HAVE BEEN MADE.

MR. TANNER: MR. SPEAKER, THE MEMBER CAN ASSUME WHAT HE PLEASES BUT I SUGGEST THAT HE SHOULD LOOK TO THE FIGMENT OF HIS OWN IMAGINATION FROM WHERE MOST OF THESE THINGS GENERATE.

MR. SPEAKER: AS THERE ARE NO FURTHER QUESTIONS, WE WISH TO THANK MR. COMMISSIONER FOR HIS ATTENDANCE. AS THERE ARE NO PRIVATE BILLS AND ORDERS, WE COME TO PUBLIC BILLS AND ORDERS.

BILL NO. 25 GIVEN THIRD READING

MRS. WATSON: MR. SPEAKER, I MOVE, SECONDED BY COUNCILLOR TANNER THAT BILL NO. 25 INTITULED THE FIFTH APPROPRIATION ORDINANCE 1974-75 BE GIVEN THIRD READING.

MR. SPEAKER: IT WAS MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH, THAT BILL NO. 25 INTITULED THE FIFTH APPROPRIATION ORDINANCE 1974-75 BE GIVEN THIRD READING.

ARE YOU PREPARED FOR THE QUESTION? AGREED?
I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: ARE YOU PREPARED TO ADOPT THE TITLE TO BILL NO. 25?

MRS. WATSON: YES, MR. SPEAKER. I MOVE, SECONDED BY COUNCILLOR TANNER, THAT BILL NO. 25 INTITULED THE FIFTH APPROPRIATION ORDINANCE 1974-75 BE ADOPTED AS WRITTEN.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH THAT THE TITLE TO BILL NO. 25 INTITULED FIFTH APPROPRIATION ORDINANCE 1974-75 BE ADOPTED AS WRITTEN.

ARE YOU PREPARED FOR THE QUESTION? AGREED?
I DECLARE THE MOTION CARRIED AND THAT BILL NO. 25 HAS PASSED THIS HOUSE.

MOTION CARRIED

MR. SPEAKER: MAY I HAVE YOUR FURTHER PLEASURE?

MR. TAYLOR: YES, MR. SPEAKER. I WOULD MOVE THAT MR. SPEAKER DO NOW LEAVE THE CHAIR AND COUNCIL RESOLVE INTO COMMITTEE OF THE WHOLE FOR THE PURPOSE OF DISCUSSING BILLS, SESSIONAL PAPERS AND MOTIONS.

MR. STUTTER: I SECOND THE MOTION MR. SPEAKER.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR WATSON LAKE, SECONDED BY THE HONOURABLE MEMBER FOR JAWSON, THAT MR. SPEAKER DO NOW LEAVE THE CHAIR FOR THE PURPOSE OF CONVENING IN COMMITTEE OF THE WHOLE TO DISCUSS PUBLIC BILLS, SESSIONAL PAPERS AND MOTIONS. ARE YOU PREPARED FOR THE QUESTION? AGREED?
I DECLARE THE MOTION CARRIED AND THE HONOURABLE MEMBER FOR WATSON LAKE WILL PLEASE TAKE THE CHAIR IN COMMITTEE OF THE WHOLE.

MOTION CARRIED

MR. CHAIRMAN: AT THIS TIME I WILL CALL COMMITTEE TO ORDER. WE ARE DISCUSSING BILL NO. 7, THE EDUCATION ORDINANCE AND WE HAVE RECEIVED A REPLY FROM THE YUKON TEACHERS ASSOCIATION AS REQUESTED LAST EVENING. THESE ARE NOW BEING CIRCULATED BY MADAM CLERK. AT THIS TIME I WILL DECLARE A TEN MINUTE RECESS AND POSSIBLY IF WE CAN HOLD IT FOR TEN MINUTES WE CAN BE BACK TO WORK HERE PRETTY QUICK.

RECESS

MR. CHAIRMAN: ORDER. THE FIRST AMENDMENT FOR CONSIDERATION IS ON PAGE 17. MR. LEGAL ADVISER.

MR. LEGAL ADVISER: THIS IS CHANGED IN ACCORDANCE WITH THE WISHES OF THE HOUSE, MR. CHAIRMAN. IT IS SECTION 41, SUBSECTION (1). IT IS THE SECOND PARAGRAPH ON PAGE 17.

MR. CHAIRMAN READS THE AMENDED SECTION 41 (1).

MR. MCKINNON: IS "PARENT SYNONOMOUS WITH GUARDIAN" IN THAT.

MR. LEGAL ADVISER: IT IS DEFINED AS SUCH, MR. CHAIRMAN.

MR. CHAIRMAN: THE NEXT ITEM IS PAGE 29, SUBSECTION (B) OF SECTION 73(1). WE HAVE TWO ITEMS. WE HAVE A MOTION FOR DELETION AND WE HAVE A REPLY FROM THE YUKON TEACHER'S ASSOCIATION IN THIS MATTER.

MR. STUTTER: MR. CHAIRMAN, I WONDER IF YOU COULD ONCE AGAIN READ THAT MOTION. I FORGET THE EXACT WORDING OF THE MOTION.

MR. CHAIRMAN: IT WAS MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR TAYLOR THAT SUBSECTION(B) OF SECTION 73 (1) BE DELETED. QUESTION. DO YOU WANT TO GIVE ANY CONSIDERATION TO THIS?

MR. CHAMBERLIST: I THINK PERHAPS WE SHOULD GIVE CONSIDERATION TO THE SUGGESTION THAT HAS BEEN MADE BY THE YUKON TEACHERS.

MR. CHAIRMAN: IT WAS THE REQUEST OF COMMITTEE.

MR. STUTTER: MR. CHAIRMAN, I THOUGHT IT WAS GOING ALONG WITH THIS. THE MOTION WAS THERE - IN PART OF THE LETTER IT SAYS THAT THAT IS WHAT YTA WOULD PREFER -- DELETION. THAT IS WHAT THE MOTION SAYS TOO. I WAS JUST CALLING QUESTION. I'M GOING TO VOTE FOR IT.

MR. CHAIRMAN, AGAIN IT SEEMS TO ME THAT - IT SAYS THAT ALTHOUGH WE FEEL THIS SECTION IS TOTALLY UNNECESSARY. THAT IS WHAT THE SUBJECT MATTER OF THE MOTION IS.

MR. CHAIRMAN: ALRIGHT, ARE YOU PREPARED FOR THE QUESTION?

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. CHAIRMAN: ARE YOU AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. CHAIRMAN: WOULD THOSE AGREED KINDLY SIGNIFY. I WILL DECLARE THAT THE MOTION IS CARRIED.

MOTION CARRIED

MR. CHAIRMAN: SO NOTE, MR. CLERK. I BELIEVE THERE WILL BE A RE-TYPED PAGE COMING FOR PAGE 29. NEXT PAGE IS PAGE 32.

MRS. WATSON: MR. CHAIRMAN, WE HAVE ADDED A NEW SUBSECTION (5) ON PAGE 32. 81 SUBSECTION (5). WHERE WE HAVE MADE PROVISION FOR A TEACHER WHO WOULD BE ELIGIBLE FOR TRAVEL ALLOWANCE OR MOVING EXPENSES WOULD NOT BE ELIGIBLE FOR THE TERRITORY TRAVELING OR MOVING EXPENSES IF THEIR NEW EMPLOYER IS PROVIDING THIS AS A CONDITION OF THEIR NEW EMPLOYMENT. SO THAT THEY DON'T GET PAID TWICE. I THINK THE COMMITTEE AGREED TO THAT THE OTHER DAY.

MR. CHAIRMAN: ALRIGHT I WILL READ THE NEW AMENDMENT.

MR. CHAIRMAN READS THE AMENDED SECTION 81 (5).

MR. CHAIRMAN: 32A IS THE FOLLOWING PAGE WHICH IS JUST AN ADDITION OF THE BALANCE OF THE MATERIAL AS WRITTEN IN THE ORDINANCE UNDER THE AGREEMENT. IS THIS CORRECT, MR. LEGAL ADVISER?

MR. LEGAL ADVISER: YES, MR. CHAIRMAN.

MR. CHAIRMAN: NEXT PAGE IS PAGE 37.

MRS. WATSON: MR. CHAIRMAN, ON PAGE 37 WE PROVIDED THE SAME STIPULATION. WE HAVE CALLED IT A NEW SUBSECTION (4) FOR SECTION 96. THIS IS WHEN WE PROVIDE MOVING EXPENSES FOR TEACHERS WHO HAVE BEEN LAID OFF AND WANT TO MOVE TO A DIFFERENT PLACE OF EMPLOYMENT. WE ONLY PAY IT IF THE NEW EMPLOYER DOES NOT. IT IS THE SAME PHRASE.

MR. CHAIRMAN READS THE AMENDED SECTION 96 (4).

MR. CHAIRMAN: ARE YOU AGREED?

MR. CHAMBERLIST: JUST ONE QUESTION. IF THE PERSON IS MOVING TO ANOTHER LOCATION WITHIN THE YUKON, WHAT IS THE POSITION THEN?

MR. TANNER: IT IS GOING TO APPLY.

MR. CHAMBERLIST: IT WORKS EXACTLY THE SAME WAY.

MR. CHAIRMAN: 37A IS A CONTINUATION, MR. LEGAL ADVISER?

MR. LEGAL ADVISER: YES, MR. CHAIRMAN.

MR. CHAIRMAN: NEXT IS PAGE 39.

MRS. WATSON: MR. CHAIRMAN, THERE IS AN AMENDMENT TO SECTION - ON PAGE 39 - SECTION 102 SUBSECTION (3). I BELIEVE THE LEGAL ADVISER WAS - THERE IS SOME REASON FOR THIS AMENDMENT TO IT. THERE WAS SOME CONVERSATION WITH THAT.

MR. LEGAL ADVISER: MR. CHAIRMAN, WE DISCUSSED IT IN THE HOUSE AS TO HOW THIS MOTION SHOULD BE CONSTITUTED. I ASCERTAINED THAT THE YTA WAS NERVOUS THAT THE BOARD COULD BE CONSTITUTED BY THE COMMISSIONER BY TWO OFFICIALS OF THE GOVERNMENT IN SOME WAY, AND NOT AN OUTSIDE PERSON. I PROPOSED IN COMPROMISE THAT YOU COULD MAKE CLEAR THAT THIS WOULD NOT BE POSSIBLE. THIS WOULD THEN READ THAT THE OTHER MEMBER BE APPOINTED FROM OUTSIDE THE PUBLIC SERVICE OF THE TERRITORY WOULD MAKE THIS CLEAR THAT THE COMMISSIONER COULD NOT APPOINT TWO DEPARTMENT OFFICIALS, AND THEREBY STACK THE BOARD.

SEVERAL HONOURABLE MEMBERS: CLEAR.

MR. CHAIRMAN: ALRIGHT. 102 (3).

MR. CHAIRMAN READS THE AMENDED SECTION 102 (3).

MR. LEGAL ADVISER: MR. CHAIRMAN, ON THE SAME PAGE IN SUBSECTION (8) WHERE A REPLACEMENT IS BEING MADE IT REQUIRES TO LOCK THE REPLACEMENT INTO THE SAME PROCEDURE AS THE ORIGINAL APPOINTMENT.

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. CHAIRMAN: ALRIGHT. 102 SUBSECTION (8).

MR. CHAIRMAN READS SECTION 102 (8).

MR. CHAIRMAN: CLEAR?

SEVERAL HONOURABLE MEMBERS: CLEAR.

MR. CHAIRMAN: NEXT IS PAGE 42.

MRS. WATSON: MR. CHAIRMAN, WE SPENT A GREAT DEAL OF TIME ON THIS. WE TRIED TO MAKE SOME PROVISIONS FOR THE COMMUNITY OF OLD CROW. WE HAVE ADDED, THEREFORE, A NEW SECTION (6) AND (7). THE REQUIREMENT OF THE TIME LIMIT IN (7) IS BECAUSE WE HAVE A REQUIREMENT IN ANOTHER SECTION IN THIS ORDINANCE THAT THE COMMISSIONER SHALL ISSUE THE CALENDAR FOR THE ENSUING YEAR BY MAY 1ST. THEREFORE HE SHOULD HAVE THE REQUESTS FROM THE COMMUNITY OF OLD CROS BY APRIL 1ST SO THAT THAT CAN BE ALL STRAIGHTENED OUT BEFORE THE COMMISSIONER'S ORDER HAS TO BE ISSUED DEFINING THE SCHOOL YEAR FOR THE ENSUING YEAR.

MR. STUTTER: MR. CHAIRMAN, I CERTAINLY WOULD LIKE TO THANK THE MEMBER FROM CARMACKS-KLUANE. I THINK, JUST ON INITIAL READING THAT THAT DOES COVER THE REQUEST FROM OLD CROW. I JUST WANT TO MAKE IT ABSOLUTELY CLEAR, OR TO HAVE IT MADE CLEAR TO ME, THAT THIS DOES IN FACT ALLOW THEM ENOUGH FLEXIBILITY TO DO THE THING THAT THEY HAVE REQUESTED. THE OLD CROW SITUATION IS, AS EVERY MEMBER KNOWS, JUST A LITTLE BIT DIFFERENT. I THINK THEY HAVE ALREADY GOT SOME THINGS IN THE SCHOOL THAT AREN'T BEING DONE IN OTHER AREAS AND I CERTAINLY WOULD LIKE TO THANK THE MEMBER FOR BRINGING IN THIS CLAUSE.

MRS. WATSON: MR. CHAIRMAN, YOU WILL NOTE THAT WE HAVE SAID THAT IT HAS TO BE A REQUEST FROM THE SCHOOL COMMITTEE. THE SCHOOL COMMITTEE AT OLD CROW HAS BEEN ONE OF THE MOST ACTIVE SCHOOL COMMITTEES THAT WE HAVE HAD. THEY HAVE BEEN CALLED ADVISORY COMMITTEES BUT THEY HAVE BEEN ACTIVE AND HAVE TAKEN A GREAT INTEREST IN THE OPERATION OF THE SCHOOL SO I AM SURE THAT LEAVING IT IN THE HANDS OF THE SCHOOL COMMITTEE IS WHERE IT SHOULD BE.

MR. MCKINNON: MR. CHAIRMAN, THERE WERE MANY SUBMISSIONS TO THE EXECUTIVE COMMITTEE MEMBER IN CHARGE OF EDUCATION AND TO THE LEVIRS COMMISSION ABOUT THE CHANGE IN THE SCHOOL YEAR. AS TO WHETHER IT WOULD BE FLEXIBLE ENOUGH TO PROVIDE FOR SCHOOL TERMINATION IN THE BEGINNING OR MIDDLE OF JUNE RATHER THAN WAITING UNTIL THE END OF JUNE TO TERMINATE. I FIND THIS VERY VALID SEEING THAT IT IS THE NICEST PART OF THE YEAR IN THE YUKON AND ALSO IT IS THE LIGHT-EST PART OF THE YEAR IN THE YUKON. I KNOW THAT MOST PARENTS HAVE AN AWFUL LOT OF DIFFICULTY GETTING THEIR CHILDREN TO BED AT NIGHT AND UP TO SCHOOL IN THE MORNING. IS THE PRESENT

ORDINANCE FLEXIBLE ENOUGH THAT A CHANGE CAN BE MADE IN THE SCHOOL CALENDAR IF THAT IS THE DESIRE OF THE MAJORITY OF THE RESIDENTS IN THE YUKON?

Mrs. Watson: No, it isn't Mr. Chairman. I think the Honourable Member has hit on a key point that was discussed at all of the hearings by the Committee. Any of the hearings that I attended, this always was the consensus of opinion of a lot of the residents - that they would like to see the month of June a school holiday. Then when they were faced with the alternatives, now what do we do. Do we eliminate the Christmas vacation - no - because many parents use this opportunity to take their own holiday and they like to take their children. The same thing with the Easter vacation. There was quite a - especially from the outlying communities, and in the Whitehorse area, that it is nice to have that break, that spring break. Whether we call it Easter vacation or not. Shall we shorten the school year by a matter of approximately 20 instructional days? This was the other alternative. The parents didn't feel that they wanted to shorten the school year by a whole month. Then we went to the suggestion of shortening the school year even to the middle of June, but picking up some of the days at the end of August. Then of course some of the parents objected to that because of the August 17th holiday and a lot of people were not back from their holidays. There was not a consensus of opinion whatsoever. We have had no reaction whatsoever to this. There was some from one of the Advisory Committees here in Whitehorse regarding the total number of days and we did make compensation for that. We have followed pretty well the consensus of opinion that was expressed to the Committee after all the alternatives were explored. We endeavored very much the Committee did say that we would endeavor to make up days during the spring vacation. For example, Easter Monday should not be a holiday. We did suggest this and School Advisory Committees did not want to see the Easter holiday deleted because we now have a spring vacation. We don't have an Easter holiday.

I think you could go round and round. You could make provision for flexibility. We also have to be very careful too if you are having every community having a different

calendar. We do have an agreement with teachers. I think that with the teachers at Old Crow being the one case that there can be adjustments made with the Old Crow teachers. If you are trying to - not other than a uniform school year, we would have great problems in the appointment of our staff for the schools.

This was the compromise that was suggested by the Committee.

Mr. Chairman: Anything further on 46? Pardon me. On page 46 - this is the next. I believe that there was a - - -

Mr. Tanner: Excuse me, Mr. Chairman. You haven't read the addition of subsections (6) and (7) on page 42 of Section 107.

Mr. Chairman: I'm sorry. Let's start it at what - subsection (5)? Subsection (6), 107(6). Mr. Chairman reads Sections 107(6) and (7).

Mr. Stutter: Mr. Chairman, there is one point that now comes to my attention. That is the word "days". It says in (6), "but not so as to diminish the number of instructional days". It's the time. I think, as I pointed out before, they may wish to change the hours per day if that is agreed by the teacher and agreed by the school committee in order. They would get the same instructional time in, but maybe not necessarily the number of days. They are not going to - what they want to do is have flexibility so that their education does not suffer as a result of them going to the flats or their families going to the flats. Now you have tied it back in to the number of days. You are still saying that they have got to put in 190 days. What they are trying to do is get in the same amount of time perhaps in a less number of days, if you get the point that I'm trying to make. With that word "days" in there it might not quite give them the flexibility that they are looking for.

Mrs. Watson: Mr. Chairman, I know what the Honourable Member is referring to. I realize when he made his request the other day that this was possibly the area that they were thinking of going into. This is the area where

WE REALLY HAVE PROBLEMS WITH STAFFING. NO-ONE TO DATE HAS REALLY DEFINED A TEACHING DAY.

HOW ARE YOU GOING TO SUBSTITUTE "DAYS" WHEN IT HASN'T BEEN DEFINED BY CHANGING THE HOURS? WE TRIED TO COME TO A COMPROMISE TO GIVE THEM THE ABILITY TO CHANGE SATURDAY, SUNDAY, EASTER HOLIDAY, ANY HOLIDAY THAT IS LISTED, TO MAKE UP 187 DAYS. YOU COULD ALWAYS GET THE ARGUMENT, AND THIS COULD VERY WELL HAPPEN, THAT CHILDREN ARE ONLY ABLE TO WORK FOR SO MANY HOURS MEANINGFULLY. IT WOULD BE QUITE A HEAVY PRESSURE YOU TRY TO HAVE A CHILD IN A CLASSROOM SITUATION OR IN A SCHOOL SITUATION FOR SEVEN OR EIGHT HOURS IN A DAY, THE LAST THREE HOURS OR AT LEAST THE LAST TWO HOURS ARE NOT GOING TO BE THAT MEANINGFUL. IT WOULD BE QUITE A HEAVY PRESSURE ON THE CHILD ITSELF. YOU THINK OF LITTLE GRADE ONE STUDENTS SITTING IN A CLASSROOM FROM 9 O'CLOCK UNTIL 5 O'CLOCK. THAT WOULD BE QUITE A STRAIN ON THAT CHILD.

I WOULD SUGGEST TO TRY THIS. EVERY HOLIDAY THAT WE HAVE MENTIONED; SATURDAY, SUNDAY, THEY CAN SWITCH AROUND. THEY HAVE TO HAVE 187 INSTRUCTIONAL DAYS. IF THEY WANT TO GO WEEKENDS, FINE, FOR SIX MONTHS. IF THEY WANT TO TAKE IT AT CHRISTMAS FINE, MAYBE IF THEY JUST WANT TO TAKE THE CHRISTMAS PERIOD AND THEN HAVE SCHOOL DURING THE REST OF THE HOLIDAY WHEN IT IS EXTREMELY COLD AND THEY CAN'T DO VERY MUCH ELSE. IF THEY WANT TO TAKE THEIR SPRING VACATION, AND THEIR SPRING VACATION MIGHT JUST COINCIDE WITH THE TRAPPING SEASON BECAUSE IT IS A FIXED TIME NOW. THIS WILL HELP THEM. I BELIEVE IT IS THE THIRD WEEK IN MARCH, SO THAT THEY KNOW.

I WOULD REALLY, BECAUSE OF THE DIFFICULTY WITH STAFFING, I WOULD SUGGEST THAT REALLY GIVE CONSIDERATION TO THESE - BECAUSE THERE IS QUITE A BIT OF FLEXIBILITY RIGHT IN HERE.

MR. STUTTER: MR. CHAIRMAN, I AM CERTAINLY NOT ABOUT TO KICK A GIFT HORSE IN THE MOUTH. AGAIN I WANT TO SAY THAT I APPRECIATE THE ATTEMPT THAT HAS BEEN MADE; IN FACT HAS BEEN BROUGHT ABOUT BY THIS ADDITION. THERE IS JUST ONE POINT I WOULD LIKE TO MAKE THOUGH. THAT IS I THINK ONE COULD SIT AROUND THE TABLE HERE AND ARGUE INDEFINITELY AS TO WHEN A CHILD REACHES ITS CAPACITY TO ABSORB LEARNING IN A DAY. WHETHER IT IS FIVE HOURS OR PERHAPS WHETHER WE EVEN EXCEEDED IT NOW WITH THE SCHOOL HOURS. THE FLEXIBILITY, AS THE MEMBER HAS POINTED OUT, WOULD EVEN PERMIT THEM TO BE IN SCHOOL OVER A WEEKEND. WELL IT SEEMS TO

ME THAT IF THEY CAN'T ADD IN AN EXTRA HALF-HOUR A DAY, IT SEEMS VERY UNLIKELY THAT AFTER FIVE DAYS OF INSTRUCTION IN A SCHOOL THEY COULD GO ON FOR TWO MORE DAYS. THAT PARTICULAR ARGUMENT, AND I DON'T WANT TO GET INTO A LONG, LENGTHY ARGUMENT OR DEBATE IN THIS POINT, BUT IT DOES SEEM THAT WE COULD SIT AROUND AND ARGUE THAT ONE FOR A LONG, LONG TIME. I DO APPRECIATE THE FLEXIBILITY SO WE CAN AT LEAST TRY IT. I'M SURE THAT IF IT DOESN'T SOLVE THE PROBLEM IN OLD CROW, PERHAPS THEY WILL MAKE REPRESENTATION TO HAVE SOME OTHER AMENDMENT MADE AT A FUTURE TIME.

MR. CHAMBERLIST: WELL, MR. CHAIRMAN, I AGREE WITH WHAT THE MEMBER FOR DAWSON HAS SAID EXCEPT FOR THE FACT THAT THERE IS NO WAY THAT CHILDREN CAN GO TO SCHOOL ON WEEKENDS BECAUSE THERE IS A MANDATORY SECTION 107 WHICH SAYS "THE FOLLOWING DAYS SHALL BE SCHOOL HOLIDAYS".

MR. STUTTER: THIS DEALS WITH HOLIDAYS.

MR. CHAMBERLIST: PARDON?

MR. STUTTER: THIS DEALS WITH HOLIDAYS.

MR. CHAMBERLIST: YES, BUT THIS SAYS THERE "SHALL BE SCHOOL HOLIDAYS". THAT'S THE END OF IT. THERE IS NO - SECTION (C) DOES NOT ALLOW THAT THE HOLIDAYS, THE WAY IT IS WRITTEN NOW, DOES NOT ALLOW FOR THESE HOLIDAYS TO BE REMOVED ALTHOUGH IT SAYS "PART OF THE TIME ALLOWED FOR HOLIDAYS". BUT IT DOESN'T SAY THAT HOLIDAYS - THAT SECTION 107(1) CAN BE REPLACED BY HOLIDAYS. THIS IS THE POINT. I THINK THAT CAN BE CLARIFIED, AND THEN I THINK IT IS ALRIGHT.

MR. LEGAL ADVISER: I DON'T THINK THERE IS ANY NEED FOR IT BECAUSE IT IS A SUBSTITUTION. IT IS STILL A HOLIDAY THAT DAY EVEN THOUGH THE CHILDREN ARE AT SCHOOL.

MR. CHAMBERLIST: THAT'S NOT THE POINT I AM MAKING.

MR. LEGAL ADVISER: WE DON'T DEFINE WHAT A HOLIDAY IS.

MR. CHAMBERLIST: YES WE DO. WE SAY "THE FOLLOWING DAYS SHALL BE SCHOOL HOLIDAYS: (A) EVERY SATURDAY (B) EVERY SUNDAY . . .". SO THEY ARE DEFINED.

Mrs. Watson: Mr. Chairman, could we not solve that by just putting notwithstanding 107(1).

Mr. Chamberlist: That's what I meant.

Mrs. Watson: Could we take that as a typographical error so we don't have to bring - - -

Some Honourable Members: Agreed.

Mr. Chairman: Alright. The next page is 46.

Mr. Stutter: Can we take that, Mr. Chairman, as a typographical error? Do you have to mention it from the chair?

Mr. Chairman: I just asked committee and they all agreed. Okay, the next page is 46. I believe it was an error in subsection (1) was it not?

Mrs. Watson: Yes it was.

Mr. Chairman: Subparagraph (h).

Mrs. Watson: Yes, Mr. Chairman. It was just a typographical error.

Mr. Tanner: You haven't corrected it, Mr. Chairman, have you?

Mr. Chamberlist: No, that's right.

Mr. Chairman: It's corrected on a corrected page. I noticed on page 48 that we also had a typographical error.

Mr. Tanner: Excuse me. I don't want to pursue this beyond the point of absurdity, but I don't think you have made the correction. Shouldn't it be (h)(1)?

Mr. Chairman: Well in the first - in page 46, it just said "pursuant to paragraph (1)", and it didn't refer to (h)(1). Now they have got it "pursuant to paragraph (h)".

Mr. Tanner: Is that alright?

Mr. Chamberlist: Oh yes.

Mr. Tanner: Okay. Fine.

Mr. Chairman: Just one question. On page 48 you had a change under the "bargaining agent" which reads: "bargaining agent means an employee organization that has been certified for a bargaining unit". Now it is changed to "as". Has this been noted in the final draft?

Mr. Legal Adviser: I didn't hear the question, Mr. Chairman.

Mr. Chairman: Okay for the last time. (Mr. Chairman reads definition of bargaining agent). This was changed to "as". Will this be corrected in final form?

Mr. Legal Adviser: Yes. It is a typographical error, Mr. Chairman.

Mr. Chairman: I notice no page for it. That is why I asked the question.

Mr. Tanner: Mr. Chairman, we changed two or three typographical errors as we went through. I don't think all of them have come back as amended pages.

Mr. Chairman: Alright. The next page - we have some changes on 49, typographical. We had a question on page 50.

Mr. Chamberlist: Mr. Chairman, I have marked on page 48, right at the bottom, "a person appointed pursuant to section (8) or (9)". I think there was some discussion on that or was that the second time around?

Mr. Tanner: The second time around.

Mr. Chamberlist: That was the second time around.

Mrs. Watson: These amendments are the amendments that we suggested when we read the bill. We have other amendments that we now have as a result of a YTA meeting representation.

Mr. Chairman: Alright. I just had a question before we go to the next page. Page 50, sub (b) of section 118(1).

Mr. TANNER: IT'S THE SAME. SECOND TIME AROUND, Mr. CHAIRMAN.

Mr. CHAIRMAN: THAT'S OKAY THEN. THAT'S RELATED THE THE DELETION. THE NEXT PAGE IS 52.

Mr. CHAMBERLIST: WE HAVE SOME CORRECTIONS ON PAGE 51.

Mrs. WATSON: Mr. CHAIRMAN, I HAVE IN MY OLD COPY, IT'S NUMBERED AS PAGE 53 AND IT IS NOT. IT IS PAGE 52 ON THE AMENDMENTS. THE CHANGE THERE IS SECTION 127(3). (Mrs. WATSON READS THE SECTION).

Mr. CHAIRMAN: CLEAR?

SOME HONOURABLE MEMBERS: CLEAR.

Mr. CHAIRMAN: NEXT IS PAGE 95.

Mrs. WATSON: Mr. CHAIRMAN, IT IS 96 ON MINE. THE ERROR WAS NOT CORRECTED. I NOTICE IT NOW. IT IS A TYPING ERROR AGAIN ON 223(1). THEY ARE REFERRING TO THE TERRITORIAL COUNCIL AND IT SHOULD BE THE COUNCIL OF THE YUKON TERRITORY. SO MY APOLOGIES TO THE COMMITTEE. I THINK IN THIS ONE WE HAVE SOME NEW SECTIONS AFTER 223. THE LEGAL ADVISER WILL EXPLAIN THESE SECTIONS TO YOU. WE HAVE ADDED SOME, HE THOUGHT THAT FOR AN APPEAL TO THE COURTS ON ADJUDICATION, I BELIEVE IT IS, THAT WE NEEDED THAT SECTION.

Mr. LEGAL ADVISER: Mr. CHAIRMAN, IN CHANGING "BOARD" TO "ADJUDICATOR" IT MEANT THAT THE APPEAL SECTIONS WHICH COVER THE BOARD DID NOT THEN COVER THE ADJUDICATOR. WE PUT IN PRECISELY PARALLEL SECTIONS GIVING AN APPEAL FROM THE ADJUDICATOR. BUT THIS TIME, RATHER THAN TAKING THE COURT OF APPEAL IN VANCOUVER FOR RELATIVELY MINOR THINGS, WE PUT THE APPEAL TO THE SUPREME COURT OF THE TERRITORY HERE IN WHITEHORSE.

Mr. CHAIRMAN: NOW WHAT SECTIONS - WE ARE TALKING FROM 224 ON?

Mrs. WATSON: RIGHT. THOSE ARE ALL NEW SECTIONS, Mr. CHAIRMAN, THAT ARE ON PAGE 95. ON YOUR AMENDED PAGE.

Mr. LEGAL ADVISER: AND ON PAGE 95A.

Mr. CHAIRMAN: Mr. CHAIRMAN READS SECTION 224(1), (2); SECTION 225(1), (2), (3).

Mr. LEGAL ADVISER: Mr. CHAIRMAN, IT SHOULD BE "OR JURISDICTION" IN SECTION 225(3).

Mr. CHAIRMAN: YES I WAS GOING TO SAY - HERE'S A NOTE Mr. CLERK. MADAM CLERK, PARDON ME. GETTING SWITCHED AROUND HERE. (Mr. CHAIRMAN CONTINUES READING SECTION 225(4)). ARE WE CLEAR?

SOME HONOURABLE MEMBERS: CLEAR.

Mr. CHAIRMAN: NEXT PAGE IS 95B.

Mrs. WATSON: Mr. CHAIRMAN, THE ONLY CHANGE OF COURSE THERE IS WE ARE REFERRING TO SECTION 290(1) NOW INSTEAD OF 289. WE HAVE HAD TO DO SOME RENUMBERING BECAUSE OF THE NEW SECTIONS THAT WERE ADDED.

Mr. CHAIRMAN: SO THE NUMBERING IS THE ONLY THING THAT IS CHANGED. COMMITTEE AGREED?

SOME HONOURABLE MEMBERS: AGREED.

Mr. CHAMBERLIST: WHY HAVE WE - - -

Mr. TANNER: Mr. CHAIRMAN, I'M SORRY. I AM A BIT LOST HERE ON THE NUMBERING. ON 95B WHAT IS THE NUMBER OF THE SECTION?

Mrs. WATSON: 290 IS THE NUMBER OF THE SECTION ON 95B.

Mr. TANNER: THANK YOU.

Mr. CHAIRMAN: THE NEXT PAGE IS 96.

Mr. LEGAL ADVISER: THIS IS THE SAME EXCEPT FOR A NUMBER CHANGE, Mr. CHAIRMAN.

Mrs. WATSON: THERE ARE NO CHANGES.

Mr. LEGAL ADVISER: THERE ARE NO CHANGES ON THIS PAGE.

Mr. CHAIRMAN: JUST NUMBER CHANGES. THERE WAS ONE OTHER POINT AT WHICH THE COUNCIL OF THE YUKON TERRITORY WAS MENTIONED. HAS THAT BEEN PROVIDED FOR?

Mrs. WATSON: YES. THAT'S IN AN AMENDED SECTION AS A RESULT OF THE YTA'S REPRE-

SENTATION. IT WAS PICKED UP.

MR. CHAIRMAN: WE HAVE A NEW PAGE 97.

MR. LEGAL ADVISER: NO CHANGES THERE, MR. CHAIRMAN.

MR. CHAIRMAN: YES THERE HAS BEEN A CHANGE. THERE WAS A CHANGE IN 293(2).

MR. CHAMBERLIST: THAT'S 98, PAGE 98, THAT'S RIGHT - 97. THAT'S RIGHT.

MR. CHAIRMAN: NEW PAGE 97 WHICH WAS OLD PAGE 98.

MR. CHAMBERLIST: THE WORDS "OF THE SAID ORDINANCE" HAVE BEEN PUT IN.

MR. CHAIRMAN: SUBSECTION (2) OF 293. (MR. CHAIRMAN READS SECTION 293(2)). SO THE NUMBERING IS ALSO CHANGED.

MR. CHAMBERLIST: THAT SHOULD BE PART IX?

MRS. WATSON: YES.

MR. LEGAL ADVISER: THE LAST PART YOU HIT OF THE SUBSTANTIVE ORDINANCE IS PART VIII. THEN PART IX COMES. ON PAGE 95 YOU COMMENCE PART X.

MR. TANNER: MR. CHAIRMAN, I'M SORRY, BUT I'M SURE OTHER HONOURABLE MEMBERS MIGHT HAVE THE SAME PROBLEM. I'VE GOT ESTABLISHED 95B THE SECTION IS 290. ON PAGE 96 - WOULD THE MEMBER FROM CARMACKS-KLUANE CORRECT ME - ARE THEY 291, 292 AND 293?

MRS. WATSON: YES.

MR. TANNER: ON PAGE 97 WE HAVE 294, 295 AND 296.

MRS. WATSON: RIGHT.

MR. TANNER: ON PAGE 98 WE HAVE - - -

MRS. WATSON: I DON'T HAVE A PAGE 98.

MR. TANNER: PAGE 98 IS DEAD NOW IS IT? THANK YOU.

MR. CHAIRMAN: ATTACHED TO THIS ORDINANCE WE HAVE A SCHEDULE RESPECTING THE DATE SCHOOL

YEARS COMMENCE; THE DAY AND WEEK CHRISTMAS FALLS; THE DAY CHRISTMAS VACATION COMMENCES; AND THE DATE SCHOOL COMMENCES AFTER CHRISTMAS VACATION WHICH I ASSUME TO BE SCHEDULE A. IS THAT CORRECT?

MRS. WATSON: THAT'S RIGHT MR. CHAIRMAN.

MR. LEGAL ADVISER: THERE'S ONLY ONE SCHEDULE. IT DOESN'T REQUIRE A NUMBER UNTIL YOU HAVE MORE THAN ONE.

MRS. WATSON: MR. CHAIRMAN, WITH RESPECT. I BELIEVE THERE ARE OTHER SCHEDULES ATTACHED TO THE ORIGINAL ORDINANCE AND IT IS NOT SCHEDULE A. IT'S A DIFFERENT NUMBERING. THE ATTACHED SCHEDULES TO THE ORIGINAL ORDINANCE WHICH WE ARE AMENDING HAVE TO DEAL WITH APPLICATIONS FOR SCHOOL BOARDS AND THE BALLOTS FOR SCHOOL BOARDS AND THIS TYPE OF THING. THE OLD PART II WHICH IS NOW PART IX.

MR. CHAIRMAN: THE CHAIR WOULD ENTERTAIN A MOTION AT THIS TIME THAT THE AMENDMENT BE ACCEPTED AS READ. IS THERE A SECONDER?

MRS. WATSON: I WILL SECOND THE MOTION MR. CHAIRMAN.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR TANNER, SECONDED BY COUNCILLOR WATSON THAT THE AMENDMENT TO BILL NO. 7 BE ACCEPTED AS READ.

MR. STUTTER: MR. CHAIRMAN, THERE ARE FURTHER AMENDMENTS COMING ARE THERE NOT ON THAT SECOND PART?

MR. CHAIRMAN: ON WHICH PART?

MR. STUTTER: SECOND READING OF PART IX OR PART VIII.

MR. CHAIRMAN: SORRY, I THOUGHT YOU HAD ALL THE AMENDMENTS IN.

MRS. WATSON: MR. CHAIRMAN, I'M SORRY. I THOUGHT YOU WANTED TO VOTE ON THE AMENDMENTS WHICH WE NOW HAVE COMPLETED.

MR. CHAIRMAN: SORRY. I ASSUMED YOU HAD THEM ALL HERE.

MRS. WATSON: NO THERE IS ANOTHER PACKAGE WHICH YOU CAN DEAL WITH THIS AFTERNOON.

MR. CHAIRMAN: WELL I'M GLAD SOMEBODY SAID THAT. I WAS UNDER THE IMPRESSION THAT ALL THE AMENDMENTS WERE HERE.

HOW LONG WILL IT TAKE TO GET ALL THE AMENDMENTS TOGETHER FOR THIS BILL?

MRS. WATSON: THEY'RE RIGHT HERE. WE WERE DISTRIBUTING THESE AT COFFEE BREAK AND YOU ASKED US NOT TO, BECAUSE IT WOULD CONFUSE US.

MR. CHAIRMAN: IT'S GETTING MORE LIKE A SECRET SOCIETY EVERYDAY.

THE NEXT AMENDMENT IS PAGE 31. AND THIS COMBINES ALL OF THE AMENDMENTS NOW, RIGHT?

MRS. WATSON: NO, MR. CHAIRMAN, THESE ARE THE ADDITIONAL AMENDMENTS. THIS ISN'T THE COMBINATION. HANG ONTO THE ONES YOU JUST HAD AND ADD THESE.

MR. CHAIRMAN: LET'S CIRCULATE THESE THINGS SO THAT EVERY MEMBER GETS ALL THE AMENDMENTS AND THEN WE CAN DEAL WITH THEM.

MR. TANNER: MR. CHAIRMAN, WHAT WE'VE GOT HERE IN FRONT OF US IS THE FINAL AMENDMENT OF THE SECOND OR THIRD TIME THAT Y.T.A. CAME AND I ASSUME OTHER MEMBERS DID WHAT I DID. I'VE GOT THE FULL SET NOW, OTHER THAN THE AMENDMENTS, I'VE GOT THE NOTES THAT CAME FROM MR. HERON AND THEY WILL TIE IN WITH THESE AMENDMENTS. AFTER THAT, I HOPE PLEASE GOD, THAT WE'RE FINISHED. THESE THEN WILL REPRESENT THE LAST OF THE AMENDMENTS TO BE CONSIDERED.

MR. CHAIRMAN: THERE ARE NO MORE OTHER THAN IF THEY ARRIVE OUT OF THIS DEBATE. THANK GOD, ALRIGHT. THE FIRST ONE IS PAGE 31.

MRS. WATSON: YES, MR. CHAIRMAN, AND IT IS A NEW SUBSECTION (3) ADDED ONTO SECTION 79. WHERE THERE WAS A REQUEST MADE THERE WOULD BE SPECIAL CONSIDERATION BEING GIVEN IF A SPECIAL CIRCUMSTANCE AROSE WHERE A TEACHER WOULD HAVE TO REQUEST THEIR APPLICATION TO RESIGN TO BE ACCEPTED BY THE DEPARTMENT. WE HAVE MADE THAT PROVISION IN SUBSECTION (3).

MR. CHAIRMAN: WASN'T A QUESTION OF MUTUAL CONSENT RAISED HERE TOO?

MR. LEGAL ADVISER: THAT IS MUTUAL CONSENT, MR.

CHAIRMAN. THE TEACHER WANTS TO RESIGN AND THE SUPERINTENDENT IS GOING TO LET HIM.

MR. CHAIRMAN: I SEE, OKAY. THAT IS THEN SUBSECTION (3).

MR. CHAIRMAN READS AMENDED SECTION 79 (3).

MR. CHAIRMAN: AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. LEGAL ADVISER: PAGE 31 CONTAINS NOTHING. IT IS THE TYPING. JUST GO ONTO THE NEXT PAGE.

MR. CHAIRMAN: NEXT PAGE IS 49.

MRS. WATSON: ON PAGE 49 THERE WAS AN AMENDMENT MADE TO THE DEFINITION OF STRIKE. THE YTA HAD SOME EXCEPTION TO THE PHRASEOLOGY OF "LIMIT OF OUTPUT". THAT IS ACTUALLY PAGE 50 ON THE OLD ONE. WE HAVE CHANGED IT, "THAT IS DESIGNED TO RESTRICT OR LIMIT THE WORK OF EMPLOYEES."

MR. STUTTER: IS THE NUMBERING OF THE PAGE WRONG ON THIS ONE? MY 49 AND THE REPLACED 49 AND THE PRESENT 49 DON'T SEEM TO BE THE SAME ONE.

MRS. WATSON: NO, THEY ARE NOT, MR. CHAIRMAN. WE ARE DEALING WITH SECTION 118. ACTUALLY IT IS MY OLD 50. SOMEBODY HAS DONE SOME RETYPING. IT IS THE DEFINITION OF STRIKE AND IT IS SECTION 118 JUST BEFORE THE PART ON BASIC FREEDOMS.

MR. LEGAL ADVISER: THAT IS SUB (B) MR. CHAIRMAN. THE DEFINITION OF STRIKE. WE HAVE CHANGED PARAGRAPH (B) OF THAT DEFINITION BY TAKING OUT THE WORD "OUTPUT", WHICH HAS AN INDUSTRIAL CONNOTATION, AND PUTTING IN "WORK" WHICH IS A PROFESSIONAL CONNOTATION.

MR. CHAMBERLIST: WE HAVE OVERRUN OURSELVES. I RAISED A QUESTION DEALING WITH 118 (D) WHICH DEALS WITH THIS TEN MONTH PERIOD OF A TEMPORARY PERSON WHO IS NOT BEING ALLOWED TO BE BARGAINED FOR. THIS QUESTION HAS ALSO BEEN RAISED BY THE YTA.

MR. LEGAL ADVISER: THIS IS TRUE. THE HONOURABLE MEMBER DID RAISE THIS POINT. BUT THE POINT DIDN'T HAVE SUFFICIENT MERIT, QUITE SUFFICIENT MERIT TO MERIT A CHANGE.

Mr. Chamberlist: You might consider that.

Mr. Legal Adviser: It is subject to discussion, Mr. Chairman.

Mr. Chamberlist: Thank you, Mr. Chairman, could we deal with the questions that have been raised not simply only those amendments that have been brought forward by the Administration. I think the position was made quite clear with YTA and I certainly felt many members of Council here agree that it is most improper to have somebody employed for 10 months before he can be part of a bargaining unit. To take away from that person the complete position of being an employee. He is not an employee if he can't be bargained for. Surely that is the interpretation of employee as well.

Mr. Legal Adviser: The definition of employee only applies to this part. He is an employee but he is not an employee within the definition section of this particular part for the purposes of the operation of this part of the Ordinance. He would be governed by regulations made in affinity with this. This is in common with casual and temporary employees in every industry in this Territory and in every public service in Canada.

Mr. Chamberlist: This is not so. Even in our own Public Service Ordinance they have a period of six months in any event. This is 10 months so it is not the same and any suggestion that it appears to be the same is wrong. Why cannot we have in this legislation where a person is employed for any period of ten months in a year, or any period of six months in a year, because of the fact that they can be put off if they are not needed temporarily. As Mr. Legal Adviser is aware, Mr. Chairman, what the public service is doing today and what we tried to stop some seven or eight years ago. The casual people who are employed and then after six months to comply they lay somebody off for a couple of days then take them on again. They are employed for about 12 months but they are laid off for a couple of days and then they cease to get into the bargaining unit that way. Isn't that correct?

Mr. Legal Adviser: There are objectionable features about it but we are down to a practical matter of dealing between employer

and employee. The principle that is created here is that unless a person becomes more than a casual or a brief employee than he does not come within the full privileges and powers of the bargaining unit. His pay will be bargained for by the bargaining unit but he himself, as an individual, does not become a full member of the bargaining unit for the purposes of Part VIII.

This is the principle. It is a question of practical common sense. At what point do you give him this privilege. Under the Public Service Ordinance here it is six months. Under the Public Service Act of Canada it is six months. This has resulted in quite an objectionable practice to which the Honourable Member has referred. When a person is engaged for a certain period the head of the department releases him for one day so that he becomes technically unemployed for one day and is then rehired. This is a continuous practice, especially in the Yukon in the Engineering Department where people are employed annually, not necessarily the same people, but annually there is a big number of people that are employed and they are released after five months and twenty-nine days and rehired if appropriate to finish out the building season, which in practice operates over a period of seven and a half months.

If we had the power, if the Public Service Ordinance was able to, we would extend the period of a casual from the six months to seven and a half months in respect of public service employees in the Territory in order to avoid the objectionable feature of releasing them for one day.

Applying, therefore, that reasoning to the teacher situation we sat down and considered what could be the reasonable period which would be the maximum that the Superintendent could hire a casual for within his framework, either by a contract or as a casual. It turned out in discussion that the period, a reasonable period would be a full school year which is expressed in time as ten months. If the period is lessened to say five months, six months, seven months it only has the effect that in order to prevent the person from coming within the bargaining unit and going on to a different set of rules and becoming a permanent employee accidentally, the fair period is ten months.

There is nothing in here as to how you deal

WITH CASUALS. I COULD NOT TELL YOU SOME OF THE EFFECTS THAT WOULD HAPPEN IF A PERSON IS ACTUALLY EMPLOYED BEYOND TEN MONTHS. IT IS GOING TO BE DIFFICULT TO TAKE HIM OFF THE STRING. HE BECOMES A PERMANENT THROUGH THE BACK DOOR. THIS IS ONE OF THE THINGS WHICH IS VERY OBJECTIONABLE FROM A PERSONNEL CONTROL POINT OF VIEW BECAUSE IT ENABLES DEPARTMENTS AND HEADS OF DEPARTMENTS TO EVADE THE RESTRICTIONS WHICH ARE PLACED ON THEM WITH REGARD TO HIRING PERMANENT EMPLOYEES. AND THOSE RESTRICTIONS ARE PLACED ON THEM BY THIS COUNCIL IN THE ALLOCATIONS OF MONIES.

THIS IS AN EXPRESSION OF THE POWER OF THE COUNCIL AND THE CONTROL OF THE COUNCIL OVER THE UNILATERAL GROWTH OF TEACHERS WITHOUT CONTROL OF THIS HOUSE.

MRS. WATSON: MR. CHAIRMAN, I DON'T THINK THAT THE HONOURABLE MEMBERS REALIZE THAT WE DO NEED RELIEF, OR CASUAL OR TEMPORARY EMPLOYEES FOR A TEN MONTH PERIOD, THERE ARE TIMES. I MENTIONED THE OTHER DAY, TEACHERS WHO ARE ON MATERNITY LEAVE. RATHER THAN BREAK UP A SCHOOL YEAR FOR A CHILD SOMETIMES TEACHERS REQUEST A YEAR OFF FOR THE MATERNITY LEAVE AND WITH THE RIGHTS TO COME BACK AFTER. WE DON'T HAVE TO COMPLY WITH THAT. BUT IF WE ARE ABLE TO GET SOMEBODY WHO WAS PREPARED TO TEACH FOR THAT FULL YEAR, WE TRY TO DO THAT. BECAUSE IT IS BETTER FOR THE CLASSROOM IF THEY'RE NOT CHANGING INSTRUCTORS IN THE MIDDLE OF THE YEAR.

WE ALSO SOMETIMES HAVE TO DO THIS WHEN WE HAVE PEOPLE, THREE TEACHERS A YEAR, WHO ARE ENTITLED TO SABBATICAL LEAVE AND THAT SABBATICAL LEAVE IS FOR STUDY. AND THEIR STUDY PERMITS THEM TO BE AWAY A WHOLE YEAR OR TEN MONTHS TEACHING. SO VERY OFTEN WE TRY TO GET A TEMPORARY EMPLOYEE TO REPLACE THAT PERSON BECAUSE IF WE GET A PERMANENT EMPLOYEE AND THE OTHER EMPLOYEE COMES BACK YOU MAY FIND YOURSELF OVERSTAFFED OUTSIDE THE LIMITS OF YOUR BUDGET. SO IF THE PERSON WHO GOES ON STAND-IN AND MANY OF THESE PEOPLE THAT WE HAVE WHO WORK FOR US ON A CASUAL OR RELIEF BASIS DO NOT WANT TO GO ON AS PERMANENT EMPLOYEES. THEY DON'T WANT TO BE TIED TO THE JOB AS A PERMANENT EMPLOYEE. THEY ARE NOT SURE THEY ARE GOING TO BE HERE THAT LONG. SOME OF THEM HAVE FAMILIES AND HAVE PROBLEMS GETTING BABY-SITTERS AND THIS TYPE OF THING. AND THESE TEMPORARIES AND CASUALS THAT WE HAVE, BOTH AS SUBSTITUTE TEACHERS AND RELIEF TEACHERS CHANGE VERY, VERY MUCH FROM YEAR TO YEAR.

SO IT APPEARS TO ME THAT WE SHOULD MAKE SOME PROVISION BECAUSE A NORMAL WORK PERIOD IN A SCHOOL IS A TEN MONTH PERIOD. NOW IF WE PUT SIX MONTHS IN THERE ALL WE COULD DO IF WE HAD A REQUEST FOR MATERNITY LEAVE AND THERE IS SOMEONE IN THAT COMMUNITY WHO IS PREPARED TO TAKE OVER THAT CLASSROOM FOR A YEAR, WE WOULD HAVE TO SAY TO THAT TEACHER; WE CAN ONLY ENSURE YOU EMPLOYMENT FOR SIX MONTHS AND THEN WE WOULD HAVE TO TERMINATE YOU AND REHIRE YOU UNTIL THE END OF THE YEAR. OR THEY ARE GOING TO SAY; WELL HOW DO I KNOW YOU'RE GOING TO? I'M NOT GOING TO TAKE IT." SO ACTUALLY YOU COULD BE DOING QUITE A DISSERVICE FOR A CLASSROOM TO BREAK IT UP IN THE MIDDLE OF THE YEAR. IT'S FOR THAT REASON TOO THAT I THINK WE SOMETIMES HAVE TO THINK OF OUR CHILDREN IN OUR CLASSROOMS TOO WHEN WE MAKE DECISIONS IN THIS REGARD.

MR. CHAMBERLIST: I ALWAYS THINK OF THE CHILDREN IN OUR CLASSROOMS NOT JUST SOMETIMES. MR. CHAIRMAN, I KNOW OF AN INSTANCE AT LEAST ONE, WHERE THERE IS AN EMPLOYEE IN THE ENGINEERING DEPARTMENT WHO HAS BEEN A TEMPORARY EMPLOYEE FOR ALMOST SIX YEARS. NOW, I'M SIMPLY PUTTING IT TO YOU MR. CHAIRMAN, FOR THE MEMBERS OF COUNCIL, THAT ALLOWING THIS TO REMAIN, ANY TEACHER WHO IS EMPLOYED EVERY YEAR FOR LESS THAN TEN MONTHS CAN BE EMPLOYED AS A RELIEF BUT WITHIN THIS SECTION, IS NOT AN EMPLOYEE AND CAN BE IN THAT POSITION ALSO FOR SIX YEARS. I'M SURE MR. LEGAL ADVISER AGREES WITH ME THAT THIS CAN WELL HAPPEN. SO THAT YOU HAVE A LONG TERM PERSON WHO IS EMPLOYED, IS NOT AN EMPLOYEE. BECAUSE THE RESTRICTION IS WITHIN THE MEANING THAT AN "EMPLOYEE MEANS A PERSON EMPLOYED OR APPOINTED BY THE COMMISSIONER PURSUANT TO SECTION 11, BUT DOES NOT INCLUDE A PERSON EMPLOYED ON A RELIEF, CASUAL OR TEMPORARY BASIS UNLESS HE HAS BEEN SO EMPLOYED FOR MORE THAN TEN CONSECUTIVE AND CONTINUOUS MONTHS IN ANY CONTINUOUS PERIOD OF TWELVE MONTHS." THAT'S WRONG. WHY SHOULDN'T AN EMPLOYEE RECEIVE THE BENEFIT OF BEING AN EMPLOYEE OF THE TERRITORIAL GOVERNMENT, AND HE DOESN'T RECEIVE THAT BENEFIT BECAUSE HE IS RESTRICTED FROM RECEIVING THAT BENEFIT OF BEING PART OF THE BARGAINING UNIT. AND IT'S SO WRONG FOR US AROUND THIS TABLE TO CONDONE LEGISLATION THAT WOULD PREVENT A PERSON AFTER HAVING SO MUCH SENIORITY. BECAUSE THIS IS WHAT IT WOULD MEAN. A PERSON FOR SIX YEARS EMPLOYED BY THE TERRITORIAL GOVERNMENT FOR LESS THAN TEN MONTHS EACH YEAR, MIGHT BE TEN MONTHS LESS A DAY EACH YEAR, HASN'T GOT THE SENIORITY THAT A PERMANENT TEACHER WHO IS EMPLOYED FOR TEN MONTHS ONLY. BECAUSE ONE IS A CASUAL AND

ONE IS PERMANENT.

So I think that we have to overcome, somehow, this particular area of objection which I think in this instance, the Y.T.A. have got a pretty sound objection. They say "we want them in the bargaining unit." I see no reason why they can't be in the bargaining unit even if they are a casual employee. But why not to cover it all, say an employee is not an employee unless within any period of one year he has ten months of employment. We can't we say that?

Mr. Legal Adviser: Mr. Chairman, there are ways around it. We've chosen this way. There is no question that the employer must have the right to bring in casuals into the system and be able to let casuals go. It's a question of choosing what is the practical period of time to which to limit this power. Now we have chosen one school year. We have chosen it in the interest of the people themselves, in the interest of the school and in the interest of the system. It's a matter for the House. I don't really mind what period goes in there. It doesn't have to be the most convenient period. It can be the most inconvenient. It can be reduced to a week, but then we would just rehire a person every Friday, which would be stupid. But this is the way the section operates in every Department of the Federal Government and in every Department of every Provincial Government. In order to get out of the restriction of the time period, the person is released one day ahead of time. And it's not fair to anybody that this should actually be done.

Now I'm not aware and I don't think Mr. McPhail is aware of anybody in the Engineering Department who was continuously employed as a temporary for any period of time. Except with the employee's wish. Because there are a large number of employees who find that their pay is markedly different, their deductions are quite different if they stay as temporaries, coming back year after year. And they vehemently oppose any suggestion that they be moved into the bargaining unit. I don't intend to challenge the Member, but he should be aware that this happens in the Engineering Department with the wish of the employees concerned.

Mr. Chamberlist: Well I would agree if you had in there that with the wish of the employee concerned.

You know, if you had that in there but now, Mr. Legal Advisor is putting in another area for consideration. I'm saying that this without the wishes of the person concerned. But perhaps after lunch some consideration could be given to this particular point. I follow the point Mr. Legal Advisor is saying.

Mr. Legal Advisor: If it is the wish of the House I am prepared to think the matter over, during a good lunch.

Mr. Chairman: Well at this time I'll stand Committee in recess until 2 o'clock.

RECESS

Mr. Chairman: At this time we will call Committee to order. We are discussing Bill No. 7 and I believe we are at page 50.

Mr. Chamberlist: Well, perhaps Mr. Chairman, we should be able to carry on with this with the Member for Education. After all this is her Bill.

Mr. Chairman: Well it's now past 5 after 2 in Committee and possibly we could get done what work we can in this matter. Would you continue with your discussion on page 50.

Mr. Chamberlist: I have no further comment to make. I've made my stand and I think it's wrong to allow legislation that would stop people who are employed for just a day or two short of ten months not to be given the same collective bargaining rights which the other employees are getting. That's all I have to say about it and I won't go beyond that.

Mr. Chairman: I take it then that, from the Chair, that 118 (b) has been changed by taking the words "or limit" out and putting the words "or limit the work of employees" in. Is that correct?

Mrs. Watson: Right, Mr. Chairman.

Mr. Stutter: Mr. Chairman, I have just one question on the method of numbering on that particular section. How would Mr. Legal Advisor, how would one refer to the second (b) on page 50. It seems like it's an odd way of..

Mr. LEGAL ADVISOR: No, Mr. CHAIRMAN. POSSIBLY THE TYPING MIGHT BE IMPROVED AND IT WOULD BE CLEAR IN THE PRINTING. IT USED TO BE THAT POSITION THAT YOU NUMBERED ALPHABETICALLY EACH DEFINITION SO THAT ROUND ABOUT (S) YOU WOULD BE SOMEWHERE AROUND (X) AND YOU HAVE AN (X) IN A BRACKET WHICH WOULD BE A SUB-PARAGRAPH AND THEN YOU WOULD HAVE A DEFINITION OF "STRIKE".

WE HAVE DESISTED FROM THIS PRACTICE SO THAT YOU CAN ADD DEFINITIONS WITHOUT HAVING TO RE-NUMBER ALL THE PARAGRAPH NUMBERS ABOVE AND BELOW AND WE JUST USE PURE ALPHABETICAL ORDER NOW. SO, IF I WAS REFERRING TO AN AMENDMENT TO THE WORD "STRIKE" IN A FORMAL WAY, I WOULD SAY AMEND THE DEFINITION "STRIKE" IN SUB-SECTION (1) OF SECTION 118. DOES THAT MAKE IT CLEAR?

Mr. STUTTER: No, Mr. CHAIRMAN. WHAT I AM GETTING AT IS IF YOU WANTED TO REFER TO THAT SECOND PARAGRAPH YOU HAVE TO SAY 118 (c)(A).

Mr. LEGAL ADVISOR: YOU WOULDN'T, Mr. CHAIRMAN, YOU WOULDN'T REFER TO IT IN THE NORMAL WAY AT ALL. YOU WOULD REFER TO IT AS THE DEFINITION OF "STRIKE" IN SECTION 118. OR, PARAGRAPH (B) OF THE DEFINITION "STRIKE", IN SECTION 118.

Mr. STUTTER: WELL, IT DOESN'T MAKE ANY DIFFERENCE TO ME, Mr. CHAIRMAN, AS LONG AS YOU KNOW WHAT YOU ARE REFERRING TO.

Mr. TANNER: Mr. CHAIRMAN, I'M SORRY I'M CONFUSED. IT SEEMS I HAVE THREE 49'S AND ONE 50.

Mrs. WATSON: THAT'S YOUR PROBLEM.

Mr. TANNER: YEA, BUT I WONDER IF SOMEBODY COULD HELP ME SORT IT OUT, Mr. CHAIRMAN. WHAT IS THE FIRST LINE ON 49 THAT WE WANT INSTEAD OF ?

Mr. LEGAL ADVISOR: (B) "ANY PERSON WHO" AND THE KEY TO THE CHANGE IS WHETHER THE WORD "OUTPUT" IS CONTAINED IN THE SECOND PARAGRAPH OF THE DEFINITION OF "STRIKE". THE LAST WORD IN THAT DEFINITION, IMMEDIATELY BEFORE "UNIT".

Mr. TANNER: THANKS, Mr. CHAIRMAN.

Mr. CHAIRMAN: ALRIGHT. NEXT PAGE IS PAGE 72.

Mr. CHAMBERLIST: WELL LOOK, Mr. CHAIRMAN, I UNDERSTOOD THE WITNESS WHO WAS BEFORE US RAISED SOME QUESTION WITH REFERENCE TO PAGE 51, SECTION 121 (1) WITH REFERENCE TO THE NAME BEING CALLED THE YUKON TEACHERS STAFF RELATIONS BOARD. WE

SUPPOSED TO HAVE AN INTERPRETATION OF WHAT ACTUALLY IS THE YUKON TEACHERS STAFF RELATIONS BOARD.

Mr. LEGAL ADVISOR: WE DEFINED "BOARD" FOR THIS PART AS DIFFERENT FROM THE THREE OR FOUR OTHER BOARDS THAT WE HAVE IN THIS TOTAL ORDINANCE AS BEING THE PEOPLE APPOINTED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND WE HAVE GIVEN IT A NAME WHICH WE HAD TO GIVE IT A NAME. IT CONSISTS OF A CHAIRMAN WHO IS APPOINTED PURSUANT TO SUBSECTION (2) THE OTHER MEMBERS ARE APPOINTED UPON THE RECOMMENDATION OF THE CHAIRMAN. NOW, ALL THE GOVERNMENT CAN DO IS TO STATE ITS INTENTION, IF THE APPOINTMENT IS ACCEPTED, OF ITS APPOINTING Mr. JACOB FINKELMAN THE CHAIRMAN OF THE PUBLIC SERVICE STAFF RELATIONS BOARD OF CANADA TO BE THE CHAIRMAN OF THIS BOARD AND TO CONTINUE TO MAKE THAT APPOINTMENT REGARDLESS OF WHO THE CHAIRMAN HAPPENS TO BE FOR THE TIME BEING.

IT WOULD BE IMPOSSIBLE TO JUST SAY STRAIGHT, HE SHALL BE THE CHAIRMAN OF THE CANADA PUBLIC SERVICE STAFF RELATIONS BOARD BECAUSE THE NAME OF THAT BOARD MAY BE CHANGED. THE FUNCTIONS OF THE BOARD MAY CHANGE AND WE WILL BE FORCED IN PERHAPS EIGHT YEARS TO COME BACK TO THE HOUSE AND SAY THIS BOARD IS NO LONGER WILLING TO ACT FOR US FOR CERTAIN REASONS, AND THEN WE WOULD ASK, I PRESUME, THE ADVICE OF THE HOUSE AT THAT TIME AS TO WHAT WE WOULD DO. I WOULD SERIOUSLY ADVISE AGAINST LOCKING US INTO A POSITION FROM WHICH WE MIGHT BE UNABLE TO EXTRACT OURSELVES.

Mr. CHAMBERLIST: YEA, I'LL BUY THAT. I THINK IT'S A SOUND REASON. WHAT ABOUT IN 122, I THINK THE QUESTION WAS RAISED OF THOSE LAST TWO OR THREE WORDS "FOR ANY PURPOSE WHATSOEVER". THAT IS DEALING WITH PRIVATE CONTRACTORS OR CONTRACTING WORK OUT FOR ANY PURPOSE WHATSOEVER. WHAT IS THE "ANY PURPOSE WHATSOEVER"?

Mr. LEGAL ADVISOR: IN SUBSECTION (2) OF SECTION 120 AT THE TOP OF PAGE 50. I, Mr. CHAIRMAN, HAVE NO OBJECTION TO IT BEING TAKEN OUT. THEY ADD VERY LITTLE EXCEPT TO MAKE IT CLEAR THAT THE POWER IS A WIDE ONE AS OPPOSED TO A NARROW ONE. IT'S JUST, I SUPPOSE, AN ATTEMPT TO MAKE LEGISLATION CLEAR TO OUTSIDERS WHO ARE NOT FAMILIAR WITH THE TECHNICAL TERMS, THAT'S ALL. IT DOESN'T CHANGE THE MEANING OF THE PHRASE WHETHER IT'S IN OR NOT.

Mr. CHAIRMAN: RIGHT. THE NEXT PAGE IS 72

WHICH IS PAGE 73 IN THE NEW BINDER. I BELIEVE THE AMENDMENT WAS THE REMOVAL OF THE WORDS "OR CONFIDENTIAL" IN SECTION 157 (2). IS THIS CORRECT?

MR. LEGAL ADVISOR: YES, MR. CHAIRMAN.

MRS. WATSON: THAT'S RIGHT, MR. CHAIRMAN.

MR. CHAMBERLIST: YOU SEE, WE'RE RUNNING OVER INTO JUST THE AMENDMENTS THAT HAVE BEEN GIVEN BUT NOTHING IS BEING SAID ABOUT THE AMENDMENTS THAT WERE DISCUSSED IN BETWEEN. FOR INSTANCE, I HAVE MARKED 130 WHERE THE QUESTION WAS RAISED ABOUT THE BOARD BEING ABLE TO REFER THE MATTER TO THE COURT. AND THE COURT MAY MAKE SUCH ORDER IN RESPECT OF THE REFERENCE HE DEEMS APPROPRIATE. BUT THE QUESTION THAT I ASKED WAS WHETHER THE INDIVIDUAL COULD ALSO REFER THE MATTER TO THE COURTS. I RECALL THE MEMBER FROM CARMACKS-KLUANE SAID, YES, IT WOULD BE BOTH WAYS. IT'S SECTION 130 AND IT'S (B).

MR. LEGAL ADVISOR: YES, I CAN REMEMBER THE POINT. IT SAYS THE BOARD SHALL REFER THE MATTER TO THE COURT. AND THIS AROSE IN CONNECTION WITH TWO DIFFERENCES OF APPROACH TO THE QUESTION OF SUMMONING A WITNESS WHO HAD REFUSED TO APPEAR. BUT THIS SECTION INTENDS TO SAY THAT WHERE A WITNESS FAILS TO APPEAR AND THERE IS A REQUIREMENT TO BRING THE WITNESS THERE BY FORCE OR TO PRODUCE A PIECE OF EVIDENCE WHICH A WITNESS HAS IN HIS POSSESSION AND REFUSES TO PRODUCE THAT THING WHICH IS USUALLY GOING TO BE A DOCUMENT. THE BOARD INSTEAD OF BEING THE ORDERING BODY TO SAY TO THE POLICE "BRING THAT MAN IN HERE AND TAKE THE BOOK OUT OF HIS POCKET" IT WILL REFER THE MATTER TO THE SUPREME COURT AND REQUEST THE COURT TO ENFORCE IT ON ITS BEHALF.

THAT'S WHAT IT DOES. THE BOARD THEN REFERS THE QUESTION TO THE COURT. IT WILL NEVER ARISE THAT A PRIVATE INDIVIDUAL WOULD REFER A MATTER SUCH AS THIS TO THE COURT.

MR. CHAMBERLIST: WELL, THE POINT THAT I MAKE IS THAT A WITNESS MAY ASK FOR A DOCUMENT TO COME FROM THE EMPLOYER AND THE BOARD SAYS, "IN OUR OPINION IT'S NOT NECESSARY TO HAVE THAT DOCUMENT." WHY SHOULDN'T THE WITNESS BE ABLE TO REFER IT TO THE COURT.

MR. LEGAL ADVISOR: UNDER THE OVERALL APPEAL SECTION, THIS WOULD THEN BE A MATTER OF LAW, DO YOU FOLLOW? THE BOARD WOULD DECIDE, AS A MATTER OF LAW, THE DOCUMENT IS NOT NECESSARY. THEN

THAT SINGLE THING CAN BE APPEALED BY AN INDIVIDUAL UNDER THAT SECTION WHICH IS FOUND AROUND ABOUT 210 OR 215. THAT THEN BECOMES A QUESTION OF LAW AND JURISDICTION AND CAN BE REFERRED TO THE COURT FOR IMMEDIATE ORDER.

MRS. WATSON: IT'S 215. EXCUSE ME MR. CHAIRMAN.

MR. CHAIRMAN: ARE WE CLEAR THEN ON THE AMENDMENT FOR 157 (2).

MR. CHAMBERLIST: WELL, I WONDER. PLEASE, MR. CHAIRMAN, CAN I GO THROUGH MY SHEETS TO SEE MY OTHER MARKINGS? WE'RE JUMPING, JUST GOING ON TO SHEETS THAT ARE BEING BROUGHT FORWARD.

MR. CHAIRMAN: THE CHAIR, I WOULD JUST LIKE TO SAY THIS. THE CHAIR HAS NO NOTE OF WHAT EACH INDIVIDUAL HAS MARKED ON HIS OWN LEGISLATION. THAT'S A PREROGATIVE OF ANY MEMBER BUT I'VE ONLY MARKED THOSE AREAS THAT WERE QUESTIONED BY COMMITTEE AND REQUESTED TO CHANGE.

MR. LEGAL ADVISOR: IF I MAY INTERVENE, MR. CHAIRMAN. PERHAPS THE CONVENIENT THING WOULD BE FOR THE CHAIR TO INDICATE THE NEXT SECTION WHICH IS BEING AMENDED AND TO ASK ANY INDIVIDUAL MEMBER IF THERE IS ANY POINT TO BRING UP BETWEEN THE CURRENTLY BEING DISCUSSED SECTION AND THE SECTION ABOUT TO BE DISCUSSED. THEN WE COULD TAKE IT CONVENIENTLY IN ORDER AND IT GIVES THE HONOURABLE MEMBER TIME TO FIND HIS PENCIL MARKS IN HIS BOOK.

MR. CHAIRMAN: WELL, EVERY MEMBER HAS A PERFECT RIGHT AT ANY TIME TO RAISE ANYTHING HE WANTS TO. I'M ONLY BRINGING TO THE ATTENTION OF COMMITTEE THOSE AREAS TO BE AMENDED.

HAVE WE THEN ANYTHING UP TO PAGE 73?

MR. CHAMBERLIST: WELL, MR. CHAIRMAN, I HAVE ON PAGE 68, 149 (2) WE HAVE CROSSED OUT THE WORD "UNIT" AND PUT IN THE WORD "AWARD".

MRS. WATSON: MR. CHAIRMAN, THAT WAS TAKEN AS A TYPOGRAPHICAL ERROR AND SO WE DIDN'T RE-TYPE ALL OF THOSE PAGES. BUT THAT IS NOTED, MR. CHAIRMAN.

MR. CHAIRMAN: RIGHT. SECTION 157 (2). ARE YOU AGREED? ARE WE CLEAR?

MRS. WATSON: YES, THERE WERE TWO CORRECTIONS. TAKING OUT "CONFIDENTIAL" AND THEN A CROSS REFERENCE IN 156. IN SUB (1)(B) WE HAD 117(2)

(D). IT'S JUST ANOTHER LITTLE ERROR.

MR. CHAIRMAN: ALRIGHT, THE NEXT PAGE IS 77.

MR. CHAMBERLIST: ON PAGE 75 I HAVE 161 (1) THE WORDS READ "THE CHAIRMAN MAY APPOINT THE MEDIATOR WHO SHALL". THERE WAS A QUESTION THERE AS TO WHETHER THE CHAIRMAN SHOULD BE COMPULSORY.

MR. LEGAL ADVISOR: MR. CHAIRMAN, ON RECONSIDERATION THEN THERE IS A SECTION WHERE MR. HERON SAW A NASTY GLINT IN MY EYE AND IT WAS HIS REQUEST TO HAVE THAT CHANGED.

MR. CHAMBERLIST: AND THE SAME THING APPLIES WITH 162 (1) AS WELL.

MR. LEGAL ADVISOR: YES, MR. CHAIRMAN.

MR. CHAMBERLIST: OKAY. GOOD.

MR. CHAIRMAN: 169 (1) WAS AMENDED TO ADD IN SUB-CLAUSE (1) AFTER THE WORDS, 162 IN LINE 4, THE WORDS "WITHIN FOURTEEN DAYS" WERE ADDED. IS THERE ANY OTHER CHANGE TO PAGE 77?

MRS. WATSON: NO, MR. CHAIRMAN. THAT'S THE ONLY CHANGE ON THAT PAGE.

MR. CHAIRMAN: ARE WE CLEAR?

SOME HONOURABLE MEMBERS: CLEAR.

MR. CHAIRMAN: NEXT PAGE IS PAGE 79.

MRS. WATSON: AND THAT'S JUST A MINOR CHANGE, MR. CHAIRMAN. 173 (1)(D) WE CHANGED "BOARD" TO "ARBITRATOR".

MR. CHAIRMAN: ARE YOU CLEAR?

SOME HONOURABLE MEMBERS: CLEAR.

MR. CHAIRMAN: NEXT PAGE IS 82.

MR. CHAMBERLIST: ON PAGE 81, THERE IS ONE WORD MISSING. ON 178 (2) THE WORD "NOT".

MR. LEGAL ADVISOR: NO, MR. CHAIRMAN.

MRS. WATSON: MR. CHAIRMAN, IT WAS NOT INSERTED AND IT WAS FORTUNATE THAT WE WENT BACK OVER IT. WE WOULD GIVE IT A DOUBLE NEGATIVE AND IF YOU READ IT, THERE IS NO ARBITRAL AWARD. WE DO NOT NEED OR WANT THE WORD "NOT" IN THERE.

MR. CHAIRMAN: ON PAGE 82 THERE WAS A WORD, I'VE NOTED HERE, TAKEN OUT. THE WORD "BY-LAW" IN 182 (1)(A) (1).

MR. LEGAL ADVISOR: YES, MR. CHAIRMAN. MR. COMMISSIONER ADMITS THAT HE CAN'T MAKE BY-LAWS.

MR. CHAIRMAN: ARE WE CLEAR?

SOME HONOURABLE MEMBERS: CLEAR.

MR. CHAIRMAN: NEXT PAGE IS PAGE 83. THERE WAS A REMOVAL OF A WORD IN 183 (1). THE WORD "BE" IS REMOVED. IN 83, SECTION 187 (1), LINE 3 OF SUB (1). PURSUANT TO 87, TO SECTION 87 WAS PUT IN "THE EMPLOYEE MAY", RATHER THAN "HE" BECAUSE OF THE AMBIGUITY OF THE PREVIOUS SECTION.

MR. CHAIRMAN: NEXT PAGE IS PAGE 85.

MR. CHAMBERLIST: ON PAGE 84 I HAVE A QUESTION MARK. I THINK THE QUESTION IS IN 188(3), "AN EMPLOYEE ON PROBATION SHALL NOT BE ENTITLED TO REFER TO ADJUDICATION A GRIEVANCE IN RESPECT OF HIS REJECTION DURING HIS PROBATIONARY PERIOD."

MR. LEGAL ADVISOR: THERE'S NOT MUCH DISCUSSION IN THAT MR. CHAIRMAN. I THINK IT'S BEEN EXPLAINED AND ACCEPTED BY THE HOUSE.

MR. CHAIRMAN: ALL RIGHT ON PAGE 85, SECTION 192, SUB-SECTION 1, LINE 3, THE WORD "HIS" HAS BEEN ADDED. "IN HIS OPINION." ARE YOU CLEAR?

MRS. WATSON: MR. CHAIRMAN, ON THAT PAGE THERE'S BEEN A RENUMBERING IF YOU'LL NOTICE. WE CHANGED THE PREVIOUS 192(2) INTO 193(1). IT JUST A CHANGE IN NUMBERING SO THAT WE WOULDN'T HAVE TO CHANGE THE WHOLE PICTURE OF NUMBERING.

MR. CHAIRMAN: THE NEXT PAGE IS 86.

MR. CHAMBERLIST: WHAT I HAVE ON MY PAGE 86, SECTION 196, I RAISED THE QUESTION ON THE REGULATIONS, THAT WAS THE FIRST POINT, THAT THE BOARD COULD MEET. THERE WAS DISCUSSION AS TO WHETHER THE REGULATIONS WERE REGULATIONS OF THE BOARD OR REGULATIONS IN WHICH MANNER THE BOARD WOULD BE OPERATING.

MR. LEGAL ADVISOR: MR. CHAIRMAN, I CAN REMEMBER THE QUESTION BEING DISCUSSED AND I UNDERSTOOD AT THE TIME, THE HOUSE HAD ACCEPTED THE FACT THAT THE COMMISSIONER DOES NOT

ORIGINATE THESE REGULATIONS. HE IS THE SIGNING OFFICER, THE BOARD IS RECOMMENDING THE REGULATIONS AND THE COMMISSIONER HAS NO OPTION BUT TO PUT THEM INTO EFFECT. THEY'RE BOARD REGULATIONS.

MR. CHAMBERLIST: THE POINT THAT I MADE IS BECAUSE IT SAYS THE COMMISSIONER MAY ON THE RECOMMENDATION OF THE BOARD MAKE REGULATIONS. SO THEN THE COMMISSIONER MAY REFUSE TO MAKE THE REGULATIONS. THE POINT THAT I HAVE BEEN MAKING IS THAT IF THE BOARD HAS THE POWER TO MAKE REGULATIONS THEY SHOULDN'T BE GIVEN THE DISCRETION TO OVER-RULE THOSE REGULATIONS. IN OTHER WORDS, ONCE THE BOARD MAKES A REGULATION, THE COMMISSIONER SHALL THEN PUT THOSE REGULATIONS INTO EFFECT.

MR. LEGAL ADVISER: I'D ASK THE HOUSE TO LEAVE IT ALONE. IT'S HARD ENOUGH TO SELL LEGISLATION TO THIS HOUSE BUT YOU'VE GOT TO SELL LEGISLATION DOWN THE CORRIDOR AS WELL. AND IT'S VERY HARD TO SELL ON THIS CONTEXT BECAUSE IT IMPLIES TO SOME PEOPLE THAT THEY HAVE TO MAKE REGULATIONS. IN A MATTER OF PRACTICE WE DON'T HAVE ANY REGULATIONS AND PROBABLY WILL NEVER HAVE REGULATIONS IN THIS AREA BECAUSE WE WILL JUST ADOPT WITHOUT BARGAINING MUCH ABOUT IT, BY COMMON CONSENT, THE REGULATIONS ENFORCED IN RESPECTIVE HEARINGS BY THE CANADA PUBLIC SERVICE STAFF RELATIONS BOARD ITSELF. AND NOT BOTHER TO REPRINT THEM SO THAT THE PEOPLE WILL KNOW WHAT THEY ARE.

MR. CHAMBERLIST: I SEE THAT POINT, BUT AT THE SAME TIME YOU HAVE TO LOOK AT IT ON THE OTHER SIDE AS WELL. BUT YOU CAN READ THIS IN TWO WAYS. THAT THE COMMISSIONER CAN, IF HE WANTED TO, USE HIS DISCRETION IF THE BOARD MADE REGULATIONS, OR RATHER RECOMMENDED TO THE COMMISSIONER CERTAIN REGULATIONS, THE COMMISSIONER HAS A DISCRETION NOT TO PUT THOSE REGULATIONS INTO FORCE THAT THE BOARD RECOMMENDED. HE MIGHT NOT USE THE DISCRETION, BUT HE HAS THE DISCRETION TO USE IF HE WISHES TO.

MR. LEGAL ADVISER: IN A LONG FAR OUT THEORY, YES, BUT, WE'RE ONLY TALKING ABOUT PROCEDURES, FORMS, AND SO FORTH. IF THE BOARD WANTS REGULATIONS, THERE IS NO WAY THAT WE ARE GOING TO DO ANYTHING ABOUT IT ACCEPT MECHANIZING THROUGH MY OFFICE AND MR. MCKAY'S, THAT'S WHO IT'S GOING THROUGH. AND THEN IT GETS SIGNED. THERE'S NO PIDDLE-PADDLE TO THEM, THEY'RE JUST PROCEDURE REGULATIONS. WE'LL LET THEM PASS.

MR. CHAMBERLIST: WELL YOU SEE THEN YOU GO TO TWO, 196(2) AND THE FIRST LINES MAKE, PUTS INTO EFFECT WHAT I MYSELF WOULD BE SUSPICIOUS OF WHEN YOU SAY, "ANY REGULATIONS MADE BY THE COMMISSIONER UNDER SUB-SECTION 1." SO THAT THE COMMISSIONER CAN CHANGE, NOT NECESSARILY ACCEPT THE RECOMMENDATIONS OF THE BOARD AND THEN THOSE REGULATIONS MADE BY THE COMMISSIONER, IT COULD HAPPEN?

MR. LEGAL ADVISER: IT'S TRUE, MR. CHAIRMAN. IT'S RATHER LIKE MAKING COURT RULES AND WHAT THE BOARD IS ASKING ME TO DO IS TO REVERSE THE KNOWN PROCEDURE BECAUSE THERE IS NO QUESTION OF REVERSE OF KNOWN PROCEDURE IN SUB-SECTION TO WHAT THERE IS ACROSS CANADA. BUT THEY'VE MADE IT FOR SOUND REASONS. THE REASON IS THAT THEY WANT TO BE ABLE TO BE IN THE POSITION TO MAKE THE REGULATIONS AND NOT HAVE DIFFERENT REGULATIONS IF EACH CONFLICT.

SO, I'M MERELY PRODUCING WHAT THEY'VE ASKED ME TO DO.

MR. CHAMBERLIST: WELL I'VE JUST POINTED IT OUT TO YOU.

MR. CHAIRMAN: ALL RIGHT, WE NOW GO TO PAGE, TO SECTION 200. IT'S NEW PAGE 86.

MRS. WATSON: MR. CHAIRMAN, IT'S THE OLD PAGE 87 ON MINE AND WE'VE JUST DELETED SUB-SECTION (2) OF 200. IT'S JUST A REPETITION ON NUMBER 5.

MR. CHAIRMAN: ARE YOU CLEAR? NEXT PAGE IS PAGE 92.

MRS. WATSON: MR. CHAIRMAN, THERE'S QUITE AN EXTENSIVE CHANGE HERE AND IT'S ON PAGE 92 ON THE TOP OF 93 ON MY OLD COPY. IT'S SECTION 291(1) AND IT DEALS WITH THE TABLING OF A REPORT FROM THE BOARD TO THE COMMISSIONER, ORDER AND REPORT AND RELEVANT DOCUMENTS AND WE SAID IF COUNCIL IS IN SESSION THE REPORT HAS TO BE TABLED WITHIN FIFTEEN DAYS LAID BEFORE COUNCIL. IF THE COUNCIL ISN'T IN SESSION THEN THE INFORMATION HAS TO BE SENT TO THE COUNCILLORS AND TABLED FOR THEIR NEXT SITTING.

MR. CHAIRMAN: ALL RIGHT, 109(1) STARTING ON THE OLD PAGE 92.

MR. CHAIRMAN READS SECTION 109(1) OF BILL No. 7.

MR. CHAMBERLIST: THAT DOESN'T GO FAR ENOUGH. ALL IT DOES IS SEND THE COPY OF THE ORDINANCE, BUT THE COUNCIL CAN'T DO ANYTHING ABOUT IT. THE COUNCIL MIGHT NOT BE SITTING FOR ANOTHER YEAR.

MR. LEGAL ADVISER: THIS IS CORRECT, MR. CHAIRMAN. I REALLY HESITATE TO PUT IN A NEW PIECE IN OUR CONSTITUTION WHICH IS WHAT IT WOULD BE, JUST PARAPHRASSTICALLY IN A PIECE OF LEGISLATION AS THIS BY SAYING THE COMMISSIONER MUST SUMMON THE COUNCIL TOGETHER. NO-WHERE HAVE I BEEN ABLE TO FIND PROVISIONS WHERE THIS HAS TO BE DONE. IT'S PART OF OUR CONSTITUTION. IF THE COUNCIL WANTS TO DO IT, I THINK THE COUNCILLORS SHOULD DO IT DELIBERATELY IN A PROPER ORDINANCE AT A PROPER TIME AND NOT JUST CASUALLY BECAUSE SOMETHING HAPPENS THAT MR. FINKELMAN TURNS IN A REPORT DOWN HERE AND THE COUNCIL IS SITTING. WHETHER IT'S IMPORTANT OR UNIMPORTANT, WHATEVER IT HAPPENS TO BE, THAT SUDDENLY THE COMMISSIONER IS CURSED BY SOME OF THE COUNCILLORS TO THE FOUR CORNERS OF THE EARTH AS SOMETIMES THEY ARE IN THE MIDDLE OF THE HUNTING SEASON OR THE GAME SEASON OR SOMETHING. SO, THE MEMBERS HAVE THE POLITICAL METHOD OF FORCING THE COMMISSIONER'S HAND IN A MATTER LIKE THIS. I'D ASK YOU, NOT OBJECTING TO YOU DOING THIS AT ALL, BUT JUST THINK SERIOUSLY OF WHAT YOU ARE DOING.

MR. CHAMBERLIST: IT DOESN'T CHANGE AS FAR AS I'M CONCERNED, IT HASN'T CHANGED THE CONCEPT OF WHAT IS ALREADY IN THE ORDINANCE. ALL IT DOES IS YOU'RE SENDING A COPY, BUT YOU'RE NOT GOING BEYOND THAT. IT'S ALL RIGHT TO SAY THE COMMISSIONER WOULD CALL COUNCIL TOGETHER, BUT IT'S NOT COMPULSORY FOR HIM TO CALL COUNCIL TOGETHER. AND YOU CAN NOT HAVE A COUNCIL SESSION FOR SIX OR SEVEN MONTHS AFTERWARDS. THEN IT BECOMES COMPLETELY ACADEMIC.

MR. LEGAL ADVISER: THIS MAY BE, MR. CHAIRMAN. I'M NOT SAYING AT ALL THAT THE COMMISSIONER WOULD ON THE RECEIPT OF THE REPORT IMMEDIATELY COME INTO COUNCIL. WHAT I AM SUGGESTING IS THAT WE'RE PUTTING IN A PROVISION WHEREBY THE MEMBERS CAN GET THE FACTS AND THE DOCUMENTS AND READ. WOULD ANY INDIVIDUAL MEMBER OR GROUP OF MEMBERS THINK THE MATTER SUFFICIENTLY SERIOUS TO ACQUIRE A SUMMONING OF THE HOUSE, THEN HE CAN EITHER JUMP UP AND DOWN, HE CAN MAKE THE NEWSPAPER, HE CAN GET ON THE RADIO OR HE CAN STAND ON THE STREET CORNER ON MAIN STREET DURING FOLKFEST TIME AND MAKE A SPEECH ABOUT IT.

BUT HE CAN MAKE A POLITICAL INPUT IN THE SYSTEM TO GET SOMETHING DONE.

MR. STUTTER: MR. CHAIRMAN, THE ONLY THING I WAS ABOUT TO SAY WAS THAT I THINK THAT ANY TIME THE MAJORITY OF COUNCIL, UNDER NORMAL CIRCUMSTANCES, IF THE MAJORITY OF COUNCIL THOUGHT THEY HAD SOMETHING IMPORTANT ENOUGH TO CALL A SESSION ABOUT, WOULD IT NOT JUST BE A NORMAL PROCESS TO CONTACT THE COMMISSIONER AND PRESENT THOSE FACTS TO HIM AND HE WOULD IN FACT CALL A SESSION OF COUNCIL. THAT WAS DONE JUST A COUPLE OF MONTHS AGO.

MR. MCKINNON: YEA, THAT'S THE ONLY WAY TO GET RID OF EXECUTIVE COMMITTEE MEMBERS.

MRS. WATSON: THAT WASN'T NICE.

MR. CHAMBERLIST: SURE THEY DO THAT OFTEN. IT WILL GET HIM OFF THE ADVISORY COMMITTEE OF FINANCE. THAT'S WHEN THEY HAVE THEM.

MR. CHAIRMAN: ORDER, ORDER.

MRS. WATSON: MR. CHAIRMAN, THE PROVISION HERE IS SO THAT THE COUNCILLORS ARE GIVEN THE INFORMATION WHEN THE COMMISSIONER GIVES THE INFORMATION. AND AT THAT TIME AS IN THE PAST THE COUNCILLORS CAN JUDGE THE GRAVITY OF THE SITUATION.

MR. CHAMBERLIST: THERE'S ONE POSSIBILITY THAT MIGHT HELP THAT SITUATION. IS THAT WE'RE CERTAINLY GOING TO HAVE DIFFERENT EXECUTIVE COMMITTEE MEMBERS ON AND OF COURSE THAT'S GOING TO BE A GREAT ADVANTAGE.

MR. CHAIRMAN: ANYTHING FURTHER ON PAGE 92?

MRS. WATSON: NO, MR. CHAIRMAN, THERE ISN'T ANYTHING FURTHER ON THAT PAGE AS FAR AS AMENDMENTS ARE CONCERNED.

MR. CHAIRMAN: ARE THERE ANY FURTHER AMENDMENTS?

MR. MCKINNON: WHAT DOES THIS GUY GET PAID A YEAR?

MR. CHAIRMAN: ORDER PLEASE, I'M ASKING FROM THE CHAIR, MAYBE THE HONORABLE MEMBER FOR CARMACKS-KLUANE CAN TELL ME, ARE THERE ANY FURTHER AMENDMENTS?

MRS. WATSON: NO, MR. CHAIRMAN, THERE ARE NO FURTHER AMENDMENTS THAT INVOLVE PUBLIC

DISCUSSIONS WHEN THE COUNCIL READ THE BILL OR WHEN REPRESENTATION WAS MADE BEFORE THE COUNCIL.

MR. CHAIRMAN: ARE THERE ANY FURTHER AMENDMENTS FROM COMMITTEE? I BELIEVE THEN NOW A MOTION WOULD BE IN ORDER FOR THE AMENDMENTS TO BILL NO. 7 BE ACCEPTED AS READ.

MR. TANNER: THE SECOND TIME AROUND, MR. CHAIRMAN, I'LL MAKE THAT MOTION.

MRS. WATSON: I'LL SECOND THAT, MR. CHAIRMAN.

MR. CHAMBERLIST: OF COURSE, MR. CHAIRMAN, YOU HAVE TO APPRECIATE THAT THIS IS NOT THE END OF DISCUSSIONS OF BILL NO. 7. IN COMMITTEE, WE'VE GOT TO UNDERSTAND THAT ALL WE'VE DISCUSSED IS THE BILL THAT'S BEEN BROUGHT FORWARD. NOW WE HAVE TO DEAL WITH THE EFFECT IT HAS ON THE EXISTING ORDINANCE. THE EXISTING SCHOOL ORDINANCE. THE SECTIONS OF THE SCHOOL ORDINANCE OF COURSE, IT MAKES SOME OF THESE AREAS INOPERATIVE AND PERHAPS IF MR. CHAIRMAN WANTS US TO CONTINUE WITH THAT PART OF THE LEGISLATION. I KNOW IT MIGHT TAKE ONE OR TWO DAYS BUT I THINK WE SHOULD BE DEALING WITH THAT, BEFORE WE GO BEYOND ANYTHING FURTHER? THE SCHOOL ORDINANCE ITSELF AND THOSE SECTIONS THAT WE'RE TAKING OUT. OR ARE MEMBERS SATISFIED WITH THE ORDINANCE. I'M NOT.

MR. CHAIRMAN: I HAVE A MOTION BEFORE ME. IT HAS BEEN MOVED BY COUNCILLOR TANNER, SECONDED BY COUNCILLOR WATSON THAT THE AMENDMENTS TO BILL NO. 7 BE ACCEPTED AS READ. THE QUESTION HAS BEEN CALLED. ARE YOU AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. CHAIRMAN: WHAT IS YOUR FURTHER PLEASURE?

MR. CHAMBERLIST: I WISH TO CONTINUE WITH THE DISCUSSIONS OF THE SCHOOL ORDINANCE. OH, PERHAPS I THINK THE SCHOOL ORDINANCE SHOULD BE LEFT TO THE NEXT COUNCIL, THEY HAVE TO HAVE SOME INPUT IN THERE SO I'LL LEAVE IT. I'LL NOT GO ANY FURTHER IN THIS ORDINANCE AT THIS TIME.

MRS. WATSON: MR. CHAIRMAN, I WOULD SUGGEST IF WE COULD READ THE PREAMBLE, WE COULD MOVE THE BILL OUT OF COMMITTEE.

MR. CHAIRMAN READS THE PREAMBLE OF BILL NO. 7.

MR. CHAIRMAN: WHAT IS YOUR FURTHER PLEASURE?

MRS. WATSON: MR. CHAIRMAN, I WOULD MOVE THAT BILL NO. 7, AN ORDINANCE TO AMEND THE SCHOOLS ORDINANCE BE MOVED OUT OF COMMITTEE AS AMENDED.

MR. TANNER: I'LL SECOND THAT.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR WATSON, SECONDED BY COUNCILLOR TANNER THAT BILL NO. 7 BE REPORTED OUT OF COMMITTEE AS AMENDED. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? I DECLARE THAT THE MOTION IS CARRIED.

MOTION CARRIED

MR. CHAIRMAN: THE NEXT ITEM OF CONSIDERATION IS BILL NO. 24. YOU'VE ALL RECEIVED NOW A COPY OF THE TELEX FROM...ORDER, PLEASE. YOU HAVE NOW RECEIVED A COPY OF THE TELEX FROM MR. SAMUELS IN REPLY. WE HAD THE TELEX FORWARDED YESTERDAY.

MR. TANNER: MR. CHAIRMAN, SINCE THE END RESULTS OF THE TELEGRAM AND SINCE HE'S GOT THE REPLY BACK COULD YOU EXPLAIN WHAT HE SAID TO US.

MR. CHAIRMAN: MR. LEGAL ADVISER, COULD YOU EXPLAIN IT TO THE MEMBERS OF COMMITTEE.

MR. LEGAL ADVISER: IT APPEARS TO BE IN REFERENCE TO A - THE PROBLEM WHICH THE DEPUTY SPEAKER RAISED IN CORRESPONDENCE WITH THE ASSISTANT MINISTER OF JUSTICE. AS TO WHETHER THERE WAS ANY CONSTITUTIONAL PROBLEM ARISING OUT OF THE FACT THAT COUNCIL WILL NOT HAVE AN ACTIVE LIFE FROM THE PERIOD BETWEEN THE DISSOLUTION UNTIL THE MEETING OF THE MEMBERS IN THE NEXT ELECTION, HE APPEARS TO SAY, INsofar AS ONE CAN READ THE LEGALESE THAT THERE DOESN'T APPEAR TO BE ANY DIFFERENT PROBLEM FROM OTHER CONSTITUTIONAL POSITION IN CANADA.

THE SECOND MATTER WAS, WHAT HAPPENS IF THE WRITS ARE ISSUED WITHIN SIX MONTHS OF THE ELECTION OF THE CHANGE OF THE BOUNDARIES. HE SAYS THAT WE WOULD BE ON THE WHOLE SEVEN SEAT SYSTEM.....

MR. CHAMBERLIST: HE DOESN'T SAY THAT. MR. CHAIRMAN, THIS IS A NO-ANSWER ANSWER.

MR. LEGAL ADVISER: IT'S A LAWYERS' ANSWER,

MR. CHAIRMAN, HE'S GIVING IT STRAIGHT FROM THE QUESTIONS HE WAS ASKED.

MR. CHAMBERLIST: A NO-ANSWER ANSWER. WHAT, MR. CHAIRMAN, WE SHOULD ALL TAKE NOTICE OF IS THAT IT SAYS, "SUBJECT TO THIS THERE IS NO LEGAL REQUIREMENT THAT THERE BE A COUNCIL IN EXISTENCE AT ANY PARTICULAR TIME." HOW TRUE THAT IS. WE DON'T EVEN HAVE TO EXIST.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR MCKINNON THAT BILL NO. 24 BE AMENDED BY ADDING THE FOLLOWING, SECTION 4, SECTION 14(3), "THE COMMISSIONER SHALL AT ANY TIME UPON MOTION OF COUNCIL ISSUE A WARRANT TO THE CHIEF ELECTORAL OFFICER OF CANADA FOR THE ISSUE OF A WRIT FOR THE ELECTION OF A NEW COUNCIL FOR THE YUKON TERRITORY." SECTION 14(4), "WITHIN TWO MONTHS AFTER THE WARRANT, THE CHIEF ELECTORAL OFFICER OF CANADA SHALL ISSUE A WRIT FOR THE ELECTION OF MEMBERS FOR THE COUNCIL OF THE YUKON TERRITORY." ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? WOULD THOSE AGREED KINDLY SIGNIFY, THOSE DISAGREE KINDLY SIGNIFY. I MUST DECLARE THAT THE MOTION IS DEFEATED.

MOTION DEFEATED

MR. CHAIRMAN: WHAT IS YOUR FURTHER PLEASURE?

MRS. WATSON: MR. CHAIRMAN, I WOULD SUGGEST THAT YOU READ THE PREAMBLE TO BILL NO. 24.

MR. CHAIRMAN: READS PREAMBLE TO BILL NO. 24. THIS IS A BILL INTITULED AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE. WHAT IS YOUR FURTHER PLEASURE?

MRS. WATSON: MR. CHAIRMAN, I WOULD MOVE THAT BILL NO. 24, AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE BE MOVED OUT OF COMMITTEE WITHOUT AMENDMENT.

MR. TANNER: I WILL SECOND THE MOTION MR. CHAIRMAN.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR WATSON, SECONDED BY COUNCILLOR TANNER THAT BILL NO. 24 BE REPORTED OUT OF COMMITTEE WITHOUT AMENDMENT. ARE YOU PREPARED FOR THE QUESTION? AGREED?

SOME MEMBERS: AGREED AND DISAGREED.

MR. CHAIRMAN: WOULD THOSE IN AGREEMENT KINDLY SIGNIFY. I MUST DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. CHAIRMAN: WE NOW PROCEED TO BILL NO. 19 THE MOTOR VEHICLE ORDINANCE AND ALSO MOTION NO. 21. WE WILL DEAL FIRST WITH MOTION NO. 21.

MR. TANNER: MR. CHAIRMAN, I SUSPECT THAT I'M IN THE SAME STATE AS THE OTHER MEMBERS AS FAR AS THE MOTION IS CONCERNED. I HAVE THE BILL STILL. COULD THE CHAIRMAN READ US THE MOTION?

MR. CHAIRMAN: JUST AS QUICK AS I GET THIS REPORT CAUGHT AND I SHALL BE RIGHT WITH YOU.

MR. TANNER: PERHAPS THE CHAIRMAN WOULD LIKE TO RECESS FOR A COUPLE OF MINUTES.

MR. CHAIRMAN: NO, WE'RE DOING FINE, JUST HANG IN THERE.

MR. MCKINNON: MR. CHAIRMAN, I COULD BRING THE ATTENTION TO ALL HONOURABLE MEMBERS THAT THE DEBATE ON THE MOTION WHICH IS BEFORE COUNCIL AND THE MOTION ITSELF WILL BE FOUND BEGINNING ON PAGE 671 VOLUME 3 OF THE VOTES AND PROCEEDINGS OF THE 1974 (SECOND SESSION)

MR. CHAIRMAN: JUST BEFORE WE GET INTO THE DISCUSSION I WILL HAVE TO READ THE MOTION IN COMMITTEE. THIS IS MOTION NO. 21.

MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR TAYLOR, IT IS THE OPINION OF COUNCIL THAT SUBSECTION (w) OF SECTION 155 OF THE MOTOR VEHICLE ORDINANCE BE DELETED AND A NEW SECTION ADDED TO THE MOTOR VEHICLE ORDINANCE TO PROVIDE THAT THE COMMISSIONER IN COUNCIL PRESCRIBE THE FEES TO BE ESTABLISHED UNDER THE TERMS OF THE MOTOR VEHICLE ORDINANCE. WILL YOU PROCEED. COUNCILLOR MCKINNON.

MR. MCKINNON: MR. CHAIRMAN, I DON'T REALLY THINK THAT I NEED DEBATE THIS FURTHER. I WENT OVER THE STATEMENTS THAT WERE MADE AT THE TIME AND FOR SOME REASON OR ANOTHER I WAS PARTICULARLY ELOQUENT THE MORNING THAT THE MOTION WAS IN FRONT OF COUNCIL. AND I THINK THE POINT WAS MADE MR. CHAIRMAN, TO ALL MEMBERS OF COUNCIL AS THE SAME IN THE TAXATION ORDINANCE THAT WE HAD GIVEN UP OUR RIGHT TO BUREAUCRATIC MANEUVERING TO SET THE MILL RATE IN THE AREAS OF THE YUKON WHERE WE HAD THE ABILITY OF SETTING THE MILL RATE ON TAXATION. WE HAVE DONE EXACTLY THE

SAME THING IN THE MOTOR VEHICLE ORDINANCE IN 1971. I BROUGHT OUT THE VOTES AND PROCEEDINGS AT THAT TIME WHICH SHOWED EXACTLY WHAT I SAID WOULD HAPPEN, WOULD COME TO PASS. THAT THE ADMINISTRATION WOULD USE IT AS A TAXING POWER ON THE PEOPLE OF THE YUKON TERRITORY, WHICH WAS EXACTLY WHAT THEY DID BY SNEAKING IN A QUARTER OF A MILLION DOLLAR INCREASE IN THE LICENCING FEES UNDER THE GUISE OF NO INCREASE TAXATION ON THE PEOPLE. WE JUST GOT TO BE HONEST ENOUGH AND RESPONSIBLE ENOUGH THAT WHEN WE PUT A TAX ON THE PEOPLE OF THE YUKON THAT WE'VE GOT THE GUTS ENOUGH TO STAND HERE AND SAY, "LOOK IT, WE'RE THE PEOPLE THAT ARE PUTTING THIS TAX ON YOU. THIS IS WHAT IT'S GOING TO COST YOU. WE'RE THE PEOPLE RESPONSIBLE AND IF YOU DON'T LIKE US THROW US OUT AT THE NEXT ELECTION." AND IT'S NOT TO BE DONE UNDER THE GUISE OF AN ADMINISTRATIVE BUREAUCRATIC ORDER IN COUNCIL.

AND THE POINT IN THE DISCUSSION WAS SIMPLY THAT. THE ONLY REASON THE MOTION WASN'T PUT WAS THAT OTHER MEMBERS SAID THEY WANTED TO USE THE VEHICLE OF THE MOTOR VEHICLE ORDINANCE TO BRING IN FURTHER AMENDMENTS. AND AS FAR AS I WAS CONCERNED THE DISCUSSION HAD BEEN COMPLETED ON THE PARTICULAR MOTION. AND IF I REMEMBER CORRECTLY, IT SEEMED THAT THE RIGHTNESS OF MY ARGUMENT, MR. CHAIRMAN, HAD WON THE MAJORITY OF THE COUNCILLORS OVER TO THAT LINE OF THINKING AND THAT THE MOTION, IF PUT AT THAT TIME, WOULD HAVE PASSED THIS HOUSE. AND I'M SURE THAT HONOURABLE MEMBERS HAVEN'T CHANGED THEIR MINDS IN THE INTERVENING PERIOD, BECAUSE OF THE ELOQUENCE OF MY ARGUMENTS AND THE RIGHTNESS OF MY STAND, MR. CHAIRMAN.

MR. CHAIRMAN: IS THERE ANY FURTHER DISCUSSION ON THE MOTION? COUNCILLOR TANNER.

MR. TANNER: MR. CHAIRMAN, A POINT THAT THE GOVERNMENT WAS MAKING AT THAT TIME AS WE HAD THAT DISCUSSION WAS BASICALLY THIS. IT IS NOT A TAX IN THE TRUE SENSE OF THE WORD. AS THE MEMBER MENTIONED AND THE MEMBER FROM WATSON LAKE MENTIONED, IT IS CERTAINLY AN IMPOSITION OR AN IMPOSE TO SOME EXTENT, BUT IT IS NOT A TAX IN THE GENERAL SENSE OF THE WORD AND IT IS NOT INCLUDED IN THE GENERAL BUDGET.

NOW I THINK THE MEMBER, AS HE SAYS QUITE ELOQUENTLY, EXPRESSED THE POINT OF VIEW THAT THE GOVERNMENT HAD AN OBLIGATION PARTICULARLY IN THE OPENING BUDGET SPEECH TO MENTION THAT THIS WAS COMING IN. AND I AGREE ENTIRELY, WE SHOULD HAVE DONE AND WE ARE GUILTY OF NOT

HAVING DONE THAT AND WE SHOULD HAVE DONE IT. BUT IT CERTAINLY WASN'T THE INTENTION OF YOUR FINANCIAL ADVISORY COMMITTEE TO HIDE ANYTHING FROM YOU. IT CERTAINLY WASN'T THE INTENTION OF YOUR EXECUTIVE COMMITTEE TO HIDE ANYTHING FROM MEMBERS OF COUNCIL OR FROM THE PUBLIC. IT WAS MERELY AN OVERSIGHT AND A BAD ONE. AND I DON'T THINK THAT MEMBER OF THE ADVISORY COMMITTEE, THE FINANCIAL ADVISORY COMMITTEE OR ANY MEMBER OF THE EXECUTIVE COMMITTEE CAN DO OTHER THAN APOLOGIZE TO THE HOUSE FOR NOT DOING THAT. I DON'T THINK YOU SHOULD CHANGE THE DECISION THAT THIS COUNCIL MADE IN 1971 OR '72 WHEN WE MADE THAT BASIC DECISION TO MOVE THAT POWER TO PUT THOSE EXTRA LEVIES ON IN THAT WAY. AND I THINK THE HOUSE SHOULD SERIOUSLY CONSIDER BEFORE MOVING BACK INTO THIS LEGISLATURE AND BACK INTO THE ADMINISTRATIVE AREA OF GOVERNMENT. AND I WOULD SINCERELY ASK EACH MEMBER, ALL THOSE MEMBERS WHO HAD SOME TIME TO THINK ABOUT IT, TO VOTE AGAINST THE MOTION.

MR. CHAIRMAN: IS THERE ANY FURTHER DISCUSSION ON THE MOTION?

MRS. WATSON: YES, MR. CHAIRMAN. I'M NOT GOING TO SUPPORT THE MOTION, BECAUSE I WAS ONE OF THE MEMBERS WHO BROUGHT IN THE CHANGES AND AMENDED THE MOTOR VEHICLES ORDINANCE SO THAT THERE WAS AN EXECUTIVE POWER TO FIX THE LICENCING FEES. THE HONOURABLE MEMBER FROM WHITEHORSE VEST KEEPS SAYING AND INCREASE OF A QUARTER OF A MILLION DOLLARS. AND I THINK WHEN WE DISCUSSED THE BUDGET WE TIME AFTER TIME SHOWED THE HONOURABLE MEMBER THAT THIS WAS AN ERRONEOUS STATEMENT. I THINK THERE IS ONLY AN INCREASE OF SOME APPROXIMATELY \$60,000. THE REST IT, AND I CAN FIND A BREAKDOWN, WAS FROM NORMAL GROWTH IN THE REVENUE DERIVED FROM LICENCING.

AND I THINK THAT WE HAVE TO LOOK AT THE FUTURE OF WHAT WE EVENTUALLY WANT OUR LEGISLATURE AND EVENTUALLY OUR EXECUTIVE ARM OF GOVERNMENT TO DO. AND THE SUBCOMMITTEE ON FINANCE ALMOST ACTS AS AN EXECUTIVE ARM IN THAT THE SUBCOMMITTEE ON FINANCE HAS TO APPROVE ANY INCREASE IN FEES OR TAXATION THAT WILL BE IMPOSED UPON THE PEOPLE OF THE YUKON TERRITORY. AND NOTHING CAN COME INTO THIS COUNCIL UNTIL THE SUBCOMMITTEE ON FINANCE, (TWO OF THE EXECUTIVE COMMITTEE) MEMBERS ARE ON THAT SUBCOMMITTEE, HAVE APPROVED. AND THE HONOURABLE MEMBER SAYS THE COUNCIL HERE SHOULD STAND UP AND SAY, "YES, WE'RE PUTTING THIS TAX ON YOU." I DISAGREE WITH HIM. I THINK THE PEOPLE WHO ARE ON THE COMMITTEE WHO HELP DRAW UP THE BUDGET ARE THE PEOPLE. THE EXECUTIVE

PEOPLE AND THE PEOPLE ON THE SUBCOMMITTEE ON FINANCE WHO SHOULD BRING THEIR BUDGET IN HERE AND WHO SHOULD BE ABLE TO DEFEND AND GIVE REASONS WHY THEY FOUND IT NECESSARY TO APPROVE OR INSTIGATE AN INCREASE IN FEE STRUCTURE OR IN TAXATION STRUCTURE. YOU'RE TRYING AT THIS STAGE OF THE GAME TO TAKE PART OF THE EXECUTIVE FUNCTION OF YOUR MEMBERS BACK INTO THE LEGISLATURE. AND I THINK THAT NO ONE HERE, IF YOU THINK ABOUT IT, WANTS TO DO THAT. THIS IS THE TYPE OF THING THAT YOU WANT THE EXECUTIVE ARM OF YOUR GOVERNMENT WHICH EVENTUALLY, AND I HOPE THIS TIME THE MAJORITY WILL BE ELECTED PEOPLE FROM AROUND THESE CHAMBERS. AND THESE ARE THE PEOPLE WHO ARE GOING TO HAVE TO STAND UP AND FACE THEIR CONSTITUENTS AND FACE THE REST OF THE COUNCILLORS AND SAY, "YES, WE FEEL THERE MUST BE AN INCREASE IN THE FEE STRUCTURE."

THERE IS NO USE BLAMING THE ADMINISTRATION, BECAUSE THE SUBCOMMITTEE ON FINANCE HAS THE AUTHORITY AND THE EXECUTIVE COMMITTEE HAVE THE AUTHORITY TO SAY; WE WILL NOT BRING THAT BUDGET INTO COUNCIL. WE WILL NOT APPROVE THAT INCREASE IN FEE STRUCTURE. THEY HAVE THE RIGHT TO. THE GOVERNMENT CAN'T BRING IN THE BUDGET OR THEY'RE NOT GOING TO GET ANY SUPPORT FOR IT UNLESS THIS SUBCOMMITTEE ON FINANCE PREPARES IT TO SUPPORT THAT LEGISLATION. AND THE COUNCIL THROUGH THEIR EXECUTIVE PEOPLE, THROUGH THEIR SUBCOMMITTEE ON FINANCE HAVE THE AUTHORITY TO DO IT NOW. YOU DON'T WANT TO BRING THIS TYPE OF THING INTO THE LEGISLATURE. AND I THINK THAT WE WOULD BE DEFEATING WHAT WE EVENTUALLY WANT TO DO. TO GET CONTROL, COMPLETE CONTROL OF THE EXECUTIVE ARM OF THE ADMINISTRATION OF OUR GOVERNMENT. AND WE HAVE CONTROL OF IT NOW, SO WHY MAKE THE AMENDMENT IN THIS SECTION WHEN WE DELIBERATELY TOOK IT OUT AND IT WAS SUPPORTED. IN FACT IT WAS BROUGHT INTO THIS HOUSE BY THE HONOURABLE MEMBER FROM WHITEHORSE EAST. HE SUPPORTED IT ALL THE WAY DOWN THE LINE. ALL OF A SUDDEN HE'S HAD A CHANGE OF HEART.

MR. CHAMBERLIST: MR. CHAIRMAN, I RISE ON A POINT OF ORDER AND MY POINT OF ORDER IS THIS QUITE CLEARLY. THAT I WILL SAY WHAT THE INTENTION WAS, IN MY MIND AT THE TIME OF BRINGING IT IN NOT WHAT THE INTERPRETATION IS IN MY MIND OF WHAT THE MEMBER FROM CARMACKS-KLUANE SAYS I INTENDED TO BRING IT IN. AND I'LL DO THAT LATER.

MR. CHAIRMAN: WELL I DON'T THINK THERE IS A POINT OF ORDER THERE REALLY. WOULD YOU CON-

TINUE. HAS ANYBODY ANYTHING ELSE ON THIS MOTION? COUNCILLOR WATSON.

MRS. WATSON: YES; MR. CHAIRMAN, I'M FINISHED.

MR. CHAIRMAN: COUNCILLOR CHAMBERLIST.

MR. CHAMBERLIST: MR. CHAIRMAN, WHEN I SUPPORTED THE NEED FOR CHANGING FEES, IT WAS TO CHANGE FEES IN A SMALL WAY WHERE THERE WOULD BE AN INCREASE IN A PARTICULAR LICENCE THAT CAME UP FOR DISCUSSION AT THAT TIME. I HAVEN'T GOT THE PAPER WITH ME. BUT IT WAS QUITE CLEAR IN THE DISCUSSION WHAT THE PURPOSE WAS AND I EXPLAINED THAT TO COUNCIL. ALL MEMBERS OF COUNCIL AGREED THAT THE ADMINISTRATION SHOULD HAVE THE REGULATORY RIGHTS TO DO THAT SPECIFIC THING. AND THERE WAS NO QUESTION ABOUT THE SUPPORT OF THAT BEING GIVEN BY EVERYBODY.

BUT WHAT TOOK PLACE WAS THAT THE COMMISSIONER USED IT AS AN OPPORTUNITY TO EXPAND THE INTENTS OF THIS COUNCIL. NOW HE'S DONE IT BEFORE. AND THE MEMBER FOR CARMACKS-KLUANE KNOWS HOW SHE AND I BOTH HAVE BEEN MANIPULATED IN PARTICULAR AREAS THAT WE'VE REGRETTED AFTERWARDS. WE WENT IN WITH OUR EYES OPEN AND WE GOT CAUGHT IN MANY WAYS BY THE GLIB TONGUE OF THE COMMISSIONER IN GETTING US TO DO THESE THINGS. AND I ADMIT I WAS TALKED INTO CERTAIN THINGS. BUT I KNOW FOR SURE WHAT THE ENTIRE INTENTION WAS BECAUSE WE HAD DISCUSSED IT AND WHAT MY INTENTION WAS. AND IF SHE WOULD BUT BE HONEST TO HERSELF AND OTHER MEMBERS OF THIS HOUSE, WE BOTH PULLED A FAUX PAS. WE JUST DIDN'T REALIZE THAT THE COMMISSIONER WAS GOING TO GO BEYOND WHAT WE HAD INTENDED. AND MEMBERS KNOW HE DID THIS SOME YEARS AGO WITH REFERENCE TO THE INCREASE IN THE MILL RATE AS WELL. BY ACCIDENT WE ASKED FOR SOMETHING TO BE PUT INTO THE LEGISLATION. WE ALLOWED IT TO TAKE PLACE BECAUSE WE CONSIDERED IT TO BE A ONE HIT, ONE TIME SITUATION. BUT INSTEAD OF THAT HAPPENING, IT WAS CONTINUED AND THE COMMISSIONER SAID; WELL IT'S IN THE LEGISLATION, THE TERRITORIAL COUNCIL PASSED IT SO THIS IS WHAT WE'RE DOING.

NOW WHEN THE MEMBER FOR CARMACKS-KLUANE COMES FORWARD AND SAYS THAT BECAUSE THE ADVISORY COMMITTEE ON FINANCE HAVE BROUGHT IT FORWARD IT'S SATISFACTORY. NOW THAT IS SO FOREIGN TO WHAT THE TRUTH REALLY IS. IT MEANS ONLY THAT THERE IS A GROUP, THIS IS YOUR RECOMMENDATION YOU'RE MAKING. BUT TO SUGGEST THAT THE MEMBERS OF THIS COUNCIL HAVE TO BLINDLY ACCEPT WHATEVER SUGGESTION HAS BEEN MADE BY TERRITORIAL COUNCIL

IS FOREIGN TO THE PRINCIPLE OF WHAT WE'RE SUPPORTED TO BE DOING HERE AT THIS TABLE. IT'S OUR RESPONSIBILITY TO QUESTION ANY FUNDING AND NO FUNDING SHOULD BE SPENT AND NO REVENUES SHOULD BE OBTAINED AND NO TAXATION SHOULD BE OBTAINED UNLESS BEFORE THE PROCESS OF OBTAINING THAT TAXATION AND THAT REVENUE IT IS PLACED BEFORE COUNCIL'S AGREEMENT. AND THIS WASN'T DONE IN THIS INSTANCE.

NOW I'M PLEASED THAT THE MEMBER FROM WHITEHORSE NORTH SAID, WELL YOU KNOW, WE APOLOGIZE, WE SHOULD APOLOGIZE FOR THIS. I'M PREPARED TO ACCEPT THAT APOLOGY BUT BECAUSE WE KNOW THE ERROR THAT COULD BE MADE, BECAUSE HE RECOGNIZED THE ERROR THAT COULD BE MADE. BECAUSE HE RECOGNIZED THAT THERE WAS AN ERROR MADE AND IT WENT OUTSIDE THE INTENT THAT WE SHOULD SUPPORT THIS PARTICULAR MOTION AND MAKE IT QUITE CLEAR THAT WE DON'T WANT TO HAVE ANYTHING LIKE THIS HAPPEN AGAIN.

MR. MCKINNON: MR. CHAIRMAN, I'M REALLY SURPRISED. I THOUGHT THIS MOTION WAS GOING TO GO THROUGH UNANIMOUSLY WITHOUT --. AND I MADE EXACTLY THE SAME ARGUMENT WHEN WE HAD GIVEN THE COMMISSIONER THE POWER TO SET THE MILL RATE FOR THE SALE OF THE HOUSES IN HILLCREST TO PROVIDE HOUSING AND HE WENT AND USED THAT ABILITY TO RAISE THE MILL RATE ALL ACROSS. I USED THE SAME ARGUMENT WITH THE MEMBERS OF COUNCIL THEN AND IT WENT BACK UNANIMOUSLY THAT THE TAXING AUTHORITY WAS PUT BACK INTO THE HOUSE. I SUGGESTED THE SAME THING WAS GOING TO HAPPEN BECAUSE ONCE BITTEN, TWICE SHY WAS GOING TO HAPPEN ON THE MOTOR VEHICLES ORDINANCE.

COUNCIL REJECTED MY EXPRESSION AT THAT TIME. I TOLD THEM WHAT WAS GOING TO HAPPEN. EXACTLY WHAT I SAID WAS GOING TO HAPPEN, HAPPENED. NOW IT'S TIME, USING THE SAME ARGUMENTS AND FOR THE SAME REASONS TO PUT THE TAXING AUTHORITY BACK IN THE HANDS OF THE PEOPLE. NOT HAVING IT COMING THROUGH COMMISSIONER'S ORDER. NOT GIVING UP ONE OF THE FEW POWERS WE HAVE IN THIS HOUSE TO THE COMMISSIONER AND TO THE BUREAUCRATS. NOT HIDING BEHIND THE COMMISSIONER AND NOT HAVING THE POLITICAL GUTS TO STAND UP AND SAY IN THIS HOUSE; WE'RE THE ONES THAT ARE TAKING AND IMPOSING THIS IMPOST UPON THE PEOPLE OF THE YUKON. WE'RE THE ONES THAT ARE RESPONSIBLE. FOR GOODNESS SAKE, IF WE'RE GOING TO BE RESPONSIBLE, LET'S NOT BE CHICKEN AND HIDE BEHIND THE COAT TAILS OF THE BUREAUCRATS. LET'S AT LEAST LET THE PEOPLE KNOW WHERE WE STAND, WHY WE CAN'T EXPLAIN TAXES, WHY THE INCREASE WAS NECESSARY

AND IF THEY DON'T LIKE IT, THEY KNOW EXACTLY WHO TO BLAME. COME ON. IT'S THE SAME ARGUMENT AND THE SAME REASONS AND THERE IS NO WAY AT ALL THAT THE HONOURABLE MEMBERS ON THE EXECUTIVE COMMITTEE SHOULD BE OPPOSING THIS. COUNCIL WAS UNANIMOUS THE LAST TIME WE HAD MADE A MISTAKE. AND GIVING THE RESPONSIBILITY BACK TO THE PEOPLE AND BACK TO THE THE MEMBERS OF THE YUKON LEGISLATIVE COUNCIL AND EXACTLY THE SAME ARGUMENTS APPLY HERE. AND I'M NOT GOING TO MAKE THEM OVER AND OVER AGAIN BECAUSE THE MEMBERS DON'T UNDERSTAND NOW AND THEY DO NOT UNDERSTAND RESPONSIBLE GOVERNMENT AND THEY NEVER WILL.

MR. TANNER: MR. CHAIRMAN, I'VE GOT A COUPLE OF THINGS TO SAY IN RELATION TO WHAT THE LAST MEMBER SPOKE OF AND THE MEMBER BEFORE THAT. FIRST OF ALL, THE MEMBER FROM WHITEHORSE EAST SHOULD NOT THINK THAT I APOLOGIZE FOR THE DECISION. WHAT I SAID WAS. I APOLOGIZE FOR NOT INFORMING THE COUNCIL OF AN INCREASE IN FEES. THAT IS EXACTLY WHAT I MEANT. I DO BELIEVE THAT IN THE COMMISSIONER'S OPENING ADDRESS AND THE BUDGET SPEECH, THERE SHOULD HAVE BEEN SOME MENTION OF IT. AND I THINK EVERY MEMBER'S GOT A RIGHT TO CRITICISE FOR THAT. I DO NOT APOLOGIZE FOR THE DECISION AND WOULD REMIND THE MEMBER FROM WHITEHORSE EAST THAT WHEN WE HAD THIS DISCUSSION THREE YEARS AGO, WHEN WE MADE THE CHANGE, IT WAS ONLY COUNCILLOR MCKINNON WHO OPPOSED. YOU OPPOSED

IT THEN AND YOU HAVE BEEN CONSISTENT IN YOUR OPPOSITION. I DON'T HAPPEN TO AGREE WITH YOU. AND BECAUSE I DON'T AGREE WITH YOU, IT DOESN'T MEAN TO SAY THAT I HAVEN'T GOT SOME CONCEPT OF CONSTITUTIONAL CHANGE AND I THINK MINE IS CORRECT AND YOURS IS INCORRECT. BECAUSE IN THIS PARTICULAR FIELD, IN THE ALLOCATION THE RAISING OR LOWERING OF FEES, IT IS RETAINED WITHIN THE CABINET IN EVERY PROVINCIAL JURISDICTION AND IT HAS TO BE.

THE MEMBER FROM DAWSON SITS ON THE FINANCIAL ADVISORY COMMITTEE AND HE IS PART AND PARCEL OF THE DECISION MAKING PROCESS. AND I CAN TELL YOU RIGHT NOW THAT I UNDERSTAND IT. WELL I THINK THE HONOURABLE MEMBER POINTED OUT HIMSELF THAT THE FEES WERE GOING TO BE INCREASED NEXT YEAR. AND WE HAD GOOD REASON TO DO SO. OUR FEES WERE RIDICULOUS AS COMPARED TO OUR TWO JURISDICTIONS ON EITHER SIDE OF US. AND PEOPLE WERE COMING IN HERE AND GETTING LICENCES AND RUNNING MOTOR VEHICLES THROUGH HERE AT A FRACTION OF THE PRICE THEY COULD DO IT IN B.C. OR ALASKA.

No. 2 is a point that the actual cost of the fee, and it really isn't pertinent in this argument we're arguing on the principle of the thing, but the cost of this fee to Yukoners is comparatively low. As the Member from Carmacks-Kluane said, there's a natural increase. But on top of that we anticipate and we have seen already this summer, a tremendous influx of vehicles and they are basically the ones that are going to pay most of those fees. It is not the local Yukon residents,

I finally say that on the principle of the matter that the Member from Whitehorse West, Councillor McKinnon, has been consistent. It doesn't have to be my view. But he has been consistent and it's not true to say that it went through unanimously the last time. Because Councillor McKinnon did oppose it. That the Member from Whitehorse East at that time did or was convinced of the matter and he did vote to have it as it is now. And he has obviously changed his mind.

Mr. Chairman: Order please. Councillor Stutter.

Mr. Chamberlist: With respect, I didn't oppose the principle of an increase in fees as was suggested at that time. I didn't and I say we knew what the purpose of the increase in putting that particular regulation in force. But it was certainly not my intention and I know it wasn't the intention of the Member from Carmacks-Kluane that that should be a continuing situation allowing this to go on forever. Exactly the same way as we refer again to the mill rate increase. It was a one shot one type bill. It didn't intend that the mill rate increase would go on forever but the Commissioner used that particular point that Council had allowed to go into the legislation so that when the Hillcrest houses were turned over so that he could increase the mill rate then he went on to do it right across the Territory and continued it for two or three years more. This is what is happening in this particular thing.

I don't disagree that I supported the particular items. What was raised was that the driving licenses were so low that they had to be increased and certainly I supported the fact that they should be. When there is a question of a large amount of funds or

a considerable amount of funds, whether it was sixty thousand, a hundred thousand or two hundred and fifty thousand; that is a large amount of funds. Perhaps I didn't get the intent of the apology that was made by the Member from Whitehorse North but he certainly recognized that this was done without forewarning the Council.

Even in the opening speech that the Commissioner had given he didn't warn the Council at all until we found it in the budget items. There was an apology given there - whether the apology was meant for supporting it or not. The point was it was recognized that this Council was not informed nor was the area of increased fees indicated to the extent that it was going to be. This is the point I make. I don't make any apologies for supporting the principle in the first place.

Mr. Chairman: Councillor Stutter

Mr. Stutter: Mr. Chairman, I find this motion to be one of those where it is a bit like a piece of cake - no matter how you slice it, in this particular instance, the size of the piece is going to come out the same. On the one hand, and all Members around here from time to time have agreed in the Executive Committee concept. I am talking about the concept here and not the Members of it. That is whereby there has to be support in here for the decisions that are made by that Committee. This is exactly true in the Financial Advisory Committee or the Sub-Committee on Finance.

At the moment, I personally would like to see this decision made in the Council. I still haven't made up my mind exactly how I am going to vote on the motion because there are so many advantages to having the decision made in Council. This last time around the members of the Sub-Committee on Finance have had to sit back and really be roasted for the simple reason that the decision was not made here in Council.

I for one think it is the right way to do it. Any form of taxation should be done by the majority of this Council as a whole. Every Member should be ready to stand up and be counted on taxation. Nevertheless, with the type of government that we have had in the last four years, and we are going to get even.

MORE SOPHISTICATED FOR THE NEXT FOUR YEARS AND HAVE THREE EXECUTIVE COMMITTEE MEMBERS. THERE STILL HAS TO BE THAT SUPPORT FROM THE MAJORITY OF COUNCIL FOR DECISIONS MADE BY THOSE PERSONS. WHAT YOU ARE GOING TO HAVE IN THE FUTURE AND WHAT YOU HAVE NOW IS THAT YOU HAVE GOT A SPLIT, YOU HAVE A DIVISION. ON ONE SIDE YOU HAVE GOT OPPOSITION AND THOSE MEMBERS IN OPPOSITION, NO MATTER WHAT TYPE OF TAXATION IS BROUGHT IN ARE GOING TO STAND UP AND OPPOSE IT ANYWAY. SO WHETHER OR NOT THAT DECISION IS MADE HERE IN COUNCIL OR WHETHER IT IS MADE BY THE EXECUTIVE COMMITTEE YOU ARE GOING TO HAVE THE SAME STAND TAKEN BY THE SAME MEMBERS IN ANY CASE.

MR. MCKINNON: MR. CHAIRMAN, I AM NOT GOING TO FILIBUSTER ON THIS AND I'M NOT GOING TO PUT ON MY PROFESSORIAL GOWN AND GIVE AN INTRODUCTORY COURSE ON POLITICAL SCIENCE AS I DID ONE YEAR. THE POINT IS WHEN YOU HAVE RESPONSIBLE GOVERNMENT THEN YOU CAN AFFORD THE LUXURY OF TAKING AWAY THOSE TAXING POWERS WHICH YOU HAVE UNDER THE YUKON ACT AND GIVING THEM TO THE EXECUTIVE WHO CAN MAKE THE DECISION AND ARE RESPONSIBLE FOR THE DECISION. HOW MUCH FURTHER DO WE HAVE TO GO FOR AN EXAMPLE THAT THERE IS NO RESPONSIBLE GOVERNMENT. THEN OUR PRIORITIES, IF THERE WAS RESPONSIBLE GOVERNMENT WOULD IT BE A BILINGUALISM PROGRAM AND SIX MILES OF PAVING ON THE CAMPBELL HIGHWAY. THAT IS HOW LITTLE RESPONSIBLE GOVERNMENT WE HAVE AND UNTIL WE HAVE THAT AUTHORITY WE CAN'LL AFFORD TO GIVE UP THE LITTLE RESPONSIBILITY THAT WE DO HAVE - NAMELY SOME TAXING AUTHORITY IN CERTAIN FIELDS, TO A NON-EXISTENT RESPONSIBLE EXECUTIVE. WHEN THERE IS AN EXISTENT RESPONSIBLE EXECUTIVE THAT IS THE TIME TO DO IT BECAUSE THE RESPONSIBILITY FOR THE IMPOSED TAXES ON THE PEOPLE DOES LIE WITH HIM AND EVERYBODY KNOWS IT.

YOU KNOW IT AND I KNOW IT, EVERYBODY IN THIS HOUSE KNOWS IT. THE MINISTER OF INDIAN AFFAIRS AND NORTHER DEVELOPMENT THROUGH HIS MINISTER CALLS THE SHOTS. WE ALL KNOW THAT THE PRIORITIES THAT ARE SET UP IN THE BUDGET WOULDN'T BE THAT WAY IF THERE WERE RESPONSIBLE GOVERNMENT IN THE YUKON TERRITORY. THOSE ARE THE FACTS OF LIFE. THOSE ARE THE FACTS THAT WE SHOULD BE LOOKING AT. THAT IS WHY AT THIS POINT IN THE DEVELOPMENT OF THE YUKON TERRITORY'S CONSTITUTION WE SHOULD NOT BE GIVING UP THOSE FEW POWERS THAT WE HAVE AS AN IRRESPONSIBLE GOVERNMENT UNTIL THE POINT WHERE WE HAVE A RESPONSIBLE GOVERNMENT AND

WE CAN TRANSFER THEM OVER TO AN EXECUTIVE AS IS DONE IN EVERY OTHER RESPONSIBLE LEGISLATURE BUT NOT IN A LEGISLATURE THAT HAS NO RESPONSIBILITIES. NOT ONE IOTA OF IT IN ANY WAY, SHAPE, OR FORM.

AS I SAID, MR. CHAIRMAN, I AM NOT GOING TO DELAY THE TIME OF COUNCIL. I HAVE MADE MY POINT AS WELL AS I COULD ON MANY OCCASIONS. MEMBERS ARE MAKING A MISTAKE, A SAD MISTAKE IF THEY ARE GOING TO HIDE BEHIND THE COAT-TAILS OF THE COMMISSIONER AND SNEAK THROUGH IMPULSIVE TAXES ON THE PEOPLE AND THEN TURN AROUND AND IT IS DISGUSTING TO SAY, THAT THEY WILL SAY, "OH, THE COMMISSIONER DID IT. I DIDN'T HAVE ANY PART IN IT. IT IS THE COMMISSIONER'S FAULT."

MR. STUTTER: MR. CHAIRMAN, ON A POINT OF ORDER. THE FACT IS NOBODY HAS SAID THAT. NOBODY IN THIS PARTICULAR INSTANCE. I PARTICULARLY, AS A MEMBER OF THE SUB-COMMITTEE ON FINANCE TAKE FULL RESPONSIBILITY FOR THE DECISION MADE IN THAT COMMITTEE. IT HAD ABSOLUTELY NOTHING TO DO WITH HIDING BEHIND THE COAT-TAILS OF THE COMMISSIONER.

MR. MCKINNON: AND THE OTHER POINT, TRYING TO SAY THAT ALL MEMBERS GATHER IN ONE BODY IN THEIR OPPOSITION TO TAXATION. YOU DON'T HAVE TO GO ANY FURTHER THAN THE KINDERGARTEN TAX AND THE TAX ON TOBACCO TO SEE HOW BLANTANTLY FALSE THAT IS THAT THE OPPOSITION STICKS TOGETHER IN A GROUP TO OPPOSE ALL TAXATION MEASURES. THEY DON'T. THEY WOULD IF THIS WAS A RESPONSIBLE BODY BUT THEY DON'T BECAUSE IT ISN'T A RESPONSIBLE BODY AND MEMBERS MAKE UP THEIR MINDS INDIVIDUALLY ON THE ISSUE OF THE DAY AND VOTE ACCORDINGLY. IF THE HONOURABLE MEMBER DOESN'T REMEMBER THAT FAR BACK THEN I WILL BRING THE PART OF THE VOTES AND PROCEEDINGS TO REMIND HIM OF IT.

MR. CHAIRMAN: ANY FURTHER DISCUSSION ON MOTION NO. 21? ARE YOU PREPARED FOR THE QUESTION?

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. CHAIRMAN: ARE YOU AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED. DISAGREE.

MR. CHAIRMAN: THOSE AGREED KINDLY SIGNIFY. I SHALL DECLARE THAT THE MOTION IS CARRIED.

MOTION CARRIED

MR. TANNER: MR. CHAIRMAN, HOW DO YOU MAKE THAT DECISION. WHEN I SAW THREE MEMBERS SIGNIFY THAT THEY AGREED?

MR. CHAIRMAN: I, IN THE CHAIR, AGREE WITH THEM. THAT IS FOUR AGAINST THREE. I BEING THE SECONDER OF THE MOTION I THOUGHT THAT WAS QUITE CLEAR.

MR. TANNER: OKAY. WOULD YOU RECORD IN THE VOTES AND PROCEEDINGS THAT YOU FOR ONCE HAVE MADE A DECISION, MR. CHAIRMAN.

MR. CHAIRMAN: I MADE MY DECISION WHEN I SECONDED THE MOTION. I WOULDN'T THINK IT WOULD BE COMPETENT FOR A MEMBER TO REFLECT UPON THE MOTIVES OF THE CHAIR.

MR. TANNER: MR. CHAIRMAN, I AM NOT REFLECTING UPON THE MOTIVE OF THE CHAIR. I AM REFLECTING ON THE MOTIVES OF A MEMBER.

MR. CHAIRMAN: I WOULD CAUTION THE MEMBER TO TAKE HIS SEAT. MADAM CLERK WOULD YOU SEE IF WE CAN GET MR. LEGAL ADVISER IN AT THE MOMENT. WHILE WE ARE WAITING I WILL READ THE BILL. I JUST CAN'T RECALL NOW WHETHER OR NOT THIS HAS BEEN AMENDED OR IF INDEED THE BILL HAS BEEN READ. I DO NOT BELIEVE IT HAS ALTHOUGH I THINK, AS AN AFTERTHOUGHT, AN AMENDMENT TO THE BILL WAS BROUGHT IN PRIOR TO THE READING OF IT. IS THIS NOT CORRECT?

MR. CHAMBERLIST: YES, IT WAS AMENDED AND THAT IS THE AMENDED BILL.

MR. CHAIRMAN: THERE IS NO AMENDMENT AS YET BECAUSE THE BILL HAS NOT BEEN READ. THE NEW COPY YOU HAVE WOULD BE THE BILL. DO YOU DISAGREE?

MR. CHAMBERLIST: WE HAVEN'T GOT THIS MOTION AT ALL.

MR. CHAIRMAN READS BILL NO. 19.

MR. STUTTER: MR. CHAIRMAN, THAT FINAL SECTION (2) IN THIS PARTICULAR BILL HAS BEEN PUT IN HERE, I BELIEVE AT MY REQUEST. I THINK I BROUGHT IT TO THE ATTENTION OF COUNCIL HERE A MONTH OR SO AGO. SINCE THAT TIME I HAVE TALKED TO MANY MORE DRIVERS OF THESE TYPES OF VEHICLES AND I FIND THAT PERHAPS RATHER THAN US CHANGING THE LEGISLATION WE SHOULD IN FACT HAVE BEEN ENFORCING THE EXISTING LEGISLATION NOW. RATHER THAN SEE THIS PASSED

AT THIS POINT I WOULD LIKE TO HEAR SOME COMMENT FROM MR. LEGAL ADVISER AS TO WHY THE GOVERNMENT IN THE FIRST INSTANCE WAS NOT ENFORCING THE LEGISLATION AS IS PRESENTLY ON THE BOOKS. IT SEEMS TO ME THAT IT MIGHT BE BETTER TO BE ENFORCING THAT LEGISLATION AFTER ALL RATHER THAN CHANGING THE LEGISLATION TO SUIT THE PRESENT PRACTICES OF THE GOVERNMENT.

MR. LEGAL ADVISER: I DON'T KNOW TOO MUCH ABOUT IT, MR. CHAIRMAN. AS I UNDERSTAND FROM MR. TAYLOR THAT WITH THE TRUCK TRACTOR IT IS QUITE UNNECESSARY TO HAVE THE EXTRA HITCH. THEY ARE SO MANUFACTURED SO AS TO BE ABLE TO DO WITHOUT IT. THE PRIMARY PURPOSE OF THE ORIGINAL INTRODUCTION WAS TO ORDINARY TRAILERS. IT WAS AN ACCIDENT THAT IT APPEARED TO CATCH TRUCK TRACTORS BECAUSE OF THE DEFINITION OF TRACTOR IN THE EXPRESSION TRUCK TRACTORS. IT WASN'T INTENDED TO AFFECT THEM AT ALL.

MR. STUTTER: MR. CHAIRMAN, A FURTHER POINT TOO IS THAT NOW WITH THE TYPE OF TRACTOR TRAILER THAT WE HAVE ON OUR HIGHWAYS - THIS AS WORDED NOW WOULD EVEN EXCLUDE THAT TRAILER PULLED BY THE TRACTOR. THAT PARTICULAR PIECE OF EQUIPMENT, THE SECOND TRAILER BEHIND THE TRUCK TRACTOR IS NO DIFFERENT TO ANY OTHER WAGON OR ANY OTHER TRAILER DRAWN BY ANY OTHER VEHICLE.

MR. LEGAL ADVISER: THAT IS TRUE, MR. CHAIRMAN. IT BECOMES AN ORDINARY TRAILER BECAUSE IT IS NOT DRAWN BY THE TRUCK TRACTOR, IT IS DRAWN BY THE TRAILER BEHIND THE TRUCK TRACTOR.

MR. STUTTER: MR. CHAIRMAN, THAT TRUCK TRACTOR HAS NO POWER, IT HAS GOT TO HAVE BEEN - THERE IS TWO OF US ON OUR FEET, MR. CHAIRMAN.

MR. LEGAL ADVISER: IT IS ONLY WHERE THE TRUCK TRACTOR IS DRAWING A TRAILER BY A DEVICE COMMONLY KNOWN AS A FIFTH WHEEL. NOW, WHERE YOU GET A TRUCK TRACTOR DRAWING A TRAILER WITH A FIFTH WHEEL THE SECOND TRAILER IS ATTACHED BY AN ORDINARY COUPLING DEVICE AND NOT A FIFTH WHEEL. IN THESE CIRCUMSTANCES, IT MUST HAVE THE EXTRA SAFETY COUPLING, THAT IS THE SECOND TRAILER OF THE GROUP OF VEHICLES CONSISTING OF A TRUCK TRACTOR, A TRAILER AND A SECOND TRAILER.

MR. STUTTER: THEN WHY, MR. CHAIRMAN, IS THAT SECTION OF THE ORDINANCE NOT NOW BEING APPLIED THEN?

MR. LEGAL ADVISER: I DIDN'T KNOW IT WASN'T BEING ENFORCED, MR. CHAIRMAN.

MR. CHAIRMAN: MR. LEGAL ADVISER AS A RESULT OF THE PASSAGE OF MOTION NO. 21, I AM WONDERING IF YOU WOULD BE ABLE TO DRAFT THE NECESSARY AMENDMENT CONTAINED IN IT?

MR. LEGAL ADVISER: YES, MR. CHAIRMAN, I NEED A SMALL AMOUNT OF TIME TO DRAFT IT BECAUSE YOU MUST PRESERVE IN FORCE THE PRESENT SCHEDULE OF FEES BECAUSE IF YOU DON'T THEN WE WILL WASTE THE INTRODUCTION OF ANOTHER ORDINANCE. IT IS GOING TO BE QUITE A BIT OF TROUBLE TO HAVE THIS HOUSE THEN DEBATE THE WHOLE SCHEDULE OF FEES WHICH IS CURRENTLY DONE BY COMMISSIONER'S ORDER. I THINK WHAT YOU BASICALLY NEED IS AN AMENDMENT TO THE ORDINANCE TO TAKE AWAY THE POWER OF THE COMMISSIONER TO PRESCRIBE THE FEES BY REGULATION BUT KEEPING IN FORCE UNTIL THERE IS A CHANGE MADE IN THE FEES CURRENTLY IN FORCE.

MR. CHAIRMAN: I BELIEVE THE MOTION CLEARLY STATES THAT THIS POWER SHOULD BE VESTED IN THE COMMISSIONER IN COUNCIL.

MR. LEGAL ADVISER: THIS IS TRUE. WHAT THE EXPRESSION COMMISSIONER IN COUNCIL MEANS IS AN ORDINANCE. IT MEANS NO REGULATION. THIS POWER CAN REGULATE BUT IT ALWAYS REGULATES BY AN ORDINANCE.

MRS. WATSON: MR. CHAIRMAN, WHAT THE LEGAL ADVISER IS SAYING IS THAT THE FEE STRUCTURE THAT WAS BROUGHT IN THIS YEAR IS PROGRAMED OVER A TWO YEAR PERIOD OF TIME. HE IS SUGGESTING THAT THIS NEW AUTHORITY FOR THE FEE SETTING BY THE COMMISSIONER IN COUNCIL WILL BE PROGRAMED TO COME INTO FORCE AFTER THE SECOND PHASE OF THE FEE STRUCTURE COMES INTO FORCE. RIGHT? THERE HAVE TO BE SOME VERY SPECIFIC INSTRUCTIONS.

MR. CHAMBERLIST: WE CAN'T ALLOW THAT FOR THE SIMPLE REASON THAT IF YOU DON'T PUT SOMETHING IN, THERE IS NO REASON WHY THE COMMISSIONER CANNOT CONTINUE TO MAKE INCREASES.

MR. LEGAL ADVISER: IT IS POSSIBLE TO DRAFT A SECTION WHICH WILL HAVE THIS EFFECT. THE FEES NOW IN FORCE AND THE PROGRAM FEES THAT ARE SET OUT TO COME INTO FORCE WILL CONTINUE TO BE IN FORCE FOR A PERIOD. THEN ANY CHANGE IN THE STRUCTURE EITHER NOW OR IN THE FUTURE OTHER THAN THAT IN THAT STRUCTURE WILL HAVE TO COME BEFORE THIS HOUSE AND BE PASSED AS A SCHEDULE.

MR. MCKINNON: MR. CHAIRMAN, AS MOVER OF THE MOTION I AGREE WITH MR. LEGAL ADVISER'S ANALYSIS OF IT. IN FACT IF THAT WASN'T THE ANALYSIS THEN I WOULDN'T HAVE EVEN BROUGHT THE MOTION FORWARD IF THAT WASN'T THE WAY THAT IT COULD AND SHOULD BE DONE.

MR. CHAIRMAN: CAN WE HAVE AN AMENDMENT BY TOMORROW?

MR. LEGAL ADVISER: YES, MR. CHAIRMAN.

MR. STUTTER: MR. CHAIRMAN, MAY I HEAR SOME OTHER DISCUSSION FROM SOME OTHER MEMBERS ON THAT LAST SECTION, BECAUSE AS I SAY, IF THIS BILL IS GOING TO BE CHANGED AROUND AGAIN NOW, I WOULD LIKE TO HEAR WHETHER OR NOT WE ARE DOING THE RIGHT THING IN THE MINDS OF OTHER MEMBERS BY CHANGING THE LEGISLATION PURELY TO GO ALONG WITH THE PRESENT POLICY, YOU MIGHT SAY, OF THE GOVERNMENT. RATHER THAN ENFORCING THE PRESENT LEGISLATION.

I AM NOT SURE THAT WE ARE DOING THE RIGHT THING BY CHANGING THE LEGISLATION. I WOULD LIKE TO HEAR COMMENTS FROM OTHER MEMBERS ON THIS.

AT PRESENT THE ORDINANCE SAYS THAT ANY TRAILER DRAWN BY A, THIS IS IN A NUTSHELL I COULD READ IT OUT OF THE ORDINANCE, ANY TRAILER DRAWN BY A TRACTOR MUST HAVE A SAFETY COUPLING DEVICE. AT THE TIME THAT I BROUGHT THIS TO THE ATTENTION OF MR. TAYLOR'S OFFICE IT HAD BEEN POINTED BACK TO ME, AND I HAVE IT IN A LETTER, THAT IT NEVER WAS THE INTENTION OF ENFORCING THIS PART OF THE ORDINANCE WHERE IT APPLIES TO TRUCK TRAILERS OR TRACTORS HAVING A FIFTH WHEEL. THEREFORE, THE ORDINANCE HAS NEVER BEEN ENFORCED AS FAR AS THEY WERE CONCERNED.

THIS CHANGE OR THIS AMENDMENT TO THE ORDINANCE WOULD MAKE IT CLEAR THAT IT IS NOT EVEN REQUIRED OF THEM TO HAVE THIS SAFETY DEVICE.

MR. LEGAL ADVISER: THERE IS A SPECIAL DEVICE KNOWN AS A FIFTH WHEEL. WHERE THAT COUPLING IS USED A SECOND COUPLING IS NOT REQUIRED. ANY OTHER COUPLING OTHER THAN THE DEVICE KNOWN AS A FIFTH WHEEL REQUIRES A SAFETY HITCH. WHEN YOU HAVE A TRAIN YOU HAVE A TRUCKTRACTOR WHICH UNDERLIES ANOTHER VEHICLE WHICH IS RIDING ON TOP. IT DOES NOT ITSELF HAVE WHEELS OTHER THAN SAY A SINGLE WHEEL RESTING ON THE ROAD. THAT DEVICE DOES NOT NEED A COUPLING DEVICE BUT IF THAT PAIR OF DEVICES HAD A TRAIN

OF OTHER VEHICLES AFTER THEM THEN UNLESS THEY ARE HITCHED TOGETHER BY FURTHER FIFTH WHEELS, WHICH IN PRACTICE NEVER HAPPENS, THEY WOULD NEED A SAFETY COUPLING. THEY MAY NOT HAVE IT AND IF THEY HAVE NOT GOT IT, AS THIS AMENDMENT IS DRAFTED THEY SHOULD HAVE IT.

MR. STUTTER: MR. CHAIRMAN, THERE ARE VEHICLES ON THE HIGHWAY NOW THAT HAVE TWO FIFTH WHEELS. THEY HAVE ONE FIFTH WHEEL TO BEGIN WITH THAT TAKES ON THE FIRST LOAD AND ON THE BACK OF THAT PARTICULAR TRAILER THERE IS ANOTHER FIFTH WHEEL. IN THAT PARTICULAR CASE IF WE PASS THIS PARTICULAR ORDINANCE THEN THEY DON'T REQUIRE ANY SECONDARY DEVICES WHATSOEVER. THE POINT THAT I AM TRYING TO GET ACROSS, MR. CHAIRMAN, TO MR. LEGAL ADVISER IS THAT THE VIEW HAS BEEN TAKEN BY MR. TAYLOR'S DEPARTMENT THAT THE FIFTH WHEEL IS INFALLIBLE. IN CONVERSATIONS THAT I HAD WITH SOME OF THE TRUCK DRIVERS IT IS NOT TRUE THERE ARE CASES WHERE THE TRAILER ATTACHED TO THE TRACTOR THROUGH THE FIFTH WHEEL HAVE INDEED COME LOOSE. I THINK FORTUNATELY THAT THERE HAS NEVER BEEN ANOTHER VEHICLE OR THERE HAS NEVER BEEN DEATHS INVOLVED. THE POINT IS THAT THE FIFTH WHEEL IS NOT INFALLIBLE. SHOULD WE TAKE THAT VIEW THROUGH LEGISLATION OR NOT.

MR. LEGAL ADVISER: NO, MR. CHAIRMAN, THEY ARE NOT TAKING THE VIEW THAT THE FIFTH WHEEL IS INFALLIBLE. THEY ARE TAKING THE VIEW THAT A FIFTH WHEEL IS AN EXTREMELY SAFE DEVICE. TO GIVE ANY KIND OF EQUAL PROTECTION TO A FIFTH WHEEL BY ADDING ANOTHER DEVICE WOULD BE SO PROHIBITIVELY EXPENSIVE THAT IT WOULD HAVE TO BE STRICTLY MANUFACTURED FOR THE PURPOSE OF USING IN THE YUKON. IT IS USED NOWHERE ELSE IN NORTH AMERICA. THAT IS NOT AN UNREASONABLE VIEW FOR OUR PARTICULAR DEPARTMENT TO TAKE. THE COST IS PROHIBITIVE.

MR. CHAMBERLIST: WHAT POINT DOES IT MATTER TO US ABOUT THE COST BEING PROHIBITIVE OR NOT IF IT IS A SAFETY FEATURE THAT WE REQUIRE TO PROTECT PEOPLE FROM INJURY. WE HAVE A RESPONSIBILITY THERE. I THINK THAT THE MEMBER FROM DAWSON HAS A POINT. THE EXISTING SECTION 62 (3) SAYS EVERY TRAILER, MEAN THE TRAILER BEHIND THE MOTOR UNIT. THAT MEANS EVERY TRAILER WHERE THERE ARE TWO TRAILER UNITS. "EVERY TRAILER SHALL HAVE IN ADDITION TO THE MAIN COUPLING DEVICE, AN AUXILIARY HITCH CONSISTING OF A CHAIN OR METAL CABLE EQUIVALENT IN STRENGTH TO THE MAIN COUPLING DEVICE." SO IT ALREADY MAKES PRO-

VISION FOR EVERY TRAILER TO HAVE THE COUPLING DEVICE. IN THIS AMENDMENT WE WOULD BE GOING BACKWARDS IF WE REPEAL WHAT WE'VE GOT BECAUSE THEN THIS NEW SECTION WOULD SAY: "EVERY TRAILER, OTHER THAN A TRAILER DRAWN BY A TRUCKTRACTOR".

MR. LEGAL ADVISER: THAT IS THE INTENTION MR. CHAIRMAN.

MR. CHAMBERLIST: BUT YOU'VE ALREADY GOT THAT HAVE WE NOT? IF WE SAY EVERY TRAILER?

MR. STUTTER: NO, MR. CHAIRMAN, I THINK THAT THE MEMBER HAS MISSED THE POINT. THE POINT IS THAT THE LEGISLATION AS IT PRESENTLY EXISTS REQUIRE THAT THAT SAFETY DEVICE BE PUT ON ALL TRAILERS, WHETHER OR NOT THEY'RE A FIFTH WHEEL TRUCK OR A TRACTOR OR NOT. THE LEGISLATION SAID THEY HAD TO HAVE THE DEVICE. BUT THAT PART OF THE LEGISLATION NEVER HAS BEEN IN FORCE BECAUSE OF THE TYPE OF ATTITUDE THAT THE GOVERNMENT'S TAKEN AS EXPRESSED THROUGH THE LEGAL ADVISER, THAT THE FIFTH WHEEL IS SUCH A SAFE DEVICE THAT THE CHANCE OF NEEDING THE EXTRA COUPLING REALLY WASN'T THERE. AND THE COST OF PUTTING IT ON IS PERHAPS PROHIBITIVE. SO IT WAS MY VIEW AT THAT POINT THAT IF THE GOVERNMENT HAS NO INTENTIONS OF ENFORCING THAT PART THEN THE LEGISLATION SHOULD BE CHANGED SO THAT IT WASN'T IN OFFENSE TO OPERATE A VEHICLE WITHOUT THAT SAFETY DEVICE. BUT NOW, AFTER HAVING TALKED WITH SOME OF THE TRUCK DRIVERS, IT APPEARS THAT THIS FIFTH WHEEL ISN'T AS SAFE AS WE ARE GIVEN TO BELIEVE. AND I WOULD LIKE TO LOOK INTO IT A LITTLE FURTHER BEFORE WE MAKE IT LEGALLY RIGHT FOR THEM TO GO DOWN THE HIGHWAYS WITHOUT THIS SPECIAL SAFETY DEVICE.

MR. MCKINNON: I AGREE WHOLEHEARTEDLY WITH THE HONOURABLE MEMBER FROM DAWSON. I WOULD LIKE TO HAVE THE SUMMER TO LOOK AT IT TOO.

MR. CHAIRMAN: ONE COMMENT FROM THE CHAIR. A FIFTH WHEEL WHEN IT IS LOCKED IS SOLID. YOU HAVE TO MANUALLY UNLOCK IT BUT IF SOMEONE BACKS UNDER A TRAILER WITH A FIFTH WHEEL AND DOESN'T GET IT LOCKED. HE COULD DRIVE AWAY AND LOSE THE TRAILER, THAT'S TRUE.

MR. STUTTER: MR. CHAIRMAN, I WILL GIVE YOU ONE SPECIFIC INSTANCE AND THIS IS ABSOLUTELY TRUE AND THIS HAPPENED IN THE WINTER TIME AND THIS IS PERHAPS ONE TIME OF THE YEAR THAT IT'S EASIER TO HAPPEN THAN AT ANY OTHER TIME. THE

FIFTH WHEEL HAS A CONSIDERABLE AMOUNT OF GREASE ON IT THAT WHEN THE TWO DEVICES COME TOGETHER IN REAL COLD WEATHER, THERE IS SUFFICIENT FRICTION BETWEEN THOSE TWO PLATES FOR THE TRUCKTRACTOR TO DRIVE AWAY AND PULL THAT TRAILER WITHOUT THE LOCKING DEVICE HAVING BEEN LOCKED. JUST FROM SHEAR FRICTION. AND WHEN THIS HAPPENED IN DAWSON, ONE PARTICULAR VEHICLE WAS BEING RECLAIMED BY A FINANCE COMPANY IT WAS BEING DRIVEN BACK FROM DAWSON BY A DRIVER WHO WAS NOT FAMILIAR WITH THE RIG, BACKED UNDERNEATH IT, TOOK OFF AND HE GOT SEVEN MILES OUT OF TOWN AND THE LONG STRETCH BEYOND THE AIRPORT WHERE THERE IS A SHARP TURN. IT WAS NOT UNTIL HE WENT TO MAKE THAT TURN THAT THE TRACTOR MADE THE TURN AND THE TRAILER KEPT GOING RIGHT INTO THE RIVER. THE FIFTH WHEEL SAFETY DEVICE HAD NEVER LOCKED.

MR. CHAIRMAN: THIS IS WHAT I WAS STATING. IN FACT IN THE CASE SITED, THE PROBLEM ISN'T WITH THE FIFTH WHEEL OR IT ISN'T WITH THE TRACTOR, IT'S WITH THE DRIVER WHO FORGOT TO ENSURE THAT THE THING WAS LOCKED.

MR. STUTTER: MR. CHAIRMAN, IF THERE HAD BEEN A SAFETY DEVICE ON IT, THE ACCIDENT WOULDN'T HAVE HAPPENED. ANYWAY MR. CHAIRMAN, I WOULD LIKE TO LEAVE THAT PART. I MEAN AFTER HAVING REQUESTED IT TO BE PUT IN THERE, I WOULD NOW REQUEST THAT IT BE NOT PUT IN THERE, UNTIL WE HAVE LOOKED INTO IT A LITTLE FURTHER. IT SEEMS TO BE MY POSITION CHANGING MY MIND.

MR. CHAIRMAN: WELL DO I TAKE IT THEN THAT YOU WISH TO REMOVE AGAIN SECTION 2 THAT THAT SHOULD DISAPPEAR.

MR. STUTTER: AS FAR AS I'M CONCERNED, YES, MR. CHAIRMAN IF OTHER MEMBERS WILL AGREE TO IT.

MRS. WATSON: IT JUST HAPPENS THAT WE HAVE TWO BILL 19'S AND I SEE ONE OF THEM WITH THE DEVICE AND ONE WITHOUT THE DEVICE.

MR. CHAIRMAN: WELL THEN IS IT AGREED THAT SUBSECTION (2) WILL BE DELETED FROM THE BILL? OR PARDON ME SECTION 2.

MR. LEGAL ADVISER: IF WE'RE GOING TO DEAL WITH THE QUESTION OF COMMISSIONER IN COUNCIL DEALING WITH FEES, THEN IT NEEDS ANOTHER AMENDMENT. PERHAPS THE HONOURABLE MEMBER FOR DAWSON COULD DISCUSS THIS MATTER WITH MR. TAYLOR OVERNIGHT AND PERHAPS HE MIGHT CHANGE HIS

MIND AGAIN.

MR. CHAIRMAN: IS IT YOUR WISH AT THIS POINT THAT I REPORT PROGRESS ON THE BILL?

MR. TANNER: PERHAPS THE HONOURABLE MEMBER AT THE SAME TIME COULD ALSO DISCUSS THE OTHER AMENDMENT THAT HE WANTS IN THERE AND LET US KNOW WHERE WE SHOULD STAND ON THAT TOMORROW AS WELL.

MR. STUTTER: WHICH OTHER AMENDMENT?

MR. TANNER: THE MEMBER THAT HE'S JUST VOTED ON, THE MOTION WE'VE JUST VOTED ON.

MR. STUTTER: THE MEMBER KNOWS FULL WELL THAT DECISION HAS ALREADY BEEN MADE BY THE MAJORITY OF COUNCIL.

MR. CHAIRMAN: MR. LEGAL ADVISER, YOU'LL BE PREPARING AN AMENDMENT. IS IT YOUR WISH THEN COMMITTEE THAT I REPORT PROGRESS ON BILL 19.

SOME MEMBERS: AGREED.

MR. CHAIRMAN: AT THIS TIME I WILL CALL A SHORT RECESS.

RECESS

MR. CHAIRMAN: COMMITTEE WILL NOW COME TO ORDER. THE NEXT ITEM OF BUSINESS IS THE RESULTS OF CONTENT OF MOTION NO. 23. DOCUMENTS ON FISHER-FLEMING, COUNCILLOR CHAMBERLIST.

MR. CHAMBERLIST: I'M NOT GOING TO GO OVER ANYTHING OF WHAT I HAVE SAID, BUT I WOULD LIKE TO BRING MEMBERS UP-TO-DATE NOW AS TO WHAT HAPPENED SINCE WE LAST DISCUSSED THIS MATTER. MR. CHAIRMAN, I READ A LETTER THAT WAS SENT BY THE ADMINISTRATOR TO MR. FLEMING. HE REPLIED POINTING OUT THAT HE WAS ACCEPTING THAT POSITION AND REFRAINING "MY RETURN TO WORK IN A COMMENSURATED CLASSIFICATION TO THAT OF MY PERMANENT POSITION OF ASSISTANT COMMISSIONER AND MY ASSIGNMENTS OF SACRAMENTS ARE TO SUCH INTERMED DUTIES WHICH INCLUDE THOSE WHO PLAN AS PARKS PLANNER AS A COMMISSIONER MAY DIRECT."

NOW AFTER THAT LETTER A MOST SURPRISING THING HAPPENED. THE COMMISSIONER WRITES BACK TO MR. FLEMING ON JUNE 4TH, THANKS HIM FOR HIS LETTER AND SAYS I'M GOING TO READ IT QUICKLY BECAUSE I THINK YOU WOULD GET THE PICTURE OF HOW RIDICULOUS THIS SITUATION HAS BECOME. IT SAYS, "DEAR KEITH, THANK-YOU FOR YOUR LETTER DATED MAY 23RD, 1974 ADDRESSED TO MR. FINGLAND. AS YOU HAVE NOT ACCEPTED OUR OFFER, AND THE LETTER WAS QUITE CLEAR THAT HE DID ACCEPT THE OFFER, WE WILL BE ADVERTISING THE POSITION FOR OPEN COMPETITION. I VERY MUCH REGRET THAT YOU SHOULD FEEL THAT OUR OFFER DOES NOT MEET YOUR REQUIREMENTS, AS YOU KNOW WE WERE PREPARED TO APPOINT YOU AT THE MAXIMUM OF THE SALARY RANGE WITHOUT COMPETITION, WAIVE THE NORMAL PROBATIONARY PERIOD AND REINSTATE YOUR SERVICE RETRO-ACTIVE TO DECEMBER 28TH, 1973." THAT WAS AT SIXTEEN THOUSAND DOLLARS A YEAR UP AGAINST THIRTY ONE THOUSAND DOLLARS A YEAR. "ALSO OF COURSE THIS POSITION AS WELL AS OUR EARLIER OFFER OF A CONTRACT WOULD HAVE SATISFACTORILY INITIATED THE REHABILITATIVE PROCESS IN WHICH THE NATIONAL INSURANCE COMPANY IS INTERESTED. I NOTE THAT YOU REFER TO THE APPOINTMENT YOUR POSITION OF THE TERRITORIAL GOVERNMENT COMMENSURATE WITH YOUR FORMER POSITION AS ASSISTANT COMMISSIONER, ADMINISTRATIVE. ACTUALLY, THERE IS NO POSITION IN THE PUBLIC SERVICE COMMENSURATE WITH THE POSITION, ASSISTANT COMMISSIONER, ADMINISTRATIVE."

HE GOES ON TO SAY THAT WE'RE FINISHED WITH YOU, AS FAR AS WE'RE CONCERNED. IT'S MY HOPE THAT SOME TIME IN THE FORESEEABLE FUTURE YOU WILL FIND THE KIND OF EMPLOYMENT OPPORTUNITIES THAT MEET YOUR EXPECTATIONS. AND I FIRSTLY WISH YOU EVERY SUCCESS. NOW I HAVE BEEN

ASKED TO BRING TO THE ATTENTION OF COUNCIL A LETTER THAT WAS SENT TO MR. MCPHAIL. THIS IS REALLY SERIOUS BECAUSE I HAVE PROMISED TO REQUEST OF MR. FLEMING WHETHER HE WOULD ALLOW THE MEDICAL CERTIFICATES TO BE BROUGHT FORWARD HERE. AND IT WAS NECESSARY AS A RESULT OF A MEETING BETWEEN MR. FLEMING AND THE MEMBER FOR WHITEHORSE NORTH...

MRS. WATSON: MR. CHAIRMAN, I THINK THE MEMBER FROM WHITEHORSE NORTH SHOULD BE PRESENT IN THE CHAMBERS AT THIS TIME.

MR. CHAMBERLIST: YES WELL CAN YOU GET HIM.

MR. CHAIRMAN: MADAM CLERK, WOULD YOU SEE IF THE HONORABLE MEMBER'S AVAILABLE.

MR. CHAMBERLIST: MR. CHAIRMAN, TO CONTINUE, A LETTER WAS SENT BY MR. FLEMING TO MR. MCPHAIL. IT READS FOLLOWS, "FROM TIME TO TIME DURING THE PERIOD JANUARY 25TH TO 1973 TO DATE, I HAVE GIVEN YOU COPIES OF THE CONFIDENTIAL MEDICAL REPORT WHICH WAS PASSED BETWEEN MY DOCTORS, NATIONAL LIFE INSURANCE COMPANY AND GROUP ADMINISTRATION, OTTAWA. THIS WAS DONE AT YOUR REQUEST BECAUSE YOU TOLD ME THAT YOU WERE NOT BEING PROVIDED WITH THIS INFORMATION WHICH YOU NEEDED IN ORDER TO ENSURE THAT MY BEST INTERESTS AS AN EMPLOYEE OF THE YUKON TERRITORIAL GOVERNMENT WERE BEING TAKEN CARE OF. I HAVE NO REASON TO DOUBT THE SINCERITY OF YOUR STATED INTENTIONS, PARTICULARLY AS YOU GAVE TO ME THAT YOU'RE UNDERTAKING THE MEDICAL DOCUMENTS WILL BE HELD IN THE STRICTEST OF CONFIDENCE AS IS USUAL THE CUSTOM WITH WHICH SUCH PAPERS. AND WILL NOT BE DISCLOSED TO ANYONE OTHER THAN COMMISSIONER SMITH WITHOUT FIRST OBTAINING MY WRITTEN CONSENT."

ON THURSDAY, JUNE 6TH, 1974, A MEMBER OF THE EXECUTIVE COMMITTEE OF THE YUKON TERRITORY INFORMED ME THAT HE HAD READ MY CONFIDENTIAL MEDICAL DOCUMENTS AND IN THE ABSENCE OF EVIDENCE OF THE CONTRARY I MUST ASSUME THAT THE PAPERS HE READ CAME FROM YOUR OFFICE AS THE ONLY OTHER COPIES ARE WITH MY DOCTOR OR ORGANIZATIONS OUTSIDE THE YUKON TERRITORY. ALL OF WHOM HAVE SHOWN BY THEIR PAST ACTIONS THAT THEY WILL NOT RELEASE THE INFORMATION TO ANYONE WITHOUT MY SIGNED PERMISSION. PLEASE EXPLAIN TO ME HOW THE MEDICAL REPORTS COULD HAVE BEEN REMOVED FROM YOUR CUSTODY, WHERE THEY WERE TO BE KEPT IN A SEALED ENVELOPE AND GIVEN TO SOMEONE TO READ, DESPITE THE FACT THAT MY PERMISSION FOR THESE HAVE BEEN REQUESTED AND

GRANTED.

WITH YOUR MANY YEARS EXPERIENCE IN PERSONNEL MATTERS, YOU MUST BE FULLY AWARE OF THE CONFIDENTIALITY OF MEDICAL REPORTS AND OF THE INHERENT DANGER OF LAYMEN MISINTERPRETING MEDICAL OPINION AND ADVICES, ESPECIALLY WHEN TAKEN OUT OF CONTEXT. AND BY THE USE OF ONLY A PART OF THE TOTAL EVIDENCE RECOMMENDATIONS AND ADVICE AVAILABLE.

IT SHOULD ALSO BE NOTED THAT ONE OF THE REPORTS THAT I GAVE TO YOU IS NOW FOURTEEN MONTHS OLD AND THAT THE OTHER REFLECTS MY MEDICAL CONDITION ON DECEMBER 18TH, 1973. SINCE THEN THERE HAVE BEEN OTHER EXAMINATIONS AND THERE ARE SPECIALISTS' REPORTS WHICH ALTHOUGH I HAVE BEEN ALLOWED TO READ THEM, I HAVE NOT SENT TO YOU AS I DO NOT HAVE COPIES OF THEM. IT WOULD THEREFORE BE INADVISABLE FOR ANYONE TO FORM A MEDICAL OPINION AND ATTEMPT TO USE IT TO MY DETRIMENT BASED ON THE LIMITED DOCUMENTATION IN YOUR POSITION AT THIS MOMENT. IN VIEW OF WHAT HAS APPARENTLY TAKEN PLACE BY THE UNAUTHORIZED RELEASE OF MY CONFIDENTIAL MEDICAL REPORTS, WHICH WOULD BE A BREACH OF TRUST, I MUST NOW ASK THAT THE COPIES THAT WERE GIVEN INTO YOUR SAFETY, BE RETURNED TO ME IMMEDIATELY TOGETHER WITH A WRITTEN INSURANCE FROM YOU THAT NO COPIES HAVE BEEN MADE OR RETAINED BY THE YUKON TERRITORIAL GOVERNMENT.

I WOULD APPRECIATE RECEIVING YOUR REPLY AND THE MEDICAL REPORT BY RETURN MAIL. THIS LETTER WAS SENT ON JUNE 12TH. THERE HAS BEEN NO REPLY TO THAT LETTER, TO THIS DATE ANYWAY. NOW I WAS INFORMED, MR. CHAIRMAN, THAT COUNCILLOR TANNER HAD INDICATED THAT IF HE WOULDN'T SUPPORT HIS RETURN, MR. FLEMING'S RETURN TO THE COUNCIL BECAUSE OF THIS MATTER, THE PUBLIC SERVICE HAS GOT NOTHING AT ALL TO DO WITH COUNCIL AND THAT IF HE WOULD HAVE GONE TO COUNCILLOR TANNER, HE WOULD HAVE DEALT WITH THIS MATTER AND WOULD HAVE RECEIVED SATISFACTORY RESULTS.

NOW I BRING THIS INFORMATION FORWARD. I REGRET THAT I'M UNABLE TO PROVIDE THE MEDICAL CERTIFICATES BECAUSE THERE IS NOW, AS I UNDERSTAND IT, SOMEDAY THIS WEEK, COMMENCEMENT OF CIVIL ACTION AGAINST THE COMMISSIONER AND THE GOVERNMENT OF THE YUKON TERRITORY BY MR. FLEMING. THE MATTER NOW WOULD BE CONSIDERED SUBJUDICY, I HAVE NO FURTHER COMMENT. BUT I WANT MEMBERS OF COUNCIL TO UNDERSTAND WHAT HAS

TAKEN PLACE TO A SENIOR PUBLIC SERVANT AND WHETHER OR NOT THEY CAN KEEP THEIR OWN THOUGHTS AS TO WHETHER OR NOT THE MANNER IN WHICH MR. FLEMING HAS BEEN DEALT WITH BY THE ADMINISTRATION. AND I THINK THAT THE REMARKS THAT HAVE BEEN MADE BY COUNCILLOR TANNER HE CAN SAY YES OR NO, AS TO WHETHER HE MADE ANY COMMENTS OF THIS NATURE IS PROPER IN THE CIRCUMSTANCES.

MR. TANNER: MR. CHAIRMAN, FIRST OF ALL, AS THE HONORABLE MEMBER POINTED OUT TO THE HOUSE, INFORMED THE COMMITTEE THAT THIS IS GOING IN FRONT OF THE COURTS, I DON'T REALLY SEE THE POINT ON WHAT HE'S BRINGING UP. UNLESS, HE SPECIFICALLY WANTS TO LAY A CHARGE AGAINST ME OR TO SALLY MY REPUTATION OR WHAT IS THE WHOLE POINT OF HIM BRINGING THIS UP. NOW I'M NOT GOING TO PURSUE IT. UNFORTUNATELY, WHAT THE MEMBER SAID IS AN OUTRIGHT LIE. HE'S A LIAR AND SO IS THE GENTLEMAN WHO MADE IT A LIAR.

MR CHAIRMAN: ORDER PLEASE, ORDER PLEASE, I THOUGHT I RULED THE OTHER, ORDER PLEASE? PLEASE TAKE YOUR SEAT, COUNCILLOR.

MR. TANNER: WHY ARE YOU RULING AGAINST ME WHEN HE HAS MADE THOSE...

MR. CHAIRMAN: PLEASE TAKE YOUR SEAT, COUNCILLOR. NOW JUST TO KEEP THINGS STRAIGHT IN THIS COMMITTEE, I RULED THE OTHER DAY AND I DIDN'T FULFIL THE FUNCTION I SHOULD HAVE FULFILLED WHEN THE HONORABLE MEMBER FOR CARMACKS-KLUANE STARTED CALLING PEOPLE LIARS. IT IS HIGHLY UNPARLIAMENTARY AND THERE'S NO PLACE FOR IT IN THE HOUSE OR IN THIS COMMITTEE. AND I WOULD ASK AGAIN THAT YOU DO NOT PLACE ME IN THE POSITION AS CHAIRMAN OF COMMITTEES OF HAVING TO NAME THE MEMBER TO THE SPEAKER OF THE HOUSE. AND IF WE COULD GET ALONG IN THE INTEREST OF DECORUM AND IN THE INTEREST OF DECENCY IF IN THIS HOUSE WE COULD REFRAIN OURSELVES IN DEBATE.

MR. CHAMBERLIST: MR. CHAIRMAN, ALL I GAVE WAS THE INFORMATION THAT HAS BEEN PASSED ON TO ME. THE NOTES THAT I HAVE RECEIVED AS FOLLOWS, IT WOULD SEEM THAT WE'RE ALLOWING COUNCILLOR TANNER AND OTHERS TO SEE THE CONFIDENTIAL MEDICAL REPORTS. THE GENERAL PATTERN OF INJURING ME IN EVERY POSSIBLE WAY HAS BEEN FOLLOWED ONCE AGAIN. THE PATTERN IS TOO WELL ESTABLISHED TO BE COINCIDENTAL

AND THE MALICIOUS INTENT WOULD APPEAR TO BE THE GUIDING PRINCIPLE. THE DATE HAS BEEN SET THAT COUNCILLOR TANNER TOLD ME THAT THE DISCUSSION IN MY CASE DID NOT BELONG WITH COUNCIL, THAT IT WAS NONE OF THEIR BUSINESS WHAT HAPPENS TO MEMBERS OF THE PUBLIC SERVICE. HE SUGGESTED THE SOONER I GOT THE CASE AND THE MAIN CULPRIT INTO COURT, BY WAY OF A SUIT OF DAMAGE THAT IT WOULD BE BETTER FOR EVERYONE. I JUST GIVE THESE POINTS BECAUSE THIS ACT HAS BEEN PASSED TO ME AND I PASSED IT ON TO COUNCIL.

MRS. WATSON: MR. CHAIRMAN, I THINK IT WAS QUITE AN UNFAIR RULING THAT THE CHAIRMAN MADE AT THAT TIME. THE MEMBER OF WHITEHORSE NORTH WAS FACED WITH AN ACCUSATION SIMILAR, YOU CAN LOOK THROUGH YOUR VOTES AND PROCEEDINGS IF YOU LIKE, SIMILAR TO THE TYPE OF CHARGES THAT WERE LAID AGAINST ME. HE WAS NOT GIVEN THE OPPORTUNITY TO EXPRESS HIMSELF. HE SAID THESE WERE LIES. NOW HE HAS THE RIGHT TO SAY THEY ARE LIES. IF HE WOULD HAVE SAID THEY WERE NOT TRUE IT WOULD HAVE MEANT THE SAME THING. I THINK THAT IT WAS MOST IMPROPER AT THIS STAGE OF THE GAME NOT TO LET THE HONORABLE MEMBER EXPLAIN A VERY SERIOUS ACCUSATION WHICH HAD BEEN MADE IN THAT LETTER. WHEN A MEMBER OF THE COUNCIL IS CUT OFF BECAUSE IN A BIT OF A MOTION HE USED ONE WORD THAT HE SHOULDN'T HAVE USED THE OTHER MEMBER COULD LAY THESE ACCUSATIONS. AND THE CHAIRMAN RULES HIM OUT OF ORDER IMMEDIATELY. DOESN'T GIVE HIM AN OPPORTUNITY TO EXPRESS HIMSELF WHATSOEVER.

MR. CHAIRMAN: ALL RIGHT, FIRST OF ALL THERE IS NO POINT OF ORDER. SECOND OF ALL AS I'VE STATED BEFORE IT IS THE DUTY OF THE CHAIRMAN TO BE ABUNDANTLY FAIR AS POSSIBLE TO ALL PARTIES CONCERNED. AND I'VE ATTEMPTED TO DO THAT, NOT WITHSTANDING ANY ACCUSATIONS THAT MAY HAVE BEEN HURLED AT THE CHAIR WHICH IS ALSO OUT OF ORDER. IN THE CASE, I'VE HEARD TWO ACCUSATIONS IN THE HOUSE THAT I HAVE GONE SO FAR AS INTERFERRING BUT I HAVE NOT GONE AS FAR AS I'M SUPPOSED TO IN THIS HOUSE IN NAMING THE MEMBER TO THE HOUSE AND HAVING THE SPEAKER DEALING WITH THE MATTER. I WOULD REFER THE MEMBER TO SECTION 133 WHICH IS THE PROCEDURE IN SUCH CASES. ANNOTATION 133, WHEN THE SPEAKER TAKES NOTE, AND THIS REFERS TO ALL CONDUCT IN COMMITTEE OF THE WHOLE AS WELL, TAKES NOTICE OF ANY EXPRESSION AS PERSONAL AND DISORDERLY, INTENDING TO INTRODUCE HEAT AND CONFUSION AND CALLS UPON THE DEFENDING MEMBER TO EXPLAIN, IT IS THE DUTY OF THE LATTER

IMMEDIATELY TO EXPLAIN OR RETRACT THE OFFENSIVE EXPRESSIONS AND TO APOLOGIZE TO THE HOUSE FOR THE BREACH OF ORDER, IN TERMS LARGE AND LIBERAL ENOUGH BOTH TO SATISFY THE HOUSE AND THE MEMBER TO WHOM THE OFFENSIVE EXPRESSIONS WERE USED. THE SPEAKER'S DEMAND USUALLY PRODUCES THE REQUIRED EXPLANATION AT ONCE. IF NOT THE SPEAKER THEN REPEATS THE CALL FOR EXPLANATION AND INFORMS THE MEMBER IF HE DOES NOT IMMEDIATELY RESPOND TO IT, IT WILL BECOME THE DUTY OF THE CHAIR TO NAME HIM TO THE HOUSE. IF THE MEMBER SHOULD STILL REFUSE, THE SPEAKER WOULD THEN NAME HIM TO THE HOUSE UPON WHICH PROCEEDINGS WOULD IMMEDIATELY ENSURE FOR THE PURPOSE OF CENSORING OR PUNISHING SUCH MEMBER FOR HIS DISORDERLY CONDUCT. NOW TWICE IN THE LAST NUMBER OF DAYS, THERE HAS BEEN CAUSE SHOWN WHY, AS CHAIRMAN OF THIS COMMITTEE, THAT I SHOULD HAVE CONDUCTED THOSE PROCEEDINGS.

I HAVE NOT IN THE INTEREST OF THE DECORUM OF THIS COMMITTEE AND RECOGNIZING THAT SOMETIMES MEMBERS DO IN DEBATE SAY OFFENSIVE WORDS. IT IS NOT MY DESIRE, IT WOULD GRIEVE ME GREATLY TO HAVE TO DO THIS. ESPECIALLY AS WE'RE COMING TO THE END OF A SESSION AND POSSIBLY THE END OF A COUNCIL. AND IT IS FOR THIS REASON I HAVE NOT NAMED THE MEMBERS AND I WOULD NOT FEEL OFFENDED FOR THE FACT THAT I HAVE POSSIBLY BEEN REMISS IN MY DUTY BY NOT NAMING THE MEMBERS. BUT I HAVE DONE THIS IN ORDER TO KEEP THE GOOD WILL OF COMMITTEE AS CONTACT AND AS COHESIVE AS POSSIBLE. NOW MAY WE, ORDER PLEASE, MAY WE NOW CONSIDER THE MATTER CLOSED, AND MAY WE PROCEED WITH DEBATE.

MRS. WATSON: MR. CHAIRMAN, ON A POINT OF ORDER, YOU DID NOT GIVE THE HONORABLE MEMBER THE OPPORTUNITY TO EXPLAIN WHY HE WAS USING THE EXPRESSION. IT'S SORT OF A MOCKERY IN HERE. ONE MEMBER CAN TELL THE COMMISSIONER TO GO TO HELL, AND ANOTHER STANDS UP AND SAYS IT IS A LIE....

MR. CHAIRMAN: ORDER PLEASE, CAN I HAVE ORDER FROM THE HONORABLE MEMBER. IT IS NOTWITHSTANDING ANY ACCUSATION. IT IS NOT COMPETENT FOR ANY MEMBER TO USE SUCH LANGUAGE IN SUCH WAY, SHAPE MANNER OR FORM IN THIS COMMITTEE OR IN THE HOUSE IN ANY REFERENCE OR OTHERWISE. AND THE MEMBER IS TREADING ON SOME DANGEROUS GROUND AND I WOULD CAUTION THE MEMBER THAT I HAVE RULED. THE MATTER IS CLEAR. IF COMMITTEE WISHES TO DO OTHERWISE, THIS IS THE PREROGATIVE OF THE COMMITTEE AS A WHOLE. I WOULD SUGGEST IN THE INTEREST OF THE CONDUCT OF BUSINESS OF

THIS COMMITTEE THAT I NOT BE FORCED TO NAME MEMBERS, THAT WE CONTINUE WITH THE DEBATE AND I WOULD ASK THE CONCURRENCE OF ALL MEMBERS OF GETTING ON WITH THE BUSINESS OF THE HOUSE. AND RESTRAINING THEIR LANGUAGE. NOW MAY WE PROCEED WITH THE DISCUSSIONS AND THE NEXT DISCUSSION IS THE RESULT OF MOTION NO. 41 COMMISSIONER ORDER 1974-129 RELATED TO THE LANDS ORDINANCE. AND I BELIEVE THIS IS COUNCILLOR CHAMBERLIST.

MR. CHAMBERLIST: MR. CHAIRMAN, THE REASON WHY I ASK THIS PARTICULAR MOTION TO GO, IT IS BECAUSE OF THE CONCERN THAT I FEEL FOR THE OVERALL LAND DISTRIBUTION WITHIN THE TERRITORY. IN THE PARTICULAR ORDER THAT I HAVE ASKED TO PUT INTO COMMITTEE FOR DISCUSSION, THE ORDER WAS ISSUED DURING THE TIME OF OUR RECESS IN THIS SPRING SESSION. THERE IS MUCH TO BE CONCERNED ABOUT THE LAND REGULATIONS GENERALLY. BUT WHAT CONCERNS ME AT THIS TIME IS THAT THE MANNER IN WHICH LOTS NOW ARE BEING SOLD TO INDIVIDUAL PEOPLE. THE PROCEDURE THAT WAS SET OUT BY HAVING PEOPLE LINE UP, FIRST COME, FIRST SERVED, THAT IS A GOOD WAY AND I HAVE NO ARGUMENT IN THAT.

WHAT DOES CONCERN ME IS THE FACT THAT THE LIMITATION OF THE TIME WHEN A PERSON MUST COMPLETE HIS BASEMENT AND THE WHOLE OF THE OUTSIDE OF THE HOUSE BEFORE HE RECEIVES TITLE TO THE LAND.

IF HE DOESN'T COMPLETE IN A SPECIFIC TIME, HE CAN LOSE THE TITLE TO THE LAND AND ALL THE IMPROVEMENTS THAT HE HAS PUT ON. THERE ARE MANY PEOPLE WHO DON'T WISH TO GO INTO DEBT BY GETTING A MORTGAGE. SOME PEOPLE WANT TO BUILD THEIR BASEMENT ONE YEAR OUT OF THEIR OWN FUNDS AND CLOSE IT IN AND LIVE IN THE BASEMENT. THE NEXT YEAR THEY MIGHT WANT TO BUILD THE FRAMING, AND CONTINUE TO LIVE IN THE BASEMENT. IT MIGHT TAKE THEM FOUR YEARS SO THEY CAN SPEND OUT OF THEIR OWN MONEY WITHOUT BORROWING MONEY TO COMPLETE THE HOUSE. THESE REGULATIONS DO NOT ALLOW THEM TO DO THAT. THEY ARE RESTRICTIVE.

THIS IS WHAT MUST BE DONE. NO. 38 IS A KEY SECTION. (MR. CHAMBERLIST READS SECTION 38(A) AND (B) OF COMMISSIONER'S ORDER 1974/129, LANDS ORDINANCE). NOW IF A PERSON PAYS FOR HIS LAND, AND BUYS HIS LAND, HE SHOULD HAVE THE RIGHT TO TAKE AS LONG AS HE WANTS TO BUILD HIS OWN HOME, USING HIS OWN MONEY. THE WAY THESE REGULATIONS ARE NOW THEY FORCE A PERSON TO GO INTO A DEBT

AGAINST HIS WILL. THIS IS MY MAIN OBJECTION IN THIS PARTICULAR ORDINANCE. THERE IS A COMPULSION UPON AN INDIVIDUAL TO GO INTO DEBT. I WOULD LIKE MEMBERS OF COUNCIL TO RECOGNIZE THAT EVERY INDIVIDUAL SHOULD HAVE THE RIGHT, ON HIS OWN LAND, ONCE HE HAS PURCHASED IT AND PAID FOR THE LOT, TO TAKE HIS TIME AND BUILD THE HOUSE HE WANTS TO WITHIN HIS OWN LIMITATIONS.

MR. MCKINNON: MR. CHAIRMAN, I WOULD AGREE WITH THE PRINCIPLE THE HONOURABLE MEMBER HAS STATED. HOWEVER, I HAVE BEEN INVOLVED IN THIS AREA OF MUNICIPAL GOVERNMENT FOR MANY, MANY YEARS, SINCE THE FIRST OF THE LOW-COST HOUSES WERE BUILT IN THE PORTER CREEK - CRESTVIEW AREA. I CAN ASSURE HIM THAT ALWAYS IN THE PAST IF THERE HAS BEEN AN EFFORT ON BEHALF OF THE BUILDER TO ACCOMPLISH AND TO MOVE TOWARDS THE BUILDING OF A HOUSE, THERE HAS BEEN NO PROBLEM WHATSOEVER IN GAINING EXTENSIONS FROM THE DEPARTMENT OF MUNICIPAL AFFAIRS IN ORDER THAT HE CAN GO ABOUT BUILDING HIS HOUSE IN STAGES. PERHAPS THERE SHOULD BE A TWO-YEAR PERIOD INCLUDED IN THE REGULATIONS WHICH WAS DONE PRIOR IN THE ORIGINAL AREAS OF PORTER CREEK AND CRESTVIEW. BUT EVEN WITH THE TWO-YEAR PERIOD, I CAN ASSURE THE HONOURABLE MEMBER THAT I DON'T THINK ONE PERSON EVER LOST THEIR LOT OR EVER LOST THE IMPROVEMENTS THEY HAD MADE ON THAT LOT THROUGH THE ENFORCEMENT OF THE REGULATIONS AS THEY WERE. AS LONG AS THE BUILDING INSPECTORS, AND AS LONG AS THE DIRECTOR OF MUNICIPAL AFFAIRS, SAW THAT THE PEOPLE WERE ACTUALLY TRYING TO DO THINGS AS THEY COULD AFFORD, THERE WAS NO HASSLE AT ALL IN GAINING EXTENSIONS. OF COURSE, THAT IS HOW THE WHOLE AREA OF PORTER CREEK AND CRESTVIEW WAS ORIGINALLY BUILT. I THINK IT WAS BUILT IN A SENSIBLE MANNER, MUCH AS HAS BEEN OUTLINED BY THE HONOURABLE MEMBER.

PERHAPS I WOULD AGREE THAT THE REGULATIONS HAVE THE TWO-YEAR PERIOD AS THEY HAD PRIOR, RATHER THAN ONE YEAR WHICH DOES SEEM PRETTY RESTRICTIVE.

MR. CHAMBERLIST: 38 PLACES ON IT THE MAXIMUM EXTENSION THAT CAN BE GIVEN. THE WORDS "NOT EXCEEDING SIX MONTHS". THAT'S THE FIRST POINT THAT I WOULD LIKE TO MAKE. (MR. CHAMBERLIST READS SECTION 43 OF THE ORDINANCE, SUBSECTION 1(A), (B) AND (C)). NOW I AGREE WHERE THE APPLICANT HAS ABANDONED THE LOT. NOW TO ABANDON THE LOT, WHEN DO YOU ABANDON THE LOT

IF YOU OWN IT, IF YOU HAVE PAID FOR IT. THIS IS THE QUESTION. THAT SECTION 43 MAKES IT POSSIBLE FOR THE COMMISSIONER TO ENTER INTO LANDS AT ANY TIME HE WISHES ON THE MINUTEST AREA OF WHERE HE CAN SAY THAT THE TERMS HAVE NOT BEEN COMPLIED WITH. I SIMPLY SAY THAT THERE IS NO ASSURANCE IN THE LEGISLATION, OR IN THE REGULATIONS, THAT THE COMMISSIONER WILL NOT GO IN AND TRY TO TAKE BACK A PIECE OF LAND. I THINK PEOPLE SHOULD BE CONCERNED IN COUNCIL HERE. THIS IS WHERE MY CONCERN IS. THIS IS WHERE I MAKE MY PROTESTS IN THIS PARTICULAR SECTION. IT'S ENTIRELY UP TO COUNCIL BUT I RAISE THAT POINT. IT'S WORTHWHILE.

MR. STUTTER: MR. CHAIRMAN, I BELIEVE IT IS NECESSARY TO HAVE SOME FORM OF A TIMETABLE IN BUILDING A DWELLING. ONCE A RESIDENTIAL LOT, PARTICULARLY ONE THAT HAS BEEN SERVICED BY THE GOVERNMENT, EVEN THOUGH IN THE PURCHASE PRICE OF THAT LOT IS INCLUDED, IN MANY INSTANCES ANYWAY, THE COST OF THAT SERVICING, I STILL FEEL THAT THERE SHOULD BE A TIMETABLE FOR CONSTRUCTION. OTHERWISE YOU CAN OR COULD, IN FACT, DO SOMETIMES GET INTO A SITUATION WHERE YOU HAVE AN AREA THAT HAS BEEN SERVICED AT SOME EXPENSE; LAID OUT FOR A RESIDENTIAL AREA AND YOU HAVE GOT UMPTEN LOTS WITHIN THAT AREA THAT ARE NOT BEING UTILIZED. SO THERE AGAIN THE DEMAND FOR LOTS BRINGS ABOUT TO DEVELOP OTHER AREAS WHICH IN TURN HAVE SEVERAL AREAS WITHIN THE AREAS. YOU END UP PROBABLY HAVING TWO OR THREE TIMES THE AREA THAN YOU ACTUALLY NEED, IF THE LOTS THAT HAD BEEN PROVIDED AND SERVICED WERE BEING UTILIZED. FOR THAT REASON I THINK IT IS NECESSARY TO HAVE SOME KIND OF TIMETABLE. I THINK PERHAPS THAT THE ONE-YEAR PERIOD IS MAYBE BEING A LITTLE BIT TOO TIGHT, BUT NEVERTHELESS SOMEWHERE ALONG THE LINE WE HAVE TO MAKE THE COMPROMISE AND MAKE SOME TIMETABLE OR WRITE SOME TIMETABLE INTO THE LEGISLATION OR THE REGULATIONS.

MRS. WATSON: MR. CHAIRMAN, THIS WAS DELIBERATELY WRITTEN TO MAKE PROVISION FOR SOMEBODY WHO WANTS TO BUILD THEIR OWN HOME. THE ONLY REQUIREMENT IS THEY HAVE TO COMPLETE THE EXTERIOR OF HIS RESIDENCE WITH ALL FINISHED CLADDINGS TO THE WEATHER AND ASSOCIATED TRIM. HE MAY NOT HAVE DONE ANY OF THE SUB-TRADE WORKS AT ALL WITHIN THE HOUSE. THEY MAY BE LIVING IN THE BASEMENT AS THE HONOURABLE MEMBER STATED. BUT THEY HAVE COMPLETED THE EXTERIOR OF THE HOUSE. THEY HAVE COMPLIED WITH THE AGREEMENT FOR

SALE. IF THEY WANT TO FINISH THE INSIDE, DO THE FINISHING WHICH IS THE EXPENSIVE PART OF THE CONSTRUCTION, THEY CAN DO IT AT THEIR OWN PLEASURE. BUT THEY HAVE COMPLETED THE EXTERIOR. THIS WAS THE THOUGHT BEHIND IT SO YOU ARE NOT SAYING THE WHOLE HOUSE HAS TO BE FINISHED IN EIGHTEEN MONTHS TIME. JUST THE EXTERIOR WITH ALL THE TRIM AND SO ON HAS TO BE FINISHED.

I AGREE WITH THE HONOURABLE MEMBER FROM DAWSON CITY THAT YOU HAVE TO HAVE SOME TYPE OF A TIMETABLE. THE CITY OF WHITEHORSE ARE VERY ADAMANT ON THIS. THEY ARE HAVING MORE - IF YOU JUST LET PEOPLE BUY A LOT AND BUILD ON IT WHEN THEY WANT TO, WHICH IS THE IDEAL SITUATION - WE ALL WOULD LIKE TO SEE THAT, BUT WHAT HAPPENS IS YOU HAVE WHOLE GROUPS OF LOTS WHERE NO-ONE IS DOING ANYTHING WITH THEM. AND THERE IS A DEMAND FOR MORE LOTS BY PEOPLE. SO MORE LOTS HAVE TO BE OPENED. MORE LOTS HAVE TO BE DEVELOPED. THE OTHER ONES HAVE TO BE SERVICED BY THE CITY. THE CITY WAS VERY ANXIOUS SO THAT THERE WOULD BE SOME SORT OF TIMETABLE PLACED IN SOME REQUIREMENT ON THE PERSON WHO PURCHASES THE LOT.

THE IDEAL SITUATION IS TO GO BUY A LOT WHEN YOU WANT TO. YOU GO BUILD ON IT WHEN YOU WANT TO. BUT WE ALL KNOW IT ISN'T VERY PRACTICAL. I THOUGHT THE SECTION ON JUST THE REQUIREMENT OF THE EXTERIOR TO BE FINISHED WAS REALLY QUITE A GOOD REQUIREMENT. IT DOESN'T SORT OF TAKE AWAY FROM THE FINISHED LOOK OF THE NEIGHBORHOOD OR THE STREET, BUT IT DOES COMMIT THE INDIVIDUAL TO COMPLETE THE CONSTRUCTION AT HIS OWN CAPABILITIES, FINANCIAL CAPABILITIES.

MR. CHAMBERLIST: THIS MAY BE SO IF IT WASN'T THAT WE HAVE GOT A LIMITATION OF EIGHTEEN MONTHS TO PUT THE BASEMENT AND CLOSE THE WHOLE THING IN WHICH IS TOO SHORT A TIME. THIS IS THE QUESTION I AM RAISING. IT'S FAR TOO SHORT A TIME. IF IT HAD THE TWO-YEAR EXTENSION OR IT WAS POSSIBLE TO HAVE TWO EXTENSIONS WHEN IT CAN BE SEEN THAT THE WORK WAS BEING CARRIED OUT, BUT THIS MAKES IT FIXED THAT NOT MORE THAN THE SIX MONTHS. THIS IS THE POINT I AM MAKING. IT'S A RESTRICTION THAT WE SHOULDN'T ALLOW. I HOPE THAT THE NEXT COUNCIL, AND THE EXECUTIVE COMMITTEE THAT WILL BE ON, WILL UNDERSTAND THE PRINCIPLE THAT I AM GETTING AT. THAT IS THAT NO PERSON SHOULD BE FORCED TO GET INTO DEBT NOR, AT TODAY'S COST, TO PUT A BASEMENT IN AND HAVE

THE BUILDING COVERED IN, THEY ARE TALKING IN THE REGION OF \$16,000.00 TO \$20,000.00. A MAN AFTER HE PAYS HIS \$3,500.00 OR \$4,000.00 FOR THE LOT MIGHT NOT HAVE THAT MONEY TO DO IT. HE DOESN'T WANT TO BORROW. HE FEELS THAT HE CAN SPEND \$3,000.00 OF HIS PAY EACH YEAR INTO PUTTING SOME OF THIS WORK IN HIMSELF. HE'S THE TYPE OF PERSON, BECAUSE HE SHOWS SUFFICIENT INITIATIVE TO WANT TO BUILD HIMSELF NOT TO GET INTO DEBT SO THAT HE HAS A LITTLE BIT MORE MONEY FOR HIS FAMILY, HE'S GOING TO BE PENALIZED UNDER THIS. IT'S TOO CLOSE A TIME. AT LEAST IF THE OVERALL PICTURE WAS IN THE REGION OF THE YEAR, THEN TWO YEARS, YOU KNOW YOU ARE TALKING ABOUT THREE YEARS, HE CAN MAKE SOME GAIN HIMSELF ON DOING SOMETHING. AS IT IS NOW, THERE IS NO MAN WHO WANTS TO KEEP OUT OF DEBT CAN KEEP OUT OF DEBT. HE IS FORCED TO BORROW TO DO THAT AMOUNT OF WORK.

MR. CHAIRMAN: JUST FROM THE CHAIR I ENQUIRED BY TELEPHONE DURING THE RECESS ABOUT THIS MATTER. I WAS INFORMED THAT ALL YOU HAD TO DO WAS AT LEAST GET YOUR SUB-STRUCTURES IN. YOUR BASEMENT FOUNDATION AND THEN THAT WAS ON THE WAY. I NOTICE IT HAS BEEN CHANGED. THE CASE I WOULD RAISE IS THAT I FEEL THE PERSON SHOULD HAVE AT LEAST TWO YEARS TO GET HIS HOUSE GOING. I WILL GIVE YOU A GOOD EXAMPLE. THIS LOT QUESTION I ASK EVERY MORNING IN COUNCIL. THAT IS THE BUILDING SEASON IS GOING TO BE SO FAR SHOT BY THE TIME THESE PEOPLE CAN GET ANY LAND, AND THIS IS SERVICED LAND, THEY HAVEN'T GOT TIME TO BUILD A HOUSE ANYWAY.

MR. STUTTER: WELL, MR. CHAIRMAN, IT DOES MENTION IN THERE AFTER THE APPLICATION HAS BEEN GRANTED, SO THAT'S A YEAR FROM THEN, NOT A YEAR FROM THE TIME A PERSON MIGHT PUT IN AN APPLICATION. IT'S A YEAR FROM THE TIME THAT IT IS GRANTED. THAT IS A YEAR'S PERIOD ANYWAY.

MR. CHAIRMAN: WELL IT SAYS, "AND SHALL OBSERVE ANY COVENANTS AND COMPLY WITH ANY CONDITIONS CONTAINED IN THE AGREEMENT WITHIN ONE YEAR FROM GRANTING OF HIS APPLICATION".

MR. STUTTER: YES, MR. CHAIRMAN, BUT IT IS FROM THE GRANTING OF THE APPLICATION, NOT FROM THE TIME OF APPLICATION. IT STILL IS THE YEAR PLUS THE SIXTEENTH MONTH. I THINK MAYBE THE EIGHTEEN-MONTH PERIOD SHOULD BE LOOKED AT. AS I SAY I AM IN FULL AGREE-

MENT WITH A TIMETABLE, AND WITH PROVISIONS WHEREBY THE APPLICANT OR THE PURCHASER MUST DO A CERTAIN AMOUNT OF WORK WITHIN A CERTAIN LENGTH OF TIME. THE THING IS I THINK THAT THAT REQUIREMENT WAS ORIGINALLY PUT IN WITH THE SALE OF LOTS IN PORTER CREEK. THERE ARE MANY INSTANCES WHERE, I KNOW OF ANYWAY, THAT THERE ARE SEVERAL HOUSES IN PORTER CREEK THAT HAVE BEEN IN THE SAME CONDITION NOW FOR FOUR OR FIVE YEARS. I DON'T KNOW WHAT IS BEING DONE ABOUT IT, IF ANYTHING. THEY ARE JUST SITTING THERE. THERE ARE TWO OR THREE BASEMENTS SITTING THERE. THERE ARE TWO OR THREE UNFINISHED SHELLS OF HOUSES THAT HAVE BEEN THERE TWO OR THREE YEARS. I DON'T KNOW WHY THAT IS.

MRS. WATSON: MR. CHAIRMAN, I WONDER IF I COULD MAKE A SUGGESTION. BECAUSE THE HONOURABLE MEMBERS ARE SUGGESTING WE EXTEND THE TIME FRAME, BUT WE DON'T HAVE ANY IDEA AS TO HOW LONG WE WANT TO EXTEND THE TIME FRAME, I THINK IT MIGHT BE BETTER IF WE JUST LEAVE THE REGULATIONS AS THEY ARE AT THIS TIME UNTIL YOU HAVE A BETTER ASSESSMENT OF THE AVAILABILITY OF BUILDING MATERIALS, THE AVAILABILITY OF TRADESMEN AND THIS TYPE OF THING. IT MAY BE THAT THEY EVEN HAVE TO EXTEND AN ADDITIONAL TWELVE MONTHS. ONE NEVER CAN FORETELL. I THINK THAT IF WE LET THIS RIDE UNTIL THE SPRING OF NEXT YEAR, REGULATIONS CAN BE CHANGED AS THE SITUATION REQUIRES. I THINK AT THAT TIME MAYBE A BETTER JUDGMENT CAN BE MADE OF THE TIME OF EXTENSION THAT WOULD BE REQUIRED.

MR. CHAIRMAN: I HAVE JUST ONE QUESTION OF MR. LEGAL ADVISER FROM THE CHAIR. LET US ASSUME THAT A PERSON HAS TAKEN AN APPLICATION FOR PURCHASE, WHAT DO THEY CALL IT - AN AGREEMENT FOR SALE OR WHATEVER THIS WOULD AMOUNT TO. HE PUT A BASEMENT IN. GOT HIS BASEMENT IN AND SUB-FLOOR DOWN AND THEN RAN OUT OF MONEY AND COULDN'T KEEP UP TO THE TIME FRAME WE ARE TALKING ABOUT HERE. HE APPLIED FOR SIX-MONTHS EXTENSION - SIX MONTHS EXTENSION IS NOT REALISTIC IN THIS COUNTRY BECAUSE THE BUILDING SEASON IS SO SHORT. SO LET'S ASSUME HE SHOULD HAVE A YEAR EXTENSION. WHAT WOULD HAPPEN TO HIM IF HE COULDN'T COMPLETE HIS HOUSE WITHIN THAT TIME FRAME? WHAT WOULD THE GOVERNMENT THEN DO WITH THOSE IMPROVEMENTS?

MR. LEGAL ADVISER: ASSUME THAT THE GOVERNMENT IS ENFORCING THE THING WHICH IS NOT - IT'S NOT A

CERTAINTY ANYWAY. TECHNICALLY HE WOULD LOSE HIS RIGHT TO THE LAND AT THAT TIME, IF THE GOVERNMENT MOVED. WHEN THE PROPERTY WOULD BE SOLD ANY EXCESS OVER THE PRICE HE HAD PAID WOULD BE GIVEN BACK TO HIM. THEN THE LAND WOULD BE REBOUGHT AND RESOLD TO SOMEONE ELSE WHO WOULD PUT UP THE HOUSE. I WASN'T HERE DURING THE WHOLE OF THE DEBATE, BUT PERHAPS I COULD HELP THE COUNCILLORS BY SAYING BEFORE THESE REGULATIONS WERE PREPARED AND THE ACTUAL POLICY FIRMED UP, THERE WERE A SERIES OF MEETINGS HELD BETWEEN OUR OFFICIALS AND THE CITY OFFICIALS AND COUNCILLORS TO TRY AND FIRM UP A POLICY AS TO WHAT SHOULD BE DONE IN RELATION TO THIS BUILDING.

THE GOVERNMENT HAS BEEN RECEIVING OVER A MANY NUMBER OF YEARS, AS I THINK ALL THE COUNCILLORS KNOW, A CONTINUAL SERIES OF COMPLAINTS COMING INTO US AND ANOTHER SERIES GOING TO THE CITY WITH RESPECT TO HOUSES SUCH AS THE ONE MENTIONED IN PORTER CREEK WHERE PEOPLE DO IN FACT PUT UP BASEMENTS OR GET A STRUCTURE UP AT A CERTAIN POINT, AND THEN STOP DEAD. PERHAPS THEY HAVE RUN OUT OF MONEY OR SOME OTHER THING HAS HAPPENED. MAYBE THEY GO AWAY AND THEY ABANDON THEM. SO THE BASIS OF THE POLICY HAS BEEN CONSTRUCTED IN A SERIES OF MEETINGS WITH CMCH. - - -

SOME HONOURABLE MEMBERS: LAUGHTER.

MR. MCKINNON: CMCH?

MR. LEGAL ADVISER: CMCH. THE CITY AND OUR OFFICIALS, WITH INPUT FROM THE FINANCIAL INSTITUTIONS, THE LAND REGISTRAR AND SO FORTH, TO TRY AND CONSTRUCT SOMETHING REASONABLE. THE OBJECT OF THE EXERCISE IS TO FURTHER AND HURRY PEOPLE TO BUILD HOUSES, BUT NOT UNDULY PREVENT THEM. THE PARTICULAR DEFINITION AT THE POINT WHERE A PERSON WHO WILL GET THE TITLE HAS BEEN CHOSEN BY THE TECHNICIANS SO THAT A HOUSE WILL HAVE ITS BASEMENT FINISHED AND THE OUTSIDE FRAME PUT UP SO THE HOUSE WHICH IS ON THE SITE IS NO LONGER AN EYE-SORE. THAT'S WHY THESE PARTICULAR TECHNICAL WORDS ARE USED IN REGARD TO WEATHERPROOF CLADDINGS AND SO FORTH.

WITH THE PRESENT CRISIS IN DEVELOPMENT THAT'S OCCURRING, AND THE CHANGING IN VALUE OF MONEY, THERE IS SOME MERIT IN THE COUNCILLORS CONSIDERING WHAT THE TIME FRAME SHOULD BE WITHIN WHICH YOU FORCE A PERSON TO GET UP TO THAT POINT. BASICALLY THE OFFICIALS IN

THE CITY THINK THAT A PERSON SHOULD HAVE COMMAND OF SOME FUND OF MONEY BEFORE HE COMMITS HIMSELF, AND DOES NOT GET INTO THIS POSITION WHERE HIS MONEY IS WASTED AND HE TAKES THOUGHT BEFORE HE GETS UP. I UNDERSTAND THAT THERE ARE SOME HONOURABLE MEMBERS WHOSE RELATIONS NEVER BORROW MONEY AND THEY START - YEAR BY YEAR THEY START, FIRST OF ALL THE SUB-BASEMENT, THEN A BASEMENT, THEN A FIRST FLOOR, THEN A SECOND FLOOR AND THEN A ROOF. THIS MIGHT TAKE ABOUT EIGHT YEARS. BUT IT OFFENDS THE NEIGHBOURS AND IT OBSTRUCTS THE NORMAL DEVELOPMENT FOR THE ZONING PURPOSES OF RESIDENTIAL AREAS IN THE CITY.

MR. CHAIRMAN: IF THIS IS A PROBLEM IN THE CITY, WHY SHOULD NOT THIS LEGISLATION BE RESTRICTED TO THE CITY AND WHY IS IT TRANSMITTED TO THE REST OF THE YUKON WHERE EVEN GREATER HARDSHIPS EXIST FOR PEOPLE IN HOME OWNERSHIP THAN THEY DO IN THE CITY?

MR. LEGAL ADVISER: I'M NOT REALLY FAMILIAR WITH HOW IT WAS CONSTRUCTED, AND HOW IT RELATED TO OUTSIDE WHITEHORSE, EXCEPT THERE IS NO QUESTION THESE PROBLEMS DO OCCUR IN OUTLYING AREAS AS WELL. THE PREVIOUS SET

OF REGULATIONS WITH WHICH MOST OF THE HONOURABLE MEMBERS ARE FAMILIAR, WHICH WERE IMMEDIATELY BEFORE THE PRECEDING ONES WHICH WERE DEVELOPED BY THE WHITEHORSE MEMBERS, WORKED WELL BUT THEY ONLY APPLIED TO RIVERDALE ESSENTIALLY IN WHITEHORSE. IT WAS A FULLY-SERVICED AREA WITH A DESCRIPTION AND AT THAT TIME THAT ONLY APPLIED TO RIVERDALE. THIS IS BEING EXTENDED TO A SERVICED AREA. THAT IS A PLACE WHICH HAS EITHER OF THE SERVICES; NOT ALL OF THEM AT THE SAME TIME.

MRS. WATSON: MR. CHAIRMAN, I THINK THIS BACKS UP WHAT I WAS TRYING TO SAY. WE REALLY DON'T KNOW WHAT THE SITUATION IS. LET'S LET IT ROLL UNTIL SPRING AND HAVE IT REVIEWED THEN. BECAUSE WE REALLY DON'T KNOW WHAT MATERIALS ARE EVEN GOING TO BE MORE SCARCE OR THE TRADESMEN AND THE PROBLEMS IN THE OUTLYING AREAS. AND REGULATIONS CAN BE CHANGED AND CAN BE REVIEWED, PARTICULARLY THE TIME FRAME.

MR. CHAMBERLIST: MR. CHAIRMAN, MY CONCERN IS FOR THE INDIVIDUAL WHO WANTS TO MAKE SURE THAT HE DOESN'T DEPRIVE HIS FAMILY OF THE EVERYDAY NECESSITIES OF LIFE BY MAKING COMMITMENTS TO CENTRAL MORTGAGE AND HOUSING OR ANY OTHER

LOAN ORGANIZATION BY BORROWING MONEY WHICH HE HAS TO PAY TWICE AS MUCH FOR BACK BECAUSE OF THE INTEREST RATE. AS I SAID, MR. LEGAL ADVISER WAS OUT AT THE TIME. HE PERHAPS WANTS TO KEEP WITHIN THE GENERAL REQUIREMENTS THAT HIS HOUSE BECOMES NOT AN EYE SORE TO THE OTHER HOUSES IN THE PARTICULAR AREA BECAUSE ONCE HE HAS BUILT IT TO A SUITABLE POSITION, SOMEBODY ELSE MIGHT COME ALONG AND DO THE SAME. HE TOO WOULD NOT WANT IT TO BE JUST A BASEMENT AND THEN JUST LEFT. BUT CERTAINLY THE TIME FACTOR THAT'S GIVEN OF EIGHTEEN MONTHS, HE'S DOING HIS OWN TRADESMAN WORK. HE HAPPENS TO BE A TRADESMAN. HE KNOWS HOW TO GET A CONTRACTOR TO COME IN AND POUR THE CONCRETE AND DO HIS BASEMENT AFTER HE'S SET UP HIS FORMS. HE KNOWS HOW TO CARRY OUT HIS PLUMBING WORK AND ELECTRICAL WORK. HE KNOWS HOW TO DO ALL THIS. AND HE'S GOING TO DO IT HIMSELF, BUT IF HE'S FORCED INTO THE POSITION OF HAVING TO HAVE THE RIGHT AMOUNT OF MONEY, YOU KNOW IF HE HAS TO SATISFY THE COMMISSIONER THAT HIS CONSTRUCTION PLANS AND HIS ACCESS TO FUNDS IS ADEQUATE FOR HIM TO COMPLETE THE EXTERIOR IN EIGHTEEN MONTHS. NOW A MAN HAS TO GO TO THE COMMISSIONER AND SAY LOOK, I'VE BORROWED THE MONEY. THIS IS THE ONLY. IF HE HASN'T GOT IT, IT'S A SUGGESTION THAT HE'S GOT NO RIGHT TO LIVE IN A HOUSE OF HIS OWN? I'M NOT SAYING THAT WE SHOULD NOT HAVE REGULATIONS WITH A TIME FACTOR. I'M SIMPLY SAYING THAT THE WAY IT IS WRITTEN AND THE STRINGENT MANNER IN WHICH THE COMMISSIONER CAN GO AND TAKE BACK THAT LAND, IS NOT RIGHT. IT IS NOT IN THE INTEREST OF JOHN Q. PUBLIC. THIS IS WHERE WE HAVE TO RECOGNIZE THAT THE PEOPLE SHOULD HAVE A RIGHT OF TIME AND THEN A CONSIDERATION GIVEN TO THEM ONCE IT CAN BE SEEN THAT THEY ARE PROCEEDING. I WILL AGREE AS THE MEMBER FROM DAWSON SAID THERE'S A PLACE IN PORTER CREEK WHERE PERHAPS THE BASEMENT HAS BEEN THERE FOUR OR FIVE YEARS. BY ALL MEANS. IF THERE HAS BEEN A DELIBERATE NEGLECT AND FOR NO OTHER REASON THAN PERHAPS SOMEBODY WANTED TO GET A RENTAL OF \$160.00 JUST TO RENT THE BASEMENT OUT, AND BE AN ABSENTEE LANDLORD ON IT. CERTAINLY, YOU HAVE TO HAVE TEETH TO DO SOMETHING ABOUT IT. BUT THE WAY THESE SECTIONS OF THESE REGULATIONS ARE, NO CONSIDERATION IS GIVEN TO THE POOR MAN WHO DOESN'T WANT TO GET INTO DEBT. AND THERE ARE STILL LOTS OF PEOPLE WHO DON'T WANT TO GET INTO DEBT. THERE ARE STILL LOTS OF PEOPLE WHO WANT TO LIVE WITHIN THEIR MEANS. AND WE SHOULD HELP THOSE PEOPLE.

I KNOW, I LIVED WITHIN MY MEANS UNTIL I WAS ABLE TO GO A LITTLE BIT LONGER AND A LOT OF PEOPLE DO THE SAME. I STOPPED. I DON'T HAVE TO WORRY ABOUT IT. BUT I DO WORRY ABOUT THOSE PEOPLE THAT HAVE GOT A REASON FOR WANTING TO TAKE THEIR TIME ON THESE THINGS AND HERE WE HAVE A MAXIMUM OF EIGHTEEN MONTHS. IT'S JUST NOT GOOD ENOUGH.

MR. MCKINNON: MR. CHAIRMAN, COULD I SUGGEST THAT ONE OF THE MOST VALUABLE FUNCTIONS A COUNCILLOR CAN SERVE IS IN ACTING AS AN INTER-MEDIARY IN THESE TYPES OF ADMINISTRATIVE DECISIONS. I WAS CONSTANTLY BETWEEN THE PERSON CONSTRUCTING HIS HOME AND THE ADMINISTRATIVE OFFICERS WHEN THIS TYPE OF SCHEDULE WAS IN EFFECT IN THE PORTER CREEK - CRESTVIEW AREA WHICH I USED TO REPRESENT. AND I DON'T THINK THAT THERE WAS IN ONE INSTANCE AND I'M POSITIVE OF THAT WHEN I WENT FOR BAT FOR A PERSON WHERE THEY LOST THEIR SUB-STRUCTURE OR THEIR LOT. AND IT WOULD SEEM TO ME THAT IT WOULD BE AN EXCELLENT BAPTISM OF FIRE FOR THE NEXT COUNCIL TO GET INTO. BECAUSE IT WILL JUST BE ABOUT THAT TIME WHEN THE YEAR WILL BE UP AND PEOPLE WILL BE SAYING; LOOK IT THE TIME TABLE WAS TOO SHORT, IT HAS TO BE CHANGED AND THAT COUNCIL COULD CHANGE THE REGULATIONS THROUGH A MAJORITY VOTE. OR THEY CAN ALSO ACT INDIVIDUALLY TO ACT AS THE INTERMEDIARY BETWEEN THE AUTHORITIES AND THE PERSON CONSTRUCTING THE HOUSE TO GET A FURTHER EXTENSION WHICH I WAS ALWAYS SUCCESSFUL IN DOING.

I THINK THERE IS A VERY VALID SUGGESTION BY THE HONOURABLE MEMBER FROM CARMACKS-KLUANE THAT YOU JUST CAN'T PLAY SOLOMON IN THIS INSTANCE AND PUT DOWN THAT TIME-TABLE WHICH IS GOING TO BE THE SOLUTION FOR ALL AREAS OF THE YUKON. IN FACT PRIOR TO THE LAST SET OF REGULATIONS THE REGULATIONS BEFORE WHERE WE SAT DOWN AND CAME UP WITH A WHITEHORSE SET OF REGULATIONS. THE LOCAL IMPROVEMENT DISTRICT AND THE UNORGANIZED DISTRICTS CAME UP WITH THEIR OWN REGULATIONS AS TO HOW THEY WANTED THE CONSTRUCTION TO PROGRESS IN EACH INDIVIDUAL AREA WHICH I THOUGHT WAS FINE TOO BECAUSE I AGREE WITH THE POINT THAT WHAT IS GOOD FOR WHITEHORSE IN SO MANY INSTANCES JUST ISN'T PRACTICAL IN THE AREAS OUTSIDE OF THE MUNICIPAL BOUNDARIES OF WHITEHORSE.

THESE ARE ALL PROBLEMS AND THEY ARE GOING TO BE FACED AND WE DIDN'T REALLY HAVE TO WORRY OURSELVES WITH THEM THAT MUCH BECAUSE TWELVE NEW VIGOROUS CHAMPIONS OF THE PEOPLE ARE

GOING TO BE BEFORE THIS TABLE TAKING UP IN THEIR BATTLE AGAINST THE ADMINISTRATION WHERE WE HAVE LEFT OFF. HOPEFULLY THEY WILL BE MORE SUCCESSFUL THAN THIS SEVEN HAS BEEN.

MR. CHAMBERLIST: I AM NOT GOING TO GO ANY FURTHER THAN TO SAY THAT THE ONLY AREA IS THE INFLEXIBILITY OF IT. IT SAYS NOT EXCEEDING SIX MONTHS. IF THERE WAS FOR PERIODS OF SIX MONTHS THEN YOU HAVE A DISCRETION IN THE REGULATIONS FOR SIX MONTHS OR FURTHER EXTENSION. BUT IT DOESN'T SAY THAT. IT IS NOT EXCEEDING SIX MONTHS. THIS IS THE INFLEXIBILITY OF IT.

MR. CHAIRMAN: CLEAR THEN ON THIS MATTER AT THIS TIME?

MR. LEGAL ADVISER: MR. CHAIRMAN, I WILL LOOK INTO IT AND I WILL DISCUSS IT WITH THE HONOURABLE MEMBERS ON THE EXECUTIVE COMMITTEE AND SEE IF WE CAN COME UP WITH A FEW WORDS THAT WILL GIVE US THE POWER TO BE A LITTLE MORE FLEXIBLE IN THE ACTUAL EXTENTS OF TIME. QUITE FRANKLY YOU NEED A CERTAIN AMOUNT OF AMMUNITION IN YOUR GUN WHEN YOU ARE DEALING WITH PEOPLE IN PORTER CREEK OR ELSEWHERE WHO ARE PULLING YOUR LEG FOR SIX MONTHS AND SIX MONTHS AND SIX MONTHS. AT SOME POINT YOU WANT TO BE ABLE TO SAY, "I DON'T THINK I HAVE THE POWER TO DO ANYTHING MORE." YOU NEED A LITTLE BIT OF AMMUNITION.

MR. CHAIRMAN: THIS IS WHERE GOVERNMENT CAN ALWAYS, VERY SELDOM AVOID POURING CEMENT UNTIL IT IS 70 BELOW BUT THE INDIVIDUAL HAS TO RESTRICT HIS BUILDING TO THE VERY SHORT BUILDING PERIOD.

MR. LEGAL ADVISER: WE UNDERSTAND THIS, MR. CHAIRMAN BUT THE WISHES OF THE HOUSE HAVE BEEN EXPRESSED AND I THINK THE HONOURABLE MEMBERS ON THE EXECUTIVE COMMITTEE KNOW WHAT THE FEELINGS ARE AND I THINK WE CAN COME UP WITH AN AMENDMENT.

MR. CHAMBERLIST: IN OTHER WORDS YOU WILL POUR CEMENT ON TROUBLED WATERS.

LAUGHTER.

MR. CHAIRMAN: ARE WE CLEAR THEN ON THIS MATTER AT THIS TIME? DO YOU HAVE THE AMENDMENT MR. LEGAL ADVISER?

MR. LEGAL ADVISER: I HAD IT A MINUTE AGO. IT IS BEING RUN, I THINK, MR. CHAIRMAN. IT IS BEING COPIED. WHAT I DID MR. CHAIRMAN WAS TO ESTABLISH A NEW SCHEDULE IN (2) TO THE ORDINANCE BECAUSE UNDER THE ORDINANCE PRIOR TO THE TIME WHEN THIS WAS DONE THERE WAS A SCHEDULE OF MOTOR VEHICLE FEES IN THE ORDINANCE ITSELF. I PROVIDED FOR THE ESTABLISHMENT OF A SCHEDULE (2). SINCE THE FEES ARE GOING TO CONTINUE IN EFFECT FOR THE MOMENT THERE IS NO REQUIREMENT TO ACTUALLY PRINT OUT OTHERS IN A HEADING OF SCHEDULE (2) TO BRING IT FORMALLY INTO EXISTENCE AND THEN PROVIDE THAT THE FEES CURRENTLY IN FORCE UNDER THE COMMISSIONER'S ORDER SHALL CONTINUE IN FORCE. THERE CAN BE NO CHANGE, THAT COMMISSIONER'S ORDER HAS TO COME INTO THE SCHEDULE AND THE FEE WILL THEN COME BACK INTO THE SCHEDULE. THE AMOUNT OF TYPING, TO START TYPING UP TWELVE PAGES OF A COMMISSIONER'S ORDER JUST RIGHT NOW. IT ALSO MEANS EXTRACTING THESE FEES. THERE ARE SOME FEES THAT ARE NOT NECESSARILY ATTACHED TO MOTOR VEHICLES IN THAT LIST THAT YOU ARE FAMILIAR WITH AND THE OTHER BITS OF FEES - TWO DOLLARS FOR THIS AND THREE DOLLARS FOR THAT. WE WOULDN'T BE ABLE TO FIND IT TOO QUICKLY.

MR. CHAMBERLIST: I HOPE MR. LEGAL ADVISER ISN'T GOING TO TRY AND FIND A WAY WHERE WE DO NOT HAVE THIS MOTOR VEHICLES ORDINANCE AMENDED TO THE REQUIREMENTS...

MR. LEGAL ADVISER: NO, I'M NOT TRYING TO DO THAT. I'M TRYING TO FIND A CONVENIENT SETTING TO DO IT. WHAT WE ACTUALLY ARE DOING IS WE ARE SAYING, WE ARE NOT CHANGING THE FEES, WE ARE SAYING THE POWER TO CHANGE FEES IS WHAT IS GOING TO CHANGE IN THIS ORDINANCE. THAT IS WHAT I WANT TO ESTABLISH BUT I'VE ALSO GOT TO MAKE CLEAR THAT MERELY BY CHANGING THAT POWER, PEOPLE STILL HAVE TO PAY THEIR FEES.

MR. MCKINNON: YOU ARE GOING TO SLEEP ON THIS?

MR. LEGAL ADVISER: NO, IT IS RIGHT HERE. IT IS BEING COPIED.

MR. CHAIRMAN: IT SHOULD BE HERE IN A MATTER OF MINUTES. WE HAVE CONCLUDED THEN THAT WE ARE NOT GOING TO CONSIDER SECTION (2), YOUR AMENDMENT, AS BEING PART OF THIS ORDINANCE.

MR. STUTTER: I DIDN'T KNOW, MR. CHAIRMAN,

WHETHER IT HAD BEEN CONCLUDED OR NOT. I WANTED TO HEAR OTHER COMMENTS. IF THE ADMINISTRATION, AND I'M GOING TO GET ROASTED FOR THIS, BUT IF THE ADMINISTRATION FEELS THAT IT IS BETTER TO LEAVE THAT AMENDMENT IN THERE IN ORDER TO GIVE THEM THE LEGISLATIVE POWER TO CARRY OUT WHAT THEY, IN FACT, HAVE BEEN DOING. IN OTHER WORDS IGNORING WHAT IS PRESENTLY WRITTEN IN THE LEGISLATION AND WOULD PREFER IT AMENDED TO THAT EFFECT IT MAKES NO DIFFERENCE TO ME. THEY'RE THE ONES IN THAT PARTICULAR INSTANCE THAT ARE GOING TO HAVE TO LIVE WITH IT IF THERE IS AN ACCIDENT. I AM MERELY SAYING THAT I DON'T PARTICULARLY AGREE WITH THE LEGAL ADVISER WHEN HE SAYS THE FIFTH WHEEL ON A TRUCK TRACTOR IS ALMOST INFALLIBLE AND IS AS SAFE AS PUTTING ON ANOTHER DEVICE.

MR. LEGAL ADVISER: MR. CHAIRMAN, I DIDN'T SAY IT IS ALMOST INFALLIBLE. WHAT I DID SAY WAS THIS. THE FIFTH WHEEL DEVICE IS AN EXCEPTIONALLY STRONG AND SPECIALLY BUILT DEVICE HAVING IN REGARD THE LOAD IT PULLS. ANY COMPULSION TO PROVIDE A SECOND DEVICE OF EQUAL STRENGTH WOULD COST A FANTASTIC AMOUNT OF MONEY. HAVING REGARD FOR ITS KNOWN REASONABLE SAFETY WOULD COST TRUCK DRIVERS A FORTUNE. FOR IN EFFECT TWO FIFTH WHEELS BECAUSE IT IS A VERY EXPENSIVE DEVICE.

MR. STUTTER: MR. CHAIRMAN, WHITE PASS HAS ALREADY ANNOUNCED THAT THEY ARE GOING TO PUT UP THEIR FREIGHT RATES BY 15 %. I SURE AS HECK WOULDN'T WANT TO BRING ABOUT BY LEGISLATION SOMETHING THAT GIVES THEM AN EXCUSE TO TURN AROUND AND CHARGE ANOTHER 5%. FOR THAT REASON I AM WILLING TO LET THAT AMENDMENT STAND.

MR. CHAIRMAN: YOU WANT THE AMENDMENT TO STAND?

MR. STUTTER: THAT IS FINE, MR. CHAIRMAN, IT IS OBVIOUS THAT YOU YOURSELF WOULD LIKE TO SEE IT STAND AND IT SEEMS THAT OTHERS MEMBERS PERHAPS ARE NOT TOO SURE ON IT.

MR. CHAIRMAN: WOULD COMMITTEE AGREE THEN THAT SECTION (2) REMAINS OR WHAT.

SEVERAL HONOURABLE MEMBERS: AGREED

MR. CHAIRMAN: ALRIGHT ALL WE NEED NOW IS SECTION (3).

MR. LEGAL ADVISER: I HAVE THE SECOND PAGE OF THE BILL WHICH IS IN FRONT OF THE HONOURABLE MEMBERS RETYPED. HAVING LEFT THE HOUSE AT A POINT OF TIME WHEN ONE OF THE HONOURABLE MEMBERS ASKED NOT TO HAVE SECTION (2) OF THE BILL TAKEN OUT. I OF COURSE, NATURALLY TOLD THE TYPIST NOT TO TYPE SECTION (2) BECAUSE IT WASN'T NEEDED ANYMORE. I CAN JUST TELL HER TO PUT IT BACK IN.

LAUGHTER.

MR. STUTTER: MR. CHAIRMAN, IT IS A TYP GRAPHICAL ERROR.

MR. CHAIRMAN: IF WE HAVE THE AMENDMENT THAT WILL BE MORE THAN SUFFICIENT.

MR. LEGAL ADVISER: SHE HAS GONE TO GET IT. I WAS GIVEN THE DRAFT FIVE MINUTES AGO SO IF THE HOUSE WOULD TAKE SAY, A FIVE MINUTE RECESS.

MR. CHAIRMAN: WE WILL CALL A RECESS.

RECESS

MR. CHAIRMAN: AT THIS TIME I WILL CALL COMMITTEE TO ORDER. WE HAVE A NEW AMENDMENT FOR SECTION (2), WHICH IS NOW GOING TO BE RENUMBERED SECTION (3) IS THAT CORRECT?

MR. LEGAL ADVISER: MR. CHAIRMAN, WE ARE DOING A FRESH DRAFT OF THIS BACK SHEET AGAIN IN ORDER TO PUT BACK IN THE SECTION THAT WAS TAKEN OUT. I THINK IN THE MEANTIME YOU COULD DISCUSS SECTION (2) AND (3) OF THIS BILL ON PAGE 2.

MR. CHAIRMAN: SECTION (2) ON THIS AMENDED PAGE 2 IS ACTUALLY SECTION (3) AND (3) IS (4) IS THAT CORRECT?

MR. LEGAL ADVISER: YES, MR. CHAIRMAN.

MR. CHAIRMAN: ALRIGHT SO WILL CALL THIS SECTION (3) OF BILL NO. 19.

MR. CHAIRMAN READS SECTION (3) OF BILL NO. 19.

MR. CHAIRMAN: ARE WE CLEAR?

SEVERAL HONOURABLE MEMBERS: CLEAR.

MR. CHAIRMAN READS SECTION (3) OF BILL NO. 19.

MR. CHAIRMAN: DOES THIS NOT SAY THEN THAT THE COMMISSIONER CAN BY REGULATION GO AHEAD IN ANY EVENT.

MR. LEGAL ADVISER: NO, MR. CHAIRMAN, WHAT THIS IS SAYING IS THE COMMISSIONER'S POWER UNDER THAT PARAGRAPH IS TAKEN AWAY. IT THEN SAYS FEES BE ESTABLISHED PURSUANT TO ANY SECTION IN THIS ORDINANCE. AS YOU WILL RECALL THEY KEEP ON SAYING THROUGHOUT THE ORDINANCE IN DIFFERENT PLACES SUBJECT TO A SLIGHT FEE.

MR. CHAIRMAN READS (4) OF BILL NO. 19.

MR. LEGAL ADVISER: MR. CHAIRMAN, YOU WILL RECALL IN THE COMMISSIONER'S ORDER THERE WAS A TWO STAGE SET OF FEES SET OUT. THIS COVERS THE POSITION, CURRENT POSITION AS IT IS IN THESE REGULATIONS. I THINK THE DATE TO BE PUT IN THERE, I THOUGHT TODAY WAS 28TH, BUT THE CLERK INFORMS ME IT IS THE 26TH. THE DATE TO BE IN THERE SHOULD BE THE DAY BEFORE THE COMING INTO FORCE OF THE ORDINANCE WHATEVER THAT IS.

MR. CHAIRMAN: THAT WOULD BE TODAY BECAUSE THE COMMISSIONER WILL BE ASSENTING IN THE MORNING.

MR. LEGAL ADVISER: IT SHOULD BE TODAY'S DATE, MR. CHAIRMAN.

MR. CHAIRMAN: SO NOTE, MADAM CLERK. THE 29TH IS CHANGED NOW TO THE 26TH. ARE WE CLEAR ON (4)?

MR. MCKINNON: NO, I'M STILL NOT CLEAR ON MR. COMMISSIONER. CAN YOU OUTLINE WHERE IN THE LEGISLATION NOW IS THE AUTHORITY TO PRESCRIBE FEES IS TO BE SET BY COUNCIL?

MR. LEGAL ADVISER: THERE IS NO POWER TO SET FEES, MR. CHAIRMAN. THERE IS ONLY POWER TO AMEND THE ORDINANCE BY PUTTING THE FEES IN THE SCHEDULE. THE POWER TO PRESCRIBE THEM HAS BEEN TAKEN AWAY. THE WORD PRESCRIBE IS DEFINED IN OUR INTERPRETATION ORDINANCE AS PRESCRIBED BY THE COMMISSIONER, PRESCRIBED BY REGULATIONS MADE BY THE COMMISSIONER. THAT IS THE MEANING. THROUGHOUT THE ORDINANCE THIS WORD PRESCRIBED CONTINUES TO RECUR WHENEVER A FEE IS ESTABLISHED BY DOING A THING OR BUYING A LICENSE. THE EFFECT OF THIS IS THAT IT SAYS, "NOTWITHSTANDING ANY PROVISION OF

THIS ORDINANCE," WHICH MEANS WHEREVER THE WORD PRESCRIBE DOES IN FACT OCCUR. FEES TO BE ESTABLISHED PURSUANT TO ANY SECTION OF THIS ORDINANCE SHALL BE IN ACCORDANCE WITH THE TARIFF OF FEES PURSUANT TO SCHEDULE (2) OF THIS ORDINANCE. WE HAVE TO ESTABLISH A SCHEDULE (2) AT SOME POINT IN TIME IF THE HOUSE WISHES TO CHANGE THE FEES.

SCHEDULE TO, AT SOME POINT IN TIME, AS THE HOUSE WISHES TO CHANGE THE PIECE AND THE SCHEDULE TOO WOULD BE BY AMENDMENTS TO THIS ORDINANCE. THAT'S THE ONLY WAY. IT'S SCHEDULED TO THIS ORDINANCE. IT CAN ONLY BE ESTABLISHED BY THIS HOUSE, NOT BY COMMISSIONER'S ORDER.

MRS. WATSON: IT'S AMENDING THE ORDINANCE. THAT IS WHAT YOU ARE DOING.

MR. LEGAL ADVISOR: WE ALREADY HAVE SCHEDULE 1 IN THE ORDINANCE.

MR. CHAIRMAN: WHAT WE WOULD NEED, HOLD IT. WHAT WE SHOULD HAVE, I SHOULD THINK IN THIS CASE, IS THE MOTION THAT, JUST WRITING IT HERE, THAT THE AMENDMENTS TO BILL 19 BE ACCEPTED AS READ. WILL SOMEONE MOVE?

MR. MCKINNON: I SO MOVE.

MR. CHAMBERLIST: I'LL SECOND IT.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR CHAMBERLIST THAT THE AMENDMENTS TO BILL NO. 19 BE ACCEPTED AS READ. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? WILL THOSE WHO AGREED KINDLY SIGNIFY? I SHALL DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. MCKINNON: MR. CHAIRMAN, I WOULD MOVE BILL NO. 19 OUT OF COMMITTEE AS AMENDED.

MR. CHAMBERLIST: I SECOND IT.

MR. CHAIRMAN: IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR CHAMBERLIST THAT BILL NO. 19 BE REPORTED OUT OF COMMITTEE AS AMENDED. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? I SHALL DECLARE THE MOTION AS CARRIED.

MOTION CARRIED

MR. CHAIRMAN: WHAT IS YOUR PLEASURE AT THIS TIME?

MR. CHAMBERLIST: MR. CHAIRMAN, I MOVE THAT MR. SPEAKER DO NOW RESUME THE CHAIR.

MR. MCKINNON: I SECOND IT.

MR. CHAIRMAN: IT WAS MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR MCKINNON THAT MR. SPEAKER DO NOW RESUME THE CHAIR. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? ARE WE AGREED? I SHALL DECLARE THE MOTION AS CARRIED.

MOTION CARRIED

MR. SPEAKER: COUNCIL WILL NOW COME TO ORDER. MAY WE HAVE A REPORT FROM THE CHAIRMAN OF COMMITTEES?

MR. TAYLOR: MR. SPEAKER, COMMITTEE CONVENED AT 10:55 A.M. TO DISCUSS BILLS, SESSIONAL PAPERS AND MOTIONS. A MOTION DEALING WITH SECTION 73, SUBSECTION (1)(d) DEFERRED FROM JUNE 18TH AND JUNE 25TH WAS CARRIED IN COMMITTEE.

COMMITTEE RECESSED AT 12 NOON AND RECONVENED AT 2:05 P.M. IT WAS MOVED BY COUNCILLOR TANNER, SECONDED BY COUNCILLOR WATSON THAT THE AMENDMENTS TO BILL NO. 7 BE ACCEPTED AS READ AND THIS MOTION WAS CARRIED.

IT WAS MOVED BY COUNCILLOR WATSON, SECONDED BY COUNCILLOR TANNER THAT BILL NO. 7 BE REPORTED OUT OF COMMITTEE AS AMENDED AND THIS MOTION CARRIED.

THE MOTION TO AMEND BILL NO. 24, PRESENTED ON JUNE 20TH WAS DEFEATED IN COMMITTEE. IT WAS MOVED BY COUNCILLOR WATSON, SECONDED BY COUNCILLOR TANNER THAT BILL NO. 24 BE REPORTED OUT OF COMMITTEE WITHOUT AMENDMENT AND THIS MOTION CARRIED.

MOTION NO. 21 WAS CARRIED IN COMMITTEE. I CAN REPORT PROGRESS ON BILL, PARDON ME. THE COMMITTEE THEN DEALT WITH MOTIONS 23 AND 41. IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR CHAMBERLIST THAT THE AMENDMENTS TO BILL NO. 19 BE ACCEPTED AS READ AND THIS MOTION CARRIED.

IT WAS MOVED COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR CHAMBERLIST THAT BILL NO. 19 BE REPORTED OUT OF COMMITTEE AS AMENDED AND THIS MOTION CARRIED.

IT WAS THEN MOVED BY COUNCILLOR CHAMBERLIST,

SECONDED BY COUNCILLOR MCKINNON 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 YOUR FURTHER PLEASURE?

MR. TAYLOR: MR. SPEAKER, COMMITTEE HAS NOW CONCLUDED ALL THE BILLS BEFORE IT IN COMMITTEE AND I BELIEVE TOMORROW WE WILL BE DEALING WITH MOTIONS, SESSIONAL PAPERS AND LEGISLATIVE RETURNS.

MR. SPEAKER: MAY I HAVE YOUR FURTHER PLEASURE?

MR. MCKINNON: MR. SPEAKER, THAT WE CALL IT 5 O'CLOCK.

MR. CHAMBERLIST: I SECOND THE MOTION.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR WHITEHORSE WEST, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE EAST THAT WE NOW CALL IT 5 O'CLOCK. ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED AND THIS COUNCIL NOW STANDS ADJOURNED UNTIL 10:00 A.M. TOMORROW MORNING.

ADJOURNED

THURSDAY, JUNE 27, 1974

MR. SPEAKER READS THE DAILY PRAYER.

MR. SPEAKER: MADAM CLERK, IS THERE A QUORUM PRESENT?

MADAM CLERK: THERE IS, MR. SPEAKER.

MR. SPEAKER: COUNCIL WILL NOW COME TO ORDER.

MR. TANNER: MR. SPEAKER, I RISE ON A POINT OF PRIVILEGE THIS MORNING. ON TWO POINTS OF PRIVILEGE MR. SPEAKER.

NO. 1 IS THAT IN COMMITTEE YESTERDAY, I WAS RUDE TO THE CHAIRMAN OF COMMITTEE AND I SHOULDN'T HAVE BEEN AND I APOLOGIZE TO HIM IN HIS CAPACITY AS CHAIRMAN OF COMMITTEE.

THE SECOND THING MR. SPEAKER, THAT YESTERDAY A LETTER WAS READ IN COMMITTEE WHICH SAYS THAT MR. MCPHAIL OR SOME MEMBERS OF THE EXECUTIVE SHOWED ME PRIVATE CORRESPONDENCE BETWEEN MR. FISHER-FLEMING AND THIS GOVERNMENT. I HAVE NEVER, MR. SPEAKER, READ ANY CORRESPONDENCE CONCERNING MR. FISHER-FLEMING OR HIS PERSONAL FILE, OR HIS MEDICAL FILE, IN ANY RESPECT WHATSOEVER, OTHER THAN THOSE WHICH WERE TABLED BY THE MEMBER IN COUNCIL SOME WEEKS AGO. I HAVE NEVER READ ANY PERSONAL FILE OR ANY MEMBER OF THE GOVERNMENT OR ANYBODYS WHO HAS EVER WORKED FOR THE GOVERNMENT, OTHER THAN THOSE THAT I HAD TO READ IN THE COURSE OF MY BUSINESS, MR. SPEAKER.

MR. SPEAKER: ARE THERE ANY DOCUMENTS OR CORRESPONDENCE TO BE TABLED?

MRS. WATSON: YES, MR. SPEAKER. I HAVE FOR TABLING TODAY, THE DOCUMENTS RELATING TO THE MOTION FOR PRODUCTION OF PAPER NO. 4. ALL OF THE DEPARTMENTAL POLICY MANUALS ARE NOT HERE. ALL DEPARTMENTS DO NOT HAVE MANUALS. SOME OF THEM ARE NOT UP-TO-DATE, BUT THE ONES THAT ARE AVAILABLE ARE HERE FOR COUNCIL'S APPROVAL.

ALSO FOR TABLING ARE LEGISLATIVE RETURNS NO. 89, 90 AND 91.

MR. SPEAKER: ARE THERE ANY REPORTS OF COMMITTEES?

MR. TAYLOR: MR. SPEAKER, I RISE TO INDICATE THAT IN MY COMMITTEE REPORT OF LAST EVENING, I REFER TO A MOTION DEALING WITH SECTION 73,

SUBSECTION (1)(D) OF BILL NO. 7. AND I DID JUST WANT TO RISE TO CORRECT THE VOTES AND PROCEEDINGS ON PAGE 1491 IN WHICH WE REFER TO SUBSECTION (B) AND I WOULD LIKE THAT CORRECTED TO READ SUBSECTION (D).

MR. SPEAKER: ARE THERE ANY FURTHER DOCUMENTS OR CORRESPONDENCE TO BE TABLED? ARE THERE ANY REPORTS OF COMMITTEES? ARE THERE ANY BILLS TO BE INTRODUCED? ARE THERE ANY NOTICES OF MOTION OR RESOLUTIONS?

MR. TAYLOR: MR. SPEAKER, I WOULD LIKE TO GIVE NOTICE OF MOTION THIS MORNING RESPECTING OFFICERS OF THE HOUSE.

MR. SPEAKER: ARE THERE ANY FURTHER NOTICES OF MOTION OR RESOLUTIONS? ARE THERE ANY NOTICES OF MOTION FOR THE PRODUCTION OF PAPERS?

MOTION NO. 47

MR. SPEAKER: WE COME TO MOTION NO. 47. IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR TAYLOR THAT AN INVITATION BE EXTENDED TO THE CANADIAN TRANSPORT COMMISSION TO CONDUCT PUBLIC HEARINGS IN THE YUKON, REGARDING THE PROPOSED INCREASES IN TARIFFS BY BOTH C.P. AIR AND THE WHITE PASS AND YUKON ROUTE.

ARE YOU PREPARED TO PROCEED WITH THIS MOTION AT THIS TIME?

MR. MCKINNON: YES, MR. SPEAKER, AND I WOULD HOPE THAT THIS MOTION WOULD PASS WITHOUT BEING MOVED INTO COMMITTEE, BECAUSE I HAVE THE FEAR THAT POSSIBLY A POLITICAL DEBATE COULD ENSUE IF THE MOTION GOT TO THAT LEVEL. SUFFICE IT TO SAY MR. SPEAKER, THAT THERE ARE DIFFERENT OPINIONS ON THE ROLE OF THE CANADIAN TRANSPORT COMMISSION. I KNOW DIRECTLY FROM WHITE PASS OFFICERS THAT THEY HAVE FILED NOW FOR MORE THAN FIFTEEN HUNDRED CHANGES IN TARIFF BEFORE THE C.T.C.

MR. SPEAKER, NO PRIVATE COMPANY WOULD GO AND FILE FOR CHANGES IN TARIFF BEFORE A REGULATORY BOARD UNLESS THEY HAD TO. THERE IS NO WAY THAT MY COMPANY WOULD APPLY TO THE C.R.T.C. FOR ANYTHING IF WE DIDN'T HAVE TO BY LAW. AND THERE IS NO WAY THAT THE WHITE PASS WOULD BE FILING FOR RATE TARIFF CHANGES BEFORE THE C.T.C. IF THE C.T.C. HAD NO POWER WHATSOEVER IN REGULATING THOSE TARIFFS OF THE WHITE PASS AND YUKON ROUTE. BUT BE SENSIBLE. THERE IS SOME AREA

OF CONTROL OVER SOME PART OF THE WHITE PASS TERRITORY. THE WHITE PASS KNOWS IT. THE C.T.C. KNOWS IT AND THOSE APPLICATIONS FOR CHANGES IN TARIFF, ARE ALREADY BEFORE THE C.T.C. THE AMOUNT OF INCREASE, MR. SPEAKER, AMOUNTS TO 15% ON ALL GOODS AND COMMODITIES MOVING INTO THE YUKON TERRITORY.

IT CAN'T BE DONE AT THIS TIME, MR. SPEAKER, IN MY ESTIMATION. C.P. AIR HAS AN APPLICATION ALSO FOR THE C.T.C. FOR THEIR SECOND INCREASE IN FARES. ANOTHER 10% ON THE PRICE OF AN AIRLINE TICKET.

MR. SPEAKER, IN SEARCHING FOR THE ROLE OF THE C.T.C. IN YUKON INTERVENTIONS, UNLESS SOME MEMBER CAN CORRECT ME, THERE HAS NOT BEEN A C.T.C. PUBLIC HEARING IN THE YUKON TERRITORY WHEN ANY OF THESE APPLICATIONS FOR TARIFF INCREASES IN FREIGHT OR FOR INCREASES IN PASSENGER FARES HAVE BEEN FILED FOR THE C.T.C.

CERTAINLY, MR. SPEAKER, IT'S ABOUT TIME THAT THOSE COMPANIES WHO ARE CONSISTENTLY AND CONTINUE TO GOUGE THE YUKON CONSUMER HAVE TO HAVE THEIR TARIFF INCREASES AND THE RATE INCREASES JUSTIFIED BY HEARINGS IN THE YUKON BEFORE YUKONERS, AND ALLOWING YUKONERS TO FILE OBJECTION TO THOSE INCREASES. CONVERSELY, MR. SPEAKER, IF THOSE INCREASES CAN BE JUSTIFIED TO THE YUKON CONSUMER, THEN THAT ALSO SHOULD BE DONE AT PUBLIC HEARINGS BEFORE THE YUKON PEOPLE.

MR. SPEAKER, AS I SAY IF PEOPLE WANT TO GET INTO WHAT SEEMS TO BE SHAPING UP AS A FEDERAL POLITICAL ARGUMENT AT THIS COUNCIL, I AM MORE THAN WILLING WITH THE INFORMATION THAT I HAVE TO GET THIS MOTION INTO COMMITTEE AND HAVE A DOGFIGHT ON IT. IT WOULD BE FUN. BUT I SAY TO MEMBERS OF COUNCIL THAT MY INFORMATION FROM THE COMPANY, NOT FROM POLITICAL CANDIDATES, MAKES ME POSITIVE AND ASSURED THAT THE C.T.C. DOES HAVE SOME CONTROL OVER THOSE TARIFF INCREASES. IF HONOURABLE MEMBERS DON'T THINK SO, THEN I SUBMIT, MR. SPEAKER, THAT THEY HAVE BEEN MISINFORMED AS MR. COMMISSIONER HAS SAID. BECAUSE THERE IS JUST NO POSSIBLE WAY THAT A PRIVATE COMPANY WOULD BE FILING FOR TARIFF INCREASES BEFORE A GOVERNMENT REGULATORY BOARD IF THEY DIDN'T HAVE TO. AND AS I SAY, THE WHITE PASS HAS ADMITTED THAT THEY NOW HAVE OVER FIFTEEN HUNDRED CHANGES IN TARIFF APPLICATIONS BEFORE THE C.T.C.

I DON'T THINK THERE IS ANY DOUBT IN ANYBODY'S

MIND THAT THE C.T.C. DOESN'T HAVE THE CONTROL OVER THE CHANGE AIR TICKET COSTS. AND I THINK, AND I'M SURE THAT ALL MEMBERS WILL AGREE, THAT CERTAINLY, THE C.T.C. SHOULD AT THIS MOMENT IN THE YUKON'S HISTORY COME TO THE YUKON, HOLD PUBLIC HEARINGS AND LISTEN TO THE OBJECTIONS OF THE YUKON CONSUMER OVER THESE TWO INCREASES WHICH ARE JUST GOING TO HURT THE YUKON PUBLIC, MR. SPEAKER, MORE EVEN IN THE FUTURE THAN THEY ALREADY ARE HURTING FROM THE INFLATIONARY SPIRAL THAT'S EVERYWHERE ACROSS THE COUNTRY.

MR. TAYLOR: MR. CHAIRMAN, AS SECONDER OF THE MOTION, THIS IS ANOTHER MOTION THAT PROBABLY FALLS IN CONJUNCTION WITH THE ONE WE PASSED A FEW SITTINGS AGO. IT IS IN RELATION TO FINDING MEANS OF REDUCING THE COSTS, AND IN PARTICULAR, TRANSPORTATION IN THIS AREA TO THE PEOPLE OF THE YUKON. AS THE HONORABLE MEMBER WHO HAS SPOKEN BEFORE HAS STATED, THESE TARIFFS ARE BEING INCREASED AT SUCH AN ALARMING RATE AND HAVING SUCH AN IMPACT ON THE ECONOMY OF THE PEOPLE OF THE YUKON, THAT SOMETHING MUST BE DONE. I THINK IT BEHOVES THE GOVERNMENT OF CANADA THROUGH THE CTC TO COME TO THE YUKON, IF FOR NOTHING MORE THAN TO FAMILIARIZE THEMSELVES WITH THE REAL DILEMMA THE PEOPLE OF THE YUKON FACE IN AREAS OF TRANSPORTATION UNDER THE CONTROL AND GUIDANCE OF THE CTC. AND TO CONVINCE THE CTC, MORE PARTICULARLY, OF THE TRUE REALITIES OF OUR PROBLEMS IN THE YUKON.

I DON'T THINK THAT I COULD SAY ANYMORE ON IT THAN HAS BEEN STATED BY THE HONORABLE MEMBER, OTHER THAN TO ALSO URGE THAT ALL MEMBERS GIVE THIS MOTION UNANIMOUS CONSENT. THAT THE ADMINISTRATION AGAIN FORWARD IT IMMEDIATELY TO THE CTC AND HOPE AND TRUST THAT THEY WILL COME TO THE YUKON. TO CONTRIBUTE, IN SOME WAY, TO THE CONTROLS THAT WE SEEK ON THE INFLATIONARY SPIRAL.

MR. CHAMBERLIST: MR. SPEAKER, I'M GOING TO SUPPORT THE MOTION, BASICALLY, BECAUSE OF THE SUGGESTION THAT HAS BEEN MADE IN THIS HOUSE THAT THE CTC HAVE NO CONTROL OVER RATE STRUCTURES IN CANADA. EVEN WHEN IT IS AN INTERNATIONAL COMPANY. IT IS QUITE TRUE TO SAY THAT THE WHITE PASS AND YUKON ROUTE, BEING AN INTERNATIONAL CARRIER, CROSSING THE STATE LINES BETWEEN THAT OF BRITISH COLUMBIA AND ALASKA AND INTO THE YUKON, DOESN'T GO AWAY FROM THE FACT THAT CANADA HAS CONTROL OVER SETTING TARIFFS FOR THAT PART OF THE JOURNEY THAT FITS INTO CANADIAN TERRITORY.

HAS IT HAS BEEN INDICATED, MR. SPEAKER, BY THE HONORABLE MEMBER FOR WHITEHORSE WEST, NO COMPANY WOULD BE PREPARED TO FILE WITH A GOVERNMENT BODY, ITS PROPOSED CHANGES, UNLESS IT HAD TO. PEOPLE IN BUSINESS KEEP AWAY FROM GOVERNMENTAL DEPARTMENTS AS MUCH AS POSSIBLE, UNLESS THEY HAVE TO COMPLY WITH THE LAW. THE WHITE PASS AND THE YUKON ROUTE ARE IN COMPLIANCE WITH THE LAW WHEN THEY HAVE FILED THEIR PROPOSED CHANGES.

NOW WHEN DEALING WITH CPA, THE PEOPLE FROM THE YUKON ARE PAYING THE HIGHEST RATES PER MILE, PER PASSENGER MILE, OF ANY PASSENGER TRAVELLING IN ANY OTHER PART OF CANADA, EXCEPT FOR THE NORTHWEST TERRITORIES WHERE SOME OF THE RATES THERE, THAT ARE CHARGED BY THE AIRLINE COMPANIES, ARE EVEN MORE EXORBITANT THAN WHAT IS BEING DONE WITH CP AIR. MR. SPEAKER, THE SUGGESTION THAT THE CONTINUATION OF HEARINGS IN OTTAWA OF ANY GOVERNMENTAL BOARD WHERE THE SUBJECT MATTER AFFECTS THE PEOPLE OF THE YUKON MUST STOP. WE, WHATEVER LITTLE POWER WE HAVE, AND IT IS, I ADMIT, VERY LITTLE, (WE HAVE ALREADY BEEN TOLD BY THE DEPARTMENT OF JUSTICE THAT THERE IS NO NECESSITY FOR US TO EXIST AT ALL) THAT AT LEAST WE CAN EXTEND THE THOUGHTS TO THE CTC THAT WE'RE INTERESTED IN PUTTING FORWARD THE PEOPLES' CASES FOR THE YUKON, THE THE COMMISSION IN THE YUKON.

I THINK THAT ALL MEMBERS OF COUNCIL SHOULD SUPPORT THAT PRINCIPLE. THANK-YOU, MR. SPEAKER.

MR. STUTTER: MR. SPEAKER, I TOO AM GOING TO SUPPORT THE MOTION. THE SUGGESTION THAT THE CTC HAS NO TEETH, I CAN VOUCH FROM PERSONAL EXPERIENCE THAT IT IS NOT TRUE. THE CTC DOES HAVE TEETH. AS MEMBERS KNOW, I WAS THE PART OWNER OF A FORMER TRANSPORTATION BUSINESS THAT CROSSED THROUGH ALASKA ON EVERY TRIP COMING BACK INTO CANADA. OUR RATES WERE FILED WITH THE CTC AND INCREASE IN OUR RATES WERE APPROVED THROUGH CTC AND WERE CONTROLLED BY CTC. I KNOW THEY HAVE TEETH. I KNOW THAT THEIR STANDARDS CAN BE APPLIED TO A COMPANY SUCH AS WHITE PASS. I HAVE NO PROBLEM IN SUPPORTING THIS MOTION.

MR. TANNIER: MR. SPEAKER, I TOO AM GOING TO SUPPORT THE MOTION. WITH THE CLEAR UNDERSTANDING THAT IT IS IN SOME RESPECTS A FATUOUS MOTION BECAUSE THEY DON'T HAVE TO COME. THEY DON'T HAVE TO LISTEN INSOFAR AS THE MAJOR PORTION OR SOME GREAT PORTION OF THE ROUTE WHICH IS MAKING THE RATE INCREASE, IS WITHOUT OR

OUTSIDE OF THE CONTROL OF CTC. HOWEVER, I AGREE THAT WHEN THE BOARD SAYS IT SHOULD SIT HERE, WHEN ITS DEALING WITH YUKON MATTERS, IT SHOULD DEAL WITH THEM HERE AND THAT THERE IS NO PROBLEM WITH CP AIR. I AM NOT IN AGREEMENT WITH THE STATEMENT MADE BY THE MEMBER FOR WHITEHORSE WEST, COUNCILLOR MCKINNON THAT BECAUSE THE COMPANY HAS FILED, IT MEANS THAT THE CTC HAS CONTROL OF WHITE PASS.

CERTAINLY IT HAS CONTROL IN WHITE PASS, OR IT PROBABLY HAS CONTROL OF WHITE PASS ON THE CANADIAN PORTIONS OF ITS ROUTE. IT HAS NOT CONTROL ON THE OTHER PORTIONS OF ITS ROUTE. I'LL SUPPORT THE MOTION TO HAVE CTC HAVE HEARINGS. CERTAINLY. BUT DON'T ANYBODY FOOL THEMSELVES THAT THEY'RE GOING TO COME UP ON THE STRENGTH OF THIS MOTION. THEY'RE GOING TO COME UP IF THEY FEEL LIKE IT.

MRS. WATSON: I'M GOING TO SUPPORT THE MOTION. FROM LISTENING TO THE DEBATES OF THE HOUSE AND LISTENING TO THE DEBATES OF THE PARTIES FOR THE FEDERAL ELECTION, I DON'T KNOW WHETHER THE CTC HAVE THE POWER OR NOT. AND I FEEL THAT IF AN INVITATION WERE EXTENDED TO THEM, I THINK THAT INFORMATION WOULD THEN BE MADE AVAILABLE TO US. THEN THEY WOULD INDICATE TO US WHETHER THEY DO HAVE THE AUTHORITY TO ESTABLISH SOME JURISDICTION OVER RATE FIXING WITHIN THE YUKON TERRITORY. WHETHER THEY COME OR NOT IS ANOTHER THING. BUT I THINK THIS IS ONE WAY WE MAY GET A CONCISE ANSWER, I WOULD HOPE, TO THE DILEMMA THAT WE ARE FACED WITH AND THE PEOPLE OF THE YUKON TERRITORY ARE FACED WITH AS A RESULT OF THE INCREASE IN THE TARIFFS BY BOTH THESE LARGE COMPANIES.

I WOULD LIKE TO SEE, RATHER THAN HAVE AN INVITATION EXTENDED TO THE COMMITTEE IN TRANSPORT COMMISSION BY THE ADMINISTRATION, I WOULD LIKE TO HAVE AN INVITATION EXTENDED BY THIS COUNCIL TO THE CANADIAN TRANSPORT COMMISSION. I THINK THAT WE SHOULD HAVE THE INVITATION DRAFTED AND APPROVED BY THIS COUNCIL BEFORE WE PROROGUE.

MR. MCKINNON: AGREED. MR. SPEAKER, IF ALL MEMBERS HAVE SPOKEN ON THE MOTION AND HAVE CLOSED THE DEBATE, I WOULD LIKE TO THANK ALL MEMBERS FOR THEIR OBVIOUS SUPPORT OF THE MOTION. I THINK PERHAPS THE HONORABLE MEMBER FOR WHITEHORSE NORTH IS ECHOING SOME OF THE STATEMENTS THAT I MADE ON CERTAIN MOTIONS IN THE HOUSE, THEY WILL PERHAPS HAVE NO BEARING. MR. SPEAKER, THAT DOESN'T ALTER THE RESPONS-

IBILITY OF EVERY MEMBER OF THIS HOUSE HAS, TO CONTINUE TO PRESS THESE MOTIONS. CONTINUALLY BRING THEM UP. I KNOW THAT IT GETS DEPRESSING WHEN MOTION AFTER MOTION AFTER MOTION, TIME AFTER TIME AFTER TIME IS COMPLETELY IGNORED BY THE POWERS THAT BE. THAT DOESN'T ALTER THE RESPONSIBILITY THAT ALL MEMBERS HAVE OF KEEPING, BRINGING THESE MOTIONS FORWARD AND CONSISTENTLY AND CONSTANTLY SUPPORTING THEM ON BEHALF OF THE CONSTITUENTS THAT WE REPRESENT.

SOMETIME, I GET THE FEELING THAT IT WOULD BE A HECK OF A LOT EASIER JUST TO FORGET ABOUT IT, QUIT SCREAMING AND YELLING, IT HAS NO EFFECT WHATSOEVER. BUT THERE IS NO WAY, MR. SPEAKER, THAT I'M GOING TO STOP YELLING AND THAT I'M GOING TO STOP SCREAMING AND THAT I'M NOT GOING TO HOLLER AS LOUD AS I'M CAPABLE OF DOING, FOR THINGS TO CHANGE. THROUGH THE PROCESS OF JUST CONSTANT BATTERING THAT SOMEWHERE, SOMEHOW, SOMETHING ALONG THE LINE IS GOING TO CHANGE IN THE FUTURE. I THANK HONORABLE MEMBERS FOR THEIR SUPPORT. I DON'T THINK THAT WE SHOULD REALLY HAVE THE RESIGNATION THAT NOTHING IS GOING TO HAPPEN AGAIN. SOMEWHERE ALONG THE LINE, AFTER THIS CONSTANT BOMBARDMENT, SOMEONE, SOMEWHERE, IS CERTAINLY GOING TO LISTEN ONE OF THESE TIMES. IF ONE OUT OF A HUNDRED, THEN AT LEAST WE'VE GOTTEN SOMEWHERE, MR. SPEAKER.

MR. SPEAKER: ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: MOTION NO. 48. IT HAS BEEN MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR MCKINNON THAT UPON THE EXPIRATION OF THE FOUR YEAR TERM OF COUNCIL WHICH EXPIRES ON THE 5TH OF OCTOBER, 1974, ANY APPOINTMENTS OF TERRITORIAL COUNCILLORS TO COMMITTEE BE RESCINDED BY THE COMMISSIONER.

MR. MCKINNON: QUESTION.

MR. SPEAKER: ARE YOU PREPARED TO PROCEED WITH THE MOTION AT THIS TIME?

MR. CHAMBERLIST: QUESTION. PERHAPS I SHOULD SPEAK A LITTLE BIT ON IT. MR. SPEAKER, THERE IS MUCH REASONING BEHIND THIS MOTION. FIRSTLY, I'D LIKE TO POINT OUT MR. SPEAKER, THE YUKON ACT MAKES IT QUITE SPECIFIC THAT A COUNCIL SHALL CONTINUE FOR FOUR YEARS FROM THE DATE

OF THE RETURN OF THE WRITS FOR THE GENERAL ELECTION. AND NO LONGER. NOW WHEN A COUNCIL CEASES TO EXIST, THE MEMBERS IN THAT COUNCIL CEASE TO BE COUNCILLORS. THIS FOLLOWS QUITE EASILY AND IS QUITE EASY TO BE UNDERSTOOD.

THE ESTIMATES, THE MAIN ESTIMATES 1974-75, ESTABLISHMENT NO. 100, PROVIDES A SUM OF MONEY TO PROVIDE FOR THE STATUTORY AMOUNTS OF COUNCILLORS AND ELECTED MEMBERS OF THE EXECUTIVE COMMITTEE. THE STATUTORY AMOUNTS OF A COUNCILLOR CEASES AFTER FOUR YEARS BECAUSE THERE ARE NO COUNCIL AND NO COUNCILLORS. AND IT FOLLOWS THEN, THAT IF THERE ARE NO COUNCILLORS, THERE ARE NO ELECTED MEMBERS WHO ARE COUNCILLORS AND THEREFORE THERE ARE NO ELECTED MEMBERS OF THE EXECUTIVE COMMITTEE. WE HAVE VOTED FOR FUNDS TO PROVIDE FOR THOSE STATUTORY AMOUNTS, AND THIS COUNCIL CAN'T PAY ANY FUNDS OUT OTHER THAN WHAT THE VOTE DISTINCTLY INDICATES.

ALSO, I WOULD POINT OUT, THAT SECTION 12 THAT DEALS WITH THE ADVISORY COMMITTEE IN FINANCE, ARE ONLY MEMBERS OF A COMMITTEE OF COUNCILLORS, AND AGAIN WHEN THE COUNCIL CEASES, THE COUNCILLORS CEASE, THE ADVISORY COMMITTEE OF FINANCE CEASES. NOW IF THE ADVISORY COMMITTEE OF FINANCE CEASES, WHICH IS A STATUTORY COMMITTEE IT FOLLOWS AS WELL THAT ALL THOSE COMMITTEE THAT ARE NOT STATUTORY COMMITTEES ARE COMPLETED. SO I'LL SAY MR. SPEAKER, IT SHOULD FOLLOW THEN THAT MEMBERS OF COUNCIL RECOGNIZE THAT THIS POSITION IS SO. THAT A FORMAL MOTION FROM THIS COUNCIL INSTRUCTING THE COMMISSIONER TO RESCIND ON OCT. THE 5TH, WHICH IS THE FOUR YEARS, EXACTLY TO THE DAY AFTER THE RETURN OF THE WRITS OF 1970, IT WOULD BE THE FOUR YEARS OF COMPLETION.

SO THEREFORE, MR. SPEAKER, I WOULD ASK THAT ALL MEMBERS OF COUNCIL APPROVE OF THE MOTION.

MR. SPEAKER: FROM THE HONORABLE MEMBERS REMARKS, I GATHER THAT THE DOCTRINE OF "EX NIHIL, NIHIL FIT" IS STILL CONTINUING. LET US PROCEED.

MR. TANNER: MR. SPEAKER, I'M PLEASED THAT THE SPEAKER CAN TALK TO SOME MEMBERS OF THE HOUSE AND LEAVE THE REST OF US IGNORANT. I'M IMPRESSED BY WHAT HE SAYS. PERHAPS MR. SPEAKER WOULD LIKE TO TELL US WHAT HE SAID.

MR. SPEAKER: "EX NIHIL, NIHIL FIT."

MR. TANNER: WHAT WAS THAT.

SOME HONORABLE MEMBER: THE LEGAL ADVISER.

MR. TANNER: MR. SPEAKER, I WAS MERELY GOING TO SAY, THANK-YOU, MR. SPEAKER, NOW I KNOW WHAT YOU SAID, THAT'S EXACTLY WHAT I WAS GOING TO SAY ABOUT THIS MOTION. IT DOESN'T MEAN A THING.

MR. SPEAKER: WELL CONGRATULATIONS, ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: MOTION No. 49, IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR TAYLOR, THAT IT IS THE OPINION OF COUNCIL THAT THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT BE REQUESTED TO PETITION TREASURY BOARD AS THE CAPITAL FUNDS NOT EXPENDED IN THE 1973-74 MAIN ESTIMATES OF THE GOVERNMENT OF THE YUKON TERRITORY, CAN BE TRANSFERRED TO THE OPERATION AND MAINTENANCE BUDGET IN ORDER THAT THESE FUNDS MAY BE USED TO SUBSIDIZE THE INCREASED COST OF GASOLINE AND HEATING FUEL TO RESIDENTS OF THE YUKON. ARE YOU PREPARED TO PROCEED WITH THIS MOTION AT THIS TIME?

MR. MCKINNON: YES, MR. SPEAKER, I THINK THAT ALL MEMBERS ARE AWARE THAT EVERY BULLET IN THE ARSENAL TO TRY AND COMBAT THE INCREASED COST OF LIVING AND THE INFLATIONARY SPIRAL IN THE YUKON HAS BEEN USED BY MEMBERS AT THIS SESSION. IT'S ANOTHER MOTION, MR. SPEAKER, WHERE I'M JUST NOT GOING TO GIVE UP THE ATTEMPT TO TRY AND BRING SOME RELIEF TO YUKON CONSUMER'S DURING THE NEXT WINTER.

WE HAVE A SESSIONAL PAPER, DEALING WITH THE ORIGINAL QUESTION THAT I ASKED OF MR. COMMISSIONER ON JUNE 25TH. THAT WITH THE COST OF CAPITAL PROJECTS, THE BIDS COMING IN ANYWHERE FROM FIFTY TO SEVENTY-FIVE PERCENT HIGHER. BY MOTION OF THIS COUNCIL, WOULD THE COMMISSIONER BE PREPARED TO ENQUIRE AS OF HIS MINISTER, WHETHER THOSE CAPITAL PROJECTS COULD BE DELAYED FOR A YEAR OR MORE. SEVERAL OF THEM, THESE MONIES BE TRANSFERRED BECAUSE OF THE EMERGENCY SITUATION FROM THE CAPITAL SIDE OF THE BUDGET, TO O & M TO PROVIDE SUBSIDIES AND RELIEF TO YUKON RESIDENTS AGAINST THE INCREASED COST OF GASOLINE, HEATING FUEL AND PROBABLY ELECTRICITY IN THE FISCAL YEAR.

AND AS USUAL, MR. SPEAKER, THE ADMINISTRATION JUST DIDN'T ANSWER THE QUESTION. THE ANSWER CAME BACK, "OUR FINANCIAL AGREEMENT WITH OTTAWA DOES NOT CONTAIN PROVISIONS FOR THE TRANSFER OF FUNDS FROM CAPITAL OPERATION AND MAINTENANCE. OUR EXPERIENCE WITH ACQUIRING CAPITAL MONIES IS CONSISTENTLY A PROBLEM AND WE ARE ALLOWED TO PROVIDE FOR CAPITAL PROJECTS ONCE. IF WE WERE TO DIVERT THESE FUNDS FOR OTHER PURPOSES OUR CHANCES OF EVER PROCEEDING WITH THE CAPITAL PROJECT PLAN WOULD BECOME VERY LIMITED." WHICH OF COURSE, ISN'T THE QUESTION WHICH WAS ASKED AT ALL. THE COMMISSIONER WAS ASKED WHETHER HE WOULD ASK HIS MINISTER TO GO TO TREASURY BOARD AND FIND OUT BECAUSE OF THE EMERGENCY SITUATION FACING RESIDENTS OF THE YUKON. WHETHER IN THIS SITUATION THOSE FUNDS COULD BE TRANSFERRED FROM OPERATION AND MAINTENANCE, OR FROM CAPITAL TO O & M.

I KNOW THE FINANCIAL AGREEMENT, ALL MEMBERS KNOW THE FINANCIAL AGREEMENT, THE COMMISSIONER KNOWS THE FINANCIAL AGREEMENT. BUT CERTAINLY THERE HAS TO BE SOME WAY WHEN THESE CAPITAL FUNDS ARE NOT BEING EXPENDED WHICH ARE NOT GOING TO BE THERE THIS YEAR, (WITNESS THE CURTAILMENT OF SOME OF THE HOUSING PROGRAMS IN THE WATSON LAKE AREA.) THERE'S GOING TO BE CURTAILMENT IN MANY OTHER AREAS OF CAPITAL PROJECT WHERE THE BIDS ARE COMING IN FIFTY TO SEVENTY-FIVE PERCENT HIGHER THAN THE ESTIMATE. THESE MONIES ARE NOT GOING TO BE EXPENDED IN THIS FISCAL YEAR.

THE TREASURY BOARD HAS THE AUTHORITY, IF THEY AGREE, TO TRANSFER THESE FUNDS TO CHANGE THE FINANCIAL AGREEMENT, TO MOVE MONEY FROM CAPITAL TO OPERATION AND MAINTENANCE. AND THIS IS WHAT I'M ASKING THE COMMISSIONER TO DO. TO PETITION HIS MINISTER WHO SITS ON THE TREASURY BOARD TO APPEAL THE TREASURY BOARD THAT THIS CAN BE DONE FOR THIS EMERGENCY SITUATION. MR. SPEAKER, IF THE HONOURABLE MEMBER FROM WHITEHORSE NORTH WANTS TO SHOW HIS IGNORANCE IN THIS HOUSE THAT THERE IS NOT AN EMERGENCY SITUATION FOR BASIC YUKON RESIDENTS THIS WINTER. WHEN THE COMMISSIONER COMES IN THIS HOUSE AND SAYS THAT THERE IS GOING TO BE FIVE MILLION DOLLARS LESS IN DISPOSABLE INCOME FOR YUKON RESIDENTS THIS YEAR BECAUSE OF THE INCREASED COSTS OF GASOLINE AND HEATING FUEL. THE HONOURABLE MEMBER FOR WHITEHORSE NORTH IS SO CALLOUS THAT HE DOESN'T THINK THIS PRESENTS AN EMERGENCY SITUATION TO CONSUMERS IN THE YUKON. THEN MR. SPEAKER, I MAY AS WELL NOT

ADDRESS ANY REMARKS OVER TO THE HONOURABLE MEMBER BUT TALK TO A WALL BECAUSE I GET MORE RESPONSE AND MORE SENSE FROM THAT WALL THAN THE HONOURABLE MEMBER FROM WHITEHORSE NORTH.

I ASK HIM TO RUN IN THE PORTER CREEK/CRESTVIEW AREA IN THE NEXT TERRITORIAL ELECTION AND TELL HIS CONSTITUENTS THAT THERE IS NO EMERGENCY SITUATION AND I, MR. SPEAKER, WILL TELL YOU WHAT THE RESULTS OF THAT ELECTION WILL BE. THE HONOURABLE MEMBER FOR WHITEHORSE NORTH WILL BE SO FAR DOWN ON THE LIST THAT HE WON'T EVEN HAVE TO GO TO THE RETURNING OFFICER TO BEG FOR HIS DEPOSIT CHEQUE BACK BECAUSE IT WON'T BE COMING BACK. NOT ONE PENNY AT ALL. THAT'S WHAT THE PEOPLE IN HIS CONSTITUENCY THINK ABOUT HIS INTERESTS IN THE CONSUMER SITUATION IN THE YUKON TERRITORY TODAY.

I JUST CAN'T UNDERSTAND THE INANE REMARKS THAT HE MAKES WHEN DEALING WITH THIS KIND OF A SITUATION. MR. SPEAKER, I'VE SAID IT BEFORE AND I WILL SAY IT AGAIN THAT I'M GOING TO USE EVERY METHOD POSSIBLE TO TRY AND ALLEVIATE WHAT I CONSIDER TO BE AN EMERGENCY SITUATION FACING THE CONSUMERS OF THE YUKON TERRITORY.

THE HONOURABLE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT, MR. JEAN CHRETIEN SITS ON THE TREASURY BOARD. HE HAS HAD EFFECT IN TIMES PAST OF BEING ABLE TO DIVERT FUNDS AND TO CHANGE FUNDING ON TREASURY BOARD ON THE STRENGTH OF HIS ARGUMENTS. MR. SPEAKER, THE MOTION IS SIMPLE. IT ASKS THAT THE COMMISSIONER, UPON THE ADVICE OF THIS COUNCIL, ASK HIS MINISTER TO PETITION TREASURY BOARD TO BE ABLE TO DIVERT FUNDS IN THIS FISCAL YEAR FROM CAPITAL TO OPERATION AND MAINTENANCE TO HELP ALLEVIATE THE INCREASED COSTS OF GASOLINE AND HEATING FUEL TO THE RESIDENTS OF THE YUKON THIS YEAR.

MR. SPEAKER, I WOULD ASK FOR THE UNANIMOUS SUPPORT OF COUNCIL FOR THIS MOTION.

MR. CHAMBERLIST: MR. SPEAKER, I WONDER IF I SHOULD DRAW TO THE ATTENTION OF THIS HOUSE AT THIS TIME AN ERROR IN THE MOTION. IT'S 73-74 AND I'M SURE THE INTENT IS 74-75. WHICH IS CORRECT?

MR. MCKINNON: MR. SPEAKER, THERE ARE TWO ERRORS IN THE MOTION AS TYPED. "IT IS THE INTENT OF COUNCIL THAT THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT BE REQUESTED TO PETITION TREASURY BOARD AS THAT. IT READ "SO THAT" IN THE ORIGINAL MOTION. "SO THAT". ALSO, AS THE

HONOURABLE MEMBER POINTED OUT, 74-75 RATHER THAN 73-74 SHOULD BE THE MOTION, MR. SPEAKER.

MR. SPEAKER: DO YOU WISH ME TO READ THE CORRECT MOTION?

MR. MCKINNON: YES, MR. SPEAKER.

MR. SPEAKER: IN THE EVENT THAT SOMEONE IN OTTAWA READS THE VOTES AND PROCEEDINGS?

MOTION No. 49. IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR TAYLOR. IT IS THE OPINION OF COUNCIL THAT THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT BE REQUESTED TO PETITION TREASURY BOARD SO THAT CAPITAL FUNDS NOT EXPENDED IN THE 1974-75 MAIN ESTIMATES OF THE GOVERNMENT OF THE YUKON TERRITORY CAN BE TRANSFERRED TO THE OPERATION AND MAINTENANCE BUDGET IN ORDER THAT THESE FUNDS MAY BE USED TO SUBSIDIZE THE INCREASED COST OF GASOLINE AND HEATING FUEL TO RESIDENTS OF THE YUKON.

MR. TAYLOR: MR. SPEAKER, AS SECONDER OF THE MOTION, THE MOTION IS STATED FAIRLY CLEARLY. I DON'T HAVE A GREAT DEAL TO SAY ON IT OTHER THAN GENERALLY WHEN I WAS LAST ASSOCIATED, PARTICULARLY WITH THE FINANCIAL ADVISORY COMMITTEE OF COUNCIL, WE GENERALLY FOUND OURSELVES WITH LAPSING BALANCES AND CAPITAL. I'M NOT TOO CLEAR AS TO WHETHER THIS WAS THE CASE IN THIS PARTICULAR LAST FISCAL YEAR OR INDEED, WHETHER IT WILL BE THE CASE IN THIS CURRENT FISCAL YEAR. HOWEVER, I DO FEEL, AS THE HONOURABLE MEMBER FROM WHITEHORSE WEST, THAT IF THERE IS A POSSIBILITY OF PUTTING THESE FUNDS TO WORK, THEN WE SHOULD ASK THE FEDERAL GOVERNMENT, WITH WHOM WE NEGOTIATE OUR FISCAL AGREEMENT, TO PERMIT US TO ALLOW SOME OF THESE FUNDS TO BE TRANSFERRED OVER TO THE O & M SIDE OF OUR BUDGET AND TO BE PUT TO THIS VERY GOOD PURPOSE.

WITH THOSE REMARKS I WOULD ALSO AGAIN URGE THAT ALL MEMBERS SUPPORT THIS MOTION.

MR. STUTTER: MR. SPEAKER, I HAVE NO DIFFICULTY SUPPORTING THE PRINCIPLE BEHIND THE MOTION. THERE ARE A COUPLE OF POINTS I WOULD LIKE TO MAKE. FIRST OF ALL THE FIGURE THAT THE COMMISSIONER HAS COME UP WITH OF FIVE MILLION LESS TO BE SPENT BY CONSUMERS IN THE TERRITORY. I REALLY DON'T SEE WHERE THIS COMES FROM BECAUSE YESTERDAY I DID HAVE OUR STATISTICIAN PREPARE SOME FIGURES THAT INDICATED THE TOTAL GALLONS OF GASOLINE USED IN THE TERRITORY AND THE TOTAL NUMBER OF GALLONS OF HEATING OIL USED

IN THE TERRITORY. THERE ARE 9.5 MILLIONS GALLONS OF GASOLINE AND 9 MILLION GALLONS OF HEATING OIL WHICH IS A TOTAL OF 18.5 MILLION GALLONS. THE RECENT INCREASE IN PRICE OF BOTH HAS BEEN 10 CENTS WHICH COMES TO JUST SOMEWHAT LESS THAN 2 MILLION DOLLARS. HOWEVER, 2 MILLION DOLLARS EVEN IS STILL A GREAT DEAL OF MONEY THAT THE CONSUMERS HAVE LESS TO SPEND.

THAT'S ONE POINT I WANTED TO MAKE. THE SECOND ONE WAS THAT IN READING THE MOTION IT APPEARS TO ME TO BE A BIT UNCLEAR IN THAT IT MENTIONS CAPITAL FUNDS NOT USED FROM THE 74-75 MAIN ESTIMATES WILL THEN BE TRANSFERRED TO THE O & M SECTION. WELL, IT WON'T BE UNTIL THE END OF THE 74-75 BUDGET YEAR THAT WE WILL KNOW WHETHER THERE WERE ANY SURPLUS FUNDS IN THE CAPITAL SECTION AND BY THEN THE 74-75 BUDGET IS NON-EXISTENT SO THERE IS NO POINT IN TRANSFERRING TO THE O & M SECTION.

THE AIMS, AS I HAVE SAID, ARE TO ALLEVIATE THE COST OF HEATING OIL AND GASOLINE AND THAT PART I GO ALONG WITH 100%. THE ACTUAL WORDING OF THE MOTION WOULD NOT BRING THAT ABOUT BECAUSE, AS I SAY, IT'S REQUESTING A TRANSFER OF FUNDS FROM THE 74-75 BUDGET FROM ONE PORTION TO THE OTHER, BUT THAT WOULD NOT HAPPEN UNTIL AFTER THE BUDGET WAS COMPLETED.

MR. CHAMBERLIST: MR. SPEAKER, I WOULD LIKE TO CLARIFY ONE POINT. I'M GOING TO SUPPORT THE MOTION. IT MIGHT BE A LITTLE BIT FURRY TO SOME BUT IT ISN'T TO ME. THE INTENT IS, AS I SEE IT, AND ESPECIALLY IN VIEW OF THE REMARKS THAT HAVE BEEN MADE BY THE HONOURABLE MEMBER FROM WHITEHORSE WEST, IS TO PROVIDE THAT WHERE THE ADMINISTRATION HAS DECIDED NOT TO PROCEED WITH CERTAIN CAPITAL PROJECTS THAT THE MONEY THAT WILL NOT BE USED IN THOSE CAPITAL PROJECT, BECAUSE THERE WON'T BE SUFFICIENT MONEY, THAT PORTION OF THE MONEY, AN ATTEMPT BE MADE TO TRANSFER IT TO O & M. THIS IS HOW I SEE IT.

NOW, I KNOW THIS WILL BE A VERY DIFFICULT THING TO GET FROM TREASURY BOARD BECAUSE TREASURY BOARD HAS TAKEN THE STAND THAT "IF YOU ARE ASKING FOR MONEY FOR CAPITAL PROJECTS, THIS IS WHAT WE ALLOW THE MONEY FOR. IF YOU DON'T NEED IT FOR CAPITAL PROJECTS WELL, WE CAN'T GIVE IT TO YOU. WELL, USE IT ON CAPITAL PROJECTS SOMEWHERE ELSE." BUT AS THE HONOURABLE MEMBER FROM WHITEHORSE WEST HAS SAID, WE MUSTN'T GIVE UP TRYING TO GET THESE THINGS. IF HERE IS ANOTHER OPPORTUNITY WHERE WE CAN SAY TO THE TREASURY BOARD, NOTWITH-

STANDING WHAT HAS BEEN DONE IN THE PAST, HERE IS AN OPPORTUNITY WHERE YOU HAVE MADE MONIES AVAILABLE FOR USE IN THE YUKON TERRITORY. WE FIND THAT THERE IS A MORE AND IMPORTANT PRIORITY AT THIS TIME, ALLOW THE MONEY THAT IT PROPOSES WOULD BE IN EXCESS TO BE TRANSFERRED A LITTLE EARLIER THAN THE END OF THE FISCAL YEAR SO THAT SOME BENEFITS CAN ACCRUE TO THE PEOPLE OF THE YUKON ACCORDINGLY.

MRS. WATSON: MR. SPEAKER, I DON'T KNOW WHETHER I INTERPRETED THE INTENT OF THIS MOTION OR NOT. I HOPE THAT TO A CERTAIN DEGREE. I DO INTERPRET THE INTENT THAT WE DO NOT HAVE TO GIVE UP AND THE FACT THAT WE GET SOME MEANS FROM THE MINISTER WHERE WE CAN HELP TO ALLEVIATE THE INCREASED COST FOR FUEL FOR YUKON RESIDENTS.

BUT THE MOTION AS IT IS WRITTEN HERE, TO ME, IS A BUNCH OF POLITICAL POPPYCOCK AND I TAKE EXCEPTION TO MISLEADING THE PUBLIC TO INDICATING THAT THIS CAN BE DONE. BECAUSE WE KNOW FULL WELL THAT THE CHANCES OF THIS BEING DONE ARE ALMOST IMPOSSIBLE. IF, BY ANY HOPE OF IMAGINATION, IF TREASURY BOARD DID GO ALONG AND SAY "OH, YES, FINE. WE'LL TAKE SEVERAL MILLION DOLLARS OUT. WE WON'T BOTHER GIVING YOU THE \$600,000 FOR THE COST OF THE BRIDGE. WE WILL CANCEL THE MONEY FOR THE NEW TERRITORIAL BUILDING." MAYBE YOU CAN DISPENSE WITH THE TERRITORIAL BUILDING BUT ON THE OTHER HAND, THERE ARE A LOT OF PEOPLE IN WHITEHORSE, IN THE YUKON TERRITORY WHO ARE LOOKING FORWARD TO THAT TERRITORIAL BUILDING BECAUSE IT WILL OFFER THEM EMPLOYMENT DURING THE NEXT YEAR AND THE NEXT WINTER. YOU COULD CANCEL OUT THE ROSS RIVER SCHOOL. THE HONOURABLE MEMBER FROM WATSON LAKE KNOWS THAT WE HAVE TO HAVE SEWER AND WATER AT WATSON. THESE PROJECTS, WOULD WE HAVE THE OPPORTUNITY TO CANCEL THEM OUT OR WOULD TREASURY VOTE IT.

I THINK IT'S MOST MISLEADING TO SAY THAT WE CAN TRANSFER THESE CAPITAL FUNDS. I SAY AMEND YOUR MOTION TO GET THIS TRANSFER BUSINESS OUT OF THERE BECAUSE ANYBODY WHO HAS BEEN ON THE FINANCIAL ADVISORY COMMITTEE KNOWS THAT WE ARE NOT GOING TO GET IT DONE. YOU MIGHT AS WELL ADMIT. IT SO LET'S AT LEAST GIVE SOME CLEAR INSTRUCTIONS TO THE COMMISSIONER TO ENTER OR TO PETITION THE MINISTER OF INDIAN AFFAIRS TO TRY TO GET SOME RELIEF FOR FUEL OIL COSTS IN THE YUKON. OUR CHANCES OF GETTING IT THAT WAY, IF THAT'S WHAT OUR MOTION IS, IS MUCH BETTER THAN IF WE TIE OURSELVES INTO SAYING TRANSFER CAPITAL FUNDS WHICH WE KNOW WE WILL PROBABLY

NOT SUCCEED IN DOING. WE KNOW WE WON'T SUCCEED. SO LET'S MAKE A SENSIBLE MOTION OUT OF IT AND I'M SURE THAT EVERY MEMBER OF THE COUNCIL WOULD THEN SUPPORT IT.

MR. TANNER: MR. SPEAKER, THERE ARE TWO OR THREE THINGS WRONG WITH THE MOTION AND PROBABLY THE MOST BASIC ONE HAS BEEN POINTED OUT BY THE MEMBER FROM DAWSON. WE WON'T KNOW WHAT LAPSING FUNDS WE'VE GOT UNTIL APRIL OF THIS YEAR WHEN THIS EMERGENCY, SO CALLED, IS OVER.

NOW, LET'S TALK ABOUT THE EMERGENCY. THE EMERGENCY, IF THERE IS ONE, IS THAT THERE IS AN INCREASE IN THE COST OF HEATING FUELS. THAT'S TRUE BUT THAT'S TRUE ACROSS THE COUNTRY. THAT'S TRUE EVERYWHERE. IT'S NOT PECULIAR TO THE YUKON. IT'S WORSE IN THE YUKON BECAUSE WE USE MORE HEATING FUEL BUT IT'S NOT AN EMERGENCY AS SUCH. I DON'T CONSIDER THAT AN EMERGENCY. I CONSIDER IT AN EMERGENCY WHEN SOMETHING IMMINENT IS GOING TO HAPPEN. A BUILDING IS GOING TO FALL DOWN OR ONE OF THE MEMBERS IS (LAUGHTER). I DON'T CONSIDER IT AN EMERGENCY, IT'S A FACT OF LIFE. IT'S SOMETHING WE'VE GOT TO LIVE WITH. IT'S SOMETHING ALL CANADIANS HAVE GOT TO LIVE WITH AND IT IS OUR OBLIGATION AND IT IS OUR DUTY TO DO WHAT WE CAN TO ALLEVIATE IT BUT FOR GOODNESS' SAKE DON'T LETS GO OFF HALF-CKOED AND SAY IT'S AN EMERGENCY.

THAT'S THE FIRST THING. THE SECOND THING IS IT IS MY INTERPRETATION THAT THE FUNDING WE PRESENTLY HAVE, AS FAR AS CAPITAL FUNDS ARE CONCERNED, THAT WE WILL NOT HAVE ENOUGH FOR THOSE PROJECTS THAT ARE COMING IN. IN FACT WE WILL PROBABLY HAVE TO DIP INTO OUR 4.5 MILLION IN RESERVE BY THE END OF THE YEAR. SO I DON'T THINK THERE WILL BE ANY LAPSING BALANCES, IN SPITE OF THE FACT THAT WE ARE ACCRUING ALL SORTS OF INTERESTS WHICH THE HONOURABLE MEMBER DURING THE BUDGET DEBATE TALKED ABOUT AND THAT FUND IS INCREASING. IT LOOKS TO ME, I SUSPECT, IT IS GOING TO BE USED TO SUPPORT SOME OF THOSE CAPITAL PROJECTS.

IN SPITE OF MY FEELINGS ABOUT THE MOTION, MR. SPEAKER, I THINK THERE IS SOME VALIDITY IN WHAT THE MEMBER IS TRYING TO DO BUT I THINK HE IS GOING ABOUT IT THE WRONG WAY. IF WE CAN FIND SOME WAY TO ASK THE MINISTER OR TO REQUEST THE MINISTER OR TO DEMAND FROM THE MINISTER THAT HE DO SOMETHING ABOUT THE FUEL COSTS, AND IN PARTICULAR, THE HEATING FUEL COSTS, WE WILL

MR. MCKINNON: (INTERRUPTS) I ALREADY SAID HE WON'T.

MR. TANNER: WELL, THAT DOESN'T MATTER. FROM THE ATTITUDE THE MEMBER HAS, FIVE MINUTES AGO HE SAID, "NO MATTER WHAT'S IT'S WORTH, KEEP TRYING". THAT'S WHAT I AM TRYING TO DO BUT NOT WITH THIS SORT OF CLAP-TRAP. IT DOESN'T MEAN A THING AND HE KNOWS IT. WHEN WILL THOSE FUNDS BECOME AVAILABLE? APRIL 1ST, 1975. IF THERE IS ANY AVAILABLE AND I DOUBT IF THERE WILL BE ANY AVAILABLE. HE'S TALKING ABOUT LAPSING BALANCES AND WE DON'T EVEN KNOW WHAT THEY ARE UNTIL APRIL, 1975.

NOW, FOR THE SAKE OF A DISAGREEMENT BETWEEN THE HONOURABLE MEMBER AND MYSELF AND SOME OF THE OTHER MEMBERS IN THIS HOUSE, I DON'T WANT TO SEE THIS MOTION GO DOWN THE DRAIN. BUT LET'S BE SENSIBLE AND FIND SOME ALTERNATIVE ROUTE TO GO ABOUT DOING WHAT EVERYBODY IN THIS COUNCIL WANTS TO DO. THERE ARE TWO WAYS WE CAN DO THIS, MR. SPEAKER. WE CAN EITHER HAVE A RECESS AND TALK ABOUT IT OR ALTERNATIVELY WE CAN PUT IT IN COMMITTEE OR ALTERNATIVELY, THE MOVER AND THE SECONDER TO THE MOTION CAN COME UP WITH AN ALTERNATIVE OR SUGGEST AN ALTERNATIVE. FOR GOODNESS' SAKES JUST BECAUSE WE DON'T AGREE WITH EACH OTHER, DON'T LET IT GO PAST. JUST BECAUSE WE ARE OF DIFFERENT POLITICAL HUES, DON'T LET THE PEOPLE OF THE YUKON SUFFER IN OUR ATTEMPT TO TRY AND ALLEVIATE THE PROBLEM.

MR. MCKINNON: MR. SPEAKER, IN CLOSING THE DEBATE, THIS IS ONE OF THE METHODS THAT I'VE TRIED TO USE TO ALLEVIATE THE PROBLEM. THE MAJORITY OF COUNCIL AGREED THAT IT HAS SOME MERIT, THAT IT WOULD BE ANOTHER ATTEMPT. I'M SAYING, WHAT DO YOU DO? YOU FIRE EVERY BULLET THAT YOU HAVE AND THROW THEM IN ALL DIRECTIONS AND HOPE THAT YOU ARE GOING TO HIT SOMEONE AND SOMEONE IS GOING TO STOP AND SAY "I DID IT".

THOSE PEOPLE DO HAVE A PROBLEM AND MAYBE WE SHOULD LOOK AT IT AND MAYBE WE SHOULD DO SOMETHING ABOUT IT. THE INTENT OF THE MOTION, AS I SEE IT, IS SIMPLE AND IT'S CLEAR. IF A CAPITAL PROJECT DOESN'T GO AHEAD IN THIS FISCAL YEAR BECAUSE OF THE OVERBIDS OR BECAUSE THE GOVERNMENT SAYS THAT THE CONTRACT PRICE IS TOO HIGH FOR THAT PROJECT TO GO ON THIS YEAR. TREASURY BOARD, WHICH MAKES THE FINANCIAL AGREEMENT WITH THE YUKON AND THEREFORE HAS THE POWER TO CHANGE THE TERMS OF THE FINANCIAL AGREEMENT WITH THE YUKON AT ANY TIME, CAN SAY "RATHER THAN THIS

PROJECT GOING AHEAD, THE GOVERNMENT OF THE YUKON TERRITORY HAS SAID, BECAUSE OF THE COST OF IT, THAT IT WILL NOT BE GIVEN PRIORITY THIS YEAR, THAT MONEY WHICH IS ALREADY VOTED IN THE BUDGET AND VOTED BY TREASURY BOARD, MAY BE TRANSFERRED TO THE OPERATION AND MAINTENANCE SIDE OF THE BUDGET IMMEDIATELY FOR DIFFERENT SPECIFIC PURPOSES. NAMELY, A SUBSIDY ON HEATING FUEL AND GASOLINE."

GOVERNMENTS, AND I THINK THERE ARE ABOUT FOUR OF THEM NOW IN PROVINCIAL LEGISLATURES HAVE MOVED THROUGH DIFFERENT TAXATION METHODS TO ALLEVIATE THE COST OF THE INCREASE TO HEATING FUEL AND GASOLINE TO THEIR RESIDENTS. THE HONOURABLE MEMBER SAYS THERE IS ONE THAT HAS MOVED AND THERE ARE THREE OR FOUR OTHERS THAT ARE ATTEMPTING TO INTRODUCE SOME SORT OF LEGISLATION, WHETHER THROUGH TAXATION OR OTHER METHODS, TO BE ABLE TO ALLEVIATE THIS COST.

BECAUSE WE ARE AN IRRESPONSIBLE GOVERNMENT WE DON'T HAVE THE PRIVILEGE OF BEING ABLE TO DO SOMETHING TO THESE METHODS. WE HAVE TO LOOK TO OTHER METHODS. WE HAVE TO USE EVERY BULLET IN OUR ARSENAL TO TRY AND BRING SOME SENSE TO WHAT IS, I SAY, AN EMERGENCY SITUATION IN THE YUKON. THE HONOURABLE MEMBER FROM WHITEHORSE NORTH DISAGREES SEMANTICALLY THAT IT IS NOT AN EMERGENCY SITUATION. I SAY THAT IT IS. I SAY THAT IT IS GOING TO BE VERY DIFFICULT FOR PEOPLE, FOR FAMILIES IN THE YUKON THIS WINTER, EVEN WITH TWO SALARIES, WHICH EVERY YOUNG WORKING COUPLE NEEDS IN THE YUKON TO EXIST. EVEN WITH THOSE TWO SALARIES THERE ARE GOING TO BE PROBLEMS GETTING THROUGH A YUKON WINTER BECAUSE OF THE INCREASE IN THE COST OF LIVING WHICH IS AFFECTING NORTHERN RESIDENTS AND YUKON RESIDENTS MORE THAN IN OTHER AREAS OF THE COUNTRY ON ABSOLUTE BASIC NECESSITIES FOR EXISTENCE.

MR. SPEAKER, I DON'T SEE THE DIFFICULTY THAT HONOURABLE MEMBERS HAVE STATED IN THIS CHAMBER IN GIVING THEIR SUPPORT TO THE MOTION AND I WOULD HOPE THAT A MAJORITY OF THIS HOUSE WILL SEE THEIR WAY TO SUPPORT MOTION NO. 49. THANK YOU.

MR. TANNER: MR. SPEAKER, I WOULD MOVE THAT MOTION NO. 49 BE MOVED INTO COMMITTEE FOR THE PURPOSE OF DISCUSSION.

MRS. WATSON: I WILL SECOND THE MOTION, MR. SPEAKER.

MR. SPEAKER: IS IT THE WISH OF COUNCIL THAT THIS MOTION BE REFERRED TO COMMITTEE OF THE WHOLE FOR FURTHER DISCUSSION?

SOME MEMBERS: AGREED.

MR. TANNER: MR. SPEAKER, I WOULD EITHER AGREE TO THAT OR AN AMENDMENT. I WAS WORKING ON AN AMENDMENT WHEN THAT MOTION WAS PUT FORWARD. IN EITHER CASE I BELIEVE THAT UNANIMOUS SUPPORT CAN BE GOTTEN FOR THE AIMS OF THE MOTION.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FROM WHITEHORSE NORTH, SECONDED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, THAT MOTION NO. 49 BE REFERRED TO COMMITTEE OF THE WHOLE FOR FURTHER DISCUSSION. ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: WE NOW COME TO THE QUESTION PERIOD. MADAM CLERK WILL YOU PLEASE ASCERTAIN IF MR. COMMISSIONER IS AVAILABLE. WE WILL NOW HAVE A SHORT RECESS.

RECESS

MR. SPEAKER: ARE THERE ANY QUESTIONS? MR. COMMISSIONER.

MR. COMMISSIONER: MR. SPEAKER, I HAVE A FEW THINGS I WOULD LIKE TO ADVISE HONOURABLE MEMBERS ON.

MY MINISTER HAS ISSUED A PRESS RELEASE THIS MORNING WHICH WILL NO DOUBT BE IN THE NEWS MEDIA IN A SHORT WHILE, MR. SPEAKER, INDICATING THAT THE NECESSARY MONEY TO FUND THE \$500.00 PER EMPLOYEE INCREASE THAT WE RECENTLY NEGOTIATED WITH THE PUBLIC SERVICE ALLIANCE OF CANADA ON BEHALF OF OUR EMPLOYEES, WILL BE MADE AVAILABLE TO US AS A SUPPLEMENT TO THE PRESENT FUNDING THAT WE HAVE COMING FROM THE GOVERNMENT IN OTTAWA.

NEXT, MR. SPEAKER, I HAVE THE ANSWER HERE, A LEGISLATIVE RETURN CONCERNING THE QUESTION, I BELIEVE RAISED BY COUNCILLOR STUTTER, ON A MOTION CONCERNING A TURN-OFF SIGN ON THE ALASKA HIGHWAY ON THE ROAD TO DAWSON. AND I

WOULD LIKE TO TABLE IT WITH THE CLERK AT THIS TIME, MR. SPEAKER.

FURTHER, THE QUESTION OF LAND USE MAPS THAT WAS RAISED BY THE HONOURABLE MEMBER FROM WATSON LAKE. THESE MAPS ARE PREPARED BY THE DEPARTMENT OF THE ENVIRONMENT, MR. SPEAKER, AND WE ARE IN THE PROCESS OF GETTING COMPLETE SETS OF THEM FOR EACH MEMBER OF COUNCIL. BUT THEY ARE NOT READILY AVAILABLE HERE LOCALLY AND THEY WILL HAVE TO BE DISTRIBUTED TO COUNCILLORS AS SOON AS WE HAVE THEM AVAILABLE. AND THE CLERK WILL BE ATTENDING TO THIS.

THERE IS A QUESTION THAT WAS ASKED CONCERNING THE HANSON STREET HOUSING PROJECT AND CALLED FOR THE TABLING OF PAPERS HERE. WE HAVE THIS PACKAGE PUT TOGETHER, MR. SPEAKER, BUT SOME OF THIS IS BASICALLY INFORMATION THAT SHOULD NOT BE TABLED HERE WITHOUT THE CONSENT OF THE INDIVIDUALS AND THE ORGANIZATIONS THAT ARE PARTY TO THE CORRESPONDENCE AND WE ARE IN THE PROCESS OF SEEKING THIS PERMISSION FROM THEM. AS SOON AS IT IS RECEIVED, THE PAPERS THAT HAVE BEEN ASKED FOR WILL BE MADE AVAILABLE, MR. SPEAKER.

THE COMMENTS CONCERNING CERTAIN PICTURES THAT WERE IN THE ANNUAL REPORT, MR. SPEAKER, RAISED YESTERDAY. I AM TOLD THAT ONE OF THESE PICTURES THAT WAS REFERRED TO CONCERNING THE CHRÉTIENS AND THE SMITHS WAS INVOLVED THERE TO MAKE REFERENCE TO THE 75TH ANNIVERSARY OF THE GOLD RUSH WHICH WAS GOING ON THROUGHOUT 1973. AND I BELIEVE THAT THE OTHER ONE THAT WAS REFERRED TO WAS AN ATTEMPT TO KIND OF UPDATE A LITTLE BIT, TO COVER UP SOME OF THE LACK OF, SHOULD I SAY SPEED WITH WHICH THE REPORT WAS PRODUCED.

MR. SPEAKER: ARE THERE ANY QUESTIONS?

QUESTION RE: CAMPGROUND FEES JULY 1ST WEEKEND

MR. TAYLOR: YES, MR. SPEAKER, I HAVE BEEN ASKED TO GET THE ASSURANCE OF MR. COMMISSIONER AGAIN THIS YEAR OR OF THE ADMINISTRATION. AND I WOULD ASK MR. COMMISSIONER IF THE REQUIREMENT FOR CAMPGROUND FEES IN RESPECT OF THE SIMPSON LAKE CAMPGROUND WOULD BE WAIVED FOR THE 1ST OF JULY WEEKEND IN ORDER TO ACCOMMODATE AND FACILITATE THE 1ST OF JULY CELEBRATIONS ANNUALLY HELD BY THE VARIOUS COMMUNITIES IN AND AROUND WATSON LAKE AT THAT POINT.

MR. COMMISSIONER: MR. SPEAKER, COULD I SUGGEST THAT THE ORGANIZATIONS CONTACT THE DEPARTMENT

THAT IS INVOLVED IN THE THING. THE DEPARTMENT THAT IS INVOLVED IS THE DEPARTMENT OF TRAVEL AND INFORMATION.

MR. TAYLOR: SUPPLEMENTARY. WOULD THE COMMISSIONER HAVE ANY OBJECTION TO PERMITTING THIS?

MR. COMMISSIONER: MR. SPEAKER, I THINK THAT WHATEVER ARRANGEMENTS WERE ARRIVED AT LAST YEAR WERE ARRIVED AT AS A CONSEQUENCE OF CONSULTATION BETWEEN THE DEPARTMENT AND THE VARIOUS ORGANIZATIONS. WELL I THINK WE WILL DEFINITELY TURN IT OVER TO THE ORGANIZATIONS AND THE DEPARTMENT AND WHATEVER ARRANGEMENT THAT THEY ARRIVE AT, MR. SPEAKER, WELL SHOULD I SAY THAT I'M WORRIED ABOUT A FEW MORE THINGS.

MR. TAYLOR: A FURTHER SUPPLEMENTARY. DO I THEN ASSUME THAT THE COMMISSIONER WOULD BE IN AGREEMENT WITH THIS PROPOSAL?

MR. COMMISSIONER: NO, MR. SPEAKER, THE COMMISSIONER IS NOT SAYING THAT. THE COMMISSIONER IS SAYING FOR THE ORGANIZATIONS AND THE DEPARTMENT INVOLVED TO GET TOGETHER ON THE PROBLEM.

QUESTION RE: HANSON STREET PROJECT

MR. CHAMBERLIST: MR. SPEAKER, TO MR. COMMISSIONER. YOU INDICATED THAT YOU HAVE GOT SOME DOCUMENTS RELATIVE TO THE HANSON STREET PROJECT. YOU DIDN'T ANSWER THE QUESTION THAT I HAD ASKED ABOUT THE NEW GARAGES THAT PEOPLE HAVE BEEN WANTING TO PURCHASE FROM THE CONTRACTOR AND THAT ARE GOING TO BE DESTROYED. WHAT IS THE ANSWER TO THAT QUESTION?

MR. COMMISSIONER: MR. SPEAKER, I DON'T HAVE AN ANSWER TO THE QUESTION IN THAT SENSE OF THE WORD. THE CONTRACT, AS I UNDERSTAND IT AND I HAVEN'T EXAMINED THIS CONTRACT FULLY, CALLS FOR THE DEMOLITION OF THESE PARTICULAR BUILDINGS, MR. SPEAKER. I WOULD MUCH PREFER THE MATTER BE LEFT AT THAT POINT UNTIL WE ARE TABLING THE BALANCE OF THE DOCUMENTS IN COUNCIL.

MR. CHAMBERLIST: MR. SPEAKER, WITH RESPECT TO MR. COMMISSIONER. MR. COMMISSIONER IS AWARE SURELY THAT THERE IS EVERY POSSIBILITY THAT THIS COUNCIL MAY FINISH TOMORROW AND THEN WHAT WOULD BE THE PURPOSE THEN, IN BRINGING FORWARD DOCUMENTS THAT HAVE BEEN ASKED FOR? WHEN, MR. COMMISSIONER, YOU KNOW THAT IT JUST TAKES A TELEPHONE CALL TO CENTRAL REGISTRY AND YOU

CAN GET THE FILE OR ANY FILE WITHIN ONE HOUR. AND HERE WE'VE BEEN WAITING FOUR DAYS FOR THESE DOCUMENTS TO BE TABLED.

NOW WOULD MR. COMMISSIONER INDICATE WHETHER OR NOT HE IS OBJECTING TO THE CONTRACTOR GETTING RID OF THESE GARAGES WHICH CAN BE USED AT ANY PARTICULAR TIME THAT THE CONTRACTOR SO WISHES. WHAT HARM WOULD BE DONE TO THE TERRITORIAL GOVERNMENT?

MR. COMMISSIONER: MR. SPEAKER, THERE WOULD BE CONSIDERABLE HARM DONE BECAUSE IT WOULD BE A BREACH OF THE CONTRACT UNDER WHICH IT WAS LET. AND I WOULD LIKE TO SUGGEST THAT IF THE CONTRACTOR WISHES TO HAVE SOME CHANGES IN THIS CONTRACT, THAT HE WRITE DIRECTLY TO THE TERRITORIAL GOVERNMENT AND WE WILL GIVE HIM A DIRECT ANSWER BASED ON HIS REQUEST.

MR. CHAMBERLIST: IT IS THE USUAL FRUSTRATING TYPE OF ANSWER MR. SPEAKER THAT THE COMMISSIONER GIVES. HE KNOWS NO BETTER. NOW MR. COMMISSIONER I'M GOING TO STILL KEEP ON THIS PARTICULAR SUBJECT. I NOTICED IN YESTERDAY'S WHITEHORSE STAR THAT A CONTRACT BID CALL HAS BEEN MADE FOR THE CONSTRUCTION OF THE PROJECT ON THE HANSON STREET PROPERTY. NOW HOW IS IT POSSIBLE, IN VIEW OF WHAT YOU HAVE SAID, THAT WE WILL NOT HAVE SUFFICIENT MONEY TO COMPLETE THESE PROJECTS, THAT THE GOVERNMENT WENT AHEAD AND GAVE INSTRUCTIONS TO DESTROY SIX RESIDENCES WHEN THE CONTRACT FOR TEN RESIDENCES HAS NOT BEEN LET, NOR DOES THE GOVERNMENT KNOW WHETHER IT WILL BE CAPABLE OF LETTING THAT CONTRACT BECAUSE THEY DON'T KNOW THE COST.

MR. COMMISSIONER: I THINK THE HONOURABLE MEMBER PREAMBLED HIS QUESTION BY SAYING THAT I SAID WE WOULDN'T HAVE ENOUGH MONEY FOR THE PROJECT, MR. SPEAKER. I DON'T REMEMBER EVER SAYING SUCH THING.

MR. CHAMBERLIST: WITH RESPECT, MR. SPEAKER. MR. COMMISSIONER SAID YESTERDAY THAT WE WOULD HAVE TO, WHETHER HE SAID IT OR WHETHER I READ IT IN THE PRESS, CURTAIL SOME OF THE CAPITAL PROJECTS AND SOME OF THE HOUSING BECAUSE OF THE FACT THAT THE PRICE OF THESE JOBS HAVE COME IN MUCH HIGHER THAN WERE ESTIMATED FOR. I'M GOING ON THE BASIS OF THAT STATEMENT. NOW, HE DOESN'T KNOW THEN WHETHER THE HANSON STREET PROJECT IS GOING TO BE HIGH OR LOW. YET A CONTRACT HAS BEEN LET TO DESTROY SIX RESIDENCES

BEFORE A CONTRACT HAS BEEN AWARDED FOR THE CONSTRUCTION OF NEW RESIDENCES. SO WE ARE DESTROYING SIX WITH A POSSIBILITY THAT WE DON'T GO AHEAD WITH THE TEN.

MR. COMMISSIONER: I THINK WE ARE IN A HYPOTHETICAL SITUATION HERE, MR. SPEAKER. ALL THAT I CAN REFER TO IN THE WAY OF THE POINT ABOUT HAVING TO CURTAIL CERTAIN PROJECTS. I BELIEVE IT WAS BASED ON A WRITTEN ANSWER OR A VERBAL ANSWER THAT WAS GIVEN HERE THE OTHER DAY THAT CAME FROM THE HOUSING CORPORATION. OUR HOPE IS NOT TO CURTAIL ANY PROJECTS AT ALL, MR. SPEAKER. OUR HOPE IS THAT WE ARE GOING TO BE ABLE TO NEGOTIATE ON AN INVITATIONAL TENDER BASIS IN SOME OF THE AREAS IN WHICH THE ADVERTISED TENDERS CAME IN AT VERY MUCH HIGHER THAN WHAT WE FEEL THE PROJECTS ARE BASICALLY WORTH. WE CERTAINLY HOPE TO COMPLETE THEM ALL. I WOULD SAY THAT THE QUESTION RAISED BY THE HONOURABLE MEMBER OF THE POSSIBILITY THAT WE ARE DESTROYING SIX PLACES AND THE POSSIBILITY THAT WE MIGHT NOT BE ABLE TO PROCEED. THESE ARE REAL POSSIBILITIES, MR. SPEAKER, BUT THEY CERTAINLY ARE NOT COUNTABLE. WE HOPE THAT WE ARE GOING TO BE ABLE TO CARRY OUT THE TOTAL PROJECT. THE DEMOLITION OF THE PRESENT BUILDINGS AND THE REPLACEMENT OF THEM BY A SENIOR CITIZENS HOUSING PROJECT WHICH WOULD BE ADMINISTERED. IT WOULD BE A CENTRAL MORTGAGE AND HOUSING FUNDS AND THE YUKON ORDER OF PIONEERS.

MR. CHAMBERLIST: SUPPLEMENTARY, MR. SPEAKER. WOULD NOT THE COMMISSIONER AGREE THAT IT WOULD BE, WOULD HAVE BEEN FAR BETTER TO HAVE FIRSTLY CALLED TENDERS ON THE NEW PROJECT PRIOR TO CALLING TENDERS AND ISSUING CONTRACTS FOR THE DEMOLITION OF THE EXISTING ONE?

MR. COMMISSIONER: MR. SPEAKER, HINDSIGHT IS 20 / 20 VISION COMPARED TO FORESIGHT.

QUESTION RE: LID IN HAINES JUNCTION

MR. MCKINNON: MR. SPEAKER, IT APPEARS THAT THIS COUNCIL WILL PROBABLY BARRING UNFORESEEN CIRCUMSTANCES, PROROGUE TOMORROW. I AM EXTREMELY CONCERNED, MR. SPEAKER, THAT WE HAVE NOT HAD AN ANSWER TO THE PROBLEMS OF THE LID IN HAINES JUNCTION AT THIS TIME.

MR. COMMISSIONER: MR. SPEAKER, I AM SORRY. WHEN I WAS ON MY FEET I SHOULD HAVE MADE

REFERENCE TO THIS PARTICULARLY URGENT MATTER. THERE IS NO REASON THAT I AM AWARE OF THAT THIS MATERIAL WILL NOT BE AVAILABLE EITHER LATER TODAY OR FIRST THING IN THE MORNING. I'M SORRY. MY APOLOGIES TO THE COUNCILLORS FOR NOT MENTIONING THAT WHEN I WAS UP.

QUESTION RE: MOTION NO. 48

MR. CHAMBERLIST: MR. SPEAKER, QUESTION TO MR. COMMISSIONER. MR. COMMISSIONER THIS MORNING A MOTION WAS PASSED THAT ON THE EXPIRATION OF COUNCIL'S PERIOD OF TIME - FOUR YEARS, THAT YOU RESCIND THE APPOINTMENTS OF MEMBERS OF COUNCIL TO ALL COMMITTEES. WILL YOU BE COMPLYING WITH THE WISH OF COUNCIL?

MR. COMMISSIONER: I WILL TAKE A LOOK AT THE MOTION AFTER I SEE IT.

LAUGHTER.

QUESTION RE: COST OF LIVING IN YUKON

MR. STUTTER: MR. SPEAKER, I HAVE A QUESTION FOR THE COMMISSIONER. INASMUCH, MR. COMMISSIONER, AS YOU HAVE MADE AN ANNOUNCEMENT FROM THE MINISTER OF NORTHERN AFFAIRS WHO HAS RECOGNIZED THAT THE INCREASE IN COST OF LIVING HAS MADE IT NECESSARY TO MAKE FURTHER FUNDS AVAILABLE FOR AN INCREASE IN SALARIES FOR CIVIL SERVANTS. WOULD MR. COMMISSIONER, POINT THIS OUT TO THE MINISTER AT THE TIME THAT A RECENT MOTION PASSED BY THIS HOUSE IS DELIVERED TO THE MINISTER? THAT MOTION, THE ESSENCE OF WHICH ASKS FOR SOME RELIEF IN THE AREA OF REDUCING THE COST OF LIVING IN THE YUKON TERRITORY.

MR. COMMISSIONER: YES, MR. SPEAKER. MY MINISTER IS VERY COGNIZANT ON THIS PARTICULAR PROBLEM AND VERY OBVIOUSLY IT WAS TO MEET THE CONSEQUENCES OF THIS PROBLEM THAT THESE NEGOTIATIONS WERE CARRIED ON WITH THE STAFF. LIKEWISE, AS A CONSEQUENCE, OUR REPRESENTATIONS TO THE MINISTER FOR THE SUPPLEMENTARY FUNDING THAT WE NEED TO DO IT HAS BEEN ACKNOWLEDGED. ALL I CAN DO IS ASSURE HONOURABLE MEMBERS THAT WE WILL MAKE THE STRONGEST POSSIBLE REPRESENTATIONS ON ALL OF THESE MATTERS. THERE IS A WHOLE SERIES OF THEM THAT HAVE BEEN BROUGHT TO OUR ATTENTION BY COUNCIL BY MOTION AND RESOLUTION THAT REALLY ARE APPLICABLE BASICALLY TO THE COST OF LIVING AND, LITERALLY SPEAKING, THE LOCKED IN SITUATION THAT WE FIND OURSELVES IN HERE IN THE YUKON.

MR. SPEAKER: COUNCILLOR TAYLOR?

QUESTION RE: TIMBERLINE TELEVISION PROGRAM

MR. TAYLOR: MR. SPEAKER, I AM PLEASED INDEED TO SEE THAT THE FEDERAL GOVERNMENT HAS SEEN FIT THROUGH THE MINISTER TO PROVIDE FURTHER FOR THE, AND RECOGNIZE THE NEEDS OF THE PUBLIC SERVICE OF THE TERRITORY. AS THIS MAY BE OUR LAST QUESTION PERIOD I AM WONDERING MR. SPEAKER IF MR. COMMISSIONER COULD TELL ME THAT IN THE EVENT THE CBC DO NOT FIND IT POSSIBLE TO FUND THE TIMBERLINE TELEVISION PROGRAM FOR SOME COMMUNITIES WITHIN THE YUKON TERRITORY, COULD THE COMMISSIONER ASSURE COUNCIL THIS MORNING THAT FUNDS MAY BE FOUND FROM EITHER A FEDERAL SOURCE OR WITHIN THE BUDGET, CURRENT BUDGET OF THE YUKON TERRITORY TO GET THIS PROGRAM UNDERWAY AT THE EARLIEST POSSIBLE MOMENT?

MR. COMMISSIONER: MR. SPEAKER, IF THIS JOB CAN BE DONE FROM THE KIND OF MONEY THAT WAS ORIGINALLY SPOKEN ABOUT AROUND THIS TABLE, I AM USING MEMORY HERE BUT I THINK IT WAS ONE HUNDRED OR ONE HUNDRED AND FIFTY THOUSAND DOLLARS,

MR. TAYLOR: \$100,000.

MR. COMMISSIONER: IF THIS PROVES TO BE THE FACTUAL SITUATION AS A CONSEQUENCE OF THE CBC LOOKING AT THIS THING, IT WOULD APPEAR TO ME THAT IT WOULD BE SOMETHING THAT WOULD BE HANDLED BY THE CROWN CORPORATION WITHOUT ANY DIFFICULTIES. I THINK THEY HAVE A BUDGET OF UMTEEN BILLION DOLLARS, MR. SPEAKER. IF THEY COME BACK AND SAY THAT THIS PARTICULAR PROJECT CAN ONLY BE FUNDED FOR MULTIPLES OF THIS \$100,000 MAYBE WE ARE IN ANOTHER BALL GAME ALTOGETHER. I WOULD LIKE TO SAY THIS, MR. SPEAKER, I AM PERSONALLY OF THE OPINION THAT THESE LIVING AMENITIES SUCH AS RADIO, LBRT'S IF THAT IS THE RIGHT TERMINOLOGY FOR THEM, AND THE SMALL SATELLITE TRANSMISSIONS OF TELEVISION PROGRAMING HERE IN THE YUKON TERRITORY ARE AN ABSOLUTE MUST AS FAR AS THE PEOPLE WHO LIVE IN THE REMOTE PARTS OF THE TERRITORY ARE CONCERNED. THIS BUSINESS OF JUST HAVING EVERYTHING HERE IN WHITEHORSE AND NOBODY ELSE GETS ANYTHING THESE DAYS ARE GONE, FINISHED AND OVER WITH. I WILL EXERT EVERY INFLUENCE THAT I POSSIBLY CAN TO MAKE THE THING POSSIBLE.

AS TO WHERE THE MONEY IS GOING TO COME FROM, IT IS ONLY GOING TO COME FROM ONE PLACE AND THAT IS FROM THE TAXPAYERS. THERE AREN'T ANY OTHER MAGIC PLACES FOR IT TO COME FROM. AS TO WHAT ROUTE IT IS GOING TO TAKE TO GET IN THERE, THAT IS A ANOTHER QUESTION ALTOGETHER. THESE THINGS ARE ABSOLUTELY VITAL, MR. SPEAKER. WE AS GOVERNMENT, AND I AM TALKING ABOUT EVERY ARM OF GOVERNMENT WHETHER IT BE CBC, OR LAND OR YTG, WE CAN'T TURN OUR BACKS ON THESE THINGS. THEY ARE JUST THE SAME AS SEWER AND WATER SYSTEMS AND ELECTRICITY. IT IS THE SAME.

MR. TAYLOR: I WOULD JUST LIKE TO THANK MR. COMMISSIONER FOR THE REPLY BECAUSE IN VIEW OF THE LATENESS OF THE SESSION IT IS A MATTER OF CONCERN IN OF THE COMMUNITIES INVOLVED. I WOULD HOPE THAT THE PRIORITIES AS EXPRESSED, INTERESTS AS EXPRESSED, BY MR. COMMISSIONER WOULD PREVAIL SO THAT THIS CAN BE DONE AT A VERY EARLY DATE. I WOULD ASK AGAIN, MR. SPEAKER, THAT IF CBC FOR ONE REASON, EITHER POLICY REASON OR FOR ANY OTHER REASON, DO NOT COME UP WITH THE FUNDS FOR THIS PROGRAM I WOULD HOPE AND I WOULD ASK THAT MR. COMMISSIONER GET HOLD OF THE MINISTER AND THEN FIND THESE FUNDS SO THAT THE PROGRAM CAN BE GOTTEN UNDER WAY NOW. IN ORDER THAT IT CAN BE AVAILABLE BY FALL TO THESE COMMUNITIES.

QUESTION RE: MOTION NO. 48

MR. CHAMBERLIST: MR. SPEAKER, I WOULD LIKE TO FOLLOW UP ONE OR TWO SUPPLEMENTARIES TO A QUESTION I RAISED EARLIER. MR. COMMISSIONER YOU INDICATED THAT IF YOU SAW THE MOTION DEALING WITH THE RESCINDING OF MEMBERS OF COUNCIL TO COMMITTEES THEN YOU WOULD MAKE A DECISION. FIRSTLY I WOULD ASK YOU MR. COMMISSIONER WHETHER OR NOT YOU ARE GOING TO TRY TO BE CONSISTENT WITH WHAT YOU HAVE DONE BEFORE. THAT UPON MOTION OF COUNCIL RESCINDED THE APPOINTMENTS OF MEMBERS OF THIS TERRITORIAL COUNCIL?

MR. COMMISSIONER: MR. SPEAKER, I'M SORRY I AM NOT PREPARED TO ANSWER THESE QUESTIONS AT THIS TIME.

MR. CHAMBERLIST: THEN I WILL READ THE MOTION SO THAT YOU HAVE GOT IT.

MR. CHAMBERLIST READS MOTION NO. 48.

MR. CHAMBERLIST: THE WORDS "THE APPOINTMENTS BE RESCINDED BY THE COMMISSIONER" ARE QUITE CLEAR AS TO THE INTENTIONS AND WISHES OF THIS COUNCIL. I ASK YOU AGAIN, MR. COMMISSIONER, WHETHER OR NOT YOU ARE GOING TO COMPLY WITH THE WISHES OF THE MAJORITY VOTE OF THIS COUNCIL?

MR. COMMISSIONER: MR. SPEAKER I SIMPLY AM NOT PREPARED TO ANSWER THE QUESTION AT THIS TIME.

MR. SPEAKER: AS THERE ARE NO FURTHER QUESTIONS WE WISH TO THANK MR. COMMISSIONER FOR HIS ATTENDANCE. AS THERE ARE NO PRIVATE BILLS IN ORDER WE COME TO PUBLIC BILLS IN ORDER.

MRS. WATSON: MR. SPEAKER, I MOVE SECONDED BY COUNCILLOR TANNER THAT THE AMENDMENT TO BILL NO. 7 INTITULED AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE BE GIVEN FIRST READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH THAT FIRST READING BE GIVEN TO THE AMENDMENT TO BILL NO. 7 INTITULED AMENDMENT TO AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE. ARE YOU PREPARED FOR THE QUESTION?

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. SPEAKER: AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: WHEN SHALL THE BILL BE READ FOR A SECOND TIME.

MRS. WATSON: MR. SPEAKER I MOVE SECONDED BY COUNCILLOR TANNER THAT AMENDMENTS TO BILL NO. 7 INTITULED AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE BE GIVEN SECOND READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH THAT SECOND READING BE

GIVEN TO THE AMENDMENTS TO BILL NO. 7
INTITULED AMENDMENTS TO AN ORDINANCE TO
AMEND THE SCHOOL ORDINANCE. ARE YOU
PREPARED FOR THE QUESTION?

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. SPEAKER: AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MRS. WATSON: MR. SPEAKER, I MOVE SECONDED BY
COUNCILLOR TANNER THAT BILL NO. 7 INTITULED
AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE
BE GIVEN THIRD READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOUR-
ABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY
THE HONOURABLE MEMBER FOR WHITEHORSE NORTH
THAT THIRD READING BE GIVEN TO BILL NO. 7
INTITULED AN ORDINANCE TO AMEND THE SCHOOL
ORDINANCE. ARE YOU PREPARED FOR THE QUESTION?

MR. MCKINNON: MR. SPEAKER, BEFORE QUESTION
IS CALLED I JUST WANT TO RISE AND SAY A FEW
WORDS ON THIRD READING OF THIS BILL WHICH I
AM GOING TO SUPPORT. WHEN THE ORIGINAL
DRAFT OF THE ORDINANCE WAS PRESENTED IN FRONT
OF THIS HOUSE I WAS ONE OF THOSE ON COUNCIL
WHO DIDN'T THINK THAT IT STOOD A HOPE IN
HADES OF GETTING THROUGH THIS HOUSE. I WAS
ONE OF THOSE WHO WAS TRYING TO GIVE THIS
BILL THE SIX MONTH PLACE SO THAT IT WOULD
BE THE NEW COUNCIL THAT WAS DEALING WITH IT.
I THINK THROUGH THE DEBATE, THROUGH THE
AMENDMENTS AND THROUGH THE COOPERATION OF
ALL MEMBERS OF THE HOUSE THAT WE HAVE COME
UP WITH AN ORDINANCE THAT IS A GOOD PIECE OF
LEGISLATION.

I JUST WANT TO TAKE THIS OPPORTUNITY AND NOT
LET IT PASS, MR. SPEAKER, OF SINCERELY AND I
MEAN IT, COMPLEMENTING EVERYBODY WHO WAS
INVOLVED WITH THIS SCHOOL ORDINANCE. I WANT
TO COMPLIMENT ALL MEMBERS OF COUNCIL FOR
THEIR INPUT INTO THE ORDINANCE. I WANT TO
COMPLIMENT THE PARENTS OF THE YUKON FOR THEIR
INPUT AND THE MEMBERSHIP OF THE YTA FOR THEIRS.
I THINK IT WAS A TREMENDOUS EXAMPLE OF THAT
MUCH MALIGNED PHRASE 'PARTICIPATORY DEMOCRACY
IN ACTION'. IT IS NOT VERY OFTEN THAT I
RISE IN THIS HOUSE TO COMPLIMENT ALL MEMBERS

OF COUNCIL. ON THIS OCCASSION I WANT TO
COMPLIMENT ALL MEMBERS OF COUNCIL ON THEIR
COOPERATION AND ON THEIR INTEREST AND ON
THEIR ACTIONS CONSIDERING THE SCHOOL ORDINANCE
WHICH I'M SURE ALL MEMBERS OF THE PUBLIC PLUS
ALL MEMBERS OF THIS HOUSE ARE HAPPY TO SUPPORT
IN THIS PRESENT FORM. THANK YOU MR. SPEAKER.

MR. STUTTER: MR. SPEAKER, I TOO WAS PREPARED
TO MAKE MUCH THE SAME SORT OF COMMENTS IN
MY CLOSING REMARKS TOMORROW. I HAD ADDED
TO THOSE COMMENTS A PARTICULAR VOTE OF
THANKS, I THINK, TO THE MEMBER FROM CARMACKS-
KLUANE WHO HAS IN THIS PARTICULAR AREA
BEING WORKING ON THIS ORDINANCE FOR AT LEAST
A COUPLE OF YEARS. I FEEL MYSELF THAT PERHAPS
THIS PIECE OF LEGISLATION HAS HAD MORE
PREPARATION AND MORE INPUT FROM THE PUBLIC,
PARENTS, PEOPLE AND EVEN FROM THIS COUNCIL
THAN ANY OTHER PIECE OF LEGISLATION IN THE
FOUR YEARS THAT I HAVE BEEN SITTING HERE.
I FEEL TOO NOW THAT THIS IS A PRETTY GOOD
PIECE OF LEGISLATION AND I THINK IT IS
ONE THAT THIS COUNCIL, THAT THE PUBLIC
IN GENERAL, AND PARTICULARLY THE MEMBER
FROM CARMACKS-KLUANE CAN TAKE PRIDE IN.

MR. SPEAKER: ARE YOU PREPARED FOR THE
QUESTION?

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. SPEAKER: AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: ARE YOU PREPARED TO ADOPT
A TITLE TO BILL NO. 7?

MRS. WATSON: YES, MR. SPEAKER, I MOVE
SECONDED BY COUNCILLOR TANNER THAT BILL
NO. 7 INTITULED AN ORDINANCE TO AMEND
THE SCHOOL ORDINANCE BE ADOPTED AS
WRITTEN.

MR. SPEAKER: IT HAS BEEN MOVED BY THE
HONOURABLE MEMBER FOR CARMACKS-KLUANE
SECONDED BY THE HONOURABLE MEMBER FOR
WHITEHORSE NORTH THAT THE TITLE TO
BILL NO. 7 INTITULED AN ORDINANCE TO
AMEND THE SCHOOL ORDINANCE BE ADOPTED

AS WRITTEN. ARE YOU PREPARED FOR THE QUESTION.

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. SPEAKER: AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: I DECLARE THE MOTION CARRIED AND THAT BILL NO. 7 HAS PASSED THIS HOUSE.

MOTION CARRIED

MRS. WATSON: MR. SPEAKER, I MOVE SECONDED BY COUNCILLOR TANNER THAT BILL NO. 24 INTITULED AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE BE GIVEN THIRD READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH THAT BILL NO. 24 INTITULED AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE BE GIVEN THIRD READING.

MR. CHAMBERLIST: MR. SPEAKER BEFORE THE QUESTION IS CALLED, I AM GOING TO VOTE AGAINST THE MOTION. I THINK THAT COUNCIL HAVE NEGLECTED TO TAKE THE OPPORTUNITY TO TAKE CONTROL OVER ITS OWN ELECTIONS PROCEDURE. IT HAD THE OPPORTUNITY HERE. THE INFORMATION THAT WAS GIVEN BY THE DEPARTMENT OF JUSTICE IN NO WAY SHOWED ANY AREA WHY THE AMENDMENTS THAT WERE PROPOSED TO THIS ELECTIONS ORDINANCE SHOULD NOT HAVE BEEN PUT INTO EFFECT. CONSEQUENTLY I HOPE THAT WHEN THE NEXT TERRITORIAL COUNCIL TAKES OFFICE THAT ONE OF THE EARLIEST THINGS THEY DO IS TO PUT INTO EFFECT THOSE TWO SECTIONS WHICH WERE PROPOSED AS AN AMENDMENT, SO THAT THE COMMISSIONER OF THE DAY CAN BE INSTRUCTED BY THE COUNCIL TO ISSUE THE WARRANT FOR THE CALLING OF AN ELECTION, AND THAT IN COMPLIANCE WITH THAT WARRANT THE CHIEF ELECTORAL OFFICER OF CANADA WOULD THEN BE DUTY-BOUND TO ISSUE A WRIT WITHIN TWO MONTHS.

I HOPE THAT THE TERRITORIAL COUNCIL THAT SITS NEXT IN THIS HOUSE WILL ALSO TAKE STEPS TO BRING BACK TO THE YUKON THE WHOLE RESPONSIBILITY OF HOLDING ELECTIONS IN THE YUKON, AND NOT LEAVE IT TO THE CHIEF ELECTORAL OFFICER OF CANADA. THAT WE DO EXACTLY WHAT IS DONE

IN THE PROVINCES WHEN A PROVINCIAL ELECTION COMES ALONG, MR. SPEAKER, IN THAT THE PROVINCE TAKES CARE OF ITS OWN ELECTIONS PROCEDURES.

I'M VOTING, AS I SAY, AGAINST THE ELECTIONS ORDINANCE NOT BECAUSE OF THE FACT THAT THERE IS TO BE PROVISIONS FOR TWELVE NEW MEMBERS INSTEAD OF THE SEVEN WE HAVE BASICALLY HERE, BUT BECAUSE THIS COUNCIL, SOME OF THE MEMBERS, FAILED TO RECOGNIZE THAT HERE WAS AN OPPORTUNITY TO SHOW TO THE FEDERAL GOVERNMENT THAT WE WANT TO TAKE THE RESPONSIBILITY OF GOVERNING OUR OWN ELECTION PROCEDURES. I THINK AND WE NEGLECTED TO SHOW ONCE MORE THAT WE HAVE STRENGTH. THIS ORDINANCE NOW IS BEING PASSED BECAUSE OF MEMBERS' WEAKNESS.

MR. MCKINNON: MR. SPEAKER, I JUST WANT TO SAY A FEW SHORT WORDS ON THIS ELECTIONS ORDINANCE, AND MY REASONS WHY I'M GOING TO VOTE AGAINST IT. I WOULD ECHO THE THOUGHTS OF THE HONOURABLE MEMBER FROM WHITEHORSE EAST IN THIS MATTER BECAUSE I SUPPORTED THE MOTION WHICH HE BROUGHT TO THIS COUNCIL. I DON'T THINK WE TOOK THE INITIATIVE IN THIS REGARD OF TRYING TO TAKE CONTROL OVER TERRITORIAL ELECTIONS FROM THE FEDERAL LEVEL ONCE AGAIN.

I HAVE ANOTHER REASON OTHER THAN THAT WHY I'M VOTING AGAINST IT. THAT, OF COURSE, IS THE ELECTORAL BOUNDARIES SPLIT. I JUST CAN'T LET THE OPPORTUNITY PASS WITHOUT SAYING THAT I THINK WHITEHORSE WAS ROBBED AND SHAFTED WITH THE 7 - 5 SPLIT. I THINK THE 6 - 6 SPLIT WAS FINE. IT WOULD HAVE GONE THROUGH COUNCIL WITHOUT A DISSENTING VOICE. IT WAS FAIR. IT WAS EQUITABLE. IT TOOK INTO PERSPECTIVE THE GEOGRAPHICAL REALITIES AND THE POPULATION RATIO OF THE TERRITORY. THE 7 - 5 SPLIT, MR. SPEAKER, I CANNOT GO ALONG WITH IT. I THINK THE PEOPLE OF WHITEHORSE, AS I SAY, GOT SHAFTED ON IT. FOR THOSE TWO REASONS, THE ONE MENTIONED BY THE HONOURABLE MEMBER, AND THE ELECTORAL SPLIT OF CONSTITUENCIES. I AM GOING TO OPPOSE THE PASSAGE OF THIS ELECTIONS ORDINANCE AT THIS TIME.

MR. TAYLOR: WELL, MR. SPEAKER, I HAVE LISTENED WITH SOME INTEREST TO THE REMARKS ON THIRD READING OF THIS BILL. BUT I AM CERTAINLY GOING TO SUPPORT THE BILL AS I DID IN SUPPORTING ITS MOTION OUT OF COMMITTEE. I THINK THAT THE SUGGESTION MADE BY THE HONOURABLE MEMBER FROM WHITEHORSE EAST THAT WE HAD AN OPPORTUNITY TO TAKE CONTROL IS IN EFFECT HOGWASH. WE HAVE HAD NO OPPORTUNITY WHATSOEVER TO TAKE CONTROL OVER

ANYTHING WITHIN THE TERMS OF ANY AMENDMENTS I HAVE SEEN BEFORE THIS HOUSE IN RESPECT OF THE ELECTIONS ORDINANCE AT THIS SESSION.

I AGREED, OF COURSE, WITH THE PRINCIPLE BEHIND ATTEMPTING TO IMPROVE THE SITUATION ALONG THE LINES THAT THE AMENDMENTS INFERRED, BUT SOUGHT THE ADVICE OF THE DEPARTMENT OF JUSTICE IN THIS MATTER, AND THEY CLEARLY INDICATED TO ME THAT IN NO WAY COULD WE CHANGE THE OUTCOME OF THIS PARTICULAR FALL ELECTION BY MAKING ANY AMENDMENTS WHATSOEVER TO THE ELECTIONS ORDINANCE. IN RECOGNITION OF THAT FACT, AND IN RECOGNITION OF THE FACT THAT WE WERE TALKING ABOUT THE SPAN OF TWO OR THREE DAYS TO PROROGATION, AND TRYING TO COME UP WITH ANYTHING THAT WAS MEANINGFUL. IT WAS CLEAR TO ME THAT WE SHOULD GET THE ORDINANCE AWAY AND HOPEFULLY THIS MORNING IT SHALL BE ASSENTED TO, I WOULD HOPE, UPON THIRD READING. WE WOULD PREPARE AND PAVE THE WAY FOR A FALL ELECTION.

THE INCOMING COUNCIL - REFERENCE WAS MADE TO THEM IN THE HOPES THAT THEY WOULD LOOK AT THIS ORDINANCE AND MAKE SOME ADDITIONAL PROVISIONS TO IT. I ALSO SHARE WITH THOSE TWO MEMBERS WHO HAVE SPOKEN BEFORE THERE IS HOPE THAT WHEN THE NEW COUNCIL COME IN THAT THEY WILL MAKE A LEGISLATURE OUT OF THIS BODY ONCE AGAIN, STRENGTHEN IT, MAKE IT STRONG, MAKE IT INDEPENDENT OF THE ADMINISTRATION, AND AMONG OTHER THINGS THAT THEY WOULD LOOK AT THE WHOLE QUESTION OF TERRITORIAL ELECTIONS.

IT'S INTERESTING TO NOTE, MR. SPEAKER, THAT INFORMALLY LOOKING INTO THIS WHOLE QUESTION OF TERRITORIAL ELECTIONS, THERE WAS A TIME IN THE YUKON TERRITORY WHEN THE YUKON TERRITORY USED TO RUN THEIR OWN ELECTIONS. IT WAS ONLY UP INTO MORE MODERN TIMES THAT THIS CEASED TO BE BECAUSE AFTER EVERY ELECTION THERE CAME A STRING OF LAWSUITS IN EVERY CONSTITUENCY. IT WAS APPARENTLY AT THIS POINT AND FOR BASICALLY THAT REASON THAT THE FEDERAL GOVERNMENT WERE ASKED TO CONDUCT ELECTIONS IN THE YUKON TERRITORY UNDER THE AUSPICES OF THE CHIEF ELECTORAL OFFICER OF CANADA. I THINK THAT WAS THE BASIC REASON FOR IT.

TIMES HAVE CHANGED. WE HAVE POSSIBLY BECOME MORE SOPHISTICATED IN OUR SOCIETY, AND MAYBE THE TIME IS FAST COMING WHEN WE WILL RECEIVE RESPONSIBLE GOVERNMENT. AND WE SHOULD LOOK AT THE RUNNING OF OUR OWN ELECTIONS AGAIN. IN ANY EVENT, THE OTHER ITEM THAT WAS RAISED

I BELIEVE BY THE HONOURABLE MEMBER FROM WHITEHORSE WEST WAS REGARDING THE SPLIT. HIS DISAGREEMENT WITH THE SPLIT OF 7 - 5 WHICH WOULD HAVE A TENDENCY TO FAVOUR THE HINTERLAND. I DON'T HAVE ANY DIFFICULTY WITH THAT SPLIT. BECAUSE IF YOU TALK ABOUT POPULATION YES, I THINK POSSIBLY SOME PEOPLE IN THE WHITEHORSE AREA COULD FEEL AGGRIEVED OVER THIS DECISION. BUT I THINK IN THEIR WISDOM THAT THE BOUNDARY COMMISSION, DISTRICT BOUNDARIES COMMISSION, WERE CORRECT IN PROVIDING FOR THE HINTERLAND AT LEAST AN EXTRA CONSTITUENCY, FOR INSTANCE OF HOOTALINQUA, OFFERING THOSE PEOPLE SOME REPRESENTATION AT THIS TABLE. WE MUST REMEMBER THAT THIS IS A VAST TERRITORY AND PEOPLE ARE SCATTERED SOME WITHIN IT. IT'S JUST AS IMPORTANT TO A MAN AT PICKLE CREEK AS IT IS TO A MAN IN GOPHER GULCH TO BE REPRESENTED ADEQUATELY AT THIS TABLE. AS IT TURNED OUT THE BOUNDARIES COMMISSION, IT WOULD APPEAR, DID NOT STICK TO THE RIGIDITY OF POPULATION OR DISTRIBUTION BY POPULATION; BUT IN FACT TOOK INTO ACCOUNT THE REMOTENESS OF SETTLEMENTS THROUGHOUT THE YUKON. I THINK THEY DID A CHAMPION'S JOB.

THE OTHER POINT IS, OF COURSE, THAT IN MY YEARS IN COUNCIL I HAVE REALLY NEVER SEEN ANY DIRECT CONFRONTATION BETWEEN WHAT MAY BE TERMED THE WHITEHORSE MEMBERS AND WHAT MAY BE TERMED THE HINTERLAND MEMBERS. IN ANY AREAS OF DEEP CONCERN IT HAS BEEN MY EXPERIENCE IN THIS HOUSE, MR. SPEAKER, THAT THE MEMBERS WHO WOULD REPRESENT THE SO-CALLED HINTERLAND HAVE ASKED THE WHITEHORSE MEMBERS TO GET TOGETHER AND WOULD STRONGLY SUPPORT ANY POSITION AGREED UPON BY THOSE WHITEHORSE MEMBERS. I HAVE NEVER, NEVER SEEN A CONFRONTATION BETWEEN THE TWO. I SEE NO FEAR. I THINK THAT ANYONE WHO COMES TO THIS TABLE, HE COMES FROM A DISTRICT, HE IS SENT FROM A DISTRICT, HIS ELECTORAL DISTRICT, BUT HE IS HERE TO REPRESENT ALL THE PEOPLE OF THE WHITEHORSE AREA AND ALL OF THE PEOPLE OF THE YUKON JUST AS MUCH AS HE IS REPRESENTING A HINTERLAND CONSTITUENCY. WITH THOSE REMARKS, MR. SPEAKER, I WOULD JUST LIKE TO SAY I WOULD CERTAINLY SUPPORT THIRD READING OF THIS VERY MEANINGFUL AND, IN FACT, HISTORIC BILL.

MR. CHAMBERLIST: I RISE ON A POINT OF ORDER, MR. SPEAKER. MR. SPEAKER, MY POINT OF ORDER IS THIS. THE HONOURABLE MEMBER FROM WATSON LAKE INDICATED THAT THE REASON THAT THE FEDERAL GOVERNMENT WERE NOW HANDLING THE ELECTIONS PROCEDURE WAS AS A RESULT OF VARIOUS LAWSUITS THAT HAVE BEEN TAKEN PLACE. I MIGHT ADVISE

MEMBERS WHO PERHAPS HAVE NOT CONCERNED THEMSELVES WITH THE HISTORY OF TERRITORIAL COUNCILS THAT THE LAST TIME THAT THERE WAS ANY COURT ACTION RELATIVE TO A TERRITORIAL ELECTION WAS IN THE YEAR 1908.

SOME HONOURABLE MEMBERS: QUESTION, MR. SPEAKER.

MR. SPEAKER: ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED.

MR. CHAMBERLIST: COULD WE HAVE A VOTE RECORDED ON THAT MOTION PLEASE.

MR. SPEAKER: MADAM CLERK COULD YOU PLEASE POLL THE HOUSE?

MADAM CLERK: THE HONOURABLE MEMBER FROM CARMACKS-KLUANE?

MRS. WATSON: AGREED.

MADAM CLERK: THE HONOURABLE MEMBER FROM WHITEHORSE WEST?

MR. MCKINNON: DISAGREE.

MADAM CLERK: THE HONOURABLE MEMBER FROM WATSON LAKE?

MR. TAYLOR: AGREED.

MADAM CLERK: THE HONOURABLE MEMBER FROM DAWSON?

MR. STUTTER: AGREED.

MADAM CLERK: THE HONOURABLE MEMBER FROM WHITEHORSE EAST?

MR. CHAMBERLIST: DISAGREE.

MADAM CLERK: THE HONOURABLE MEMBER FROM WHITEHORSE NORTH?

MR. TANNER: AGREED.

MADAM CLERK: MR. SPEAKER, THE VOTE IS FOUR YEA, TWO NAY.

MR. SPEAKER: I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: ARE YOU PREPARED TO ADOPT THE TITLE TO BILL NO. 24?

MRS. WATSON: YES, MR. SPEAKER I MOVE, SECONDED BY COUNCILLOR TANNER, THAT BILL NO. 24 INTITULED AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE BE ADOPTED AS WRITTEN.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH, THAT THE TITLE TO BILL NO. 24 INTITULED AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE BE ADOPTED AS WRITTEN. ARE YOU PREPARED FOR THE QUESTION? AGREED?

SOME HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: I DECLARE THE MOTION CARRIED, AND THAT BILL NO. 24 HAS PASSED THIS HOUSE.

MOTION CARRIED

BILL #19 FIRST READING

MRS. WATSON: MR. SPEAKER, I MOVE, SECONDED BY COUNCILLOR TANNER, THAT THE AMENDMENTS TO BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE GIVEN FIRST READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH, THAT THE AMENDMENTS TO BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE GIVEN FIRST READING AT THIS TIME. ARE YOU PREPARED FOR THE QUESTION? AGREED?

SOME HONOURABLE MEMBERS: AGREED.

MRS. WATSON: DISAGREE.

SOME HONOURABLE MEMBERS: LAUGHTER.

MR. SPEAKER: I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. TAYLOR: ON A POINT OF PERSONAL PRIVILEGE, MR. SPEAKER, I'M WONDERING IF I CAN ASK THE HONOURABLE MEMBER WHICH WAY SHE VOTED IN THAT LAST - INASMUCH AS SHE SUPPORTS IT BY MOVING THE MOTION, IF SHE DOES NOT SUPPORT THE BILL.

MRS. WATSON: MR. SPEAKER, THERE ARE THINGS WE HAVE TO DO, AND THINGS WE CAN SORT OF CORRECT BY HAVING IT RECORDED.

MR. SPEAKER: WHEN SHALL THE AMENDMENTS BE READ FOR SECOND READING?

MR. MCKINNON: NOW, MR. SPEAKER, QUICK.

BILL #19 SECOND READING

MRS. WATSON: MR. SPEAKER, I MOVE, SECONDED BY COUNCILLOR TANNER, THAT THE AMENDMENTS TO BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE GIVEN SECOND READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH, THAT THE AMENDMENTS TO BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE GIVEN SECOND READING. ARE YOU PREPARED FOR THE QUESTION? AGREED?

SOME HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: I DECLARE THE MOTION CARRIED.

MOTION CARRIED

BILL #19 THIRD READING

MRS. WATSON: MR. SPEAKER, I MOVE, SECONDED BY COUNCILLOR TANNER, THAT BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE GIVEN THIRD READING.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FOR CARMACKS-KLUANE, SECONDED BY THE HONOURABLE MEMBER FOR WHITEHORSE NORTH, THAT BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE GIVEN THIRD READING. ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: ARE YOU PREPARED TO ADOPT THE TITLE TO BILL NO. 19?

MRS. WATSON: YES, MR. SPEAKER, I MOVE, SECONDED BY COUNCILLOR TANNER, THAT BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE ADOPTED AS WRITTEN.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FROM CARMACKS-KLUANE,

SECONDED BY THE HONOURABLE MEMBER FROM WHITEHORSE NORTH, THAT THE TITLE TO BILL NO. 19 INTITULED AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE BE ADOPTED AS WRITTEN. ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED. BILL NO. 19 HAS PASSED THIS HOUSE

MOTION CARRIED

MR. SPEAKER: MR. COMMISSIONER, THE COUNCIL OF THE YUKON TERRITORY HAS AT ITS PRESENT SITTINGS THEREOF PASSED A NUMBER OF BILLS TO WHICH IN THE NAME OF, IN THE NAME AND ON BEHALF OF THE SAID COUNCIL I RESPECTFULLY REQUEST YOUR ASSENT.

MADAM CLERK: BILL NO. 7 - AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE; BILL NO. 19 - AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE; BILL NO. 24 - AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE; BILL NO. 25 - FIFTH APPROPRIATION ORDINANCE, 1974-75.

MR. COMMISSIONER: MR. SPEAKER, I'M PLEASED TO GIVE MY ASSENT AT THIS TIME TO THE BILLS AS ENUMERATED BY THE CLERK.

MR. SPEAKER: MAY I HAVE YOUR FURTHER PLEASURE?

MR. TAYLOR: MR. SPEAKER, I MOVE AT THIS TIME THAT MR. SPEAKER DO NOW LEAVE THE CHAIR AND COUNCIL RESOLVE INTO COMMITTEE OF THE WHOLE FOR THE PURPOSE OF DISCUSSING SESSIONAL PAPERS AND MOTIONS.

MR. STUTTER: I SECOND THE MOTION, MR. SPEAKER.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FROM VATSON LAKE, SECONDED BY THE HONOURABLE MEMBER FROM DAMSON, THAT MR. SPEAKER DO NOW LEAVE THE CHAIR FOR THE PURPOSE OF CONVENING IN COMMITTEE OF THE WHOLE TO DISCUSS PUBLIC BILLS, SESSIONAL PAPERS AND MOTIONS.

MR. TAYLOR: MR. SPEAKER, MY MOTION WAS THAT WE CONVEKE INTO COMMITTEE OF THE WHOLE FOR THE PURPOSE OF DISCUSSING SESSIONAL PAPERS AND MOTIONS; NO BILLS.

MR. MCKINNON: AGREED.

MR. SPEAKER: FOR THE PURPOSE OF CONVENING IN COMMITTEE OF THE WHOLE TO DISCUSS SESSIONAL PAPERS AND MOTIONS. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? I DECLARE THE

2. "CONGENITAL SPASTICITY AND AMNESIA IN MUSCLE TONE IN ONE LEG OR ARM WHICH INHIBITS GROWTH AND CO-ORDINATION ON THAT SIDE.

CONGENITAL AMPUTEE, THAT'S BEING BORN WITHOUT CERTAIN OF THE LIMBS.

CLUB FOOT AND CONGENITAL DISLOCATED HIP'S REQUIRING SURGERY, PINNING AND FURTHER TREATMENT BEYOND THIS.

DEAFNESS, DISFAILURE AND VARIOUS OTHER PROBLEMS."

SHE GOES ON TO SAY THAT "THESE ARE JUST A FEW EXAMPLES THAT I CAN THINK OF RIGHT NOW WITHOUT HAVING TO GO TO PAST RECORDS. AND I KNOW OF AT LEAST THIRTEEN CHILDREN RIGHT IN THE WHITEHORSE AREA WHO HAVE THE PROBLEMS LISTED ABOVE AND WHO DESPERATELY REQUIRE THE TREATMENT SERVICES OF A WELL EQUIPPED CHILDREN'S CENTRE. SUCH A CENTRE COULD BE SET UP IN A TRAILER OR AN EMPTY GOVERNMENT HOUSE, AND BE STAFFED BY:

A) A PHYSIOTHERAPIST OR OCCUPATIONAL THERAPIST, A SPEECH THERAPIST, A PSYCHOLOGIST AND A SECRETARY.

IT COULD PROVIDE A FULL DAY'S PROGRAM ON AN OUT-PATIENT BASIS FOR ALL THE CHILDREN IN THE WHITEHORSE AREA REQUIRING TREATMENT, AS WELL AS FOR TEACHING CENTRES FOR PARENTS AND HEALTH CARE WORKERS FOR THE REST OF THE TERRITORY WHO ARE CONCERNED WITH HANDICAPPED CHILDREN.

I BELIEVE A CENTRE OF THIS TYPE IS VERY FEASIBLE AND THAT IS THE ANSWER TO THE PROBLEMS FACING MANY YUKON CHILDREN AND YUKON FAMILIES.

IF THE TERRITORIAL COUNCIL LOOKS FAVOURABLY ON THE PROPOSAL OF SUCH A CENTRE, I COULD EASILY SUPPLY YOU WITH ANY FINANCIAL QUOTATIONS AND SALARIES, CAPITAL EQUIPMENT AND THE OPERATING EXPENSES THAT I FEEL WOULD BE NECESSARY."

SHE GOES ON TO SAY THAT SHE APOLOGIZES FOR THE LENGTH OF THIS LETTER WHICH IS A FOUR PAGE LETTER. SHE GOES INTO SOME DETAIL AS TO WHAT THE REAL PROBLEMS ARE. BUT BASICALLY SHE IS GOING ALONG WITH THE FINDING THAT YOU NOW HAVE BEFORE YOU, THE BRIEF WHICH WAS PUT FORWARD BY DR. ASANTE.

AND I THINK AGAIN, IF WE COULD JUST BRIEFLY REFER TO THE BRIEF. IT'S SUGGESTED THERE "THAT FROM THE PROBLEMS OF THE CHILDREN," THIS IS ON PAGE 5.

"FROM THE PROBLEMS OF THE CHILDREN THUS FAR IDENTIFIED, THE INITIAL KEY PERSONNEL WOULD APPEAR TO BE: A SPEECH THERAPIST, A PHYSIOTHERAPIST OR OCCUPATIONAL THERAPIST, PRE-SCHOOL OR KINDERGARTEN TEACHERS, AN AIDE/SECRETARY, A SUPERVISOR OR ADMINISTRATOR."

AND IT SAYS: "THE SERVICES OF A PSYCHOLOGIST WILL BE INVALUABLE IN THE ASSESSMENT OF THE CHILDREN BUT SINCE MOST OF THE CHILDREN REQUIRING ATTENTION AT PRESENT HAVE ALREADY BEEN ASSESSED, THIS PERSON IS NOT AN IMMEDIATE NECESSITY. THE HOSPITAL OR SCHOOL PSYCHOLOGIST CAN ASSESS THE CHILDREN PRIOR TO ADMISSION AND SUBSEQUENTLY, AS INDICATED."

HE GOES ON TO SAY THAT: "A VOLUNTEER CORP COULD BE OBTAINED FROM THE MOTHERS AND OTHER INTERESTED SUITABLE, MEMBERS OF THE PUBLIC TO ASSIST IN THE WORK OF THE CENTRE."

SO IT DOES SEEM TO ME MR. CHAIRMAN, THAT PERHAPS WE'RE NOT LOOKING AT A FANTASTIC AMOUNT OF MONEY. I DON'T BELIEVE THAT AS FAR AS CAPITAL COSTS ARE CONCERNED THAT WE'RE HAVING TO LOOK AT THE PROBABILITY OF HAVING TO BUILD A BUILDING OR LARGE EXPENSES IN THIS AREA. NO DOUBT THERE WILL BE A CERTAIN AMOUNT OF EQUIPMENT THAT'S NEEDED. BUT MOSTLY IT IS MONEY THAT'S REQUIRED FOR THESE SPECIALIZED PERSONS.

IT DOES SEEM THAT THE NUMBER OF CHILDREN THAT WE NOW HAVE IN THE TERRITORY, AND I'M SURE THAT IF A SURVEY WERE CARRIED OUT IT WOULD BE SHOWN THAT PERHAPS THERE ARE FAR MORE CHILDREN NEEDING THIS TYPE OF A SERVICE THAN WE NOW PRESENTLY ARE AWARE OF. THE POINT THAT I'M TRYING TO GET ACROSS IS THAT I FOR ONE FEEL THAT IT IS DEFINITELY A GOVERNMENT RESPONSIBILITY TO PROVIDE THIS TYPE OF A SERVICE. THAT IT SHOULD NOT BE AN ADDED BURDEN PLACED ON THE PARENTS THEMSELVES. AND THEREFORE, I PUT THIS MOTION FORWARD, HOPING THAT SOME PROVISION WILL BE MADE IN THE 1975-76 BUDGET TO PROVIDE THE REQUIRED STAFFING FOR THIS TYPE OF A CENTRE. AT THE MOMENT THAT'S ALL I HAVE TO SAY ON IT, MR. CHAIRMAN, AND WOULD LIKE TO HEAR SOME OF THE COMMENTS FROM SOME OF THE OTHER MEMBERS.

MR. CHAIRMAN: COUNCILLOR STUTTER WOULD YOU TAKE THE CHAIR FOR A MOMENT PLEASE.

MR. CHAIRMAN: COUNCILLOR TAYLOR.

MR. TAYLOR: MR. CHAIRMAN, I AS OTHER MEMBERS HAVE RECEIVED COMMUNICATIONS FROM

MR. TAYLOR: I AND OTHER MEMBERS HAVE RECEIVED COMMUNICATIONS FROM MRS. LATIN, FROM THE YUKON ASSOCIATION FOR CHILDREN WITH LEARNING DISABILITIES. I INDEED TAKE A GREAT INTEREST IN THIS PARTICULAR QUESTION. WE HAVE WITHIN OUR SOCIETY CERTAIN GROUPS THAT CAN DO CERTAIN THINGS TO HELP HANDICAPPED CHILDREN. HANDICAPPED IN VARIOUS WAYS. FOR INSTANCE, THE ELKS CLUBS CAN PROVIDE ASSISTANCE FOR HEART WORK, WITH HEART DISABILITIES IN CHILDREN. THE LIONS CLUBS WORK ON THE ASSISTANCE IN THE SIGHT AND BLIND CATEGORY WITH CHILDREN. I MYSELF AM INVOLVED IN THE SHRINE AND OF COURSE WE WORK WITH CHILDREN WITH BURNS AND ORTHOPEDIC DISABILITIES.

BUT THERE IS THIS AREA THAT WE SPEAK OF NOW WHICH REALLY REQUIRES GOVERNMENT TO HELP. IT'S AN AREA WHICH INVOLVES, NOT ONLY THE SOCIAL ASPECTS OF SOCIETY, BUT THE EDUCATIONAL AND MEDICAL ASPECTS OF SOCIETY FOR THESE HANDICAPPED CHILDREN WHO BY VARIOUS REASONS ARE HAVING DIFFICULTIES. I KNOW OF SEVERAL CHILDREN IN THE YUKON IN MY EXPERIENCE OVER THE YEARS THAT I'VE SEEN, AND I'VE CONSIDERED IT A TRAGEDY THAT THE PARENTS WERE UNABLE, FOR ONE REASON OR ANOTHER, TO EITHER RECOGNIZE OR SEEK THE ASSISTANCE. IN FACT THEY COULD HAVE GOT ASSISTANCE FOR THE CHILDREN AT AN EARLY AGE TO REPAIR OR ATTEMPT TO REPAIR AND CORRECT THE DAMAGE THAT WAS OCCURRING THE CHILD IN THIS AREA.

I'LL GIVE YOU ONE INDICATION OF A CHILD THAT COULDN'T SPEAK. IT HAD BROTHERS AND SISTERS, BUT THE CHILD ITSELF COULD NOT SPEAK. IT WAS FINALLY DETERMINED WHEN THE CHILD WAS PROBABLY EIGHT OR NINE, THAT THE REASON THE CHILD COULDN'T SPEAK WAS THE CHILD WAS NOT RETARDED AT ALL, IT WAS DEAF. AND SO SURGICAL PROCESSES WERE UNDERTAKEN AND THAT CHILD IS STILL, TO THIS DAY UNDERTAKING REHABILITATION AND SPEECH THERAPY AND IS ACTUALLY COMING ALONG VERY WELL. IT GROWS INTO, IN THIS CASE, WOMANHOOD, WITH SOME SORT OF A CHANCE. SO WITHOUT GOING INTO ANY LENGTH ON THIS, I THINK THE PROPOSALS THAT HAVE BEEN OUTLINED, ARE NOT ONLY IMPORTANT. I THINK THAT THEY SHOULD RECEIVE EVERY CONSIDERATION, CERTAINLY BY COUNCIL AND BY THE ADMINISTRATION TO SEE, IF WITHIN THE FORTHCOMING BUDGET, AS THE MOTION HAS SUGGESTED, THAT PROVISION CAN BE MADE IN THOSE SECTORS. THAT IS, THE MEDICAL SECTOR, UNDER HEALTH AND WELFARE AND IN THE EDUCATION SECTOR, SO THAT SOME CO-ORDINATION OF GOVERNMENT FACILITY AND SOME FISCAL APPROPRIATION CAN

BE MADE IN ORDER TO GET A REHABILITATION PROGRAM GOING FOR THESE HANDICAPPED CHILDREN.

IT'S A MOST IMPORTANT CAUSE AND AS HAS BEEN POINTED OUT, THERE IS TO A GREAT EXTENT A COMMUNITY RESPONSIBILITY HERE. AND MAYBE, MAYBE JUST POSSIBLY AND HOPEFULLY, WE MAY BE ABLE TO GET SOME OF THESE CHILDREN ON THE ROAD AND GIVE THEM THE SAME CHANCES THAT WE HAD.

MR. CHAIRMAN, I'LL RESUME THE CHAIR AT THIS TIME. COUNCILLOR WATSON.

MRS. WATSON: MR. CHAIRMAN, MEMBERS OF THE DEPARTMENT OF EDUCATION HAVE BEEN WORKING VERY CLOSELY WITH THE ASSOCIATIONS FOR CHILDREN WITH LEARNING DISABILITIES AND HAVE WORKED VERY CLOSELY AND HAVE TAKEN THIS REPORT OF DR. ASANTE AND HAVE DONE A CONSIDERABLE AMOUNT OF WORK WITH HIM.

AS YOU ALL KNOW, LAST YEAR WE ENGAGED A SUPERVISOR'S SPECIAL INSTRUCTION IN OUR SCHOOL SYSTEM AND ALSO A CHILD PSYCHOLOGIST. AND THESE TWO PEOPLE HAVE BEEN WORKING AND DOING SOME SORT OF AN ASSESSMENT OF THE LEARNING DISABILITIES, THE PHYSICAL AND MENTAL HANDICAPPED CHILDREN WITHIN OUR SCHOOL SYSTEM AND ALSO AT A PRE-SCHOOL LEVEL, PARTICULARLY AT KINDERGARTEN LEVEL. THEY HAVE BEEN DOING THIS BEFORE DR. ASANTE SENT HIS PROPOSAL TO THE ASSOCIATION FOR CHILDREN WITH LEARNING DISABILITIES.

DR. ASANTE'S PROPOSAL IS BASED ONLY ON THE CASES THAT HE HAS SEEN THAT HAVE BEEN REFERRED TO HIM AS A SPECIALIST, AS A PEDIATRICIAN. THE DEPARTMENT OF EDUCATION PEOPLE HAVE BEEN WORKING WITH THE HEALTH PEOPLE AND WE HAVE TO LOOK AT THE WHOLE PROBLEM OF THE TERRITORY OF HANDICAPPED, BOTH MENTALLY AND PHYSICALLY HANDICAPPED. TO SAY THAT WE SHOULD BUDGET NOW OR RECOMMEND THAT WE MAKE PROVISIONS FOR A CENTRE, A TREATMENT FOR CHILDREN CENTRE, I THINK WOULD BE VERY, VERY FAR-REACHING BECAUSE THE CHEAPEST TREATMENT CENTRE THAT WE WOULD HAVE TO ESTABLISH HERE, WOULD BE EXTREMELY COSTLY.

WE HAVE THE VARIOUS DEGREES AND THE VARIOUS TYPES OF HANDICAPPED BOTH AT THE PHYSICAL AND THE MENTAL HANDICAPPED LEVEL. THE TREATMENT THAT ONE CHILD MAY REQUIRE COULD NEED THREE SPECIALISTS IN THEIR FIELD TO TAKE CARE OF THAT CHILD. SO TO SAY, WE SHOULD HAVE A TREATMENT CENTRE ACROSS THE BOARD, I DON'T THINK SHOULD BE SAID AT THIS STAGE OF THE GAME. I THINK A LOT MORE STUDYING HAS TO BE DONE.

HOWEVER, WE DO HAVE A PROBLEM. THE HONORABLE MEMBERS WERE VERY CORRECT IN SAYING THAT POSSIBLY WE HAVE BEEN A LITTLE NEGLIGENT IN THE PAST IN PROVIDING EDUCATION FOR THESE CHILDREN WITH SPECIAL PROBLEMS. PARTICULARLY AT THE EDUCATIONAL LEVEL. WE ARE BEGINNING TO DO THIS. BOTH THE EDUCATION PEOPLE AND THE HEALTH PEOPLE ARE WORKING NOW ON PROPOSALS, PROGRAM PROPOSALS, OVER THE NEXT FEW YEARS, TO ACCOMMODATE BOTH WITHIN OUR SCHOOL SYSTEMS AND TREATMENT BEFORE THEY REACH THE SCHOOL SYSTEM, FOR THESE CHILDREN WHO HAVE THESE SPECIAL TYPES OF HANDICAPS. NOW WE ARE NOT ONLY LOOKING AT CHILDREN AT THE PRE-SCHOOL LEVEL, AND THIS IS WHERE WE WOULD LIKE TO CATCH THEM WITH THEIR TREATMENTS. WE'RE LOOKING AT CHILDREN WHO ARE NOW IN OUR SCHOOL SYSTEM WHO NEED SPECIAL HELP AND SPECIAL TREATMENT.

I WOULD BE VERY HAPPY TO SUPPORT THE MOTION, BUT I DO NOT WANT IT TO BE SPECIFIC AT ALL IN SAYING THAT WE SHOULD MAKE PROVISIONS FOR A TREATMENT CENTRE. I THINK THAT WE SHOULD SOMEHOW WORD IT THAT THE GOVERNMENT ASSESS THE NEEDS AND MAKE PROVISIONS WITHIN THE 74-75 BUDGET TO ACCOMMODATE SOME OF THESE NEEDS. THE ASSOCIATION FOR CHILDREN WITH LEARNING DISABILITIES, THEIR RECOMMENDATION WAS TO OBTAIN A SPEECH THERAPIST. THIS WAS THEIR RECOMMENDATION AS TOP PRIORITY. THE PEOPLE WHO HAVE BEEN WORKING ON THIS STUDY, THE PEOPLE WHO HAVE BEEN DOING ASSESSMENT OF THE CHILDREN IN THE TERRITORY, HAVE NOT COMPLETED THEIR REPORT TO SEE WHETHER THE SPEECH THERAPIST IS THE HIGHEST PRIORITY ON THE LIST. THIS IS THE TYPE OF THING THAT I AM WAITING FOR AT THE PRESENT TIME.

DO WE NEED JUST PLAIN THERAPISTS RATHER THAN A SPEECH THERAPIST. ALL INDICATIONS ARE THAT THERE IS A NEED FOR SOMEONE WHO HAS SOME SPECIAL TRAINING IN SPEECH THERAPY. I WOULD URGE THE MEMBERS NOT TO TIE THEMSELVES TO A SPECIFIC TREATMENT CENTRE, AS DEFINED BY DR. ASANTE. BECAUSE DR. ASANTE'S REPORT IS BASED ON THE VERY NARROW PORTION OF THE PEOPLE THAT REQUIRE SOME HELP. HE HAS ONLY SEEN A VERY SMALL PORTION OF THEM. AND WHERE SHOULD OUR PRIORITIES BE. IN A TREATMENT CENTRE OR SOME OTHER FORM. THIS IS WHY WE HAVE THESE SPECIALIZED PEOPLE WHO ARE REVIEWING THE REPORT, GETTING TOGETHER ALL THE STATISTICS AND ALL THE CASE HISTORIES THAT THEY'VE GOT, TO SEE WHAT THE NEXT STEP

SHOULD BE. WHICH IS THE TOP PRIORITY, WHAT SHOULD WE DO FIRST OF ALL? WHAT TYPE OF A PROGRAM SHOULD WE EMBARK UPON TO SERVE THESE PEOPLE?

MR. STUTTER: ONE OF THE MAIN REASONS I PUT THE MOTION IN AND ALSO ASKED TO HAVE THE BRIEF PUT INTO COMMITTEE OF THE WHOLE, WAS TO HEAR SOME OF THE THINGS WHICH HAVE NOW BEEN PUT FORWARD BY THE MEMBER FOR CARMACKS-KLUANE. THE ONLY THING I CAN GO ON, AND OF COURSE SHE HAS HAD MUCH MORE INPUT INTO IT, AS, NO DOUBT, HAS THE MINISTER OF HEALTH. BUT THE LETTER FROM THE PHYSIOTHERAPIST WHO HAS WORKED THREE YEARS IN THE HOSPITAL INDICATES THAT WE SHOULDN'T BE LOOKING AT A GREAT DEAL OF EXPENSE. THE MEMBER HAS MENTIONED THAT PERHAPS SOME INSTANCES, ONE CHILD MAY EVEN REQUIRE THE SERVICES OF AS MANY AS THREE SPECIALISTS. THE PHYSIOTHERAPIST HERE INDICATES THAT IN ALL PROBABILITY, WE'RE NOT LOOKING AT ANY MORE THAN FOUR, OR AT THE MOST FIVE PEOPLE.

THE INDICATION BOTH IN HER LETTER AND IN DR. ASANTE'S BRIEF IS THAT SOME OF THOSE PEOPLE PROBABLY ARE AVAILABLE. THAT IS, THE ONES THAT DON'T NECESSARILY NEED TO BE PROFESSIONAL, MAYBE AVAILABLE ON A LOCAL LEVEL AND PARTLY AS VOLUNTEERS. THERE'S ONE IMPORTANT PART IN THE BRIEF ON PAGE 2 THAT DOES SAY THAT, "DURING MY LAST PEDIATRIC CLINIC IN WHITEHORSE IN MARCH, 1974, I DISCUSSED THE PROBLEM WITH DR. M.V. NORRELL, YUKON ZONE MEDICAL DIRECTOR, THE MEDICAL STAFF OF THE WHITEHORSE GENERAL HOSPITAL, AND WITH SOME CONCERNED PARENTS. THIS BRIEF REPORT SUMMARIZES THE PROBLEMS OF THE PHYSICALLY HANDICAPPED CHILDREN SEEN THROUGH THE PEDIATRICS CLINIC AND IS A PLEA FOR THE DEVELOPMENT OF A TREATMENT CENTRE FOR HANDICAPPED CHILDREN IN THE YUKON IN ORDER TO REDUCE THEIR DISABILITY AND DEVELOP THEIR POTENTIAL TO THE MAXIMUM."

I DRAW ATTENTION TO THIS ONE PARTICULAR PARAGRAPH FOR TWO REASONS. ONE IS THAT I'D LIKE TO ASK IF THE INDICATION THERE FROM DR. ASANTE IS THAT HE MET WITH A CONSIDERABLE GROUP OF PEOPLE, I'M WONDERING IF THE MINISTER OF HEALTH, COUNCILLOR TANNER WAS ONE OF THEM. AND SECONDLY, HE ENDS UP BY REALLY PLEADING WITH WHOEVER READS THE BRIEF, IN THIS PARTICULAR INSTANCE IT'S GOT TO BE TERRITORIAL COUNCIL, TO LOOK INTO THIS THING DEEPLY AND TO RECOGNIZE THE FACT THAT WE DO HAVE A PROBLEM AND THAT WE SHOULD INDEED, BE MAKING SOME KIND OF PREPARATION TO FACE THIS

1 PROBLEM. NOW MY MOTION AS WORDED, I AGREE, IS PERHAPS A LITTLE PREMATURE, BUT WITH THAT REASON, I APPRECIATE THE REMARKS THAT WERE MADE BY THE MEMBER FOR CARMACKS-KLUANE. BECAUSE AS I SAY, SHE OBVIOUSLY HAS HAD A GREAT DEAL MORE TO DO WITH THIS ONE PARTICULAR PROBLEM THAN THE REST OF US IN COUNCIL.

BUT NEVERTHELESS, I WOULD LIKE A MOTION TO COME OUT OF THIS DISCUSSION WHICH DOES AT LEAST GET US STARTED IN THE RIGHT DIRECTION. SO THAT WE CAN PERHAPS IN THE NEAR FUTURE BE LOOKING AT THE SORT OF RECOMMENDATIONS THAT ARE BEING PUT FORWARD BY DR. ASANTE. ALSO BY THE PHYSIOTHERAPIST, BECAUSE I HAVE TO GO ON THEIR RECOMMENDATIONS AND TAKE IT THAT THEY KNOW WHAT THEY'RE TALKING ABOUT AND WE DEFINATELY DO HAVE A NEED.

MR. TANNER: MR. CHAIRMAN, I WOULD INFORM THE MEMBER THAT I WASN'T ON THOSE DISCUSSIONS AND NONE OF THE MEMBERS OF MY DEPARTMENT OTHER THAN THE NORTHERN HEALTH AND WELFARE WERE IN IT.

MR. CHAIRMAN: IT IS FROM THE CHAIR, THE MOTION READS, LET ME RE-READ THE MOTION. "THAT THIS COUNCIL RECOMMENDS THAT PROVISIONS BE MADE IN THE 75-76 BUDGET FOR THE STAFFING OF A LOCAL FACILITY FOR THE TREATMENT OF PHYSICALLY HANDICAPPED CHILDREN IN THE YUKON TERRITORY." THIS ISN'T THAT SPECIFIC REALLY.

MRS. WATSON: MR. CHAIRMAN, THAT'S TREMENDOUSLY SPECIFIC. WHAT HANDICAPS WOULD YOU BE TREATING HERE. ALL PHYSICAL HANDICAPS? WE ALSO HAVE TO THINK OF THE MENTALLY HANDICAPPED, THAT THE DIFFERENT DEGREES OF MENTALLY HANDICAPPED CHILDREN THAT WE HAVE. THERE ARE SO MANY KINDS OF PHYSICAL HANDICAPS THAT YOU COULD, I'M SURE THAT A CENTRE THAT WOULD TAKE CARE OF ALL ASPECTS OF PHYSICALLY AND MENTALLY HANDICAPPED CHILDREN WITH OUR SMALL POPULATION, EVEN OUR SMALL POPULATION, TO TAKE CARE OF ALL SIZES, ALL TYPES OF HANDICAPS. THIS WOULD COST CLOSE TO HALF A MILLION DOLLARS TO PROVIDE WITH THE EQUIPMENT AND THE COMPLETE STAFFING.

AND WE DO, WE'VE DONE A GREAT DEAL OF WORK IN IT TO MAKE A BLANKET MOTION LIKE THAT. TO STAFF FOR THE TREATMENT OF HANDICAPPED CHILDREN YOU'VE GOT TO, I THINK, WE REALLY SHOULD LEAVE THIS ASSESSMENT TO THE PEOPLE WHO ARE KNOWLEDGABLE IN THIS. NOW WE HAVE HAD ONE PRESENTATION, OR THE HONORABLE MEMBER HAS HAD ONE PRESENTATION FROM DR. ASANTE, WHO IS A

PEDIATRICIAN, WHO HAS JUST SEEN A VERY SMALL PORTION OF THE PEOPLE THAT WE KNOW HAVE PROBLEMS BOTH MENTAL AND PHYSICAL. AND THE HONORABLE MEMBER HAS HAD A PRESENTATION FROM A PHYSIOTHERAPIST WHO IS ONLY LOOKING AT THAT PART OF THE TREATMENT. THERE ARE MANY DIFFERENT KINDS OF TREATMENT FOR HANDICAPPED CHILDREN.

TO EMBARK UPON SAYING THAT WE SHOULD PROVIDE SOME MEANS OF A STAFF EXPENSE, WE COULD BE OF SOME QUITE MAJOR EXPENDITURE BEFORE WE ACTUALLY CAN SET OUT PRIORITIES AND KNOW WHAT WE SHOULD BE DOING AND WHAT WE ARE DOING NOW. THE DEPARTMENT PEOPLE AND THE HEALTH PEOPLE ARE WORKING ON THAT ARE... LET'S ASSESS THIS. HANDICAPPED PHYSICALLY, MENTALLY. WHAT ARE THE PRIORITIES, WHAT SHOULD WE BE DOING IN THE YUKON TERRITORY, AND THEY HAVE PROPOSALS FOR THIS COMING. BASED ON DR. ASANTE'S REPORT, BASED ON ASSESSMENTS THEY HAVE MADE AND THEY'VE BEEN IN THE SCHOOLS, THEY'VE WORKED WITH THE HOSPITALS, THEY'VE WORKED WITH THE THERAPISTS OVER AT THE HOSPITAL OVER THE PAST YEAR.

I WOULD LIKE TO LEAVE IT TO THEIR RECOMMENDATIONS. THAT SHOULD WE DO NEXT?

MR. CHAIRMAN: JUST FROM THE CHAIR, I'D JUST LIKE TO POINT OUT THAT THIS MOTION ONLY RECOMMENDS THAT IT'S ASKING THAT THE WHOLE MATTER BE CONSIDERED. IT'S NOT SPECIFIC TO ANYTHING AS YET THAT THIS COUNCIL RECOMMENDS. IT'S NOT A FIRM, ABSOLUTE, RIGID PERCENTAGE. MR. STUTTER.

MR. STUTTER: MR. CHAIRMAN, I'M QUITE PREPARED TO HAVE THE MOTION AMENDED. THE MAIN POINT THAT I'M TRYING TO GET ACROSS IS THAT WE SHOULD BE, AT THIS POINT, DECIDING WHETHER OR NOT WE ARE HEADED IN ANY PARTICULAR DIRECTION AND WE SHOULD BE MAKING PROVISIONS FOR HEADING IN THAT DIRECTION. NOW IF ONE READS THE CONCLUSION OF DR. ASANTE'S REPORT THAT MORE OR LESS DOES AGREE WITH THE REMARKS THAT HAVE BEEN MADE BY THE MEMBER FOR CARMACKS-KLUANE AND THAT IS, "THAT A COMPREHENSIVE STUDY OF THE MAGNITUDE OF THE PROBLEMS OF HANDICAPPED CHILDREN IN THE YUKON WOULD BE USEFUL IN DEFINING THE MORE SPECIFIC NEEDS OF THESE CHILDREN - EDUCATIONAL, MEDICAL ETC. IT IS HOPED THAT ACTIVE STEPS WILL BE TAKEN AT AN EARLY STAGE..." AND THIS IS THE PART THAT I AM TRYING TO GET GOING NOW AT THIS POINT, "TO DEVELOP A PROGRAM FOR THESE CHILDREN ALREADY IDENTIFIED TO BE IN URGENT NEED OF SPECIAL HELP."

Now, I realize that my motion is perhaps a bit too specific at this point, maybe I'm putting the cart before the horse, but nevertheless, I think that out of this discussion there should be a motion giving some type of direction. During the preparation of the 75-76 Budget, whether or not it's for a study to be made. I hate these studies for the simple reason that they end up five years away, coming up with something that we just about all know today. But nevertheless, I think that we've got to put our foot on the first rung of the ladder and go on. We've got to start making preparations for the eventual provision of this type of treatment that is put forward or suggested by both Dr. Asante and by the physiotherapist. These people obviously know of what they are talking and I think this is the direction we should be taking.

Mrs. Watson: Mr. Chairman, I certainly don't mind working with the Honorable Member to prepare the motion. I think that we could all support it for-to sort of bring about what the Honorable Member is trying to do to get the general support for the concept and let the technical people in the Department prepare some proposals. Some provisions for funding be made in the 75-76 Budget.

Several Honorable Members: Agreed.

Mr. Chamberlist: Mr. Chairman, I understand the purpose of a motion is to bring about some discussion. I agree with the Member for Dawson that the purpose is to have it discussed. But I would like to go back some eighteen years when we had a situation in the schools in the Yukon especially in what was then the Whitehorse Secondary Elementary School. If a child wasn't getting along in his particular classroom, he would be taken out of his classroom and placed in what they called at that time a special class. And you finished up with having children from the age of six to the age of fourteen all in a special class.

Now, I'm one of these people who can speak from actual experience. Because I feel for the parents who have a child who is somewhat retarded and know the hurt and the feeling they have when they're dealing with children who are in this category.

Some of the youngsters, they don't know why they're retarded, some know that they are retarded and yet unable to assist themselves.

And the thoughts of the Department of Education at that time were to lump all these children together and for three consecutive years for instance, one of my sons was placed in the same special class. More harm was done to him because when he was fourteen, he was still put in a class with children of six and seven. It was only as a result of his own initiative that he went outside. And during a period in which he was outside he was able to get himself upgraded to Grade 10 which was substantial considering that he had to do it while he was at the age of eighteen to twenty-one.

Now, when we have a report and suggestions come back by way of a specialist in the field, I think we should give more than let's consider the situation attitude to it and say first whether the need for a particular program of this description is here. I would think that with the number of children now who are in the mentally retarded state, and I agree with the Honorable Member for Carmacks-Kluane, that there are so many variations. Not only in the physical area, but in the mental area that have to be dealt with on a separate plane. You can't just bunch it all together and set up one staffing arrangement for a particular type of facility and say this facility will deal with all the various cases that come forward.

Out of this discussion a motion should be to the effect that this Council does recognize a need for some effective action to be taken by the Territorial Administration in all areas to alleviate the distress that is brought forward on the parents and on the children themselves because of the lack of general curriculum to assist children who are in these various categories. I see no objection to doing that now so that when the need comes about and it is probably coming about now, consideration be given to the funding of various projects for the 75-76 fiscal year. That this whole area be treated as an important area in the Department of Education budgetary requirements for 75-76. Because of that I would ask that perhaps, so that we get it clear, indication to the Administration of what Council really wants in this regard. And what I'm sure the Member is trying to get put forward that we perhaps stop for a few moments and get a motion that will indicate

TO THE ADMINISTRATION WHAT IS REQUIRED OF THE COUNCIL. THEN WE WOULD KNOW AND FUTURE COUNCILS WOULD KNOW THAT IT'S ON RECORD THAT THERE IS A NEED FOR AN OVERALL PROGRAM TO, AS I SAY, ALLEVIATE THE DISTRESS THAT IS CAUSED AND SATISFY WHAT IS A REAL SOUND REQUEST THAT HAS BEEN MADE BY THE GROUP WHO ARE SO INTERESTED. IT IS A COMMUNITY INTEREST IN THIS PARTICULAR SITUATION AND I WOULD SUPPORT ANY MOTION THAT CAN BE BROUGHT FORWARD THAT WOULD IN ACTUAL EFFECT ASK FOR FUNDS TO BE PROVIDED IN THE 75-76 BUDGET FOR PROVISIONS TO SET UP THESE PARTICULAR REQUIREMENTS.

ONCE WE HAVE THAT DONE, AND AS I SAY, THE ADMINISTRATION WILL KNOW EXACTLY WHAT IS REQUIRED.

MR. TANNER: MR. CHAIRMAN, I THINK, IF IT'S AGREEABLE TO THE MOVER AND SECONDER TO THE MOTION, YOU CAN PERHAPS USE THE BASIS FOR AN AMENDED MOTION. CERTAINLY THE CONCLUSION ON PAGE 7 OF THE DOCTOR'S REPORT. THE SECOND PARAGRAPH IN PARTICULAR.

MR. STUTTER: WELL, YES MR. CHAIRMAN, BUT AS I STATED BEFORE, I WANT TO GO FURTHER THAN THE STUDY, I THINK, AT THIS POINT. I THINK THAT WE ARE LOOKING FOR SOME FUNDING TO GO BEYOND THE STUDY. I THINK THE NEED HAS ALREADY SHOWN ITSELF BUT I DO WANT TO BE A BIT CAUTIOUS TOO AND NOT RUSH INTO STAFFING OF THE CENTRE PERHAPS IF IT IS NOT YET REQUIRED.

NEVERTHELESS, IF I CAN GET SOME HELP FROM ANY OF THE MEMBERS IN THIS TO PUT FORWARD A MOTION THAT WILL START US ON THE ROAD FOR WHAT WE ALL WANT TO SEE THE GOVERNMENT TAKE, AND THAT IS TO PROVIDE FUNDS TO MAKE SURE THAT THIS TYPE OF A SERVICE IS GOING TO BE THE EVENTUAL OUTCOME WHEN THE NEED IS SUCH THAT IT IS THERE. I MEAN IN REAL MAGNITUDE.

MR. TANNER: MR. CHAIRMAN, WOULD THE MEMBER BE AGREEABLE, OR WOULD THE COMMITTEE BE AGREEABLE TO HAVING A SHORT RECESS TO DISCUSS THIS?

MR. CHAIRMAN: WELL, EVEN

MR. TANNER: OR, PERHAPS AFTER THE NORMAL COFFEE BREAK AND THEN WE COULD COME FORWARD. IF YOU WANT TO GO ON TO ANOTHER SECTION AND COME BACK TO THIS, IT MAKES NO DIFFERENCE TO ME.

MR. CHAIRMAN: WELL, I'M WONDERING, JUST AS A SOLUTION, BECAUSE IF WE HOLD A RECESS EVERYBODY

DISAPPEARS AND WE'VE LOST HALF THE AFTERNOON. I'M WONDERING IF BETWEEN NOW AND OVER THE COFFEE BREAK RECESS WE COULD THEN COME BACK TO THIS MATTER WITH AN AMENDMENT TO THE MOTION.

WOULD THAT BE AGREEABLE TO COMMITTEE? AGREE?

SOME HONOURABLE MEMBERS: AGREE.

MOTION NO. 43

MR. CHAIRMAN: ALRIGHT. THE NEXT ITEM FOR CONSIDERATION IS MOTION NO. 43. IT WAS MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR TAYLOR WHEREAS: THE NORTHERN INLAND WATERS ACT PERMITS THE TERRITORIAL COUNCIL TO RECOMMEND THE APPOINTMENT OF AT LEAST THREE MEMBERS TO SERVE ON THE YUKON TERRITORY WATER BOARD AND

WHEREAS: A GROUP OF OVER FIFTY PLACER MINERS IN THE KLONDIKE AREA HAVE PETITIONED COUNCIL TO NOMINATE A PLACER MINER TO SERVE ON THE YUKON WATER BOARD.

BE IT THEREFORE RESOLVED THAT: THE COMMISSIONER RECOMMEND THE APPOINTMENT OF MR. GEORGE SHAW OF DAWSON CITY TO BE A MEMBER OF THE YUKON TERRITORY WATER BOARD AT THE FIRST POSSIBLE OPPORTUNITY.

BE IT FURTHER RESOLVED THAT: THE YUKON TERRITORY WATER BOARD BE REQUESTED TO SUBMIT A REPORT OF ITS ACTIVITIES TO THE YUKON TERRITORIAL COUNCIL ON AN ANNUAL BASIS.

MR. STUTTER: MR. CHAIRMAN, THIS MOTION WAS REFERRED TO COMMITTEE OF THE WHOLE AT THE REQUEST OF THE TWO EXECUTIVE COMMITTEE MEMBERS. NOW, ONE OF THEM, I WON'T REPEAT JUST WHAT EXACTLY HE SAID BUT HE INDICATED THAT THE MERIT OF THE MOTION WAS SOMEWHAT LESS THAN DESIRABLE.

THE OTHER ONE INDICATED THAT AS FAR AS SHE WAS CONCERNED, SHE WENT ALONG WITH THE AIMS OF THE MOTION BUT FELT THAT IT WAS MORE OR LESS TRYING TO IMPOSE THE WISHES OF THIS COUNCIL POSSIBLY ON THE WISHES OF THE NEXT COUNCIL.

NOW, WE WILL LOOK AT THAT POINT FIRST. I WOULD HOPE THAT ALL MEMBERS CAN SEE THE BIT OF A DILEMMA I AM IN, IN PUTTING THIS MOTION FORWARD. THE PLACER MINERS IN THE DAWSON AREA FIND THAT IT'S FAIRLY CRITICAL AS FAR AS THEY ARE CONCERNED TO HAVE SOMEBODY THAT IS AN EX-PLACER MINER. SOMEBODY WHO UNDERSTANDS THE PROBLEMS OF THAT INDUSTRY, TO BE A MEMBER OF THAT BOARD

BUT AT THE MOMENT IT SO HAPPENS THE BOARD IS FULL. THERE ARE NOT ANY VACANCIES AND PERHAPS I KNOW MORE ABOUT THE WORKINGS OF THIS BOARD THAN ANY OF THE OTHER COUNCILLORS WHO ARE AROUND THIS TABLE, BUT EVEN SO, I STILL DON'T KNOW ENOUGH OF THE WORKINGS OF THE BOARD OR THE WORKINGS OF ANY ONE MEMBER OF THE BOARD TO WANT TO PUT IN MY MOTION THAT ONE OF THE THREE APPOINTED BY THIS COUNCIL SHOULD BE REMOVED AND MR. SHAW BE PUT IN HIS PLACE.

SO, MERELY, WHAT I AM ATTEMPTING TO DO IN THIS MOTION IS TO FEED A NAME TO THE COMMISSIONER THAT IS DEFINITELY ACCEPTABLE BY THE PLACER MINERS AND IS OF THE TERRITORY AND IS, HOPEFULLY, ACCEPTED BY THE MEMBERS OF THIS COUNCIL. THAT IN THE EVENT THAT ANY OF THE MEMBERS OF THE BOARD, PARTICULARLY THOSE APPOINTED BY COUNCIL, RESIGN IN THE NEXT FEW MONTHS OR PRIOR TO, LET'S SAY, DECEMBER THE 9TH. THAT HE HAS THE NAME OF THE PERSON THAT IS ACCEPTED BY COUNCIL TO FILL THAT VACANCY.

NOW, EVEN IF THAT VACANCY DOES NOT OCCUR BY THE TIME THE ELECTION ROLLS AROUND AND THERE IS A DIFFERENT COUNCIL IN HERE, THE NEW COUNCIL AND I RECOGNIZE IT IS THEIR PREROGATIVE, IS TO FIRE ALL THREE MEMBERS OF THE BOARD IF THEY SO WISH AND APPOINT A COMPLETE NEW SLATE OF REPRESENTATIVES. NEVERTHELESS, THEY WILL HAVE HAD THE INDICATION THAT IT WAS THIS COUNCIL'S WISH AT THIS PARTICULAR TIME THAT SHOULD A VACANCY OCCUR, THAT MR. GEORGE SHAW BE PUT IN TO FILL THAT VACANCY. THEY AT LEAST HAVE A NAME THAT WAS ACCEPTABLE BY SEVEN PREVIOUS MEMBERS OF COUNCIL AND MAYBE THEY WILL IN TURN CONSIDER THAT NAME WHEN THEY ARE ABOUT TO MAKE A RECOMMENDATION. I REALIZE THAT IN NO WAY AM I TRYING TO FORCE THE WILL OF THIS COUNCIL ON TO THE INCOMING COUNCIL. THAT'S NOT THE AIM AT ALL BUT I REALLY SEE NO OTHER WAY TO PUT IN A MOTION OF THIS EFFECT THAN IN THE WAY I HAVE.

THE SECOND PART OF THE MOTION, I BROUGHT THAT ABOUT BECAUSE AS SO OFTEN HAPPENS, TERRITORIAL COUNCIL IS ASKED TO RECOMMEND MEMBERS TO VARIOUS BOARDS AND THAT SEEMS TO BE THE END OF THAT. IN THIS PARTICULAR CASE THIS BOARD HAS NOW BEEN FUNCTIONING FOR THE PAST TWO YEARS AND APART FROM THE MEAGRE LITTLE REPORT THAT WE GET IN THE MONTHLY NEWSLETTER SAYING THAT THE NAMES OF THE APPLICANTS WHO ARE APPLYING FOR WATER USED PREMISES, WE DON'T KNOW WHAT OUR REPRESENTATIVES ON THE WATER BOARD ARE EVEN DOING. I THINK THAT SINCE WE'VE HAD THE CHANCE TO PUT THEM ON THE BOARD IN THE FIRST PLACE, WE SHOULD AT LEAST

KNOW WHAT THEIR INPUT IS ON THAT BOARD. THAT'S THE REASON WHY THE SECOND PART OF THE MOTION IS IN THERE AND LIKE IT OR NOT IT MAY BE THE TYPE OF MOTION THAT, I ALMOST SAID IT, THE TYPE OF MOTION THAT THE MEMBER FROM WHITEHORSE NORTH SAID, BUT I DON'T KNOW HOW ELSE TO PUT IT IN AND COME ABOUT WITH THE AIMS THAT I AM TRYING TO.

IF SOMEBODY ELSE WANTS TO AMEND THE MOTION AND STILL ARRIVE AT THE AIMS THAT I AM TRYING TO BRING ABOUT THEN I WILL GLADLY LISTEN TO THEM AND MORE THAN LIKELY SUPPORT IT.

MRS. WATSON: MR. CHAIRMAN, MAYBE WHEN WE ARE WORKING ON THE OTHER MOTION AT COFFEE TIME WE COULD LOOK AT THIS ONE TOO BECAUSE, AS I SAID BEFORE, I AGREE WITH THE AIMS AND I COULDN'T AGREE MORE THAT MR. GEORGE SHAW WOULD BE AN EXTREMELY GOOD REPRESENTATIVE ON THE BOARD. THE PLACER MINERS COULD INDICATE THAT THEY WOULD LIKE TO HAVE REPRESENTATION ON THE WATER BOARD. IT CERTAINLY IS UNDERSTANDABLE WHY THEY DO BUT WE HAVE TO BE MORE SPECIFIC. I JUST FEEL THAT WITH THIS MOTION AND IT'S ALMOST PRESUMPTUOUS NOT TO SAY IF IT OCCURS BEFORE A NEW COUNCIL IS ELECTED THAT WE RECOMMEND THAT MR. GEORGE SHAW BE APPOINTED.

THAT'S WHAT I WOULD LIKE TO SEE HAPPEN. I AM PREPARED TO WORK ON THE MOTION WITH THE HONOURABLE MEMBER AT COFFEE TIME.

MR. CHAMBERLIST: MR. CHAIRMAN, SIMPLY TO AMEND THE MOTION FOR THE SAKE OF AMENDING A MOTION, THAT SHOULDN'T HAVE ANY PLACE HERE AT ALL. THE MOTION IS VERY, VERY CLEAR. I DON'T THINK THERE IS ANYTHING WRONG WITH IT AT ALL. IT MAKES ITS POSITION VERY CLEAR BUT SHOULD THERE BE A VACANCY, THE RECOMMENDATION OF THE COUNCIL IS MR. SHAW TAKE HIS PLACE. IT'S JUST A WASTE OF TIME WHEN ONE TRIES TO AMEND THE MOTION THAT IS CLEAR. WHAT MORE SPECIFICS ARE REQUIRED THAN TO SAY THAT SHOULD A VACANCY OCCUR THAT CONSIDERATION BE GIVEN TO MR. SHAW TAKING HIS PLACE.

WE'RE NOT BINDING ANY CONSECUTIVE COUNCIL AT ANY TIME, ON ANY MOTION BECAUSE A CONSECUTIVE COUNCIL COULD AT ANY TIME SAY "WELL, THERE'S A NEW MOTION COMING FORWARD AND THE FOLLOWING MOTION, THE NEW MOTION TAKES PRECEDENCE OVER THE MOTION THAT WAS PASSED." THERE'S NOTHING WRONG WITH IT AT ALL.

MR. STUTTER: MR. CHAIRMAN, I THINK THAT THE MEMBER FROM CARMACKS-KLUANE PERHAPS HASN'T

REALLY PICKED UP THE SIGNIFICANCE OF THE WORDS "THE FIRST POSSIBLE OPPORTUNITY". AT THE MOMENT THE BOARD IS FULL. THERE IS NO OPPORTUNITY TO PUT ANYBODY ON THE BOARD. THE MINUTE THERE IS A RESIGNATION OR THAT THERE IS A VACANCY ON THE BOARD, THAT IS THEN THE FIRST POSSIBLE OPPORTUNITY.

MRS. WATSON: MR. CHAIRMAN, THIS IS WHAT I SEE. I SEE US HAVING AN ELECTION ON DECEMBER THE 9TH; THEN, USUALLY IT'S A MONTH LATER THEY, WHAT DO YOU CALL IT, THE RETURN OF THE WRITS. O.K., THAT'S JANUARY. THEN THE COUNCIL ISN'T CALLED UNTIL MARCH AND THERE IS A VACANCY ON THE BOARD. I WOULD LIKE TO THINK THERE IS A COUNCIL, AND THEY HAVE NEVER MET, I WOULD LIKE TO THINK THAT AT THAT STAGE OF THE GAME, THE COMMISSIONER SHOULD NOT PROCEED TO MAKE AN APPOINTMENT ON THIS MOTION. HE SHOULD CONSULT WITH THE NEW COUNCIL.

THIS IS THE AREA WHERE I HAVE SOME CONCERN. BEFORE THE ELECTIONS BETWEEN DECEMBER THE 9TH OR JANUARY THE 9TH, WHENEVER IT IS, AND NOW I HAVE NO PROBLEM WHATSOEVER THAT I THINK THERE SHOULD BE SOME VERY CLEARLY DEFINED DIRECTION IN CASE THERE IS A BLOCK OF THREE OR FOUR MONTHS IN THERE WHEN THE NEW COUNCIL IS IN BUT THEY HAVEN'T MET AND YOU HAVE THIS RECOMMENDATION THAT AT THE FIRST POSSIBLE OPPORTUNITY AS THE MOTION SAYS. IT SHOULD BE THE RIGHT AND THE PREROGATIVE OF THE NEW COUNCIL AND I THINK THEN THE COMMISSIONER SHOULD HAVE TO WAIT UNTIL THE NEW COUNCIL MEETS AND THEY RECOMMEND SOMEONE TO THE BOARD.

MR. CHAMBERLIST: MR. CHAIRMAN, I WOULD POINT OUT THAT, AND I'M SURE THE MEMBER FROM CARMACKS-KLUANE KNOWS THAT THERE IS A MEMBER ON THAT BOARD WHO IS GOING TO SEEK OFFICE AS A TERRITORIAL COUNCILLOR IN HER CONSTITUENCY.

NOW, THE MOMENT HE DOES THAT, OF COURSE HE HAS TO RESIGN FROM THE BOARD. NOW, THAT BECOMES THE EARLIEST OPPORTUNITY. IT'S AS SIMPLE AS THAT. YOU KNOW, IT'S THAT SIMPLE. WHAT IS THERE TO SAY WITHOUT MENTIONING ANY NAMES, YOU KNOW, WE ALL KNOW THIS. WHY DOESN'T THE HONOURABLE MEMBER RECOGNIZE IT?

MRS. WATSON: MR. CHAIRMAN, ON A POINT OF PRIVILEGE ON THIS. I DON'T HAVE A CONIVING MIND LIKE THE HONOURABLE MEMBER FROM WHITEHORSE EAST AND I RESENT THAT VERY MUCH. I HAD NO THOUGHTS OF THIS WHATSOEVER. I THINK THERE HAS TO BE AND I AGAIN SAY THERE HAS TO BE, I HAD NOT EVEN

THOUGHT OF THIS BUT NOW IT DOES OPEN UP A NEW PROBLEM, DOESN'T IT, WHICH I HADN'T EVEN THOUGHT OF. AND THEREFORE, I THINK THE MOTION SHOULD BE MORE CLEARLY DEFINED SO THAT THERE IS AN UNDERSTANDING.

MR. CHAIRMAN: ORDER, ORDER.

MRS. WATSON: I WOULD HATE TO SEE MR. SHAW APPOINTED IN THE INTERVAL AND THEN THE NEW COUNCIL COME IN AND SAY "WE DO NOT WANT TO GO ALONG WITH THAT RECOMMENDATION". SOMEONE WHO HAS JUST BEEN APPOINTED BECAUSE OF THIS RECOMMENDATION.

MR. STUTTER: MR. CHAIRMAN, THE OBJECTION THAT THE MEMBER IS PUTTING FORWARD IS EXACTLY THE SAME OBJECTION SHE WAS PUTTING FORWARD FOUR DAYS AGO. AT THAT TIME SHE WANTED TO THINK ABOUT IT IN ORDER TO POSSIBLY COME UP WITH AN AMENDMENT. I REALLY DON'T SEE THE ADVANTAGE AT THIS POINT OF DELAYING THIS OVER COFFEE BREAK. I REALLY DON'T SEE THE POINT. I WOULD GO FOR QUESTION.

MR. TANNER: MR. CHAIRMAN, JUST BEFORE YOU CALL QUESTION, I HAVE THOUGHT ABOUT IT IN THE PAST FOUR DAYS AND I HAVE SPOKEN TO THE MEMBER ABOUT IT AND I HAVEN'T CHANGED MY OPINION. I CAN'T SEE ANY REASON NOT TO GO AHEAD WITH THE MOTION.

MR. CHAMBERLIST: GOOD FOR YOU CLIVE TANNER.

MRS. WATSON: MR. CHAIRMAN, THAT'S JUST FINE, BUT I CAN'T SUPPORT THE MOTION BECAUSE I PREDICT THAT WE ARE GOING TO HAVE PROBLEMS JUST BECAUSE OF THIS, YOU ALL BEING SO OBSTINATE, YOU WON'T REVERSE. (LAUGHTER) AND IF IT GAVE CLEARER DIRECTION THERE WOULDN'T BE ANY PROBLEM AND HARD FEELINGS. AS A RESULT OF THIS YOU ARE GOING TO HAVE IT AND I'M AFRAID I'M GOING TO HAVE TO OPPOSE THE MOTION. I HAVE THOUGHT ABOUT IT FOR FOUR DAYS.

MR. CHAIRMAN: THE QUESTION HAS BEEN CALLED. ARE YOU AGREED TO THE MOTION? ANY DISAGREED?

MRS. WATSON: I DISAGREE.

MR. CHAIRMAN: I MUST DECLARE THAT THE MOTION IS CARRIED.

MOTION CARRIED

MOTION NO. 44

MR. CHAIRMAN: THE NEXT ITEM IS MOTION NO. 44. IT WAS MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR TAYLOR THAT THE LABOUR CANADA REPORT ON AIRBORNE PARTICULATE POLLUTION CONTROL BE DISCUSSED IN COMMITTEE OF THE WHOLE. COUNCILLOR STUTTER.

MR. STUTTER: MR. CHAIRMAN, THE REASON I'VE PUT THIS IN COMMITTEE IS THAT I'VE RECENTLY HAD A LETTER FROM THE CANADIAN MINE WORKERS IN CLINTON CREEK. THE WORKERS DOWN THERE SEEM TO FEEL THAT THERE IS A GOOD CHANCE THAT THEY ARE BEING ASKED TO WORK UNDER CONDITIONS THAT MAY BE DETRIMENTAL TO HEALTH. I CAN SUM THAT UP BY READING JUST ONE PARAGRAPH, WHICH I HAVE ALREADY DONE AS A MATTER OF FACT, EARLIER IN THIS SESSION.

FROM THE LETTER, AND IT SAYS, "ALSO ATTACHED ARE THE TEST RESULTS AND RELEVANT DATA OF THE AIR SAMPLES IN THE CLINTON CREEK OPERATION, MADE BY MR. CARL FORMBY, PRESENTLY EMPLOYED BY MOUNT SINAI SCHOOL OF MEDICINE.

THESE FIGURES SPEAK FOR THEMSELVES AS MOST OF THE AREAS LISTED WERE WAY ABOVE THE LIMITS UNIVERSALLY AGREED AS HAZARDOUS."

NOW, MR. CHAIRMAN, THAT IS WHERE THE PROBLEM COMES IN. WHEN WE THINK ABOUT LIMITS THAT ARE UNIVERSALLY AGREED AS HAZARDOUS. IN CONVERSATIONS THAT I'VE RECENTLY HAD WITH BOTH MR. JERRY NEEDHAM AND I HAD A MEETING AS RECENTLY AS THE 21ST OF THIS MONTH WITH DR. NORELL AND MR. URGUHART ON THIS VERY PROBLEM. IT SEEMS THAT THERE ARE NO UNIVERSAL STANDARDS RECOGNIZED AT THIS POINT.

ONTARIO HAS STANDARDS, B.C. HAS STANDARDS. THERE ARE SOME STANDARDS IN ENGLAND. THERE ARE SOME STANDARDS IN PARTS OF THE UNITED STATES. THEY ALL VARY AND NOT ONLY DO THEY VARY FROM DAY TO DAY BUT EACH ONE OF THEM SEEMS TO CHANGE FROM WEEK TO WEEK OR MONTH TO MONTH. NOBODY HAS COME UP WITH WHAT IS CONSIDERED TO BE A STANDARD.

NOT ONLY THAT, BUT THE TYPE OF EQUIPMENT USED IN TESTING IS QUESTIONABLE IN THIS PARTICULAR INSTANCE OF THE TESTS THAT WERE TAKEN AND THE FEED OF DATA THAT WAS TAKEN FROM TESTING EQUIPMENT. THE TYPE OF TESTING EQUIPMENT IN THAT PARTICULAR INSTANCE IS PERHAPS QUESTIONABLE. BUT NEVERTHELESS, AT THAT MEETING I WAS TALKING ABOUT A WHILE AGO THAT I HAD WITH DR. NORELL AND MR. URGUHART ON THE 21ST OF THIS MONTH, I JOTTED NOTES DOWN SHORTLY AFTER THAT MEETING AND WOULD

LIKE TO REPORT AT THIS POINT THAT THERE HAS BEEN, IN FACT I THINK THEY ARE DUE TO COME OUT TO CLINTON CREEK TODAY. THERE HAS BEEN A TEAM OF FIVE PEOPLE FROM THE HEALTH PROTECTION BRANCH OF THE DEPARTMENT OF NATIONAL HEALTH AND THEY HAD BEEN DOWN TO CLINTON CREEK. THEY HAVE BEEN TESTING BOTH INSIDE AND OUTSIDE OF THE MILL THERE. THEY ARE, OF COURSE IT WILL TAKE TIME, BUT WITHIN TWO WEEKS THEY SHOULD HAVE SOME INDICATION AS TO WHETHER OR NOT THERE IS ANYTHING TO GET ALARMED ABOUT. IT PROBABLY IS MORE LIKELY TO BE TWO OR THREE MONTHS BEFORE THEY COME OUT WITH ANY SOLID REPORT.

BUT, IN ANY EVENT, IT DOES SEEM TO BE, OR IT SEEMS TO ME THAT THE YUKON COUNCIL AND THE YUKON TERRITORIAL GOVERNMENT SHOULD DEFINITELY BE LOOKING AT THIS WHOLE PROBLEM. NOT JUST AT CLINTON CREEK BUT IN WORKING CONDITIONS FOR WORKERS ALL ACROSS THE TERRITORY THAT DO HAVE TO WORK UNDER CONDITIONS THAT MAY BE HAZARDOUS TO HEALTH. I THINK THAT SOME PROGRESS HAS BEEN MADE BECAUSE MR. NEEDHAM TELLS ME, WE NOW HAVE THIS MR. AL PATRICK WHOM WE SHARE WITH THE NORTHWEST TERRITORIES. HE IS AN ENVIRONMENTALIST ENGINEER AND WE SHARE HIM NOW ON A SIX MONTH BASIS, 50-50 BASIS. THIS MR. PATRICK DOES HAVE THE TYPE OF EQUIPMENT THAT WOULD BE NEEDED TO TAKE FAIRLY SOPHISTICATED TESTS. SO I THINK PERHAPS WE ARE STARTED ON THE RIGHT ROAD TO FIRST OF ALL FINDING OUT WHETHER OR NOT WE HAVE A PROBLEM. IF IN ANY EVENT

MR. STUTTER:

I THINK WHETHER OR NOT WE HAVE A PROBLEM I THINK WE SHOULD BE WORKING TOWARDS THE PREPARATION OF REGULATIONS AND LEGISLATION SETTING FORWARD WHAT IS PERHAPS AN AVERAGE LIMIT THAT ANY WORKER SHOULD BE ASKED TO WORK UNDER BEFORE HAZARDOUS CONDITIONS ARE REACHED. I WOULD LIKE TO HEAR FROM, POSSIBLY THE MINISTER FROM HEALTH, WHO MAY BE ABLE TO ADD TO SOME OF THE REMARKS THAT I HAVE MADE. NO DOUBT HE HAS GONE INTO THIS THING FURTHER THAN I HAVE OR HIS STAFF HAS. I WILL JUST LEAVE IT AT THAT FOR NOW.

MR. TANNER: MR. CHAIRMAN, I WAS GOING TO TELL COMMITTEE ABOUT THE TEAM THAT WAS IN THERE BUT THE HONOURABLE MEMBER ... I WOULD POINT OUT THAT I THINK THEY ARE OUT BUT I DON'T THINK WE ARE GOING TO GET ANY DEFINITE RESULTS FOR TWO OR THREE WEEKS. IT IS GOING TO BE VERY, VERY PRELIMINARY THERE IN ISSUING RESULTS AND IT IS PROBABLY GOING TO BE ABOUT THREE OR FOUR MONTHS I THINK, AS THE MEMBER SAID.

BASICALLY THE PROBLEM WE HAVE IN THE YUKON IS APART FROM IDENTIFYING HOW BAD THE HAZARD IS, WE'VE GOT TWO PROBLEMS. UNDER WHAT ORDINANCE OR UNDER WHAT REGULATIONS BE THEY FEDERAL, TERRITORIAL OR WHERE WE PUT THEM UNDER. THERE HAVE BEEN THREE SUGGESTIONS AND IF THE MEMBERS HAVE READ THIS, AND I HAVE ONLY READ PART OF IT QUITE FRANKLY, IS THAT WE CAN GO EITHER TO THE WORKMEN'S COMPENSATION ORDINANCE OR ALTERNATIVELY THE MINING SAFETY ORDINANCE OR USING THE FEDERAL STATUTES.

THAT HAS BEEN OUR MOST DIFFICULT PROBLEM UP TO THIS DATE. I PROMISED THE MEMBER THAT I WOULD HAVE SOMETHING FOR HIM AND I STILL, UNFORTUNATELY, CANNOT DO SO BECAUSE WE STILL HAVEN'T BEEN ABLE TO TIE IT DOWN DIRECTLY. HOWEVER, WHAT I WOULD DO IS ASSURE THE HONOURABLE MEMBER PARTICULARLY AS HE HAS TALKED TO DOCTOR NORELL AND MR. EROUHART UNDERSTANDS HE PROBABLY HAS A GREATER UNDERSTANDING OF THE PROBLEMS THAT THEY HAVE. I WOULD, MERELY, I'M AFRAID I CAN'T DO MUCH MORE THAN ASSURE THE HOUSE THAT WE ARE WORKING ON IT AND WE WILL DEFINITELY HAVE SOMETHING AS SOON AS WE POSSIBLY CAN.

MR. CHAMBERLIST: BEFORE OCTOBER 10TH.

MR. TANNER: AS LONG AS I AM HERE WE WILL WORK ON IT, MR. CHAIRMAN. ON THE OTHER HAND MEMBERS MUST REMEMBER THAT I DID MAKE THAT PROMISE BACK IN MARCH, I BELIEVE, AND HERE IT IS JUNE AND WE STILL HAVEN'T GOT ANYTHING DEFINITE. IT ISN'T THE LACK OF TRYING I CAN ASSURE YOU.

MR. STUTTER: MR. CHAIRMAN, I MUST AGREE THAT AT THAT MEETING I HAD WITH DR. NORELL AND MR. EROUHART THE FIRST THING THAT THEY POINTED OUT WAS THAT THERE JUST DOESN'T SEEM TO BE ANY ONE GOVERNMENT DEPARTMENT THAT IS READY TO CARRY THE BALL IN THIS PARTICULAR ISSUE. THAT IS JUST BRINGING UP THE POINT THAT THE MEMBER FROM WHITEHORSE NORTH BROUGHT UP. THAT DOES SEEM TO BE AN AREA THAT'S OF PRIME CONCERN. THEY DON'T WANT TO RECOGNIZE IT OR HAVEN'T AS YET RECOGNIZED IT UNDER ANY ONE PARTICULAR DEPARTMENT AND UNTIL THAT HAPPENS PERHAPS WE ARE IN A BIT OF A BIND AS TO HOW TO COME OUT WITH REGULATIONS AND AS TO HOW TO COME OUT WITH LEGISLATION. THE MAIN THING IS THAT SOMETHING IS BEING DONE AND IT IS BEING RECOGNIZED AS A POTENTIAL PROBLEM. I THANK THE MEMBER FOR SAYING THAT THINGS ARE BEING DONE AND HOPEFULLY WILL BE CONTINUED TO BE DONE.

MR. CHAIRMAN: JUST FROM THE CHAIR, I THINK THAT IN THE PROVINCE OF BRITISH COLUMBIA THE THRESHOLD LIMIT VALUES ARE ESTABLISHED UNDER WORKMEN'S COMPENSATION REGULATIONS. THE CHAIR HAS IT, COMMITTEE HAS IT THAT THE MATTER IS BEING PURSUED AND EVERY EFFORT WILL BE MADE TO BRING DOWN REGULATIONS.

MR. TANNER: MR. CHAIRMAN, I WOULD JUST POINT OUT TO THOSE MEMBERS OF COMMITTEE WHO HAVEN'T HAD TIME TO READ THIS REPORT, WE DID GET IT RATHER QUICKLY, IS THAT IN EVERY JURISDICTION ACROSS CANADA THEY APPROACH IT IN A DIFFERENT WAY. THERE IS NO CONSISTENCY AT ALL.

MR. CHAIRMAN: ALRIGHT. THE NEXT ITEM IS MOTION NO. 45. IT WAS MOVED BY COUNCILLOR MCKINNON, SECONDED BY COUNCILLOR CHAMBERLIST IT IS THE OPINION OF COUNCIL THAT THE LANDLORD AND TENANTS AND THE CONSUMERS PROTECTION ORDINANCES BE ENFORCED BY THE GOVERNMENT OF THE YUKON TERRITORY.

MR. CHAIRMAN: COUNCILLOR MCKINNON.

MR. TANNER: MR. CHAIRMAN, JUST BEFORE THE MEMBER SPEAKS THE COMMISSIONER DID AS MEMBERS WILL RECALL SAY HE WOULD LIKE TO SAY SOMETHING ON THIS PARTICULAR ORDINANCE.

MR. MCKINNON: AND THE LEGAL ADVISER.

MR. TANNER: AND THE LEGAL ADVISER. I THINK IT WOULD BE WISE TO GET THEM.

MRS. WATSON: MR. CHAIRMAN, POSSIBLY WE COULD GET THE LEGAL ADVISER IN FIRST.

MR. TANNER: I'VE CHECKED WITH THE COMMISSIONER, MR. CHAIRMAN.

MR. CHAIRMAN: MADAM CLERK WOULD YOU SEE AND IN THE INTERIM WE WILL MOVE TO MOTION NO. 49.

MR. STUTTER: MR. CHAIRMAN, I HAVE AN AMENDMENT PREPARED ON THAT BUT WOULD RESPECTFULLY ASK THAT IT JUST WAIT UNTIL AFTER COFFEE BREAK. I WILL NOT ASK FOR ANY DELAY BEYOND THAT POINT. IT NEEDS CLEANING UP JUST A LITTLE BIT.

MR. CHAIRMAN: THE COFFEE BREAK COMES UP AT 3:30. HERE, WE HAVE THE PEOPLE WITH US WE CAN PROCEED. WHERE WERE WE AT NOW - 45. COUNCILLOR MCKINNON WOULD YOU PROCEED?

Mr. McKinnon: Mr. Chairman, I've spoken on this and I was ready for question and other members wanted it moved into committee. Mr. Commissioner wanted the opportunity of stating his views and opinions in front of Council on the Motion - the enforcement of the Landlords and Tenants and the Consumers Protection Ordinance. I think I outlined it to him the other day. The one aspect of it being that as the Government offices and as the Government's inspection staff already do investigate the complaints why don't they go the one step further and if the complaint is valid lay the charge and take the complaint to court? The second one is when will this House be provided with a system of civil legal aid which would solve the question tomorrow? Then people with justifiable complaints under either of these Ordinances could go and seek legal advice without it costing them a pretty penny which we all know lawyers do.

That is the type of enforcement I am talking about. Not another office full of inspectors running around with the Consumers Protection and the Landlords and Tenants in their hands and going through all the businesses in Whitehorse. It is when there are legitimate, valid complaints under these Ordinances which there are, which the inspection branch of the Yukon Territorial Government has told people there are. Then comes the complete 'el foldo' because the only answer they can give anyone is go see a lawyer.

The person who has the complaint cannot go and see a lawyer because only the very rich can go and see a lawyer in the Yukon Territory or anywhere else. Where does the solution lie without the threats of increased bureaucracy and the increase of inspectorial staff?

As I say, your inspectors do this now - investigate these complaints. I've got reports in this file right here of complaints that they have done and they made the decision you don't have a case or you do have a case. If you do have a case go see a lawyer. If you don't agree with our analysis that you don't have a case go see a lawyer.

Mr. Commissioner: Mr. Chairman, could we have the benefit of other members' comments in connection with this thing. I personally am of the opinion that this is a pretty important thing. If the Government is going to become involved

in it as an intervener between the businessman and the customer we are getting into a pretty wide area here. I would like to hear the comments of other members around the table.

Mr. Chairman: Councillor Stutter, would you take the chair.

Mr. Chairman: Councillor Taylor.

Mr. Taylor: Mr. Chairman, when this was debated in the House I had no opportunity to speak on it - it was hussled into committee. I had made some notes on the matter and I feel very strongly about these two Ordinances. It took years, virtually years of asking by successive Councils for this legislation in the first place and it took a long, long fight to get it. It came into being more particularly the Consumer Protection Ordinance in 1971, as a result of public demand and public opinion. I admit, and it was pointed out in discussion that this, having been given the legislation, we started off reading it and we finally because of its complicated nature and assured that it was drafted from, I believe Manitoba, I'm not sure - and workable in that province we deemed it to have been read and brought it into law.

If you look at the Consumer Protection Ordinance you find out there are provisions in there for penalties for violating the Ordinance. It occurred to me that it would only take, I felt and I still feel until I am told otherwise, that it just merely needs probably one section put in there and it could be enforced quite easily by the Government of the Yukon Territory.

In any event, when we look back at consumer problems we find that the Consumers Association of Canada have, and continue to do a great deal of work for consumer protection. As a result of this the consumers in the Yukon, the people of the Yukon got together and formed a Consumers Association. They are doing a very good job, the very best of their ability, to assist the consumers. Not only in looking for prosecutions but attempting to see that the consumer gets a fair shake mostly by information. You will hear them on the radio all the time. You see them throughout the media giving little notes and tips on various things and so forth.

The reaction I have in conversation with people about the enforcement of this Ordinance is that this should be no great problem to the

GOVERNMENT. THE ONLY THING THAT THEY APPEAR TO SAY IS IF THE GOVERNMENT TAKES THE ATTITUDE WHICH THEY HAVE LATELY WITH THE INSPECTION SERVICES THAT THEY ARE GOING TO RUN OUT IN THE STREET, AS ONE HONOURABLE MEMBER HAS STATED, RUN DOWN AND TRY AND PROSECUTE PEOPLE FOR ANYTHING AND EVERYTHING, IT WILL NEVER WORK AND IT WILL BE VERY, VERY COSTLY. THIS IS NOT THE INTENT, I'M SURE, OF MOTION NO. 45.

AS I STATED, IF THE TERRITORIAL GOVERNMENT WOULD ACCEPT THE RESPONSIBILITY OF ENFORCING THESE ORDINANCES UPON COMPLAINT, I THINK YOU WILL FIND THAT YOU HAVE ONE THING THAT YOU HAVE OVERLOOKED HERE. THAT IS THE FACT THAT YOU DO HAVE THE YUKON CONSUMERS ASSOCIATION. THE YUKON CONSUMERS ASSOCIATION ARE ACTING AS A FILTER ON CONSUMER PROBLEMS. I WILL SAY THAT THE CONSUMER PROBLEMS THAT THE GOVERNMENT WOULD BE FACED WITH WOULD NOT BE AS GREAT INASMUCH AS YOU HAVE A CONSUMERS GROUP THAT ARE FILTERING THESE THINGS DOWN. I THINK THIS IS A POINT THAT SHOULD NOT BE OVERLOOKED BY THE GOVERNMENT OF THE YUKON TERRITORY.

WE WILL HAVE OF THIS THING WHAT WE MAKE OF IT. IF WE ENFORCE IT ON THE BASIS THAT IF THERE IS A LEGITIMATE CONSUMER COMPLAINT, IT CAN BE REFERRED TO INSPECTION SERVICES AND INSPECTION SERVICES SAY, "THIS IS A LEGITIMATE THING. IT IS FORWARDED TO US FROM THE CONSUMER ASSOCIATION. IT APPEARS LEGITIMATE. IT MAY BE THAT ONLY A WARNING WILL HAVE TO BE ISSUED TO THE PARTY WHO IS - MOST OF THE GRIEVANCES I'VE HEARD ARE DOOR TO DOOR SALESMAN. PEDDLERS. YOU DO A SERVICE AS A GOVERNMENT TO THE PEOPLE AS MUCH AS THE CONSUMERS ASSOCIATION IN BRINGING IT TO YOUR RECOGNITION BY GETTING OUT AND STOPPING THIS TYPE OF THING AND GIVING A WARNING. IF THE PERSON PERSISTS AFTER A WARNING THEN OF COURSE IT IS UP TO THE GOVERNMENT TO TAKE THEM TO COURT AND FINE THEM OR DO WHAT THEY WILL.

WE CANNOT TAKE THE RIGID STAND IN ENFORCEMENT THAT YOU ARE GOING TO RUN OUT - IT IS GOING TO COST A WHOLE BUNCH OF MONEY, WE NEED NEW INSPECTORS AND WE NEED ALL THIS. THIS IS NONSENSE. I CERTAINLY DON'T SEE IT AS OCCURRING THIS WAY.

PUBLIC DEMAND HAS CERTAINLY DECREED, DEMANDED CONSUMER LEGISLATION. WE AS THE COUNCIL OF 71 PROVIDED THE LEGISLATION. I THINK THE TIME HAS PROPERLY COME WHEN WE MUST ENFORCE IT. I GUESS FIRST OF ALL THE ADMINISTRATION MUST

PROVIDE FOR THE NECESSARY LEGISLATION TO ENFORCE BOTH THESE ORDINANCES AND THEY MUST FIND OUT OR ESTIMATE WHAT IN THEIR OPINION WOULD BE REQUIRED ADDITIONAL OVER THE OTHER COST TO GOVERNMENT IN ENFORCING THE ORDINANCES, THEN THEY MUST SIT DOWN AND MAKE A VERY RATIONAL POLICY IN TERMS OF THE ENFORCEMENT.

THOSE ARE MY OPINIONS ON IT. I SUPPORT THE MOTION AND I REALLY THINK IT HAS COME UPON THIS GOVERNMENT TO ENFORCE BOTH THESE ORDINANCES. THANK YOU, MR. CHAIRMAN. I WILL NOW RESUME THE CHAIR.

MR. CHAIRMAN: COUNCILLOR WATSON.

MRS. WATSON: MR. CHAIRMAN, I JUST HAVE A QUESTION I WOULD LIKE TO ASK. I DON'T KNOW WHICH ONE OF THE WITNESSES WILL BE ABLE TO ANSWER IT. IN CONSUMER LEGISLATION, I BELIEVE IT IS ALBERTA, THEY JUST BROUGHT IN CONSUMER DEPARTMENTS THIS PAST YEAR - I JUST DO NOT UNDERSTAND ENFORCEMENT OF CONSUMER LEGISLATION AND I HAVE A SNEAKY SUSPICION IT IS PRETTY COMPLICATED.

JUST AS OUR LABOUR ORDINANCE PROTECTS THE WORKER AGAINST THE EMPLOYER AND IT PROTECTS THE EMPLOYEE AND THE GOVERNMENT TAKES THE ACTION AGAINST THE EMPLOYER ON BEHALF OF THE EMPLOYEE. THERE IS CONSUMER LEGISLATION THAT PROTECTS THE CONSUMER AGAINST THE BUSINESSMAN. IN CONSUMER LEGISLATION IS THERE SOME PROTECTION GIVEN TO THE BUSINESSMAN ALSO?

ARE YOU GOING TO CREATE A BALANCE? IS THIS WHAT THE ENDEAVOUR IS? DO YOU TRY TO CREATE A BALANCE OR DO YOU PROVIDE PROTECTION TO THE BUSINESSMAN WHERE YOU MIGHT WIND UP COLLECTING HIS BAD DEBTS - HIS BILLS?

I THINK THIS IS ALL INVOLVED IN CONSUMER LEGISLATION. ALL OF THESE THINGS ARE MENTIONED IN THE LEGISLATION THAT WE HAVE IN OUR BOOKS TODAY. IF WE WANT TO ENFORCE IT IS THIS THE TYPE OF THING THAT WE ARE GOING TO GET INTO. I WONDER IF THE LEGAL ADVISER IS FAMILIAR WITH THE LEGISLATION IN ALBERTA AND B.C. AND WHETHER HE CAN INDICATE WHETHER THE LEGISLATION DOES PROTECT ONE PARTY - THE CONSUMER, OR WHETHER THERE IS IN THE LEGISLATION PROTECTION FOR BOTH PARTIES AND TO WHAT DEGREE?

MR. LEGAL ADVISER: MR. CHAIRMAN, THERE IS NOT PROTECTION FOR THE BUSINESSMAN. I THINK THE HOUSE MAY HAVE FORGOTTEN THAT IN THE ORIGINAL

PREPARATION OF THE CONSUMER PROTECTION LEGISLATION WHICH THE HOUSE HAS BEFORE IT, IT WAS QUITE TRUE TO SAY THAT IT WAS THE RESULT OF A LONG SERIES OF LETTERS FROM THE CONSUMERS ASSOCIATION AND OTHER INTERESTED PEOPLE TO THE GOVERNMENT ASKING FOR THIS TYPE OF LEGISLATION. THEY DID NOT KNOW PRECISELY WHAT THEY WANTED BUT THEY WANTED CONSUMER PROTECTION LEGISLATION INTRODUCED INTO THIS HOUSE.

THE COMMISSIONER AGREED TO MAKE IT PART OF GOVERNMENT POLICY SUBJECT TO A SINGLE CONDITION AND THAT WAS THAT THERE WAS TO BE NO ENFORCEMENT. THAT IS MADE CLEAR IN WRITING TO THE PEOPLE WHO REQUESTED THE LEGISLATION. HE TOLD THEM THAT IF THAT WASN'T THE CONDITION OF THE INTRODUCTION THEN THERE WOULD BE NO CONSUMER PROTECTION LEGISLATION INTRODUCED BY THE GOVERNMENT. THE CONDITION WAS ACCEPTED AND THE LEGISLATION WAS INTRODUCED INTO THIS HOUSE. THIS WAS ALSO MADE CLEAR TO THIS HOUSE.

THE PARENT OF THE LEGISLATION WAS THE MANITOBA LEGISLATION. THE REASON THAT THAT WAS USED WAS BECAUSE WE WROTE TO THE FEDERAL DEPARTMENT OF CONSUMER PROTECTION ON LEGISLATION AND ASKED THEM WHAT WAS THE BEST AND MOST MODERN LEGISLATION AT THAT TIME EXISTING IN CANADA AND THE BEST ONE TO TAKE AS A HEADLINE COPY. THEY TOLD US TO TAKE MANITOBA'S. WE TOOK THE MANITOBA LEGISLATION AS OUR BONDS WITH ONE SPECIFIC EXCEPTION. THERE IS A SPECIAL PART IN THE MANITOBA LEGISLATION AS THERE IS IN ALBERTA AND B.C. WHICH SETS UP A DEPARTMENT OR AT THAT TIME A MINI-DEPARTMENT WITHIN THE TERRITORIAL SECRETARY'S OFFICE, WHEREBY THERE WAS A PERSON TO BE CALLED AS THE DIRECTOR OF CONSUMER PROTECTION OR SOME OTHER TITLE. HE WAS TO HAVE THE DUTY OF ENFORCEMENT OF THIS LEGISLATION.

ENFORCEMENT COMES IN THIS LEGISLATION IN TWO DIFFERENT WAYS. THERE IS A BLOCK OF ENFORCEMENT WHICH REQUIRES CERTAIN TYPES OF PEOPLE CARRYING ON CERTAIN KINDS OF BUSINESS TO REGISTER OR TO CONFORM IN THEIR ADVERTISEMENTS TO CERTAIN RULES. WHEN GIVING CREDIT THEY MUST PUBLISH THE RULES RELATING TO THE CREDIT AND STAY WITH THAT WITHIN A CERTAIN FORMAT. IF THEY DON'T DO THESE THINGS THEN BECAUSE OF A CATCH-ALL SECTION AT THE BACK OF THE ORDINANCE IT MEANS THEY HAVE COMMITTED AN OFFENCE.

IN THE FIRST PLACE SO FAR AS THE GRANTING OF CREDIT IS CONCERNED BY THE VARIOUS CREDIT GRANTING COMPANIES IN THE TERRITORY, THERE COULD

BE SOME PERSON CHARGED WITH THE DUTY OF READING EVERY ADVERTISEMENT, OF STUDING EVERY FORM ISSUED IN RELATION TO ANY FORM OF CREDIT GRANTING. HE COULD THEN TAKE A DECISION AS TO WHETHER OR NOT IT DID CONFORM WITH THE RULES. HE WOULD NEED EITHER A LAWYER OR SOMEBODY WHO HAD A GOOD KNOWLEDGE OF LAW TO BE ABLE TO APPLY ORDINANCE.

IN THE SECOND PLACE WHEN A CONSUMER FINDS THAT HE BORROWS AT A RATE OF INTEREST WHICH IS OFFENDING THE ORDINANCE OR THE RULES HAVE NOT BEEN APPLIED TO HIM IN REGARDS TO TELLING HIM IN THE DOCUMENTS EXACTLY WHAT THE INTEREST RATE IS AND HOW IT IS TO BE CALCULATED. THE REMEDY THAT IS GIVEN TO HIM IS, AS A RULE THAT HE DOES NOT HAVE TO PAY THAT INTEREST OR HE DOES NOT HAVE TO PAY FOR THE GOODS OR HE CAN RETURN THE GOODS. THERE IS A SERIES OF FINER WAYS IN WHICH HE CAN OBTAIN OR REMEDY.

THE ALTERNATIVE WOULD BE, IF WE HAD A DEPARTMENT, TO COME TO THEM AND MAKE A COMPLAINT THAT CERTAIN THINGS HAD HAPPENED TO HIM CAUSED BY A BUSINESSMAN WHICH HAD RESULTED IN AN OFFENCE. IT THEN STARTS AN INVESTIGATION.

IT IS QUITE A DETAILED INVESTIGATION. IT MEANS THE ACTUAL SEEING OF THE FILES OF THE PEOPLE IN THE BUSINESS, CHECKING THAT THEY DO CERTAIN THINGS. THEN TAKING STATEMENTS FROM THE INDIVIDUAL, CHECKING THE WHOLE THING UP AND IF A REMEDY CANNOT BE OBTAINED HE THEN HAS TO BRING THE MATTER TO COURT. THIS IN TURN, BECAUSE OF OUR INSPECTION SYSTEM DOES NOT HAVE ANY TRAINED LAWYERS ACCESSIBLE TO IT TAKING PROSECUTION, IT MEANS SOMEONE MUST COME TO THE LEGAL DEPARTMENT, AT LEAST IN THE INITIATION OF THESE CASES. SOMEBODY MUST DRAFT A CHARGE, INTERVIEW THE WITNESSES, ARRANGE A DATE FOR THE PROSECUTION AND CARRY IT ON FROM THERE. THIS IS QUITE A TEDIOUS BUSINESS IN THE SENSE THAT IT OCCUPIES TIME OF A NUMBER OF OFFICES. THERE IS NO QUESTION IN MY MIND THAT IF WE DECIDE ACTIVELY TO ENFORCE THIS ORDINANCE WE WILL REQUIRE EXTRA STAFF AND TRAINED EXTRA STAFF BOTH IN THE INSPECTION DEPARTMENT AND IN THE LEGAL AFFAIRS DEPARTMENT. IT COULD ALSO INCREASE THE NUMBER OF CASES THAT ARE COMING TO COURT.

WE WILL NOT HAVE DONE VERY MUCH BECAUSE THE CONSUMER PROTECTION ORDINANCE WE HAVE HERE IS MAINLY GEARED TO PEOPLE WHO ARE DEALING ON CREDIT WITH VENDORS WHO ARE SELLING TO THEM ON CREDIT. IT DOES NOT TOUCH ANYTHING IN

RELATION TO THE QUALITY OF THE GOODS THEMSELVES, NOT THE PURPOSE FOR WHICH THE GOODS ARE OBTAINED, HOW THEY ARE USED, WHETHER OR NOT THEY CONFORM TO THE SPECIFICATIONS OF THE SAMPLE WHICH IS SUPPLIED, WHETHER OR NOT THEY COMPLY WITH THE ADVERTISEMENT. ALL THAT TYPE OF LEGISLATION IS WITHIN THE AREA OF THE FEDERAL GOVERNMENT OR IN RELATION TO SALE OF GOODS UNDER OUR SALE OF GOODS ACT.

OUR SALE OF GOODS ACT HAS BEEN ENFORCED HERE IN RELATION TO HOW GOODS ARE OBTAINED, THE VALUE YOU GET, THE PRICE YOU HAVE TO PAY. IT HAS BEEN ENFORCED HERE SINCE 1898 AND THERE HAS NEVER BEEN ANY MURMUR FROM ANYONE THAT THIS TERRITORY SHOULD TAKE OVER THE ENFORCEMENT OF THE SALE OF GOODS ACT. THE AVERAGE PERSON WOULD ONLY PURCHASE A COPY FOR ABOUT TEN CENTS FROM MR. TAYLOR'S OFFICE. IT IS THE FINEST CONSUMER PROTECTION IN THE WORLD. IT IS VERY, VERY MUCH SUPERIOR TO ANYTHING THAT HAS EVER BEEN PRODUCED AND IS FAR BETTER FROM THE CONSUMERS POINT OF VIEW THAN THE CONSUMERS PROTECTION THAT YOU HAVE HERE.

I DON'T WANT TO SPEAK ABOUT THE LANDLORD AND TENANT ACT AT THIS POINT BECAUSE THE WHOLE THRUST HAS BEEN IN RELATION TO CONSUMER PROTECTION. IT'S A REGULATORY ACT WHICH WOULD MEAN EXTRA STAFF TO PUT IT SERIOUSLY IN OPERATION AND WOULD INVOLVE OUR INSPECTORS IN A DAILY GRIND OF INSPECTING ALL THESE LOAN COMPANIES AND ALL THE CREDIT COMPANIES, ALL THE COLLECTION AGENCIES AND ALL THE BIGGER MERCANTILE STORES HERE. IT WOULD CERTAINLY REQUIRE ONE, TWO OR THREE STAFF TO TRY AND ENFORCE ANY DEGREE OF REASONABLENESS AND ANY DEGREE OF TACT. THE INSPECTION DEPARTMENT IS NOT VERY INCLINED TO UNDERTAKE THESE CHORES, BECAUSE QUITE FRANKLY, WHENEVER THEY GO SOMEWHERE WITH A PERSON WHO HAPPENED TO HAVE AN INPUT INTO ONE OF THE MEMBERS HERE, HE IS LIABLE TO GET HIT BACK TO THE SERIOUS COMPLAINTS. AND THEY'VE GOT TO GO SEE THEM IN AN EXTREMELY CAUTIOUS MANNER BECAUSE OF THE BASIC OBJECTION PEOPLE IN THIS TERRITORY HAVE TO ANY FORM OF INSPECTION, WHATSOEVER. CONSUMER PROTECTION LEGISLATION IS A VERY SERIOUS FORM OF INSPECTION.

MR. CHAMBERLIST: MR. CHAIRMAN, I WANT TO MAKE A STATEMENT AND MAKE IT VERY, VERY CLEAR. I BELIEVE THAT PASSAGE OF ANY ORDINANCE BY THIS LEGISLATIVE BODY AND ASSENT GIVEN TO IT BY THE COMMISSIONER AND THEN IT'S BEEN BROUGHT INTO FORCE BY THE COMMISSIONER, IMPOSES AN OBLIGATION UPON THE ADMINISTRATION TO ENFORCE THAT LEGISLATION. THAT IS THE KEY. NOW THE

HONORABLE MEMBER FROM CARMACKS-KLUANE, I THINK, ASKED A SOUND QUESTION WHEN SHE WAS TRYING TO GET THE ASSOCIATION OF THE REQUIREMENTS TO ENFORCE UNDER THE LABOUR STANDARDS ORDINANCE, AS IT RELATES TO OTHER ORDINANCES.

NOW, LABOUR STANDARDS ORDINANCE, LANDLORD AND TENANTS ORDINANCE, CONSUMER PROTECTION ORDINANCE OR ALL LEGISLATION THAT ARE OF A PEOPLE NATURE, PRIMARILY, TO PROTECT THE MAJORITY OF THE PEOPLE AGAINST STRETCHES OF THE LAW AS IT IS WRITTEN. AND I CANNOT BUT BRING FORWARD TO MEMBERS OF COMMITTEE, THE ASSOCIATION BETWEEN THE DIFFERENT ORDINANCES IN THIS PARTICULAR AREA THAT I'VE EXPLAINED. WHEN SECTION 41 OF THE LABOUR STANDARDS ORDINANCE WHICH DEALS WITH THE OFFENSIVES AND PENALTY SECTION, USING ALMOST THE IDENTICAL WORDS THAT ARE IN THE CONSUMER PROTECTION ORDINANCE.

SECTION 41 READS, "ONE, A PERSON WHO," THEN LAYS OUT THE THINGS THAT MUST NOT BE DONE, AND COMPLETES THE PARAGRAPH BY SAYING, "COMMITS AN OFFENSIVE AND IS LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING ONE THOUSAND DOLLARS"

THIS IS A CLEAR INDICATION OF A PENALTY.

MR. LEGAL ADVISER: WHAT SECTION DID YOU READ.

MR. CHAMBERLIST: SECTION 41, THE OFFENSIVES IN CANADA IN THE LABOUR STANDARDS ORDINANCE. NOW, WE JUST LOOKED AT THE CONSUMER PROTECTION ORDINANCE ON THE GENERAL PROVISIONS, SECTION 84, FIRSTLY INDICATES, AND I MENTIONED THIS HERE YESTERDAY, "NO ACTION LIES OR SHALL BE INSTITUTED AGAINST ANY OFFICER OR EMPLOYEE OF THE GOVERNMENT TO RECOVER ANY LOSSES OR DAMAGES ALLEGED TO HAVE BEEN SUFFERED AS A CONSEQUENCE OF ANY ACT OR OMISSION IN CONNECTION WITH THE ADMINISTRATION OF CARRYING OUT OF THIS ORDINANCE OR REGULATIONS."

NOW WITHIN THAT SUBSECTION ITSELF, IT SHOWS QUITE CLEARLY THAT THE LEGISLATIVE BODY HAS ASKED FOR THE ADMINISTRATION TO CARRY OUT THEIR RESPONSIBILITIES UNDER THIS ORDINANCE AND THE REGULATIONS. IF THAT WASN'T THE INTENT THERE WOULD BE NO NEED FOR IT TO BE IN THERE. NOW SECTION 85 USES THE WORDS THAT WE USED IN SECTION 41 OF THE LABOUR STANDARDS ORDINANCE. QUOTE, "ANY PERSONS WHO CONTRAVENES OR FAILS OR NEGLECTS TO COMPLY WITH ANY PROVISION OF THIS ORDINANCE OR THE REGULATIONS COMMITS AN OFFENSE AND IS LIABLE IN SUMMARY CONVICTION TO A FINE OF NOT MORE THAN ONE

THOUSAND DOLLARS PER FIRST OFFENSE AND FOR A FINE OF NOT MORE THAN TWO THOUSAND DOLLARS OR TO IMPRISONMENT FOR A TERM OF NOT MORE THAN THREE MONTHS FOR ANY SUBSEQUENT OFFENSE, ETC."

SO THAT CLEARLY INDICATES, THAT WHILE THERE ARE OFFENSES AND PENALTIES PROVIDED IN THE LABOUR STANDARDS ORDINANCE, WHICH HAS BEEN ENFORCED AND IS BEING ENFORCED BY THE TERRITORIAL ADMINISTRATION, YOU NOW HAVE HAD AN ORDINANCE WITH ALMOST THE IDENTICAL INDICATION OF PENALTIES AND OFFENSES WHICH IS NOT BEING ENFORCED BY THE ADMINISTRATION. THAT IS THE CONSUMERS PROTECTION ORDINANCE. IT IS PRETTY DIFFICULT FOR MEMBERS OF THIS COMMITTEE TO TRY TO UNDERSTAND HOW THE ADMINISTRATION CAN SAY, CONSUMER PROTECTION ORDINANCE IS A SELF-POLICING ORDINANCE WHEN THE SAME CONDITIONS THAT APPLY, AND THE SAME REQUESTS THAT HAVE BEEN MADE IN THAT LEGISLATION AS IN THE LABOUR STANDARDS LEGISLATION HAVE SHOWN UP.

LET'S JUST NOW GO FOR A MOMENT TO THE LANDLORD AND TENANTS ORDINANCE. NOW LET ME TIE THOSE CONDITIONS IN THERE WITH THE LANDLORD AND TENANTS ORDINANCE. THE LANDLORD AND TENANT ORDINANCE WAS AMENDED BY CHAPTER 20 OF THE ORDINANCE OF THE YUKON TERRITORY, 1974 (1ST SESSION), IT WAS ASSENTED TO ON MARCH 30TH, 1972. ONE OF THE MANY AREAS THAT'S WRONG IN THIS WHOLE LANDLORD AND TENANTS ORDINANCE, I THINK I BROUGHT THIS TO THE ATTENTION OF MR. LEGAL ADVISER, IS THAT THE LANDLORD AND TENANT ORDINANCE, THAT IS THE ONE WE HAVE IN OUR BLUE BOOK, SAID SO QUITE CLEARLY THAT ANY SUBJECT MATTER UNDER THAT ORDINANCE CAN ONLY BE TAKEN BEFORE A JUDGE OF THE TERRITORIAL COURT. AND I'M SURE MR. LEGAL ADVISER WILL NOT DISAGREE WITH ME, I'M TALKING ABOUT THAT ORIGINAL ORDINANCE.

THE AMENDMENTS MAKE PROVISION FOR CERTAIN AREAS WHERE YOU CAN GO BEFORE A MAGISTRATE. AT THE MOMENT THESE ARE AREAS OF THE COURT THEMSELVES, SEEING THE INADEQUACY OF THESE PARTICULAR AREAS, ARE ALLOWING PEOPLE TO MAKE COMPLAINTS AND GO THROUGH SMALL DEBT COURT ON MATTERS THAT SHOULD, ACCORDING TO LAW, NOT BE TAKEN THROUGH ANY OTHER COURT BUT THE SUPREME COURT OF THE YUKON TERRITORY. FOR INSTANCE, WHEN A LANDLORD IS APPLYING FOR SOMETHING UNDER SECTION 64(5) IT SAID, "A LANDLORD MAY APPLY TO A JUDGE, ETC" NOW WHERE A LANDLORD APPLIES TO A JUDGE, HE HAS TO APPLY TO THE SUPREME COURT OF THE YUKON TERRITORY.

WE HAVE PENALTIES WITHIN THE LEGISLATION BECAUSE YOU HAVE A SET-UP HERE WHERE ONE MUST EITHER GO FORWARD AND ONE CAN LOOK AT THE SCHEDULE OF FORMS IN CHAPTER 11 TO THE LANDLORD AND TENANTS ORDINANCE WHERE THE ORDER FOR A WRIT OF POSSESSION HAS TO BE MADE BY THE JUDGE OF THE TERRITORIAL COURT OF THE YUKON TERRITORY. THE SUMMONS OF EVICTION HAS TO BE MADE BY THE COURT AND SIGNED BY CLERK OF THE COURT, THE INTERPRETATION ORDINANCE MAKES IT QUITE CLEAR, THAT THE COURT IS THE SUPREME COURT OF THE YUKON TERRITORY. THE ORDER FOR POSSESSION IS BY THE SUPREME COURT OF THE YUKON TERRITORY. SO WE'RE FACED WITH THE POSITION WHERE A TENANT WHO HAS A GRIEVANCE IS UNABLE IN ANY EVENT, UNDER CERTAIN AREAS OF THE ORDINANCE ITSELF, TO GO TO A LOW COURT FOR ALL MATTERS DEALING WITH THE ORDINANCE, IF HE WANTED TO. BECAUSE THE LAW RESTRICTS HIM AS TO THE COURT THAT HE CAN GO TO.

IN ANY EVENT, AS I GAVE AN EXAMPLE, MR. CHAIRMAN THE OTHER DAY, IF A LANDLORD IMPROPERLY INCREASES A RATE FOR THE TENANT BY TEN OR FIFTEEN DOLLARS, HE WOULD HAVE TO GO, BECAUSE NOT MANY PEOPLE ARE CAPABLE OF DEALING WITH THE AREAS HIMSELF, WOULD HAVE TO GO TO A LAWYER TO TRY AND GET AN ORDER OF A LANDLORD WHO MAY GIVE HIM NOTICE OF EVICTION IF HE DOESN'T PAY HIS RENT WHICH IS ALSO ILLEGAL. BECAUSE IT TAKES THREE MONTHS BEFORE HE CAN BE EVICTED, HE'S GOT TO BE GIVEN THREE MONTHS NOTICE, BUT IN THE MEANTIME, WHAT HAPPENS? HE CAN'T SEEK ANY REDRESS.

NOW, MR. CHAIRMAN, WE HAVE LEGISLATION THAT IS QUITE CLEAR. I FALL BACK TO THE OPENING STATEMENT I MADE TODAY, THAT THE INTENT OF THIS LEGISLATION, IN THE PASSING OF ORDINANCES IS TO HAVE THE ADMINISTRATION ORDER, AND I'M USING THE WORD ORDER, THE LEGISLATION WHICH IS PASSED BY THIS HOUSE. AND THE QUESTION OF WHETHER IT COSTS MONEY TO DO THIS, THAT OR THE OTHER, SHOULD NOT BE PART OF THIS DISCUSSION, IN THE HOUSE AT THIS TIME. THE QUESTION MUST BE FIRST, WHETHER OR NOT IT IS A RESPONSIBILITY OF THE ADMINISTRATION TO ENFORCE THE LAW. THIS IS THE STAND THAT I WAS TO TAKE, THAT THE LEGISLATION MUST BE ENFORCED.

MR. CHAIRMAN: I'M WONDERING IF AT THIS TIME, WE COULD TAKE A TEN MINUTE ONLY BREAK.

RECESS

SAME AND YOU WILL NOTE THAT IT'S ON SUMMARY CONVICTION. SO THEREFORE, THERE IS NOTHING THAT PREVENTS THE ADMINISTRATION FROM PROCEEDING BY WAY OF PROSECUTION IN THE MAGISTRATE'S COURT AGAINST A PERSON THAT HAS BREACHED THE ORDINANCE. SO, YOU SEE, THIS IS THE POINT I MAKE. THE LEGISLATION IS THERE FOR THE ADMINISTRATION TO ENFORCE AND NOTWITHSTANDING THE REMARKS OF THE MEMBER FROM WHITEHORSE WEST ABOUT LEGAL AID BEING GRANTED, IT'S NOT NECESSARY FOR THAT BECAUSE THERE IS A PROVISION FOR SUMMARY CONVICTION. AND THIS PROVISION SHOULD BE DEALT WITH BY WAY OF THE ADMINISTRATION BRINGING FORWARD THE PROSECUTION IN EXACTLY THE SAME WAY THEY DO UNDER THE LABOUR STANDARDS ORDINANCE. THIS IS THE PROCEDURE THEY FOLLOW. IT IS NO DIFFERENT.

MR. LEGAL ADVISOR: MR. CHAIRMAN, IT'S BASICALLY IN THE LANDLORD AND TENANTS ORDINANCE WHICH WE HAVE CONTROL, IN ITS FIRST FOUR PARTS THE CONTRACTUAL RELATIONSHIPS OF LANDLORDS AND TENANTS AND ALL MATTERS IN THE FIRST FOUR PARTS IN AN ORDINANCE WHICH IS AT LEAST FIFTY YEARS OLD GO TO THE HIGH COURT BECAUSE OF THE PROVISIONS OF THE B.N.A. ACT AND THE YUKON ACT.

NOT BECAUSE OF THE PROVISIONS OF THIS HOUSE BECAUSE WE CANNOT HAVE THE APPOINTMENT OF A MAGISTRATE WHO WILL BE GIVEN POWERS DEALING WITH LAND ABOVE \$1,000. SO, WE'VE GOT TO ARTIFICIALLY PROVIDE IN SECTION 5 OF THE LANDLORD AND TENANTS ORDINANCE THAT THIS IS A CONTRACTUAL ARRANGEMENT AND IS NOT TO BE DEEMED TO BE A LAND RELATIONSHIP.

WHETHER THAT HAPPENS TO BE TRUE OR FALSE, I DON'T KNOW BUT IT HAS THE EFFECT OF TAKING PART V INTO THE MAGISTRATE'S COURT AND HE DOES DEAL WITH IT. BUT THERE IS NO QUESTION THAT THERE IS MERIT IN EXTENDING LEGAL AID TO PEOPLE WHO ARE IN A DISPUTE SITUATION WITH THEIR LANDLORD AND THEY CANNOT AFFORD THE NORMAL METHOD OF GOING TO A LAWYER WITH THEIR OWN PRIVATE RESOURCES.

I AM SURE THE COMMISSIONER WOULD HAVE EVERY SYMPATHY WITH AN EARLY EXTENSION OF THE LEGAL AID SYSTEM TO THIS AREA IF THERE IS A NEED EXPRESSED BY MEMBERS AND IF IT CAN BE DONE. I DON'T KNOW HOW THE FINANCES WILL BE ORGANIZED OR HOW THEY WILL BE DEALT WITH BUT IF THERE IS A NEED THEN I'M SURE THE COMMISSIONER WILL HAVE EVERY SYMPATHY IN AN EARLY EXTENSION OF THE LEGAL AID SYSTEM TO TRY AND PROVIDE SOME REMEDY IF THE REQUIREMENT EXISTS IN THIS AREA.

MR. MCKINNON: WELL, MR. CHAIRMAN, IF I COULD HAVE THAT COMMITMENT BY THE GOVERNMENT THEN THAT WOULD BE THE THRUST. MY MOTION WOULD BE SATISFIED. WE WOULD NO LONGER HAVE THE TYPE OF LETTER COMING FROM THE ADMINISTRATION SAYING, "MY OFFICERS HAVE LOOKED AT YOUR PROBLEM IN LIGHT OF THE ORDINANCE, HAVE A CLEAR UNDERSTANDING THAT IT WAS THE INTENTION OF THE COUNCIL THAT THE ORDINANCE PROVIDE MACHINERY WHEREBY A LANDLORD OR TENANT, AS THE CASE MAY BE, COULD TURN TO THE COURTS FOR PROTECTION OR ENFORCEMENT OF THEIR RESPECTIVE POSITION. IF YOUR SITUATION IS ONE TO WHICH THE ORDINANCE WOULD APPLY, YOUR LOGICAL RECOURSE IS TO THE COURTS. I HOPE THIS WILL ENABLE YOU TO ARRIVE AT A SATISFACTORY SOLUTION." BUT THE GOVERNMENT, ON A LEGITIMATE COMPLAINT WOULD FIND OUT WHETHER THAT COMPLAINT WAS JUSTIFIED. IF THE PERSON WANTED TO PROCEED WITH ACTION AND COULD NOT GO ON THEIR OWN POWER, THAT THE GOVERNMENT WOULD THEN PROVIDE THE NECESSARY FUNDING FOR THE COMPLAINT TO BE HEARD IN THE COURTS.

MR. LEGAL ADVISOR: DON'T TAKE ME AS BEING ON BEHALF OF THE GOVERNMENT. ALL I SAID WAS THAT THE COMMISSIONER WOULD PREFER TO CONSIDER THE MATTER AND MAY BE ABLE TO COME FORWARD WITH SOMETHING. OF COURSE, THE HOUSE MAY NOT BE SITTING, BUT IT MAY BE POSSIBLE TO ORGANIZE SOMETHING NOW THAT WE HAVE CIVIL LEGAL AID ACTUALLY COMING TO DO SOMETHING TO ACCELERATE IN THIS AREA. EXACTLY, WHAT WE HAVE GOT, I DON'T KNOW. OR HOW TO BE HANDLED, I DON'T KNOW. ALL I CAN SAY IS THAT THE COMMISSIONER WOULD PREFER TO LOOK INTO THE MATTER. BEYOND THAT I CAN'T SAY.

MR. CHAMBERLIST: MR. CHAIRMAN, MAY WE GET FROM THE ADMINISTRATION A DIRECT ANSWER THAT THEY ARE PREPARED TO ENFORCE THE LEGISLATION. ESPECIALLY, THE AREA WHICH DEALS SPECIFICALLY WITH THE PROSECUTION OF PEOPLE WHO BREACH THOSE SPECIFIC SECTIONS? WHETHER THERE IS A NORMAL DISPUTE BETWEEN A TENANT DEALING WITH A FEW DOLLARS, I'M NOT CONCERNED ABOUT THAT. BUT WHERE THERE IS A CLEAR-CUT INTIMATION THAT AS A RESULT OF AN INVESTIGATION MADE SUBSEQUENT TO AN INQUIRY OR A COMPLAINT BY A CITIZEN, THAT UPON SATISFYING THEMSELVES THAT THERE IS A LEGITIMATE COMPLAINT OF WHERE THERE HAS BEEN A BREACH OF THE LEGISLATION, CANNOT THE ADMINISTRATION SAY, "IT IS TIME THAT THE ADMINISTRATION HAS THE OBLIGATION, WHERE THERE ARE BREACHES OF SECTIONS 63, 64, 73, 74, 77 OR 87, WILL THEN PROSECUTE." THEN WE WILL KNOW THAT THE ADMINISTRATION IS PREPARED TO HONOUR THE LEGISLATION THAT HAS BEEN PASSED AND ASSENTED BY THE COMMISSIONER. THAT'S THE KEY THING. I



MR. CHAMBERLIST: MR. CHAIRMAN, DO I TAKE IT THEN FROM MR. COMMISSIONER'S ANSWER THAT HE HAS NO INTENTION OF COMPLYING WITH SECTION 88 OF THE LEGISLATION THAT DEFINES THE PARTICULAR AREAS WHICH UPON SUMMARY CONVICTION MAKE A PERSON GUILTY OF AN OFFENCE? IS HE SAYING, "NO, HE IS DISREGARDING THIS ON THE ADVICE OF MR. LEGAL ADVISOR?" MR. LEGAL ADVISOR HASN'T SAID THAT. PLEASE, I'M ASKING THE COMMISSIONER.

NOW PLEASE, I'M ASKING THE COMMISSIONER NOW, MR. LEGAL ADVISOR, LIKE EVERYBODY ELSE IN THIS COUNCIL AND IN THIS ADMINISTRATION, HAS BEEN PROTECTING THE COMMISSIONER. NOW FOR GOD'S SAKE LET HIM SPEAK FOR HIMSELF.

MR. CHAIRMAN: ORDER PLEASE.

MR. CHAMBERLIST: FOR GOD'S SAKE. IS THAT WRONG? LET HIM SPEAK FOR HIMSELF.

MR. CHAIRMAN: ORDER PLEASE. I WONDER IF WE COULD NOT GET HEATED IN THIS DEBATE OR WE WILL GET INTO ANOTHER SITUATION LIKE WE HAD YESTERDAY. COULD WE JUST HAVE IT ALL NICE, CALM AND COOL AND GET ON WITH THE BUSINESS.

MR. CHAMBERLIST: IT'S EASY TO BE NICE, CALM AND COOL, MR. CHAIRMAN. BUT IN THE FACE OF THE OBSTRUCTIONISM THAT THIS COUNCIL IS GETTING, IT IS PRETTY NEAR IMPOSSIBLE TO BE COOL. HERE IS A CLEAR CASE, MR. CHAIRMAN, OF LEGISLATION THAT HAS BEEN PASSED IN THE LIFE OF THIS COUNCIL MAKING PROVISION FOR CERTAIN OFFENCES TO BE CONSIDERED BY WAY OF PROSECUTION. I WOULD BE SATISFIED IF I CAN GET AN ANSWER ONE WAY OR THE OTHER WHETHER IT IS THE INTENTION OF THE ADMINISTRATION TO COMPLY WITH THE LEGISLATION. I REPEAT, ANY PERSON WHO CONTRAVENES SECTIONS 63, 64, 73, 74, 77 OR 87 IS GUILTY OF AN OFFENCE AND ON SUMMARY CONVICTION IS LIABLE TO A FINE NOT EXCEEDING \$1,000.00. DOES THE COMMISSIONER SAY AT THIS TIME THAT HE HAS NO INTENTION OF PROSECUTING WHERE THERE HAS BEEN A COMPLAINT TO SHOW THAT THERE IS A POSSIBLE CONTRAVENTION OF THESE SECTIONS. I WONDER, MR. CHAIRMAN, IF I CAN GET THE COMMISSIONER TO ANSWER THE QUESTION.

MR. CHAIRMAN: MR. COMMISSIONER.

MR. COMMISSIONER: WELL, MR. CHAIRMAN, I'M NOT COMMITTING MYSELF YES OR I'M NOT COMMITTING MYSELF NO. I HAVE SAID THAT WE ARE DEPENDENT UPON THE LEGAL ADVISOR'S ANSWER ON THIS PARTICULAR MATTER. I THINK THAT

WHAT HE HAS SAID CLEARLY WOULD INDICATE THE KIND OF ADVICE THAT HE WOULD GIVE THE ADMINISTRATION. ON THAT PARTICULAR POINT I HAVE NO FURTHER COMMENT.

MR. CHAIRMAN: COULD I HAVE YOUR DISPOSITION, WHAT IS IT YOU WISH TO DO NOW WITH MOTION NO. 45?

MR. MCKINNON: WELL, MR. CHAIRMAN, PASS IT. WE ARE HAVING THE ADMINISTRATION'S HALF-HEARTED CONCURRENCE THAT UNDER CERTAIN SECTIONS THEY ARE GOING TO BE ENFORCED. THAT IS WHAT I UNDERSTAND BY THE MOTION.

MR. TANNER: MR. CHAIRMAN, THAT'S NOT WHAT I UNDERSTAND HAS BEEN SAID. THERE ARE TWO THINGS THAT HAVE BEEN SAID. THE HONOURABLE MEMBER MENTIONED THE FIRST ONE AS FAR AS THE CONSUMER'S PROTECTION ORDINANCE IS CONCERNED. HE SAID, YOU KNOW, IF WE ARE GOING TO GO THE WHOLE HOG AS THE CONSUMERS WANT, THEN WE HAVE TO LOOK AT NEW LEGISLATION. AS FAR AS THE LANDLORD AND TENANTS ACT I UNDERSTOOD THE LEGAL ADVISOR TO SAY THAT ON THOSE AREAS THAT THE MEMBER FROM WHITEHORSE EAST HAS POINTED OUT, ON THAT PARTICULAR SECTION, ON EACH INDIVIDUAL CASE, A DECISION WILL HAVE TO BE MADE. THEN THE FURTHER THING THAT THE COMMISSIONER HAS SAID, WHICH WAS WHAT I UNDERSTOOD HIM TO SAY, IS THAT AS SOON AS LEGAL AID IS AVAILABLE, ONE OF THE THINGS THAT OBVIOUSLY HAVE TO BE APPLIED TO ARE THOSE PEOPLE MAKING COMPLAINTS TO THE GOVERNMENT WHO WANT TO GO AND PROSECUTE EITHER WAY. THAT'S ALL THAT HAS BEEN SAID. IF YOU PASS THAT MOTION AS IT PRESENTLY SITS, THAT'S GOING COMPLETELY AWAY FROM THOSE THREE PREMISES.

MR. COMMISSIONER: AND WOULD ENDEAVOUR, MR. CHAIRMAN, BRING FORWARD AS EARLY A DATE AS WE CAN THE IMPLICATIONS OF LEGAL AID AS THEY APPLY TO THE LANDLORD AND TENANTS ACT. AS IT STANDS AT THE MOMENT THE TOTAL LEGAL AID ORDINANCE WILL NOT BE AVAILABLE FOR SOME MONTHS. THE TOTAL FUNDING WILL NOT BE AVAILABLE UNTIL APRIL 1 OF 1975. THE COMMITMENT WILL BE TO TRY AND BRING FORWARD AS FAR AS WE POSSIBLY CAN THAT ASPECT OF LEGAL AID WHICH WOULD ASSIST COMPLAINANTS UNDER THE LANDLORD AND TENANT ORDINANCE.

MR. CHAMBERLIST: HE DOESN'T CARE ABOUT PEOPLE. THAT IS THE TROUBLE.

MR. MCKINNON: OKAY. NOW A PERSON COMES INTO

THE OFFICE TOMORROW. A PERSON COMES TO SEE ME. HE'S GOT WHAT I CONSIDER TO BE A VALID COMPLAINT UNDER THE LANDLORD AND TENANT ACT. HE'S BEEN IN AN APARTMENT FOR TWO MONTHS AND THE LANDLORD HAS JACKED THE RENT UP \$50.00 A MONTH. I SAY I'LL PHONE MR. WILSON OVER, VERY CO-OPERATIVE, VERY HELPFUL IN THESE TYPES OF COMPLAINTS. WITH ME HE HAS DONE A LOT OF INVESTIGATIVE WORK. I SAY I'M SENDING OVER MR. AND MRS. SO AND SO BECAUSE I THINK THEY HAVE JUST GOT A SHAFING FROM THEIR LANDLORD. HOW ABOUT INVESTIGATING IT TO SEE WHETHER THEY HAVE A VALID COMPLAINT OR NOT. THE INVESTIGATION IS DONE. NOW DOES MR. WILSON STILL HAVE TO SAY TO THE PERSON, AFTER THE DISCUSSION TODAY AND AFTER EVERYTHING IS THROUGH, THAT YOU HAVE GOT A VALID COMPLAINT; HE CAN'T DO IT UNDER THE TERMS OF THE ORDINANCE. TOUGH LUCK, WE CAN'T HELP YOU. GO SEE A LAWYER. OR ARE WE GOING TO HAVE MONEYS AVAILABLE WHEN THAT VALID COMPLAINT HAS ARISEN THAT THAT PERSON WILL BE INSTRUCTED THAT THEY CAN TAKE THEIR CASE TO A LAWYER AND NOT ON THEIR OWN HOOF

MR. LEGAL ADVISER: MR. CHAIRMAN, IN THAT KIND OF A CASE, WHAT THEY ARE REALLY LOOKING FOR IS LEGAL ADVICE. PROPERLY SPEAKING THERE IS A SPECIAL ARRANGEMENT UNDER THE LEGAL PROFESSIONS ACT THAT LEGAL ADVICE IS ONLY SUPPOSED TO BE GIVEN BY LAWYERS. SO IF WE SET UP MR. WILSON TO BE GIVING LEGAL ADVICE, WE WOULD BE DOING SOMETHING WHICH IS WRONG. WHAT THEY ARE SAYING IS; "THE LANDLORD HAS INCREASED MY RENT. WILL I PAY IT?" THAT'S REALLY LEGAL ADVICE THEY ARE LOOKING FOR. PROPERLY SPEAKING, BECAUSE IT HAPPENS TO BE SUCH AN EASY QUESTION TO ANSWER, HE WILL TELL THEM: "IF YOU WERE THERE, HE HAD NO RIGHT TO INCREASE THE RENT FOR THE FIRST YEAR." HE WILL SELL THEM FOR TEN CENTS A COPY OF THE LANDLORD AND TENANT SECTIONS ON THAT. THAT'S PROBABLY WHAT HE WOULD NORMALLY DO, BEING A CALM AND SENSIBLE PERSON. BUT REALLY HE SHOULD NOT BE DOING THAT BECAUSE THAT IS LEGAL ADVICE. IF IT IS ANYTHING MORE COMPLICATED THAN THAT, HE SHOULD SEND THEM DOWN AND SAY, IF WE CAN ACCELERATE THE LEGAL AID SCHEME, AND SAY: "IF YOU CAN AFFORD A LAWYER, YOU SHOULD GO AND SEE A LAWYER. IF YOU CANNOT (AND HE WOULD CHECK IT OUT) THEN WE WILL ACCEPT A BILL FROM A LAWYER FOR GIVING YOU LEGAL ADVICE IN RELATION TO THIS PROBLEM." IF THEY ARE BEING UNLAWFULLY THROWN OUT, AN OFFENCE HAS BEEN COMMITTED. THEN IT IS AN INVESTIGATION INTO AN OFFENCE. IT'S NOT GIVING

LEGAL AID TO AN INDIVIDUAL. THEY ARE QUITE SEPARATE AND DISTINCT MATTERS; JUST AS IF A PERSON BORROWS A CAR FROM YOU AND DOESN'T RETURN IT, THAT'S A BORROWING AND IT IS A CIVIL MATTER. WE DON'T SEND A POLICEMAN DOWN TO RECOVER IT. IF, HOWEVER, IT IS TAKEN WITHOUT YOUR PERMISSION IT IS A QUESTION FOR THE POLICE TO DO SOMETHING. THEY WILL CHARGE THE PERSON WITH THEFT OF THAT CAR. THEY ARE QUITE DISTINCT THINGS AND WILL HAVE TO BE HANDLED DIFFERENTLY. EACH ONE MUST BE APPROACHED AS AN INDIVIDUAL CASE AND EXAMINED FROM THAT POINT OF VIEW. IT'S HARD TO LAY DOWN RULES.

MR. MCKINNON: WILL THE INDIVIDUAL BE HELPED WHEN HE GOES TO THE GOVERNMENT OFFICE WHICH IS NOT BEING DONE NOW? YES OR NO?

MR. LEGAL ADVISER: SO FAR AS IT IS POSSIBLE, YES. BUT THERE ARE SOME WAYS WHEN WE CANNOT DO IT WITHOUT BREAKING THE LAW OURSELVES.

MR. CHAMBERLIST: OH COME ON. THAT'S RIDICULOUS.

MR. COMMISSIONER: MR. CHAIRMAN, INsofar AS THIS CONSUMER PROTECTION THING IS CONCERNED, I AM PERSONALLY OF THE OPINION THAT THE BUSINESS COMMUNITY IS JUST ABOUT GETTING HARRASSED OUT OF ITS MIND AT THE PRESENT TIME. FOR US TO UNDERTAKE AMENDMENTS TO THE LEGISLATION TO BRING THIS CONSUMER'S PROTECTION THING INTO THE LEVEL OF SOPHISTICATION WHICH APPARENTLY WAS ORIGINALLY TALKED ABOUT AROUND THE TABLE HERE IS JUST BEYOND OUR CAPABILITIES. THAT'S ALL THERE IS TO IT. WE NOT ONLY CAN'T GET THIS LEGISLATION TOGETHER IN FIVE MINUTES; WE CANNOT EVEN RECRUIT THE STAFF TO DEAL WITH THE INSPECTION SERVICES WE ARE COMMITTED TO NOW. WE ARE HARRASSING THE BUSINESS COMMUNITY OUT OF ITS COTTON-PICKING MIND.

NOW THE SECOND THING CONCERNING THIS LANDLORD AND TENANT THING. I PERSONALLY HAVE A HECK OF A LOT OF SYMPATHY FOR THE PERSON WHO HAPPENS TO BECOME A VICTIM OF A SET OF CIRCUMSTANCES WHICH PLACE HIM IN A COMPLETELY AND TOTALLY TERRIBLE POSITION. HE COMES AND READS A PIECE OF LEGISLATION AND THINKS AND FEELS THAT HE HAS SOME KIND OF PROTECTION UNDER THAT LEGISLATION, AND THEN FINDS, AS THE HONOURABLE MEMBER HAS POINTED OUT, THAT HE HAS TO APPEAR BEFORE THE SUPREME COURT OF THE YUKON TERRITORY IN ORDER TO GET SOME EFFECT GIVEN TO THE CONCEPT THAT IS CONTAINED WITHIN THAT LEGISLATION.

I AM PREPARED TO DO AS THE LEGAL ADVISER HAS SAID. I WILL SEEK THE CONCURRENCE OF MY COLLEAGUES AND THE EXECUTIVE COMMITTEE, AND ATTEMPT TO BRING FORWARD THAT ASPECT AT AN EARLY DATE. IMPLEMENT THAT ASPECT OF THE LEGAL AID SCHEME WHICH WOULD ASSIST THOSE PARTICULAR CASES WHICH WOULD QUALIFY.

MR. CHAIRMAN: MAY I HAVE YOUR DIRECTION AS TO MOTION NO. 45?

MR. STUTTER: MR. CHAIRMAN, WITH THE COMMITMENT SUCH AS THE ONE THAT WE HAVE JUST NOW GOT, I WOULD PERSONALLY PREFER THAT WE DID NOT HAVE TO VOTE ON THAT MOTION. AS FAR AS I AM CONCERNED THE MOTION IS FAR TOO SWEEPING AT THIS TIME. YOU ARE GOING INTO THE AREA THAT WE ARE BEING WARNED NOT TO GO INTO BECAUSE OF THE DEPTH OF THE CONSUMER ASSOCIATION OR THE CONSUMER PROTECTION ORDINANCE. JUST SPEAKING PERSONALLY, NOW I REALIZE THAT THINGS IN A RURAL AREA ARE NOT QUITE THE SAME AS THEY ARE HERE IN WHITEHORSE, BUT I HAVE NEVER HAD ONE SINGLE COMPLAINT ON THE CONSUMER PROTECTION ORDINANCE. HOWEVER, THERE HAVE BEEN THREE OR FOUR ON THE LANDLORD AND TENANT ORDINANCE. IN EACH CASE I HAVE BEEN ABLE TO RESOLVE THAT.

THE REASON THAT THE QUESTIONS CAME UP IN THE FIRST INSTANCE WAS THAT THE PEOPLE DID NOT EVEN HAVE A COPY OF THE ORDINANCE AND WERE NOT FAMILIAR WITH IT. IN EACH CASE I WAS ABLE, BY REFERRING TO THE PROPER SECTIONS OF THE ORDINANCE, TO MUTUALLY RESOLVE THE PROBLEM BETWEEN THE TENANT AND THE LANDLORD. THERE WAS NO FURTHER ACTION IN THOSE PARTICULAR CASES.

I THINK AT THIS PARTICULAR TIME TO SUPPORT THAT MOTION, THE WAY IT IS WORDED, IS ALTOGETHER FAR TOO SWEEPING, PARTICULARLY IN LIGHT OF THE REMARKS THAT HAVE BEEN MADE BY THE COMMISSIONER AND THE LEGAL ADVISER. WHILE I AM ON MY FEET I WOULD LIKE TO SAY THAT IF THAT MOTION IS NOT CARRIED, IT'S BEEN INDICATED BY THE MEMBER FROM WHITEHORSE WEST THAT HE WILL COME IN WITH ANOTHER MOTION TO GET THOSE TWO PIECES OF LEGISLATION OFF THE BOOKS. TO ME THAT WOULD BE A REAL MISTAKE BECAUSE OF GOING BACK TO THE ORIGINAL REQUEST OF THE CONSUMERS ASSOCIATION FOR LEGISLATION AS WE NOW HAVE IT, AND WITH THE COMMITMENT ON THEIR PART THAT THERE WAS NOT NECESSARILY TO BE AN ENFORCEMENT CLAUSE IN IT. NOT CLAUSE BUT I MEAN ENFORCEMENT BY

THE GOVERNMENT.

MR. CHAIRMAN: MAY THE CHAIR HAVE SOME DIRECTION IN THIS MATTER?

MR. TANNER: MR. CHAIRMAN, I WOULD ASK THE MEMBERS WHO MOVED AND SECONDED THIS MOTION THAT THEY GOT A PRETTY SUBSTANTIAL COMMITMENT OUT OF THE GOVERNMENT, PARTICULARLY FROM THE COMMISSIONER AND FROM THE LEGAL ADVISER. THERE IS OBVIOUSLY GOING TO BE AN ATTEMPT MADE TO IMPROVE THE SITUATION. I WOULD ASK THEM TO WITHDRAW THE MOTION, IF THEY WOULD SEE FIT.

MR. MCKINNON: THAT'S WHAT I UNDERSTAND BY ENFORCE. THE COMMISSIONER NOW, AND MR. LEGAL ADVISER, HAVE GIVEN INDICATION THAT FOR THE FIRST TIME THE LANDLORD AND TENANT ACT IS GOING TO BE ENFORCED. THAT'S EXACTLY WHAT I UNDERSTAND BY ENFORCEMENT IN THE MOTION. WHY SHOULD I WITHDRAW THE MOTION? I'M HAPPY TO PRESENT IT TO COUNCIL. I'M HAPPY THAT I GOT COMMITMENT FROM THE ADMINISTRATION TO DO WHAT I UNDERSTAND BY THE ENFORCEMENT OF IT. I WOULD BE CRAZY TO WITHDRAW IT WHEN I'VE ALREADY GOT THE COMMITMENT THAT THEY ARE GOING TO GO AHEAD AND ENFORCE IT FOR THE FIRST TIME.

MR. STUTTER: MR. CHAIRMAN, AT THAT POINT THEN I WOULD LIKE TO ASK A QUESTION OF MR. LEGAL ADVISER. WITH THE PASSAGE OF THAT MOTION, DOES IT DO ANYTHING MORE THAN BRING ABOUT THE COMMITMENT THAT YOU YOURSELF AND THE COMMISSIONER HAVE MORE OR LESS UNDERTAKEN AT THIS POINT?

MR. CHAMBERLIST: AS LONG AS IT DOES THAT, THAT IS ALL WE ARE CONCERNED ABOUT.

MR. LEGAL ADVISER: IN MY VIEW, MR. CHAIRMAN, THE MOTION IS TOO STRONG AND WOULD COMMIT US TO QUITE A PROGRAM OF RECRUITMENT AND ENFORCEMENT AND EVERYTHING ELSE. AS I UNDERSTAND IT THE GOVERNMENT IS NOT PREPARED TO SET UP A SPECIAL DEPARTMENT OR A SPECIAL GROUP OF PEOPLE, OTHER THAN WHAT WE HAVE GOT ALREADY, TO CARRY OUT THIS TYPE OF ENFORCEMENT.

MR. MCKINNON: MR. CHAIRMAN, I DON'T WANT THE GOVERNMENT TO SET UP A SPECIAL DEPARTMENT. I DON'T WANT THEM TO HIRE THREE OR FOUR MORE STAFF. WHAT I UNDERSTAND BY ENFORCEMENT IS WHAT YOU HAVE BEEN TELLING ME. IF YOU DON'T DO ANYTHING ELSE, I AGREE YOU'VE DONE SOMETHING. GOOD. THAT'S WHAT I UNDERSTAND BY ENFORCING. I DON'T WANT YOU TO GO OUT WITH AN ARMY OF INSPECTORS WITH A COPY OF THE CONSUMERS ORDINANCE UNDER YOUR ARMS AND THE LANDLORD AND

TENANT ORDINANCE AND GO INTO EVERY BUSINESS IN TOWN AND SAY: "YA YA YOU MIGHT BE BREACHING THIS AND BREACHING THAT." I DON'T WANT IT AT ALL. THAT'S NOT WHAT I UNDERSTAND. YOU UNDERSTAND - I'M THE GUY WHO MADE THE MOTION. I'LL TELL YOU WHAT I UNDERSTAND FROM IT. THAT'S WHAT I UNDERSTAND YOU HAVE BEEN SAYING SO WITH THE PASSAGE OF THE MOTION YOU DO THAT. I'M HAPPY, THE CONSUMERS ARE HAPPY, THE TERRITORIAL COUNCIL SHOULD BE HAPPY. EVERYBODY SHOULD BE HAPPY. NOW YOU ARE PUTTING WORDS INTO MY MOUTH THAT THIS IS WHAT I WANT. IT'S NOT WHAT I WANT. I'M TELLING YOU WHAT I UNDERSTAND BY ENFORCEMENT, WHAT I MEAN BY THE MOTION. I'M GOING TO ASK THE MOTION TO STAND ON THOSE TERMS.

Mr. TANNER: Mr. CHAIRMAN, I WONDER IF THE MEMBER HAS THOUGHT OF WHAT THE REACTION ON THE STREET WILL BE TO THAT MOTION. ARE THEY BEING DECEIVED? NOT INTENTIONALLY BUT ARE THEY MISINTERPRETING WHAT THE FORCE OF THE MOTION IS?

Mr. CHAMBERLIST: I DON'T THINK SO.

Mr. McKINNON: Mr. CHAIRMAN, LIKE THE HONOURABLE MEMBER FROM DAWSON CITY SAID, THE MAJORITY, THE VAST MAJORITY OF MY COMPLAINTS HAVE BEEN IN THE FIELD OF THE NON-ENFORCEMENT OF THE LANDLORD AND TENANT ACT. NOW THAT IS GOING TO BE ENFORCED WHICH IS EXACTLY WHAT THE TERMS OF THE MOTION ARE THOSE PEOPLE WHO HAVE BEEN SO DISSATISFIED AND SO UNHAPPY BECAUSE OF THE NON-ENFORCEMENT OF IT, WILL BE SATISFIED. I WANT THEM TO KNOW THAT THE GOVERNMENT HAS COME AROUND TO THE THINKING OF THE MAJORITY OF THE WISHES OF COUNCIL, HOPEFULLY THAT THEY ARE GOING TO HAVE THE LANDLORD AND TENANT ACT SUPPORTED AND ENFORCED WHERE THEY HAVE BEEN WRONG.

Mrs. WATSON: Mr. CHAIRMAN, YOUR MOTION SAYS THE ENFORCEMENT OF THE CONSUMERS PROTECTION ORDINANCE. IT'S ALL ENCOMPASSING. MAYBE YOU WOULD LIKE TO TAKE SOME OF THAT OUT SO THAT WE ARE VOTING ON WHAT EXACTLY WAS SAID. IS THE OPINION OF COUNCIL THAT THE LANDLORD AND TENANT ORDINANCE BE ENFORCED? MAYBE YOU WOULD LIKE TO LEAVE THE OTHER OUT.

Mr. McKINNON: I CAN AMEND THE MOTION. ANYBODY CAN AMEND THE MOTION.

Mr. STUTTER: Mr. CHAIRMAN, THAT'S EXACTLY THE POINT I WAS TRYING TO MAKE. THE MOTION,

AS WORDED, IS JUST ALTOGETHER TOO FAR SWEEPING. I'M SURE THE MEMBER FROM WHITEHORSE WEST HIMSELF, AS HE HAS JUST INDICATED, HE DOESN'T WANT THE GOVERNMENT TO GET INTO

THESE ENFORCING AREAS. HE DOESN'T WANT THE GOVERNMENT TO BE PLACED INTO A POSITION AGAIN WHEREBY FROM THE WISHES OF COUNCIL THEY ARE GOING TO HAVE TO HARRASS PEOPLE MORE. THEY ARE GOING TO HAVE TO SEND MORE INSPECTORS OUT. HE DOESN'T WANT THAT. NEITHER DO I. THAT IS THE MAIN REASON WHY I CANNOT SUPPORT THE MOTION THE WAY IT IS WORDED BECAUSE THAT IS WHAT WE ARE ASKING THE GOVERNMENT TO DO.

Mr. TANNER: Mr. CHAIRMAN, IN THAT CASE I WOULD MOVE AN AMENDMENT TO MOTION NO. 45 DELETING THE WORDS "AND THE CONSUMERS PROTECTION ORDINANCE". I BEG YOUR PARDON, DELETING THE WORDS "AND THE CONSUMERS PROTECTION", (TAKING THE "S" OFF ORDINANCES). HOW'S THAT? SO THEN IT WILL READ: "IT IS THE OPINION OF COUNCIL THAT THE LANDLORD AND TENANT'S ACT - ORDINANCE BE ENFORCED BY THE GOVERNMENT OF THE YUKON TERRITORY."

Mr. CHAIRMAN: IS THERE A SECONDER?

Mr. CHAMBERLIST: Mr. CHAIRMAN, I CAN'T HELP BUT RECOGNIZE HOW OBJECTIONABLE THE HONOURABLE MEMBER FROM CARMACKS-KLUANE HAS BECOME. ANY PIECE OF ANY MOTION BROUGHT FORWARD BY MEMBERS OF THIS TERRITORIAL COUNCIL IS NOW BEING DESTROYED BY HER BECAUSE SHE HAS PLACED HERSELF ABSOLUTELY ON THE SIDE OF THE ADMINISTRATION, FORGETTING COMPLETELY THAT SHE MUST BE PART AND PARCEL OF THIS LEGISLATIVE BODY. I THINK THAT THE HONOURABLE MEMBER FROM WHITEHORSE NORTH, WHEN HE MOVES A MOTION, HE SEES A PARTICULAR POINT. IT'S ALREADY BEEN EXPLAINED THAT THE CONSUMER'S PROTECTION ORDINANCE DIDN'T RELATE TO MANY OF THE THINGS THAT PEOPLE ARE APPARENTLY CONCERNED WITH. THIS IS BEING DROPPED OUT. NOW THERE IS OBJECTION COMING FROM THE MEMBER FROM CARMACKS-KLUANE. THE SIMPLE POSITION THAT AT LEAST WE DEAL WITH THE ORDINANCE THAT IS GETTING MOST COMPLAINTS. HER ATTITUDE NOW HAS BECOME - SHE'S BECOME UNBEARABLE OVER THE LAST YEAR OR SO. BUT SHE'S NOW - HER ATTITUDE HAS BECOME COMPLETELY UNBEARABLE. I WISH SHE WOULD USE A LITTLE BIT OF COMMON SENSE AND PERHAPS LISTEN TO - - -

Mrs. WATSON: Mr. CHAIRMAN, ON A POINT OF ORDER, MAYBE THIS IS THE TIME THE CHAIRMAN COULD EXERCISE SOME OF THE ORDER HE EXERCISES SO FREELY WITH OTHER MEMBERS.

MR. CHAIRMAN: I WILL NOT CHOOSE TO ACCEPT THOSE REMARKS IN THE WAY I THINK THEY WERE INTENDED. YESTERDAY WE WENT THROUGH ONE OF THESE ROUTES ON UNPARLIAMENTARY LANGUAGE AND DEBATE THAT WAS INTENDED TO RAISE A LITTLE HEAT. I WONDER IF WE CAN GET AWAY FROM THAT. WE HAVE A SHORT PERIOD OF TIME AND SHOULD ATTEMPT TO SIT DOWN AND RATIONALLY DISCUSS THINGS. IF WE COULD STAY AWAY FROM THE PERSONALITY CONFLICTS, STAY WITH THE BUSINESS. NOW A MOTION WAS PROPOSED. THERE WAS NO SECONDER SO THERE IS NO MOTION. MAY I KNOW WHAT YOU WISH TO DO WITH MOTION No. 45?

MR. TANNER: MR. CHAIRMAN, I DID PROPOSE AN AMENDMENT TO THE MOTION. COULD I ASK IF

MR. STUTTER: I PROPOSE AN AMENDMENT TO THE MOTION. COULD I ASK IF THERE IS A SECONDER?

MR. CHAIRMAN: I HAVE ALREADY ASKED.

MR. STUTTER: MR. CHAIRMAN, I AM PREPARED TO SECOND THAT MOTION AND I AM QUITE SURE OF THE AMENDMENT. I AM QUITE SURE NOW THAT MAYBE OTTAWA DOESN'T READ VOTES AND PROCEEDINGS BUT CERTAINLY THE ADMINISTRATION HERE MUST FROM TIME TO TIME READ THEM. THEY KNOW EXACTLY HOW FAR THIS COUNCIL IN THIS PARTICULAR INSTANCE WANT TO GO IN THE ENFORCEMENT OF THE LANDLORD TENANTS ORDINANCE. I THINK THE MEMBER EVEN FROM WHITEHORSE WEST IS QUITE PREPARED IN ACTUAL FACT TO ACCEPT THE COMMITMENT THAT HAS BEEN MADE BOTH BY MR. LEGAL ADVISER AND THE COMMISSIONER. REALLY ALL WE ARE DOING IS JUST SEELING THEIR OWN DOOM OR SEELING THEIR OWN COMMITMENT IN THIS CASE BY THE PASSAGE OF THAT ORDINANCE. I THINK THE INTENT OF IT IS QUITE CLEAR AND I WILL BE QUITE PLEASED TO SECOND THE AMENDMENT.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR TANNER SECONDED BY COUNCILLOR STUTTER THAT THE WORDS "AND THE CONSUMER'S PROTECTION" BE DELETED FROM MOTION No. 45. ARE YOU PREPARED FOR THE QUESTION.

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. CHAIRMAN: ARE YOU AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. CHAIRMAN: I SHALL DECLARE THE MOTION CARRIED.

MOTION CARRIED

MRS. WATSON: MR. CHAIRMAN I WOULD LIKE MY DISAGREEMENT NOTED. WHEN PEOPLE REFER TO THE GOVERNMENT IN RESPECT TO HARASSING THE LANDLORDS I WOULD LIKE TO HAVE IT NOTED THAT I DISAGREED.

MR. CHAIRMAN: I'M SURE IT WILL BE NOTED IN VOTES AND PROCEEDINGS HAVING BEEN STATED. THE NEXT QUESTION WE HAVE NOW IS MOTION No. 45 AS AMENDED. ARE YOU PREPARED FOR THE QUESTION?

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. CHAIRMAN: ARE YOU AGREED.

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. CHAIRMAN: I SHALL DECLARE THAT THE MOTION HAS CARRIED.

MOTION CARRIED

MR. CHAIRMAN: MAY WE NOW PROCEED TO THE ASSOCIATION FOR CHILDREN WITH LEARNING DISABILITIES.

MR. STUTTER: MR. CHAIRMAN, IF COMMITTEE WOULD AGREE RATHER THAN GOING THROUGH THE FORMALITY OF AMENDMENTS AND EVERYTHING ELSE, IF THEY WOULD PERMIT ME TO HAVE MYSELF AND THE SECONDER TO WITHDRAW THAT ORIGINAL MOTION.

I NOW HAVE ANOTHER ONE IN ITS PLACE THAT I AM QUITE PREPARED TO DISTRIBUTE TO MEMBERS.

SEVERAL HONOURABLE MEMBERS AGREE.

MR. STUTTER: MADAM CLERK I WONDER IF YOU COULD...

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR TAYLOR THAT THE ADMINISTRATION PREPARE A LONG TERM PROPOSAL FOR THE EDUCATION AND TREATMENT OF PHYSICALLY AND MENTALLY HANDICAPPED CHILDREN IN THE YUKON TERRITORY. FURTHERMORE IT IS RECOMMENDED BY THIS COUNCIL THAT SOME PROVISION BE MADE IN THE 1975-76 BUDGET ESTIMATES FOR THE IMPLIMENTATION OF THE PRELIMINARY STAGES OF THIS PROPOSAL. ANY DISCUSSION ON THE MOTION. ARE YOU PREPARED FOR THE QUESTION.

SEVERAL HONOURABLE MEMBERS: QUESTION.

MR. CHAIRMAN: AGREED?

SEVERAL HONOURABLE MEMBERS: AGREED.

MR. CHAIRMAN: I SHALL DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. CHAIRMAN: THE NEXT ITEM IS MOTION NO. 49 ON THE TRANSFER OF FUNDS.

MR. STUTTER: Yes, MR. CHAIRMAN, I HAVE AN AMENDMENT HERE THAT, I WILL HAVE IT DISTRIBUTED TO MEMBERS FIRST. THEN I THINK I WOULD LIKE TO TALK TO IT.

MR. CHAIRMAN: MADAM CLERK WOULD YOU DISTRIBUTE THESE.

MR. STUTTER: INCIDENTALLY, THIS AMENDMENT IS SECONDED BY COUNCILLOR TANNER ALTHOUGH HIS NAME DOES NOT APPEAR ON IT.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR STUTTER, I BELIEVE, SECONDED BY COUNCILLOR TANNER THAT MOTION NO. 49 BE AMENDED BY DELETING ALL OF THOSE WORDS AFTER "IT IS THE OPINION OF COUNCIL" THAT "CONCERNING WHEREAS THE COST OF GASOLINE IN THE YUKON TERRITORY RANGES FROM 69¢ TO 95¢ PER GALLON AND WHEREAS THE COST OF HEATING OIL IN THE YUKON TERRITORY RANGES FROM 48¢ TO 63¢ PER GALLON AND WHEREAS THE ANNUAL HOUSEHOLD CONSUMPTION OF HEATING OIL IS IN EXCESS OF 12,000 GALLONS AND WHEREAS THE PRESENT TOTAL ANNUAL CONSUMPTION OF FOSSIL FUELS IN THE YUKON TERRITORY IS 48.3 MILLION GALLONS THEREFORE BE IT RESOLVED THE TERRITORIAL GOVERNMENT IN CONSULTATION WITH THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT EXAMINE THE ECONOMICS AND DESIRABILITY OF OTHER MODES OF TRANSPORTING FOSSIL FUELS SUCH AS THE REFURBISHING AND REUSE BY THE TERRITORIAL GOVERNMENT OF THE HAINES-FAIRBANKS PIPELINE AND BE IT FURTHER RESOLVED THAT THE MINISTER BE REQUESTED TO PETITION THE TREASURY BOARD TO LOAN SUFFICIENT FUNDS TO THE YUKON TERRITORIAL GOVERNMENT TO ESTABLISH SUCH ALTERNATIVE MODES OF TRANSPORTING THE TERRITORIAL FUEL NEEDS AS THE PROPOSED EXAMINATION WILL WARRANT.

MR. STUTTER: MR. CHAIRMAN, THE SUGGESTION FROM MY LEFT IS THAT IT IS AN ENTIRELY NEW MOTION. I WOULD LIKE TO DRAW MEMBERS ATTENTION TO MOTION NO. 49, THE ORIGINAL ONE. THE INTENTION OF THAT MOTION IS TO SUBSIDIZE THE INCREASED COST OF GASOLINE AND HEATING FUEL TO THE RESIDENTS OF THE YUKON. UNLESS I AM

MISTAKEN THE SUBJECT MATTER OR THE INTENT OF THAT MOTION IS NOT NECESSARILY TO TRANSFER FUNDS BUT IT IS TO BRING ABOUT A REDUCTION IN THE COST OF GASOLINE AND HEATING FUEL. IF MEMBERS WOULD LOOK AT THE MOTION OR THE AMENDMENT THAT I HAVE PUT FORWARD IT IS AN AMENDMENT THAT WILL, IF ACCEPTED, WILL GO A LONG WAYS TO BRINGING ABOUT THAT IN ALL AREAS OF FOSSIL FUEL. NOT JUST IN THE AREAS MENTIONED IN THE MOTION BEFORE US.

I WOULD LIKE TO POINT OUT THAT IF WE WANTED TO BE REAL TECHNICAL I THINK THAT PROBABLY MOTION NO. 49 WAS IN ANY CASE OUT OF ORDER BECAUSE A MOTION AT THIS SESSION OF COUNCIL TO HAVE SUBSIDY OR TO SUBSIDIZE THE INCREASED COST OF GASOLINE AND HEATING FUELS WAS PUT FORWARD BY THIS COUNCIL, IT WAS TAKEN DOWN TO OTTAWA, IT WAS DENIED. THEREFORE, I BELIEVE, THAT MOTION NO. 49 WHICH ASKED FOR THE SAME THING WAS IN ACTUAL FACT OUT OF ORDER. NEVERTHELESS, IF MEMBERS WILL JUST TAKE TIME, I REALIZE THEIR INITIAL REACTION TO THE AMENDMENT THAT IS NOW BEFORE THEM WAS ONE SOMEWHAT OF ... AND ONE THAT THEY FEEL PERHAPS IS IMPOSSIBLE. ON THE LONG RANGE VIEW I THINK ONE HAS TO LOOK AT OTHER MODES OF TRANSPORTING FOSSIL FUELS INTO THE TERRITORY AND IT DOES SEEM THAT BY LOOKING INTO THE POSSIBILITY OF PURCHASING FOSSIL FUEL IN ALASKA AND BY REACTIVATING THE HAINES-FAIRBANKS PIPELINE THERE DOES SEEM TO BE A CHANCE THAT WE CAN BRING DOWN THE COST OF ALL FOSSIL FUELS IN THE TERRITORY CONSIDERABLY.

THIS WILL AFFECT NOT JUST THE COST OF GASOLINE, NOT JUST THE COST OF HEATING OIL FOR OUR HOUSES BUT ALSO SOME OF THE OTHER AREAS THAT WERE BROUGHT UP THE OTHER DAY. COST OF TRANSPORTATION. IF THE COST OF FUELS ARE LOWERED THE COST OF TRANSPORTATION BY REASON ALSO SHOULD BE LOWERED. THE COST OF AIR TRAVEL, IF WE CAN REDUCE THE COST AGAIN OF GASOLINE, THE COST OF AIR TRAVEL SHOULD CERTAINLY NOT BE GOING UP AGAIN. THIS IS ONE OF THEIR MAJOR EXPENSES.

I THINK RATHER THAN JUST LAUGHING AT THIS AMENDMENT AND SCOFFING AT IT, I THINK THAT MEMBERS SHOULD TAKE A LONG, HARD LOOK AT IT BECAUSE IT DOES SEEM TO ME THAT THERE ARE SOME REAL POSSIBILITIES HERE OF BRINGING ABOUT SOME OTHER METHOD OF GETTING CHEAP FUEL INTO THE TERRITORY THAN THE PRESENT MONOPOLISTIC METHOD OF BRINGING IT IN. THAT IS ONE OF THE MAIN REASONS I PUT THE AMENDMENT FORWARD.

I THINK THAT IT IS GOING A BIT FAR, MR. CHAIRMAN, WHEN THE SUGGESTION IS THAT THIS AMENDMENT HAS NOTHING WHATSOEVER TO DO WITH

THE MAIN MOTION. UNLESS I'VE MISSED MY GUESS, THE MAIN INTENT OF MOTION No. 49 IS TO LOWER THE COST OF FOSSIL FUELS AND THAT IS EXACTLY THE INTENT OF MY AMENDMENT..

MR. CHAIRMAN: COUNCILLOR STUTTER, WILL YOU TAKE THE CHAIR.

MR. CHAIRMAN: COUNCILLOR TAYLOR.

MR. TAYLOR: MR. CHAIRMAN, I AM JUST GOING TO KEEP THIS SHORT AND SWEET BECAUSE I COULD STAND AND FIGHT WITH THIS ONE ALL DAY TOMORROW AND THE NEXT DAY AND THE NEXT DAY. THE MAIN INTENT OF THAT ORIGINAL MOTION No. 49 WAS TO FIND FUNDS, TO FIND FUNDING FOR THE PURPOSE OF REDUCING COST OF FUEL AND TRANSPORTATION AND ANYTHING ELSE WE COULD FIND THAT WE COULD APPLY IT TO FOR THE PEOPLE OF THE YUKON TERRITORY. ANYBODY THAT HAD ANY OTHER OPINION OF THIS MOTION JUST BETTER GET BACK AND TAKE ANOTHER LOOK AT IT. THIS THING IS SO FAR OFF BASE.

IF ANYONE AT THIS TABLE THINKS, AND I HEARD THIS GOING ON WHEN THE MOTION WAS BEING DRAFTED. THE COMMISSIONER HOLLERED FROM ONE END OF THE TABLE AND SAID, "WELL, LET'S BUY THE HAINES PIPELINE." THAT WAS WHAT I WAS LAUGHING ABOUT WHEN I FIRST HAD A MOMENT TO READ IT.

I DON'T KNOW WHAT THE COMMISSIONER'S IDEA IS ABOUT BUYING THE PIPELINE, MAYBE TO GET FUEL A LITTLE CHEAPER FROM HAINES OR SOMEPLACE, BUT I'LL TELL YOU ONE THING. WHEN WE ARE SITTING IN THIS COUNCIL CHAMBER FOR THE LAST NUMBER OF DAYS, MORE PARTICULARLY TRYING TO FIND WAYS TO REDUCE THE COST TO THE PUBLIC OF EVERYTHING FROM GOVERNMENT SERVICES DOWN TO THE COST OF FUEL AND TRANSPORTATION, ANYBODY THAT HAS THE UNMITIGATED GALL TO PUT INTO A MOTION A SUGGESTION THAT WE LOAN, THAT THE MINISTER BE REQUESTED TO LOAN MONIES TO THE GOVERNMENT OF THE YUKON TERRITORY TO PUT A PIPELINE FOR THE COMMISSIONER FOR WHATEVER PURPOSE HE WANTS THE DAMN THING (PARDON MY FRENCH, I APOLOGIZE FOR THE WORD). FOR WHATEVER REASON HE WANTS IT HE HASN'T EVEN STOOD UP IN THIS HOUSE AND EXPLAINED IT TO ANYBODY AND I'M SURE THE MOVER OF THE AMENDMENT DOESN'T KNOW WHY HE WANTS IT AND COMMIT THE PEOPLE OF THE YUKON TERRITORY WITH A BLANKET TO THE COMMISSIONER HAS GOT TO HAVE HOLES IN HIS HEAD. HE GETS NO SUPPORT OUT OF ME. I HOPE THAT HE GETS NO SUPPORT OUT

OF ANYBODY ELSE. IT IS JUST A PITY IT HAS TO BE TACKED ONTO WHAT WAS ONCE A GOOD MOTION WANTING SOMETHING ENTIRELY DIFFERENT.

HERE YOU ARE TALKING ABOUT COMMITTING THE PEOPLE OF THE YUKON TERRITORY THROUGH A LOAN TO BUT A PIPELINE FOR THE GOVERNMENT - FOR THE COMMISSIONER ON SOME PET PROJECT. YOU GET NO SUPPORT OUT OF ME. I THINK IT IS DESPICABLE THAT THIS WOULD EVEN BE SUGGESTED IN THIS HOUSE AT THIS TIME AND SO LITTLE CONSIDERATION GIVEN TO THE PEOPLE OF THE YUKON AT A TIME WHEN WE ARE TRYING TO LOWER THE COST TO THEM. HERE YOU SAY, "WELL, WE'LL BUY A PIPELINE AND LET THE PEOPLE OF THE TERRITORY PAY FOR IT. WE'LL JUST GET A LOAN AND BUY IT NOW." NO WAY, MR. CHAIRMAN.

I WILL NOW RESUME THE CHAIR.

MR. STUTTER: MR. CHAIRMAN, IT APPEARS TO ME THAT THIS IS ONE MORE INSTANCE WHERE YOU, YOURSELF HAVE PUT YOUR MOUTH IN GEAR BEFORE YOU HAVE STARTED YOUR BRAIN. IN THIS PARTICULAR INSTANCE, IF MR. CHAIRMAN, WILL TAKE SUFFICIENT TIME AND COOL DOWN. TAKE THIS NICE AND COOL. LETS NOT GET EXCITED. LETS NOT GET ALL HEATED UP ON THIS. LETS REMAIN COOL AND LETS GET SOMETHING DONE. IF I CAN MAKE MR. CHAIRMAN TAKE HIS OWN ADVICE AT THIS POINT AND LOOK INTO THE MOTION OR THE AMENDMENT AND GET RID OF A LITTLE OF THE EMOTION HE MAY FIND THAT THIS PARTICULAR AMENDMENT HAS VERY LONG RANGE EFFECTS AND NOT JUST, AS I POINTED OUT A WHILE AGO, ON...

MR. CHAIRMAN: THIS IS ONE THING. THIS IS ANOTHER

MR. STUTTER: MAY I CONTINUE MR. CHAIRMAN. COULD I HAVE ORDER MR. CHAIRMAN.

MR. CHAIRMAN: I'M SORRY I FORGOT I WAS IN THE CHAIR. OKAY. PROCEED.

MR. STUTTER: THAT THIS PARTICULAR AMENDMENT HAS LONG-RANGE EFFECTS AND NOT JUST IN, AS MOTION No. 49 WOULD HAVE DONE, REDUCING THE COST OF GASOLINE AND HEATING OIL. IT REDUCES THE COST OF ALL FOSSIL FUELS WHICH AFFECTS MANY, MANY AREAS WHERE THE COST OF LIVING IN THE YUKON HAS BEEN FANTASTICALLY INCREASED BY THE RECENT 15 TO 20% INCREASE IN THE COST OF THESE FUELS.

IF MR. CHAIRMAN WOULD STOP AND THINK AND REALIZE THAT IF WE CAN GET THE FUEL INTO THE TERRITORY TO BEGIN WITH, AT A 15 OR 20 OR 25% LESS COST

THAN IT IS NOW, THAT MR. CHAIRMAN, IS EXACTLY THE SAME AS GETTING MONEY TO SUBSIDIZE THAT COST WHICH WOULD GO ON AD INFINITUM.

IF YOU CAN GET THE FUELS HERE CHEAPER TO BEGIN WITH YOU SOLVE THAT PROBLEM. NOT JUST ONCE BUT ONCE AND FOR ALL, MR. CHAIRMAN. MR. CHAIRMAN PERHAPS SHOULD OPEN HIS EYES AND READ THE AMENDMENT AND HE WOULD SEE THAT THIS PARTICULAR AMENDMENT WILL BRING ABOUT EVEN MORE THAN THE PROPOSAL IN 49.

I AM SORRY AND I APOLOGIZE IF I MISUNDERSTOOD THE PURPOSE OF MOTION No. 49. I THOUGHT IT WAS TO BRING ABOUT A REDUCTION IN THE PRICE OF GASOLINE AND HEATING FUEL. NOT NECESSARILY TO GET FUNDS TO PLAY AROUND WITH.

MR. CHAIRMAN: JUST FROM THE CHAIR, I WON'T GET BACK INTO THIS DEBATE. I AM UNALTERABLY OPPOSED. IT TAKES, TO PAY OFF LOANS FOR THESE THINGS, IT TAKES TAXES. THAT IS AN IMPOSITION ON THE PEOPLE. I DO SEE WHAT IS INTENDED IN THE MOTION. I KNOW THAT THE MOVER OF THE AMENDMENT HAD NO KNOWLEDGE OF EVEN THE HAINES PIPELINE UNTIL A FEW MOMENTS AGO OR PRIOR TO RECESS WHEN THE COMMISSIONER HOLLERED IT DOWN THE TABLE AT HIM. I HAPPENED TO HEAR IT AND IT IS IN HERE AND I'LL NOT SUPPORT IT.

MR. STUTTER: MR. CHAIRMAN, I WOULD ADMIT THAT THAT IS TRUE. THAT THIS IS NOT MY ORIGINAL IDEA. IT IS AN IDEA THAT HAS COME, I MUST ADMIT, FROM THE COMMISSIONER BUT IT IS A GOOD ONE. IT IS A REAL GOOD ONE AND IT DESERVES SOME THOUGHT. AS TO THE CHAIRMAN'S REMARK THAT MONEY BORROWED HAS GOT TO COME OUT OF TAXATION. WHERE DOES HE THINK MONEY FOR ANY KIND OF A SUBSIDY COMES FROM? IS IT COMING FROM THE MONEY TREE? WHETHER OR NOT THAT COMES FROM OTTAWA IT STILL COMES OUT OF TAXATION.

MR. CHAIRMAN: SURE WITH THE REST OF CANADIANS HELPING TO PAY FOR IT.

MR. MCKINNON: MR. CHAIRMAN, I AM GOING TO SUPPORT THIS MOTION BECAUSE, AS I SAY, I WILL SUPPORT ANYTHING. THERE IS NO INTENT - MY MOTION WAS, MR. CHAIRMAN, A SINCERE ATTEMPT TO GET RELIEF FOR THIS WINTER; THE YUKON CONSUMER IS FACED WITH THE COST THIS WINTER OF THE INCREASES OF RUNNING THEIR CARS AND HEATING THEIR HOMES. I THINK OTHER MEMBERS WILL AGREE THAT IT IS GOING TO BE A SERIOUS PROBLEM FOR

A LOT OF MIDDLE INCOME PEOPLE THIS WINTER TO KEEP THEIR HOUSES WARM AND THEIR CARS GOING.

IT IS GOING TO BE DIFFICULT FOR ME AND I DON'T THINK THAT I AM IN ANY DIFFERENT POSITION THAN AN AWFUL LOT OF OTHER PEOPLE IN THE MIDDLE INCOME BRACKET IN THE YUKON TERRITORY. IT IS JUST THE STRAW THAT HAS BROKEN THE CAMEL'S BACK ALONG WITH ALL THE OTHER INCREASES THAT ARE FACING EVERY PERSON ON A FIXED INCOME IN THE YUKON RIGHT NOW. WHEN YOU GET THE HEATING FUEL COST AND THE GASOLINE COST WHICH HITS SO DARN CLOSE TO HOME IT IS JUST SOMETHING I WAS TRYING THROUGH EVERY METHOD AVAILABLE TO GET SOME MONEY IN THE HANDS OF THE TERRITORIAL GOVERNMENT TO SUBSIDIZE THOSE INCREASES IN COST WHERE OTHER GOVERNMENT'S ARE DOING THE SAME THING UPON THE CONSUMERS IN THE PROVINCES. WHERE IT ISN'T AS ACUTE A PROBLEM AS IT IS IN THE YUKON.

WHAT I SEE IS THAT THE COUNCIL IS GOING TO LEAVE WITHOUT HAVING SQUARELY DEALT WITH THAT PARTICULAR PROBLEM AND THAT IS FOR THIS WINTER PROVIDING SOME RELIEF TO THE PEOPLE IN THE YUKON TERRITORY. I FEEL THAT THIS COUNCIL HAS FAILED IN THAT RESPECT BUT AS A LONG RANGE PROJECT IF IT IS ECONOMICALLY FEASIBLE FOR THE COMMISSIONER TO GET A PIPELINE AND START PUMPING FOSSIL FUELS THROUGH IT AND IT WILL BRING IN FUELS AT A MUCH CHEAPER RATE. IT IS A LONG RANGE PLAN. THERE IS AN AWFUL LOT OF STUDY THAT HAS TO GO INTO A PROJECT LIKE THIS. WHAT I AM SAYING IT IS NOT GOING TO DO ANYTHING FOR THIS WINTER AND THAT IS THE ONE THAT I'M PRIMARILY WORRIED ABOUT.

MR. STUTTER: MR. CHAIRMAN, JUST ON THAT ONE POINT ABOUT NOT ANYTHING, THIS PARTICULAR MOTION NOT DOING ANYTHING THIS WINTER. I AGREE WITH THE MEMBER FROM WHITEHORSE WEST THAT THIS IS MORE A LONG RANGE MOTION. BUT WE DID PASS A MOTION THE OTHER DAY, UNANIMOUSLY IN COUNCIL, TO TRY TO GET SOME SORT OF A SUBSIDY FROM OTTAWA TO REDUCE THE COST OF LIVING IN GENERAL. DURING THE QUESTION PERIOD TODAY I DID BRING UP THE POINT TO THE COMMISSIONER AND ASKED HIM TO POINT OUT TO THE MINISTER OF NORTHERN AFFAIRS THAT AT THE TIME THAT MOTION GOES HE SHOULD POINT OUT THAT THE MINISTER HAS ALREADY RECOGNIZED IN GRANTING THE MONEY TO PAY CIVIL SERVANTS, THAT THERE IS DEFINITELY A PROBLEM IN THE YUKON. HE SHOULD RECOGNIZE THAT PROBLEM BEYOND THE CIVIL SERVANTS. HE SHOULD RECOGNIZE IT TO RESIDENTS OF THE YUKON AS A WHOLE. IF ANYTHING HAPPENS OUT OF THAT MOTION I'M SURE THAT WE WILL GET RELIEF EVEN THIS WINTER.

Mrs. Watson: Mr. Chairman, I would just like to make a few brief remarks on this motion. I think it's a far sighted motion. The motion this morning, I feel that these types of motions were a subsidy. It's just a type of band-aid type of treatment that we're getting constantly. We sort of go half and half to Ottawa and say please give us a little money to provide a subsidy for this. We haven't got any long term plans, and I would wholeheartedly support this motion because I don't know whether the honorable members are aware that this pipeline was banned from Haines Alaska to Fairbanks and with a portion going into Anchorage the line banned through Haines Junction. And at one time there was a three inch lock from a tank brought from Haines Junction to Whitehorse. And they had changed storage tanks at the Haines Junction station.

And at that time we'd have had some forest fighting and had made the pressure at the proper level. We would have been able to drain off that line and pipe our fuel straight into Whitehorse from the eight inch line. Unfortunately, that eight inch line is closed now. But I don't know how much would be involved to reactivate it. It was closed because of the danger of ecological damage. And the area that was condemned was the area from Haines Junction to Haines, Alaska. That area would cost a great deal to replace the pipe. But the rest of the line, the facilities and everything are there. Now I don't know if anything could come of it, but I don't think that we should drop out and say, no we're not going to make a try. And we do know that at Prudhoe Bay, we're going to build the line. We do know that they will eventually build a refinery at Fairbanks so there is an opportunity, we have the facilities. It's there, if we can get the backing from the Federal Government to get involved and provide an alternate route for our fossil fuels in the Territory. And I think that a motion like this, from our Council is an extremely good motion. And as the honorable member for Dawson City states we do have a motion for the Commissioner to try and get his Minister to do something about the extreme high cost of living for this winter.

And I am concerned, as I said. If we have a cold winter, I think we're in some trouble.

And I think we shouldn't give up our efforts to get something done on a temporary basis for this year. But let's all try to get something so that we don't have to go back year after year with cap in hand and say please help. It would be rather nice to be independent and self-sustaining for a change. And I will support this motion.

Mr. Chamberlist: Mr. Chairman, some of us know that the Haines-Fairbanks Pipeline was turned down flat by the Commissioner, when it was suggested to him some years ago that the Territory can have it. So let's not have any phoney stuff now, about let's get hold of it because there's at least....

Mrs. Watson: Mr. Chairman, a point of order

Mr. Chairman: Order please.

Mrs. Watson: Mr. Chairman, the honorable member standing up trying again by implications, insinuations, trying to put forward false information to Council. If he has a statement to make he better make it. But I don't think he should continue to bring forward these insinuations that he does, day after day, against certain people in this House or not in this House. It's absolutely ridiculous. And the information he's giving in so many instances is utterly and completely false. And he knows it is.

Mr. Chairman: Order please, would you continue.

Mr. Chamberlist: It is quite clear that some of us do know that the Commissioner wants nothing to do with the pipeline. Some of us have a good memory. I'm not going to support this motion. First of all because it's trying to commit us to the borrowing of money for what we don't know. It's already indicated that it's going to take a lot of money to repair the existing facilities in any event. That the cost of updating the facilities would be completely out of the reaches that we can do it, it comes into court...

Mrs. Watson: Mr. Chairman, on a point of order. The honorable member has made a statement that the cost would be beyond our reach. Could the honorable member indicate what the cost would be, if he is so knowledgeable?

Mr. Chairman: Order please, there is no point of order. Would the honorable member continue.

MR. CHAMBERLIST: WELL, TODAY, MR. CHAIRMAN, WITH THE INFORMATION WE HAVE THAT IF IT'S OVER A DOLLAR IT'S BEYOND OUR REACH. IT'S QUITE CLEAR THAT THE MOTION IS A MOTION WHICH IS ENTIRELY NEW. CERTAINLY IF THIS MOTION SIMPLY WENT AS FAR AS THE WORDS, "EXAMINE THE ECONOMICS AND DESIRABILITY OF OTHER MODES OF TRANSPORTING FOSSIL FUELS." ALTHOUGH IT'S A DIFFERENT MOTION, ONE COULDN'T OPPOSE A MOTION EVEN THOUGH TREATING IT AS A FRESH MOTION. BUT WHEN WE GET INTO THE AREA OF SUCH AS THE REFURBISHING AND REUSE OF THE TERRITORIAL GOVERNMENT OF THE HAINES-FAIRBANKS PIPELINE, NOBODY COULD ACCEPT THAT AS A LOGICAL TYPE OF MOTION.

AND LET IT FURTHER BE RESOLVED THAT THE MINISTER BE REQUESTED TO PETITION THE TREASURY BOARD TO LOAN SUFFICIENT FUNDS TO THE YUKON TERRITORIAL GOVERNMENT. WHAT ARE WE GOING TO GET OURSELVES INTO. I'M SOMEWHAT SURPRISED...

MR. STUTTER: MR. CHAIRMAN, ON A POINT OF ORDER, I HAVE TO GET UP NOW RATHER THAN LET THE MEMBER FINISH. THE MEMBER WHO IS A QUASI LAWYER, IN ALL OTHER INSTANCES AND IN THAT PARTICULAR INSTANCE QUOTING OUT OF CONTEXT. HE HASN'T READ THE LAST FEW WORDS OF THE MOTION.

MR. CHAMBERLIST: WELL LET ME.

MR. STUTTER: YOU HAVE NO INTENTION OF READING IT.

MR. CHAMBERLIST: I WILL.

MR. CHAIRMAN: ORDER PLEASE, WILL THE MEMBER CONTINUE

MR. CHAMBERLIST: YOU KNOW, I'M SURPRISED THAT THE HONORABLE MEMBER OF WHITEHORSE WEST SAYS HE'S GOING TO SUPPORT THIS BECAUSE HE'S BEEN SO INSISTENT ON PRIORITIES BEING FIRST. NOW SURELY THE HONORABLE MEMBER FROM WHITEHORSE WEST IS NOT SUGGESTING THAT THIS PARTICULAR LOAD THAT WOULD BE ASKED FOR COMES WITHIN A VERY EARLY, AND VERY IMPORTANT, AND VERY HIGH PRIORITY. SO I CAN'T FOLLOW HIS REASONING EXCEPT FOR THE FACT THAT HE IS TIRED AND HE'S PREPARED TO AGREE WITH ANYTHING AT THIS TIME OF THE DAY. I CAN UNDERSTAND THAT PARTICULAR POINT.

TO ME, THE BALANCE OF THE WORDS THAT THE MEMBER FOR DAWSON THOUGHT I WAS GOING TO MISS OUT THAT TO ESTABLISH SUCH ALTERNATIVE

MODES OF TRANSPORT IN THE TERRITORIAL FUEL NEEDS AS A PROPOSED EXAMINATION WILL WARRANT. I DON'T MIND HAVING A PROPOSED EXAMINATION BUT THE VERY MOMENT THAT THERE'S A SUGGESTION THAT AN ALTERNATIVE TO THE MOTION THAT WAS PUT FORWARD IS A BORROWING OF FUNDS BY THE TERRITORIAL GOVERNMENT TO ME THIS MOTION THEN BECOMES FOREIGN TO THE BASIC MOTION. THEREFORE I WOULDN'T SUPPORT IT.

MR. STUTTER: MR. CHAIRMAN, THAT LITTLE OUTBURST TO ME...

MR. CHAMBERLIST: I DIDN'T OUTBURST.

MR. STUTTER: ...IS TYPICAL OF HOW THE MEMBER AT TIMES WHEN HE WISHES CAN USE HIS ABILITY, HIS LEGAL ABILITY OR WILL BE LEGAL ABILITY TO TURN AROUND AND DELIBERATELY TAKE SOMETHING OUT OF CONTEXT. HE IS NOW TRYING TO LEAD COUNCIL TO BELIEVE THAT THE INTENT OF THE MOTION IS TO BORROW MONEY. NOW WITH CERTAIN CONDITIONS AS HAVE BEEN PUT IN THE MOTION THAT THIS DEPENDS UPON WHETHER OR NOT THE PROPOSED EXAMINATION WILL WARRANT, OBVIOUSLY, IF AFTER EXAMINATION DOES NOT APPEAR TO BE FEASIBLE, IT DOES NOT APPEAR TO BE A WORTHWHILE PROJECT OR A WORTHWHILE INVESTMENT OR WORTH TRYING TO SOLVE THIS PROBLEM INSTEAD OF SITTING DOWN, LAUGHING ABOUT IT, THINKING THAT IT IS A BIG JOKE. IF AFTER THIS HAPPENS, AND IT'S SHOWN TO BE WORTHWHILE, THEN THAT'S WHERE THE BORROWING COMES IN AND IT'S PART OF THIS MOTION.

MR. CHAIRMAN: ARE YOU PREPARED FOR THE QUESTION ON THE AMENDMENT? ARE YOU AGREED? WOULD THOSE IN AGREEMENT PLEASE SIGNIFY. I MUST DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. CHAIRMAN: ARE YOU PREPARED FOR THE QUESTION ON MOTION NO. 49 AS AMENDED? ARE YOU AGREED? I DECLARE THAT THE MOTION IS CARRIED.

MOTION CARRIED

MR. CHAIRMAN: I'LL DRAW YOUR ATTENTION TO THE TIME, AT YOUR PLEASURE.

MR. TANNER: MR. CHAIRMAN, JUST BEFORE WE MOVE THE SPEAKER BACK TO THE CHAIR COULD THE CHAIRMAN GIVE US SOME INDICATION OF WHAT IS LEFT IN THE MORNING?

MR. CHAIRMAN: YES, I'D SAY YOU HAVE APPROXIMATELY A FULL DAYS WORK AHEAD OF YOU YET.

Mr. McKINNON: HOW MUCH HAVE WE GOT.

Mr. CHAIRMAN: SESSIONAL PAPERS AND LEGISLATIVE RETURNS. MAY I HAVE YOUR PLEASURE?

Mr. CHAMBERLIST: Mr. CHAIRMAN, I MOVE THAT Mr. SPEAKER DO NOW RESUME THE CHAIR.

Mr. CHAIRMAN: IS THERE A SECONDER?

Mr. STUTTER: Mr. CHAIRMAN, SINCE Mr. CHAIRMAN HIMSELF FEELS THAT WE HAVE A DAYS WORK AHEAD OF US, MAY I SUGGEST THAT PERHAPS WE COME BACK THIS EVENING, SINCE ALL OF THE MEMBERS WISH TO GET OUT TOMORROW, INCLUDING Mr. CHAIRMAN?

SEVERAL MEMBERS: AGREED.

(CONFUSION)

Mr. STUTTER: I WAS MERELY GOING BY WHAT Mr. CHAIRMAN SAID. HE SAID WE HAD A FULL DAYS WORK AHEAD OF US.

Mr. CHAIRMAN: ALL RIGHT, ORDER PLEASE. LET'S EVERYBODY COOL IT. HERE'S WHAT YOU HAVE AND IF YOU CAN EXPLAIN TO ME HOW YOU CAN DO THIS TOMORROW MORNING, GREAT. WE HAVE CHANGES OF MEDICARE PLAN, COUNCILLOR CHAMBERLIST. WE HAVE WESTERN CANADA LOTTERIES WHICH IS A REQUEST FOR ADVICE...

Mr. McKINNON: THAT LOTTERY WILL TAKE THREE MINUTES.

Mr. CHAMBERLIST: I WILL DROP MY POSITION.

Mr. TANNER: Mr. CHAIRMAN, THE WESTERN CANADA LOTTERIES IS MERELY SESSIONAL PAPER WHICH HAS GOT TO JUST BE READ.

Mr. CHAIRMAN: LEGISLATIVE RETURN No. 3, No. 18, No. 19, No. 48, No. 51, No. 69, No. 73 AND 76. ALL THOSE SESSIONAL PAPERS THAT I HAD ON I WITHDREW IN THE INTEREST OF GETTING THIS SESSION OVER WITH. SO IF YOU FEEL YOU CAN DO IT IN THE MORNING, FINE.

(LOTS OF UNIDENTIFIED NOISE)

Mr. CHAIRMAN: IS THERE A SECONDER TO THE MOTION?

Mr. STUTTER: I SECOND THAT.

Mr. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR STUTTER THAT Mr. SPEAKER DO NOW RESUME THE CHAIR. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

Mr. SPEAKER: I NOW CALL COUNCIL TO ORDER. MAY WE HAVE A REPORT FROM THE CHAIRMAN OF COMMITTEE?

Mr. TAYLOR: MOST CERTAINLY, Mr. SPEAKER. COMMITTEE CONVENED AT 11:55 A.M. TO DISCUSS SESSIONAL PAPERS AND MOTIONS. COMMITTEE RECESSED AT 12:00 NOON AND RECONVENED AT 2:00 P.M. MOTION No. 43 WAS CARRIED IN COMMITTEE. IT WAS MOVED BY COUNCILLOR TANNER, SECONDED BY COUNCILLOR STUTTER THAT THE WORDS, "AND THE CONSUMERS PROTECTION" BE DELETED FROM MOTION No. 45, THIS MOTION WAS THEN CARRIED IN COMMITTEE. IT WAS MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR TAYLOR THAT THE ADMINISTRATION PREPARE A LONG TERM PROPOSAL FOR THE EDUCATION AND TREATMENT OF PHYSICALLY AND MENTALLY HANDICAPPED CHILDREN IN THE YUKON TERRITORY AND FURTHERMORE IT IS RECOMMEND BY THIS COUNCIL THAT SOME PROVISION BE MADE IN THE 1975-76 BUDGET ESTIMATES FOR THE IMPLEMENTATION OF THE PRELIMINARY STAGES OF THIS PROPOSAL. THIS MOTION WAS CARRIED. IT WAS MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR TANNER THAT MOTION No. 49 BE AMENDED BY DELETING ALL THOSE WORDS AFTER "IT IS THE OPINION OF COUNCIL THAT" AND INSERTING "WHEREAS THE COST OF GASOLINE IN THE YUKON TERRITORY RANGES FROM SIXTY-NINE CENTS TO NINETY-FIVE CENTS PER GALLON. WHEREAS THE COST OF HEATING OIL IN THE YUKON TERRITORY RANGES FROM FORTY-EIGHT CENTS TO SIXTY-THREE CENTS PER GALLON AND WHEREAS THE ANNUAL HOUSEHOLD CONSUMPTION OF HEATING OIL IS IN EXCESS OF TWELVE HUNDRED GALLONS, WHEREAS THE PRESENT TOTAL ANNUAL CONSUMPTION OF FOSSIL FUELS IN THE YUKON TERRITORY IS 48.3 MILLION GALLONS THEREFORE BE IT RESOLVED THAT THE TERRITORIAL GOVERNMENT IN CONSULTATION WITH THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT EXAMINE THE ECONOMICS AND DESIRABILITY OF OTHER MODES OF TRANSPORTING FOSSIL FUELS SUCH AS THE RE-FURBISHING AND REUSE BY THE TERRITORIAL GOVERNMENT OF THE HAINES-FAIRBANKS PIPELINE. AND BE IT FURTHER RESOLVED THAT THE MINISTER BE REQUESTED TO PETITION THE TREASURY BOARD TO LOAN SUFFICIENT FUNDS FOR THE YUKON TERRITORIAL GOVERNMENT TO ESTABLISH SUCH ALTERNATIVE MODES OF TRANSPORTING THE TERRITORIAL FUEL NEEDS AS THE PROPOSED EXAMINATION WILL WARRANT."

THIS MOTION CARRIED. MOTION No. 49 WAS THEN CARRIED IN COMMITTEE. IT WAS MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR STUTTER THAT MR. SPEAKER DO NOW RESUME THE CHAIR AND THIS MOTION CARRIED.

MR. SPEAKER: YOU HAVE HEARD THE REPORT OF THE CHAIRMAN OF COMMITTEE. ARE WE AGREED?

SOME HONOURABLE MEMBERS: AGREED.

MR. SPEAKER: MAY I HAVE YOUR FURTHER PLEASURE?

MR. TAYLOR: MR. SPEAKER, I BELIEVE IT IS THE INTENTION OF COMMITTEE TO CONTINUE TOMORROW MORNING WITH SESSIONAL PAPERS AND LEGISLATIVE RETURNS.

MR. SPEAKER: MAY I HAVE YOUR FURTHER PLEASURE?

MR. TANNER: MR. SPEAKER, IT IS WITH GREAT PLEASURE I MOVE THAT WE CALL IT 5 O'CLOCK.

MR. SPEAKER: IS THERE A SECONDER?

MRS. WATSON: I SECOND THE MOTION, MR. SPEAKER.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONOURABLE MEMBER FROM WHITEHORSE NORTH, SECONDED BY THE HONOURABLE MEMBER FROM CARMACKS-KLUANE THAT WE NOW CALL IT 5 O'CLOCK. ARE YOU PREPARED FOR THE QUESTION? ARE WE AGREED? I DECLARE THE MOTION CARRIED. COUNCIL IS ADJOURNED UNTIL 10 O'CLOCK TOMORROW MORNING.

ADJOURNED

FRIDAY, JUNE 28, 1974

MR. SPEAKER READS THE DAILY PRAYER.

MR. SPEAKER: MADAM CLERK, IS THERE A QUORUM PRESENT?

MADAM CLERK: THERE IS, MR. SPEAKER.

MR. SPEAKER: COUNCIL WILL NOW COME TO ORDER.

MR. MCKINNON: MR. SPEAKER, I WOULD LIKE TO RISE ON A POINT OF PERSONAL PRIVILEGE THIS MORNING JUST TO SAY HOW EXTREMELY PLEASED I WAS THAT AFTER TEN YEARS OF MOTIONS AND DEBATE IN FRONT OF THIS COUNCIL, I THINK THE COUNCIL, DURING THE LAST TWO DAYS I ACTUALLY SAW WORK PROCEEDING ON THE CLEAN-UP OF THE WHITEHORSE WEST CEMETERY. MR. SPEAKER I THINK THIS CAN LAY TO REST FOR ALL TIME THOSE ACCUSATIONS THAT NONE OF THE TERRITORIAL MONEY EVER FINDS ITSELF INTO THE WHITEHORSE WEST CONSTITUENCY. THANK YOU, MR. SPEAKER.

MR. SPEAKER: SOME OF THE MATTERS THERE ALREADY HAVE BEEN LAID TO REST. ARE THERE ANY DOCUMENTS OR CORRESPONDENCE TO BE TABLED?

MRS. WATSON: YES, MR. SPEAKER, MOTION NO. 3 FOR THE PRODUCTION OF PAPERS, THE DOCUMENTS AND CORRESPONDENCE FOR THE HANSON STREET SITE FOR A HOUSING PROJECT AND LEGISLATIVE RETURNS 92, 93 AND 94.

MR. SPEAKER: ARE THERE ANY REPORTS OF COMMITTEE? ARE THERE ANY BILLS TO BE INTRODUCED? ARE THERE ANY NOTICES OF MOTION OR RESOLUTIONS? ARE THERE ANY NOTICES OF MOTION FOR THE PRODUCTION OF PAPERS? WE NOW COME TO MOTION NO. 50.

MOTION NO. 50

MR. TAYLOR: MR. SPEAKER, THIS MORNING IN CONVERSATION WITH THE ADMINISTRATION I HAVE BEEN ABLE TO HAVE THE SATISFACTION THAT THIS MATTER WILL BE DEALT WITH BY THE ADMINISTRATION AND SO I WOULD ASK THAT THE MOTION DIE ON THE ORDER PAPER.

MR. SPEAKER: AGREED? WE NOW COME TO THE QUESTION PERIOD. MADAM CLERK, WILL YOU PLEASE ASCERTAIN IF MR. COMMISSIONER IS AVAILABLE? WE WILL NOW HAVE A SHORT RECESS.

Recess

MR. SPEAKER: COUNCIL WILL NOW COME TO ORDER. ARE THERE ANY QUESTIONS?

QUESTION RE LEGISLATIVE RETURN NO. 94

MR. MCKINNON: MR. SPEAKER, I HAVE SEVERAL QUESTIONS ON LEGISLATIVE RETURN NO. 94 IN THE HAINES JUNCTION L.I.D. EXPANSION. LEGISLATIVE RETURN NO. 94 WHICH JUST CAME TO THE ATTENTION OF MEMBERS OF THE COUNCIL THIS MORNING.

I WOULD LIKE TO ASK MR. COMMISSIONER, MR. SPEAKER WHETHER THE RECOMMENDATIONS OF MR. COLE WERE THOSE RECOMMENDATIONS OF THE L.I.D. FOR THE PROPOSED BOUNDARIES EXPANSION. WERE THESE THE RECOMMENDATIONS THAT WERE SENT TO THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT AND IF NOT, WHAT WAS THE DIFFERENCE IN THE RECOMMENDATIONS BETWEEN THE L.I.D. BOARD AND MR. COLE'S RECOMMENDATIONS TO THE COMMISSIONER?

MR. COMMISSIONER: NO, 5.

MR. MCKINNON: WELL, NO. 5 THEN, MR. SPEAKER. MIGHT I TAKE IT THEN THAT MR. COLE RECOMMENDED EXACTLY THE SAME AS THE L.I.D. BOARD WITH THE EXCEPTION THAT THE INDIAN VILLAGE BE EXCLUDED FROM THE PROPOSED EXPANSION.

MR. CHAMBERLIST: WELL, MR. SPEAKER, I WONDER IF MR. COMMISSIONER COULD INDICATE WHY WE HAVEN'T MEMBERS OF THIS COUNCIL HAVEN'T RECEIVED COPIES OF MR. COLE'S REPORT?

MR. COMMISSIONER: WELL, MR. SPEAKER, I HAVE LOOKED AT MR. COLE'S REPORT AND I DON'T THINK THAT IT IS RIGHT THAT IT SHOULD BE TABLED AS A PUBLIC DOCUMENT. THE RECOMMENDATIONS IN IT, YES, BUT THE REPORT IS DIRECTED TO THE COMMISSIONER AND IT IS NOT DESIGNED TO BE A PUBLIC DOCUMENT.

MR. CHAMBERLIST: WELL, THE RECOMMENDATIONS, MR. SPEAKER, WILL MR. COMMISSIONER INDICATE WHY WE HAVEN'T RECEIVED COPIES OF THE RECOMMENDATIONS?

MR. COMMISSIONER: THEY ARE HERE. THIS IS IT.

MR. MCKINNON: MR. SPEAKER, COULD I ASK WHY THE RECOMMENDATIONS OF (1) THE L.I.D. WERE NOT FOLLOWED, (2) WHY THE RECOMMENDATIONS OF MR. COLE WERE NOT FOLLOWED. WHY WE HAVE A COM-

PLETELY DIFFERENT BOUNDARY PRESENTED THAN THOSE ASKED FOR, REQUESTED BY THE HAINES JUNCTION L.I.D. AND UPON THE RECOMMENDATIONS OF MR. COLE.

MR. COMMISSIONER: No. 6.

MR. MCKINNON: WELL, MR. SPEAKER, WHAT WERE MR. COMMISSIONER'S RECOMMENDATIONS, THAT THE RECOMMENDATIONS OF MR. COLE BE FOLLOWED OR NOT.

MR. COMMISSIONER: MR. SPEAKER, MR. COMMISSIONER NEVER HAD AN OPPORTUNITY TO MAKE ANY RECOMMENDATIONS.

MR. MCKINNON: THEN, MR. SPEAKER, IF I CAN GET THE WHOLE CHANNELING OF THE REPORT RIGHT. THE REPORT WAS SUBMITTED TO THE COMMISSIONER. THE COMMISSIONER SAID THAT HE DIDN'T EVEN HAVE THE OPPORTUNITY TO MAKE ANY RECOMMENDATIONS BUT THE REPORT, I WOULD GATHER, THEN WENT TO EASTERN CANADA TO SOMEPLACE CALLED OTTAWA OR ENVIRONS AND THE DECISION WAS MADE THERE. IS THIS CORRECT?

MR. COMMISSIONER: IN A NUTSHELL, YES. IT'S INDICATED IN NO. 6 WHAT'S TRANSPIRED.

MR. MCKINNON: WELL, THE ONLY REASON IS THAT I GUESSED IT ALL ALONG. I THINK IT'S ABSOLUTELY NECESSARY THAT IT BE PUT IN THE SIMPLEST TERMS IMAGINABLE THAT THAT'S THE AUTHORITY THAT THE YUKON LEGISLATIVE COUNCIL HAS, THAT THE COMMISSIONER HIMSELF HAS IT AND IF ANYBODY NEEDS A MORE BLATANT EXAMPLE OF WHO IS STILL RUNNING THE COUNTRY, LEGISLATIVE RETURN NO. 94, MR. SPEAKER, IS IT IN A NUTSHELL.

MR. COMMISSIONER: THAT'S IT.

MR. CHAMBERLIST: MR. SPEAKER, BECAUSE THERE IS AN ADMISSION THEN THAT THE FEDERAL GOVERNMENT IS DIRECTING THE SIZE AND THE MANNER IN WHICH A LOCAL IMPROVEMENT DISTRICT IN THE YUKON CAN BE SET UP. I WOULD ASK, MR. SPEAKER, IF MR. COMMISSIONER WOULD INDICATE WHAT HE MEANS BY NO. 7 WHEN HE SAYS "IN ORDER TO BRING THE NEW LOCAL IMPROVEMENT DISTRICT INTO BEING, I INTEND TO DISSOLVE THE PRESENT HAINES JUNCTION LOCAL IMPROVEMENT DISTRICT AS SET OUT IN COMMISSIONER'S ORDER 1968/231 ON THE RECOMMENDATION OF THE INSPECTOR OF THE LOCAL IMPROVEMENT DISTRICTS."

NOW, BEFORE I GO ANY FURTHER, I WONDER IF MR. COMMISSIONER WOULD INDICATE WHETHER THE RE-

COMMENDATION OF THE INSPECTOR OF LOCAL IMPROVEMENT DISTRICT WILL BE MADE UPON INSTRUCTION BY HIMSELF TO THE LOCAL IMPROVEMENT DISTRICTS INSPECTOR? IN OTHER WORDS, WILL HE BE SAYING TO THE INSPECTOR, "MAKE THE RECOMMENDATIONS TO ME AND THEN THIS IS WHAT I WANT TO DO." YOU KNOW, ISN'T THIS THE GENERAL IDEA?

MR. COMMISSIONER: NO, LOOK MR. SPEAKER. I'M NOT GOING TO GET IN ANY ARGUMENT. I'VE BEEN THROUGH THE TRIALS AND TRIBULATIONS OF HELL IN CONNECTION WITH THIS THING FOR THE LAST SIX MONTHS AND I'M NOT GOING TO GET MYSELF INVOLVED ANY FURTHER.

THE SITUATION AS IT PREVAILS IS DELINEATED IN THIS PAPER. THESE ARE THE FACTUAL SITUATIONS.

MR. CHAMBERLIST: MR. SPEAKER, IS MR. COMMISSIONER SAYING THEN THAT HE HAS NO INTENTION OF COMPLYING WITH THE LOCAL IMPROVEMENT DISTRICT ORDINANCE BECAUSE HE DOESN'T WANT TO GET INTO ANY ARGUMENT? IS HE GOING TO COMPLY OR IS HE NOT? THIS IS WHAT I WANT TO ASK HIM.

MR. COMMISSIONER: WELL, IF THAT'S THE QUESTION, THE ANSWER IS YES, MR. SPEAKER. WE ARE COMPLYING WITH THE LAW. THAT'S THE ONLY THING WE CAN DO. WE HAVE NO ALTERNATIVES IN THE MATTER.

MR. CHAMBERLIST: WELL IN THAT CASE, MR. SPEAKER, I'M AFRAID THIS IS GETTING INTO AN AREA OF A DEBATE BUT THE POINT IS THAT WE ARE NOT ABLE BECAUSE - - -.

MR. SPEAKER: MAY WE HAVE THE QUESTION PLEASE.

MR. CHAMBERLIST: WELL I WOULD LIKE TO GIVE AN EXPLANATION WHY I'M ASKING THESE NUMBER OF QUESTIONS. BECAUSE WE ARE UNABLE TO PASS THIS LEGISLATIVE RETURN INTO COMMITTEE OF THE WHOLE, TODAY BECAUSE WE INTEND TO PROROGUE TODAY. MR. COMMISSIONER HAS SAID IN NO. 7, THE LATTER PART, "I FURTHER INTEND TO CREATE A NEW HAINES JUNCTION LOCAL IMPROVEMENT DISTRICT WHICH WILL INCLUDE THOSE LANDS AS AGREED UPON BETWEEN MYSELF AND THE MINISTER".

THIS IS THE THING THAT BOTHERS ME RIGHT NOW. WHEN THE ORDINANCE ITSELF MAKES IT QUITE CLEAR THAT BEFORE THE COMMISSIONER CAN DO THIS, HE HAS TO SATISFY HIMSELF THAT ..

MR. SPEAKER: MAY I HAVE THE QUESTION PLEASE?

MR. CHAMBERLIST: WELL, WITH RESPECT MR. SPEAKER, I AM GIVING A PREAMBLE BEFORE I CAN PUT THE QUESTION.

MR. SPEAKER: A SHORT PREAMBLE PLEASE.

MR. CHAMBERLIST: WELL, I CAN'T LIMIT MY PREAMBLE TO THE QUESTION. IT'S OF LONG MATTER. IT'S TO SATISFY THAT THE CONDITIONS IN ANY AREA OF THE TERRITORY NOT CONTAINED IN THE MUNICIPALITY WARRANTS PARTICIPATION BY TAXPAYERS AND OCCUPANTS OF LAND, ETC., IN THAT AREA. NOW, MR. COMMISSIONER, HAVE YOU OR IS IT YOUR INTENTION THEN TO COMPLY WITH SECTION 3 OF THE ORDINANCE. BY SENDING REGISTERED MAIL TO ALL TAXPAYERS OF THE PROPOSED DISTRICT AND PUBLISHING AT LEAST ONE ISSUE OF THE YUKON GAZETTE AND GIVING THE OPPORTUNITIES TO PEOPLE TO PROCEED BY WAY OF APPEAL TO THE ORDER THAT YOU INTEND TO PUT OUT PRIOR TO YOU BRINGING THIS INTO EFFECT.

MR. COMMISSIONER: MR. SPEAKER, I HAVE ALREADY ANSWERED THE QUESTION. ALL I CAN DO ARE THOSE THINGS WHICH I AM PERMITTED TO DO UNDER THE LOCAL IMPROVEMENT ..

MR. CHAMBERLIST: ALRIGHT, THAT'S RIGHT.

MR. MCKINNON: MR. SPEAKER, I THINK THERE IS ANOTHER IMPORTANT FACET IN THIS MATTER. THE CHAIRMAN OF THE L.I.D. IN HAINES JUNCTION, IF I'VE UNDERSTOOD HIM CORRECTLY, AND I THINK I DID, SAID IF THE RECOMMENDATIONS AS OUTLINED BY MR. COLE WERE NOT FOLLOWED BY THE GOVERNMENT, THAT THE CHAIRMAN AND THE TRUSTEES OF THE L.I.D. ARE PREPARED TO RESIGN. THEY WOULD ASK FOR AN ADMINISTRATOR TO BE APPOINTED BY THE COMMISSIONER FOR THE HAINES JUNCTION L.I.D.

MY QUESTION IS, HAS THE COMMISSIONER MADE HIS MINISTER AWARE OF THE FACT OF THE MATTER IN THIS REGARD AND WHETHER THE DECISION OF THE MINISTER STILL REMAINS AS OUTLINED IN THE PAPER PRESENTED BEFORE COUNCIL?

MR. COMMISSIONER: MR. SPEAKER, I THINK IT MUST BE OBVIOUS FROM WHAT WE ARE SAYING HERE THAT MY MINISTER HAS BEEN FULLY INFORMED AS TO WHAT THE LOCAL SITUATION IS IN THIS REGARD.

QUESTION RE LOTS IN WATSON LAKE

MR. TAYLOR: MR. SPEAKER, I HAVE A QUESTION

RELATING BACK TO THE LOTS IN WATSON LAKE WHICH IS STILL GIVING US A GREAT DEAL OF TROUBLE.

I FIND IT DIFFICULT TO UNDERSTAND WHY THESE LOTS CAN NOT BE RELEASED AT THIS TIME. I WOULD LIKE TO ASK MR. COMMISSIONER IN VIEW OF THE FACT THAT A NUMBER OF THESE LOTS HAVE BEEN ALLOCATED ALREADY TO THE HOUSING CORPORATION, 30 LOTS INDEED, OUT OF A HUNDRED FOR THE

CONSTRUCTION OF 20 RENTAL PURCHASE HOMES AND THE 10 Y.T.G. STAFF HOMES. WHY CANNOT, AND ALSO THE CONTRACTS HAVE BEEN AWARDED FOR THE CONSTRUCTION OF THESE HOMES, NOTWITHSTANDING ANY SEWER AND WATER CONSIDERATION. BUT WHY IS IT NOW NOT POSSIBLE TO GIVE AGREEMENT FOR SALE ON THESE LOTS FOR IMMEDIATE RELEASE TO THE PEOPLE WHO MAY WISH TO START HOME CONSTRUCTION THIS YEAR IN WATSON LAKE?

MR. COMMISSIONER: WELL, MR. SPEAKER. IT IS ONE THING DEALING INTERNALLY IN THE GOVERNMENT. IT IS ANOTHER THING WITH THE GOVERNMENT DEALING WITH A THIRD PARTY. WHEN WE PUT UP THOSE LOTS FOR SALE WE MUST BE IN A POSITION TO DELIVER A TITLE TO THEM, TO THE THIRD PARTY WHO IS GOING TO BE THE BIDDER OR THE OWNER OF THIS PROPERTY, MR. SPEAKER. THE ONLY WAY I AM PERMITTED TO DO THAT IS BY HAVING AVAILABLE THE AUTHORITY OF THE GOVERNMENT OF CANADA TO DO SO. IT IS THAT AUTHORITY WHICH WE ARE SEEKING AT THIS TIME. IN THE SESSIONAL PAPER OF THE LEGISLATIVE RETURN THAT WE TABLED HERE THE OTHER DAY, WE CLEARLY INDICATED THAT THIS AUTHORITY WAS EXPECTED MOMENTARILY.

ALSO INDICATED THAT ONCE AT LEAST WE HAVE AN INDICATION THAT THE DEPARTMENTAL PEOPLE INVOLVED (MAINLY INDIAN AFFAIRS AND NORTHERN DEVELOPMENT) HAVE SIGNED THE NECESSARY DOCUMENTATION REQUESTING THIS AUTHORITY THAT WE WILL THEN USE THAT AS THE AUTHORITY TO PROCEED. WE'RE HOPEFUL OF HAVING THAT MOMENTARILY, MR. SPEAKER, THERE'S NO ONE ANY MORE ANXIOUS THAN I AM TO GET THESE LOTS UP FOR SALE AND GET THEM AVAILABLE TO THE GENERAL PUBLIC TO HAVE THE RIGHT OF THE USE OF THIS PROPERTY.

NOW THAT IS THE PARTICULAR AND PECULIAR SITUATION THAT WE HAPPEN TO HAVE.

MR. TAYLOR: WELL, MR. SPEAKER, I'M WONDERING SUPPLEMENTARY, IF MR. COMMISSIONER WOULD, AS OF TODAY'S DATE COMMUNICATE WITH OTTAWA THE URGENCY OF THIS MATTER?

MR. COMMISSIONER: MR. SPEAKER, WE'RE COMMUNICATING WITH OTTAWA ON A DAILY BASIS, ON THE URGENCY OF NOT ONLY THIS MATTER BUT A LOT OF OTHER MATTERS. ALL WE CAN DO IS TO KEEP ON TRYING, WE CAN'T DO ANYTHING.

QUESTION RE: CANADIAN WESTERN LOTTERY

MR. CHAMBERLIST: MR. SPEAKER, A QUESTION TO MR. COMMISSIONER. MR. COMMISSIONER, LAST NIGHT ON CBC T.V., THERE WAS ADVERTISEMENTS RE THE CANADIAN WESTERN LOTTERY. AND THE ADVERTISEMENTS SHOWED THE WESTERN PROVINCES AS THE PARTICIPANTS OF THE LOTTERY. IT ALSO SHOWED LOTS OF DOLLARS IN A BOWL, ALSO SHOWING THE WESTERN PROVINCES. THERE WAS NOT ONE REFERENCE WHATEVER THAT THE YUKON WAS PARTICIPATING IN ANY WAY. OR IN THE MAP OF THE AREA. NOW I WONDER WHETHER MR. COMMISSIONER WILL TAKE ANY STEPS TO INFORM THE CANADA WESTERN LOTTERY PEOPLE THAT WE ARE PARTICIPANTS. WHETHER OR NOT THAT EXTRA LITTLE PIECE OF ADVERTISING WILL BE FORTHCOMING FOR THE YUKON?

MR. COMMISSIONER: WELL, MR. SPEAKER, THERE'S NOT ONLY PROBLEMS WITH THE ADVERTISING IN CONNECTION WITH THIS. THERE ARE A FEW OTHER PROBLEMS AS WELL. - ALL I CAN TELL THE HONORABLE MEMBER IS THAT WE ARE DEALING WITH THIS ON A PRIORITY BASIS WITH THE GOVERNMENT OF THE PROVINCE OF MANITOBA WHOSE MANITOBA LOTTERY COMMISSION ARE THE ADMINISTRATORS OF THIS PROGRAM. I THINK MAYBE THE LEAST THAT I SAY, THE BETTER AT THIS POINT IN TIME. TO SAY THAT THE YUKON HAS BEEN COMPLETELY IGNORED AT THIS POINT IN TIME OF THE ADVERTISING PROGRAM IS ONE OF THE MINOR MATTERS THAT WE ARE DEALING WITH IN THIS TOTAL LOTTERY SITUATION.

MR. MCKINNON: MR. SPEAKER, IF I COULD ANSWER FURTHER. THERE ARE SOME ADVERTISING DOLLARS STARTING TO COME TO THE YUKON FROM REPRESENTATIONS THAT HAVE BEEN MADE BY COMPANIES THAT I AM INVOLVED IN. I ALSO AM WRITING AND AM IN CONTACT WITH THE AGENCY THAT IS HANDLING THE ADVERTISING FOR THIS CAMPAIGN. I HAVE MENTIONED THE LACK OF ANY MENTION OF THE YUKON TERRITORY AND ADVISED THAT THEY SHOULD AMEND THEIR ADVERTISING CAMPAIGN SO THAT WE DO, IN FACT, BECOME PART OF THE ADVERTISING OF THE WESTERN CANADA LOTTERY.

QUESTION RE: MOTION RE RESCINDING OF APPOINTMENTS OF MEMBERS TO COMMITTEE AFTER OCT. 5.

MR. CHAMBERLIST: FURTHER QUESTION TO MR. COMMISSIONER. NOW I WONDER IF MR. COMMISSIONER HAS HAD ANY OVERNIGHT THOUGHTS SURROUNDING THE MOTION THAT HAS BEEN PASSED WITH REFERENCE TO THE RESCINDING OF APPOINTMENTS OF MEMBERS OF COUNCIL TO COMMITTEE AFTER OCTOBER 5TH.

MR. COMMISSIONER: MR. SPEAKER, MY OVERNIGHT THOUGHTS HAVE BEEN CONCERNED WITH THE ADMONITION THAT I HAD FROM THE HONORABLE MEMBER WHO ASKED A QUESTION YESTERDAY THAT I WASN'T GETTING THE QUESTIONS THAT HAD BEEN PLACED ON THE ORDER PAPER ANSWERED. THAT'S WHERE MY ENERGIES HAVE BEEN GOING OVERNIGHT. NOT WITH REGARD TO OTHER MATTER.

MR. MCKINNON: ALL NIGHT?

MR. SPEAKER: AS THERE ARE NO FURTHER QUESTIONS WE WISH TO THANK MR. COMMISSIONER FOR HIS ATTENDANCE. AS THERE ARE NO PRIVATE BILLS AND ORDERS, PUBLIC BILLS AND ORDERS MAY I ASK YOUR FURTHER PLEASURE?

MR. TAYLOR: MR. SPEAKER, I WOULD NOW MOVE THAT MR. SPEAKER DO NOW LEAVE THE CHAIR AND COUNCIL RESOLVE IN COMMITTEE OF THE WHOLE FOR THE THE PURPOSE OF DISCUSSING SESSIONAL PAPERS AND MOTIONS.

MR. STUTTER: SECOND THAT MOTION, MR. SPEAKER.

MR. SPEAKER: IT HAS BEEN MOVED BY THE HONORABLE MEMBER FOR WATSON LAKE, SECONDED BY THE HONORABLE MEMBER FOR DAWSON THAT MR. SPEAKER DO NOW LEAVE THE CHAIR FOR THE PURPOSE OF CONVENING IN COMMITTEE OF THE WHOLE TO DISCUSS SESSIONAL PAPERS AND MOTIONS. ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE THE MOTION CARRIED AND THE HONORABLE MEMBER FOR WATSON LAKE WOULD PLEASE TAKE THE CHAIR IN COMMITTEE OF THE WHOLE.

MOTION CARRIED

MR. CHAIRMAN: AT THIS TIME I WILL CALL COMMITTEE TO ORDER. WE HAVE TWO SESSIONAL PAPERS, THE FIRST IS SESSIONAL PAPER No. 13, CHANGES TO MEDICARE PLAN. WILL THERE BE ANYTHING FURTHER IN THIS MATTER?

MR. CHAMBERLIST: MR. CHAIRMAN, I DON'T THINK FOR ONE MOMENT THAT ANY MOTIONS THAT ARE GOING TO BE PASSED OR PUT FORWARD IN THIS COMMITTEE AT THE TIME OF THE LIFE OF THIS COUNCIL ARE GOING TO HAVE ANY EFFECT AT ALL. THE COMMISSIONER HAS INDICATED THAT HE NEEDS CONSIDERABLE TIME BEFORE HE WILL APPROVE ANY MOTION THAT HAS BEEN PASSED BY THIS COUNCIL. I WOULD JUST LIKE TO MAKE THE POINT THAT I DON'T THINK WE HAVE GONE FAR ENOUGH IN THE CHANGES OF THE MEDICAL PROGRAM. IT IS CLEARLY INDICATED THAT WE COULD VERY EASILY, HAVE INCREASED THE BENEFITS BY MAKING ARRANGEMENTS WITH OUR PEOPLE WHO HAVE BEEN ADMINISTERING THE PROGRAM IN VANCOUVER, TO CARRY AND GET TO KNOW COST OF BENEFITS FOR ABOUT 35 TO 50 CENTS PER PERSON IN THE YUKON. IT WOULD HAVE EVENTUALLY INCLUDED SUCH THINGS AS DRUGS, OPTOMETRY, CHIROPRACTIC AND A NUMBER OF OTHER ITEMS.

I THINK IT'S A BIT LATE NOW TO DO ANYTHING ABOUT IT. I WOULD HOPE THAT MR. CHAIRMAN, ON THE NEXT COUNCIL WHEN IT'S ELECTED, IT WILL GIVE SERIOUS CONSIDERATION, INCLUDING THESE ADDITIONAL BENEFITS WHICH I FEEL THAT THE PLAN, THE YUKON HEALTH CARE INSURANCE PLAN CAN WELL AFFORD TO CARRY.

MR. CHAIRMAN: ALL RIGHT THE NEXT MATTER IS SESSIONAL PAPER NO. 25, MOVED INTO COMMITTEE BY MYSELF, WESTERN CANADA LOTTERIES.

COUNCILLOR STUTTER, I WONDER IF YOU COULD DEAL WITH THIS MATTER.

MR. STUTTER: YES, MR. CHAIRMAN, COUNCILLOR MCKINNON AND MYSELF, WE DID MEET WITH MR. FINGLAND AND MR. MILLER AND THE SECOND SESSIONAL PAPER WHICH IS NOW BEFORE COUNCIL IS PRETTY WELL THE OUTCOME OF THE DISCUSSION. I DO NOTICE THAT THERE IS ONE POINT MISSING ON THIS SESSIONAL PAPER THAT I THINK WAS, I HOPE COUNCILLOR MCKINNON WILL BEAR ME OUT ON THIS, BUT I THINK WAS DISCUSSED AND AGREED AT THAT MEETING AND THAT IS THE VERY BOTTOM PARAGRAPH. THE INDICATION IS, IS THAT THE DEPARTMENT OF TERRITORIAL SECRETARY ON THE UNDERSTANDING THAT RECOMMENDS THE LICENSING OF SALE AGENCIES WILL REMAIN WITH THE ADVISORY COMMITTEE ON FINANCE, OR A FITNESS IN AMATEUR SPORTS. IT'S NOT JUST THE LICENSING, BUT ALSO THE DISTRIBUTION OF THE YUKON TERRITORIAL PROCEEDS. I THINK THAT WE SHOULD DRAW ATTENTION TO THAT FACT, I'M SURE IF COUNCILLOR MCKINNON WILL BEAR ME OUT

THAT THAT WAS AGREED IN THE MEETING ALSO THAT THE PROCEEDS WOULD BE DISTRIBUTED BY THAT COMMITTEE ALSO, NOT JUST THE LICENSING.

MR. MCKINNON: THAT'S CORRECT, MR. CHAIRMAN, AND THE CONCEPT WAS THAT THE ADVISORY COMMITTEE ON FITNESS AND AMATEUR SPORT MAKE THE RECOMMENDATION BUT THOSE RECOMMENDATIONS APPEAR AS A BUDGETARY ITEM IN THE BUDGET FOR THE EXAMINATION AND ACCEPTANCE OR REJECTION OF MEMBERS OF THE COUNCIL, WHICH I THINK IS THE PROPER WAY OF GOING ABOUT IT. WHETHER THIS WAS REMOVED FROM THE SESSIONAL PAPER FOR ANY REASON OR NOT IS SOMETHING THAT I CANNOT TELL COMMITTEE AT THIS TIME. BUT IT WAS IN GENERAL AGREEMENT WITH MR. MILLER AND MR. FINGLAND, MR. STUTTER AND MYSELF THAT THAT IS THE WAY IT WOULD WORK.

MRS. WATSON: MR. CHAIRMAN, I THINK IT WAS JUST AN OVERSIGHT FROM THE SESSIONAL PAPER. I THINK THAT WAS THE AGREEMENT THAT WAS REACHED AT THE TABLE ORIGINALLY, THAT THE DISTRIBUTION OF THE FUNDS TO THE LOCAL SPORTS AND RECREATION GROUPS WOULD BE UNDERTAKEN BY THE ADVISORY COMMITTEE ON FITNESS AND AMATEUR SPORTS. BEFORE THE FUNDS WOULD BE ALLOCATED, IF THE APPROPRIATION WOULD BE PART OF THE BUDGET FOR THE CONSIDERATION OF THE COUNCIL OF THE DAY. THIS WAS MY UNDERSTANDING AND I'M SURE THAT IF COUNCIL WANTS TO MAKE A NOTE, DRAW THIS ATTENTION TO, THAT THIS SHOULD HAVE BEEN INCLUDED IN THE SESSIONAL PAPER FINE, I WOULD CERTAINLY SUPPORT THIS.

MR. MCKINNON: I'D ACCEPT THE SESSIONAL PAPER WITH THAT ADDITION, MR. CHAIRMAN. JUST SO WE HAVE IT ON RECORD THAT THAT IS WHAT WE AGREED TO.

MR. CHAIRMAN: POSSIBLY A MOTION OF CONCURRENCE IS IN ORDER.

MR. STUTTER: MR. CHAIRMAN, WITH THAT UNDERSTANDING, I WOULD MOVE THAT COMMITTEE CONCURS WITH THE PROPOSALS AS OUTLINED IN SESSIONAL PAPER NO. 25.

MR. MCKINNON: I'LL SECOND THAT MOTION, MR. CHAIRMAN.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR MCKINNON THAT COMMITTEE CONCURS WITH RECOMMENDATIONS FOR CHANGING SESSIONAL PAPER NO. 25. ARE YOU PREPARED FOR THE QUESTION? AGREED? I DECLARE

THE MOTION CARRIED.

MOTION CARRIED

MR. CHAIRMAN: NOW, WE HAVE A NUMBER OF LEGISLATIVE RETURNS, INCLUDES ALL SESSIONAL PAPERS. FIRST IS LEGISLATIVE RETURN NO. 3. THIS RELATES TO THE AUTHORITY OF ASSISTANT COMMISSIONER.

MR. CHAMBERLIST: JUST LEAVE IT BECAUSE IT BECOMES ACADEMIC ONCE MORE, WE CAN'T DO ANYTHING WITH IT.

MR. CHAIRMAN: THE NEXT ITEM IS LEGISLATIVE RETURN NO. 18, MINISTER'S INSTRUCTION RE EXCOM.

MR. CHAMBERLIST: THERE'S NO INSTRUCTIONS TO BE GIVEN TO THE COMMISSIONER, HE KNOWS IT, IT'S ALL HIS OWN WORK.

MR. CHAIRMAN: NEXT IS LEGISLATIVE RETURN NO. 19, COMMISSIONER ORDERS 1970/72, APPOINTMENTS TO EXCOM.

MR. CHAMBERLIST: ALL THESE LEGISLATIVE RETURNS AND THE REASON FOR PUTTING THEM IN HAVE ALL LOST THEIR IMPACT FOR THE SIMPLE REASON WE'VE BEEN TOLD, MR. CHAIRMAN, QUITE CLEARLY, BY THE COMMISSIONER. HE DOESN'T CARE WHATEVER THIS COUNCIL SAYS ABOUT ANYTHING. LEGISLATIVE RETURNS, MOTIONS, ANYTHING. HE IS THE DICTATOR, HE'S GOING TO RULE IN HIS OWN MANNER. I WILL HAVE MY REMARKS OVER THE WHOLE THING AND I'LL HAVE MY CLOSING ADDRESS.

MR. CHAIRMAN: THE NEXT LEGISLATIVE RETURN IS LEGISLATIVE RETURN NO. 48, INTERPRETATION OF BILL, PROPERTY, AND TAX ORDINANCE. COUNCILLOR MCKINNON, I BELIEVE.

MR. MCKINNON: WHAT DID I DO?

MR. CHAIRMAN: OH I'M SORRY. 48, YES, NO THIS IS COUNCILLOR STUTTER.

MR. STUTTER: WHAT WOULD THIS ONE BE.

MR. CHAIRMAN: LEGISLATIVE RETURN NO. 48, RESPECTING THE INTERPRETATION OF REAL PROPERTY IN THE TAX ORDINANCE.

MR. STUTTER: OH, THAT ONE MR. CHAIRMAN, WAS TAKEN UP AT THE CONFERENCE OF MUNICIPALITIES

IN DAWSON AND I THINK IT'S BEEN RESOLVED TO THE SATISFACTION OF THE MUNICIPALITY.

MR. CHAIRMAN: ALL RIGHT, THE NEXT ONE IS REGULATIONS RE BEER IN GLASSES. THAT IS COUNCILLOR MCKINNON.

MR. MCKINNON: MR. CHAIRMAN, IF I REMEMBER THE REGULATIONS PROPERLY, IN A LICENCED PREMISE THAT THERE IS UP TO, AND I'M NOT SURE, I THINK IF I REMEMBER THEM CORRECTLY, UP TO A FIVE HUNDRED FINE FOR A PERSON OR I THINK IT IS ON THE ESTABLISHMENT ITSELF, THAT WHEN YOU ARE SERVED A BOTTLE OF BEER THAT YOU HAVE TO BE SERVED A GLASS WITH IT. THAT PERSON HAS TO CONSUME OUT OF THAT GLASS OR HE IS GUILTY OF AN INFRACTION OF THE LIQUOR REGULATIONS AND LIABLE TO EITHER A FINE OR IMPRISONMENT.

I JUST CAN'T ACCEPT REGULATIONS SUCH AS THESE WHICH ARE NEVER IN FORCE, WHICH CANNOT BE ENFORCED, WHICH ARE A LAUGHING STOCK, WHICH ARE UNNECESSARY, WHICH ARE ASININE AND SHOULD BE REMOVED FROM THE BOOKS. I DISAGREE WITH LAWS THAT ARE ON THE BOOKS, WHICH ARE UNENFORCEABLE, WHICH ARE THERE TO BE FLAUNTED AND EXPLOITED, AND I WOULD ASK MR. CHAIRMAN THAT THIS RIDICULOUS REGULATION BE REMOVED FROM THE REGULATIONS UNDER THE LIQUOR REGULATIONS.

MR. CHAIRMAN: ANYTHING FURTHER IN THIS MATTER.

MR. CHAMBERLIST: I AGREE, MR. CHAIRMAN, THAT SURE, I THINK THAT THERE SHOULD BE A GLASS OFFERED WITH BEER, BUT IF THE CUSTOMER WANTS TO DRINK OUT OF THE BOTTLE, WHY CAN'T HE DRINK OUT OF THE BOTTLE? AS LONG AS IT SHOULDN'T BE A DUTY UPON A PERSON TO DRINK OUT OF A GLASS IF HE DOESN'T WANT TO DRINK OUT OF A GLASS. IT'S SOMEWHAT OF A LUDICROUS REGULATION THAT WE SHOULDN'T TOLERATE AT ALL. DOESN'T MEAN ANYTHING, LET'S TAKE IT OUT.

MRS. WATSON: MR. CHAIRMAN, IF THE REGULATION IS TAKEN OUT COMPLETELY, WILL IT MEAN THAT OPERATORS WILL NOT HAVE TO HAVE GLASSES AVAILABLE?

MR. MCKINNON: NO, THEY STILL WILL BE SERVED WITH A GLASS BUT THEY JUST DON'T HAVE TO DRINK FROM IT.

MR. LEGAL ADVISER: I'M NOT SURE WHY THE REGULATION IS THERE INQUIRIES CAN BE

MADE. IT MAY BE THAT IT'S ASKED FOR BY THE OPERATOR'S OF LICENCED PREMISES THEMSELVES, IT MAY BE THAT IT'S A PUBLIC HEALTH THING. I JUST DON'T KNOW, BUT CERTAINLY THERE'S NO QUESTION THAT THE LIQUOR PEOPLE WILL LOOK INTO IT.

MR. CHAMBERLIST: IT HAPPENS TO BE THE SAME REGULATION THAT HAS BEEN IN THERE FOR TWENTY YEARS AND NOBODY'S EVER TAKEN A LOOK TO CHANGE IT. CERTAINLY THERE SHOULD BE A REQUIREMENT FOR THE OPERATOR TO GIVE A GLASS WITH A BEER, BUT WHY PENALIZE SOMEBODY WHO WANTS TO DRINK OUT OF A BOTTLE?

MR. LEGAL ADVISER: I DON'T KNOW THE LEGAL PART. THE REASON MAY VERY WELL BE AN OBLIQUE REASON TO PREVENT PEOPLE FROM BRINGING IN THEIR OWN BEER OR THEIR OWN BOTTLE AND DRINKING FROM THOSE. OBLIQUE REASONS MAY BE THERE AND WHO ASKED THAT IT BE PUT THERE IN THE FIRST PLACE OR WHETHER IT WAS MERELY COPIED FROM MANITOBA OR SOMETHING, LET'S FACE IT, I DON'T KNOW. BUT THERE'S NO QUESTION THAT THE THING WOULD BE LOOKED AT BUT I DON'T THINK THAT ANYONE CAN GIVE A GUARANTEE TO HAVE IT REMOVED, IT DEPENDS ON THE REASONS FOR PUTTING IT THERE IN THE FIRST PLACE.

MR. MCKINNON: MR. CHAIRMAN, THE REASON WHY IT WAS PUT IN WAS FOR THE TAVERNS, PARTICULARLY, AND THE THOUGHT BEHIND IT WAS THAT PEOPLE WERE TAKING THE BEER BOTTLE FROM THE TAVERN TABLE, GOING INTO THE WASHROOM AND FILLING THOSE BOTTLES WITH EITHER WINE OR LIQUOR COMING OUT OF THE WASHROOM, SITTING AT THE TABLE AND DRINKING OUT OF THE BOTTLE WHERE THE OPERATOR DID NOT KNOW WHETHER HE WAS CONSUMING BEER, WINE, OR LIQUOR. THAT WAS THE REASON THAT IT WAS PUT IN THE REGULATIONS, PURE AND SIMPLE. BUT SINCE THE CHANGE IN THE LIQUOR REGULATIONS WHICH BROUGHT ABOUT A NEW FREEDOM TYPE OF LEGISLATION I THINK THAT THE REGULATION HAS LONG OUTLIVED IT'S USEFULNESS AND SHOULD BE REMOVED.

ON THE ASPECT OF HEALTH, MR. CHAIRMAN, I WORKED FOR MANY YEARS IN MANY OF THE LOCAL ESTABLISHMENTS AS A BARTENDER. I ALSO VISITED MANY BREWERIES AND WATCHED THEIR STERILIZATION OF GLASSES. MR. CHAIRMAN, BECAUSE OF HAVING WORKED IN THE BARS AND SEEN THEIR SANITARY REQUIREMENTS AND HAVING WATCHED THE BREWERIES AND THEIR SANITARY REQUIREMENTS I AM ONE OF THOSE WHO DO NOT DRINK OUT OF A

GLASS IN LOCAL ESTABLISHMENTS BUT WOULD MUCH PREFER TO ACCEPT THE STERILIZATION PROCESS IN THE BREWERY AND DRINK OUT OF THE BOTTLE. SO FROM THE HEALTH STANDARD I THINK IT'S PERHAPS A LITTLE SAFER DRINKING FROM THE BOTTLE THAN FROM THE GLASS. I'M SURE THAT THE HEALTH ARGUMENT WASN'T EVEN IN CONSIDERATION WHICH I KNOW IT WASN'T WHEN THE REGULATIONS WERE MADE. WHAT I'M TELLING YOU IS FACTUAL AND THE REASONS FOR THE REGULATION. IT HAS OUTLIVED IT'S USEFULNESS, IF THE ADMINISTRATION ISN'T PREPARED TO REMOVE IT THEN AT THE NEXT COUNCIL I WOULD HOPE THAT SOMEONE WOULD BRING ABOUT A MOTION OF COUNCIL DEMANDING THE REMOVAL OF A SILLY REGULATION WHICH ONLY MAKES THE LAW LOOK SILLY AND THE ADMINISTRATION LOOK SILLY.

MR. CHAIRMAN: ALL RIGHT ARE WE CLEAR ON THIS MATTER? THE LAST AND FINAL ITEM IS LEGISLATIVE RETURN NO. 69, MR. OBOMSAWIN.

MR. CHAMBERLIST: AS I UNDERSTAND IT THE MATTER IS IN THE HANDS OF SOME LEGAL PEOPLE AND I DON'T THINK ANY COMMENT SHOULD BE MADE ON IT.

MR. CHAIRMAN: ALL RIGHT, THIS CONCLUDES THEN THE LEGISLATIVE RETURNS AND THE SESSIONAL PAPERS AND ALL THE BUSINESS BEFORE YOU IN COMMITTEE AT THIS TIME.

MR. TANNER: MR. CHAIRMAN I HEARD THE CHAIR SAY EARLIER ON THAT WE'RE GOING TO WAIT UNTIL TWO O'CLOCK FOR THE FINAL SPEECHES. IS THERE ANY REASON FOR THAT. CAN WE NOT DO IT RIGHT NOW?

MR. CHAIRMAN: THE REASON IS, THE MEDIA WOULD LIKE TIME TO PREPARE THEIR EQUIPMENT.

WHAT IS YOUR PLEASURE AT THIS TIME? I BELIEVE A MOTION FOR MR. SPEAKER TO RESUME THE CHAIR WOULD BE IN ORDER.

MR. CHAMBERLIST: I WOULD MOVE THAT MR. SPEAKER DO NOW RESUME THE CHAIR.

MR. STUTTER: I'LL SECOND THAT.

MR. CHAIRMAN: IT HAS BEEN MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR STUTTER THAT MR. SPEAKER DO NOW RESUME THE CHAIR. ARE YOU PREPARED FOR THE QUESTION? ARE YOU AGREED? I DECLARE THE MOTION CARRIED.

MOTION CARRIED

MR. SPEAKER: I NOW CALL COUNCIL TO ORDER.

MAY WE HAVE A REPORT FROM THE CHAIRMAN OF COMMITTEE.

MR. CHAIRMAN: YES, MR. SPEAKER, COMMITTEE CONVENED AT 10:40 A.M. TO DISCUSS SESSIONAL PAPERS AND MOTIONS. IT WAS MOVED BY COUNCILLOR STUTTER, SECONDED BY COUNCILLOR MCKINNON THAT COMMITTEE CONCURS WITH RECOMMENDATIONS CONTAINED IN SESSIONAL PAPER NO. 25 AND THIS MOTION CARRIED. IT WAS MOVED BY COUNCILLOR CHAMBERLIST, SECONDED BY COUNCILLOR STUTTER THAT MR. SPEAKER DO NOW RESUME THE CHAIR AND THIS MOTION CARRIED. I CAN REPORT MR. SPEAKER, THAT ALL OF THE WORK BEFORE YOUR COMMITTEE HAS NOW BEEN CONCLUDED AND WE WOULD NO DOUBT BE READY FOR PROROGATION PRECEEDING.

MR. SPEAKER: YOU HAVE HEARD THE REPORT FROM THE CHAIRMAN OF COMMITTEE. ARE WE AGREED? WE WILL NOW RECESS UNTIL TWO O'CLOCK THIS AFTERNOON. BEFORE I GO I WOULD LIKE TO ASK IF ALL MEMBERS' SPEECHES BE AS SHORT AS POSSIBLE IN ORDER THAT THE MOVING VAN MAY GET HERE AND TAKE AWAY MY CHAIR IN TIME.

Recess

MR. SPEAKER: I WILL NOW CALL COUNCIL TO ORDER. WE WILL NOW HEAR THE COUNCILLORS' REPLIES TO THE COMMISSIONER'S OPENING ADDRESS. STARTING WITH THE HONOURABLE MEMBER FOR DAWSON.

MR. STUTTER: MR. SPEAKER, FELLOW COUNCILLORS AND YUKON RESIDENTS. ONE OF THE LONGEST SESSIONS OF COUNCIL HAS NOW COME TO AN END AND WITH IT PROBABLY THE LAST SITTING OF THE 22ND WHOLLY ELECTED COUNCIL.

MR. SPEAKER, I FOR ONE DID NOT EXPECT THIS COUNCIL TO DIE A NATURAL DEATH. THERE HAVE BEEN NUMEROUS OCCASIONS DURING ITS LIFE WHEN IT SEEMED DOOMED TO COMPLETE FAILURE. IT'S BEEN AN EXPERIMENTAL COUNCIL IN THAT IT IS THE FIRST ONE HAVING EXECUTIVE COMMITTEE WITH TWO ELECTED MEMBERS. THE EXPERIMENT HAS NOT BEEN A TOTAL SUCCESS, BUT AT THE SAME TIME, IT'S BEEN A VERY NECESSARY STEP TOWARDS MORE RESPONSIBLE GOVERNMENT HERE IN THE YUKON.

THE NEXT ELECTION WILL SEE TWELVE MEMBERS, THREE OF WHOM WILL BECOME MEMBERS OF AN ENLARGED EXECUTIVE COMMITTEE. BOTH INCREASES IN MY MIND WILL HELP SOLVE SOME OF THE OBVIOUS STUMBLING BLOCKS EXPERIENCED BY THE PRESENT COUNCIL.

MR. SPEAKER, THE 22ND WHOLLY ELECTED COUNCIL

HAS BEEN RIDICULED AS BEING A CIRCUS, A ZOO, A LAUGH-IN SHOW AND MANY OTHER SUCH TITLES. BUT WHEN ONE LOOKS AT THE RECORD OVER THE PAST FOUR YEARS, IT WILL BE SEEN THAT SOME VERY IMPORTANT PIECES OF LEGISLATION HAVE BEEN PASSED. THE TWO MOST IMPORTANT IN MY OPINION BEING THE YUKON HEALTH CARE INSURANCE PLAN AND NOW THE EDUCATION ORDINANCE. THE LATTER HAS PERHAPS HAD MORE PUBLIC INPUT AND MORE PREPARATION THAN ANY OTHER SINGLE PIECE OF LEGISLATION. AND NOW APPEARS TO BE A GOOD BILL. AND I COMMEND THE HONOURABLE MEMBER FOR CARMACKS-KLUANE FOR HER PART IN ITS PREPARATION. I COMMEND THE PARENTS AND I COMMEND ALL OF THOSE PEOPLE WHO HAVE TAKEN THE TROUBLE TO PRESENT BRIEFS AND MAKE REPRESENTATIONS TO THIS COUNCIL

MR. SPEAKER, THERE HAVE BEEN MANY OTHER GOOD PIECES OF LEGISLATION PASSED IN THESE LAST FOUR YEARS. A FEW BAD BILLS HAVE BEEN ALLOWED TO DIE IN COMMITTEE. BUT ALL IN ALL THIS COUNCIL HAS BEEN A PRODUCTIVE COUNCIL. NOTWITHSTANDING THE FACT THAT IT'S BEEN PLAGUED BY EMOTIONAL OUTBREAKS, PERSONAL ACCUSATIONS AND DEBATES WHICH HAVE REACHED THE BOILING POINT. THESE CAN ALL BE FOUND IN ANY LEGISLATIVE ASSEMBLY AND DO NOT MAKE US APART FROM THEM. WHAT DOES SET US APART THOUGH, MR. SPEAKER, IS OUR TOTAL LACK OF ANY MEANINGFUL POWER IN HANDLING OUR OWN AFFAIRS.

THE FEDERAL GOVERNMENT SEEMS UNWILLING TO DELEGATE THIS POWER FOR SEVERAL YEARS YET. IN THE MEANTIME, IT WILL BE UP TO MEMBERS OF COUNCIL TO BE STRONG RESPONSIBLE INDIVIDUALS, CAPABLE OF HANDLING THAT RESPONSIBILITY WHEN IT DOES ARRIVE.

MR. SPEAKER, WITH A STRONG COUNCIL NEXT TIME AROUND, THE TYPE OF RESPONSIBILITY AND SELF-GOVERNMENT THAT WE'RE ALL WORKING TOWARDS MAY NOT BE THAT FAR OFF. THE NEXT FOUR YEARS WILL SEE THE NEW COUNCIL IN THE NEW CAPITAL BUILDING. IT WILL SEE MOST OF THE GOVERNMENT DEPARTMENTS HOUSED IN THAT BUILDING. WE WILL HAVE THE OUTWARD APPEARANCES OF ANY PROVINCIAL CAPITAL. WITH STRENGTH AND UNITY, MR. SPEAKER, OUR AIMS CAN BE ACHIEVED.

MR. SPEAKER, THE PAST FOUR YEARS HAVE BEEN CHALLENGING ONES FOR ME. TERRITORIAL POLITICS BEING VASTLY DIFFERENT FROM THE MUNICIPAL POLITICS AND IN MANY WAYS, LESS REWARDING AND MORE FRUSTRATING. CANDIDATES SEEKING ELECTION

IN DECEMBER SHOULD BE PREPARED TO DEVOTE MOST OF THEIR TIME AND ENERGY TO BEING TERRITORIAL COUNCILLORS. AND IT'S RAPIDLY BECOMING A FULL TIME PROFESSION, PARTICULARLY IN THE EXECUTIVE POSITIONS.

ON MANY OCCASIONS, IT'S BEEN A PLEASURE WORKING WITH ALL MEMBERS OF COUNCIL. ON OTHER OCCASIONS, IT'S BEEN SOMEWHAT LESS THAN PLEASURABLE. BUT MR. SPEAKER, I AS A RURAL COUNCILLOR, HAVE RECEIVED MUCH SUPPORT FROM WHITEHORSE MEMBERS IN ACHIEVING MANY OF THE WISHES OF MY CONSTITUENTS. CONVERSELY, MR. SPEAKER, THE WHITEHORSE MEMBERS HAVE, ON ALMOST EVERY OCCASION, RECEIVED SUPPORT FROM RURAL MEMBERS IN THE PASSAGE OF PURELY WHITEHORSE MOTIONS AND LEGISLATION. I DO NOT THINK THAT WHITEHORSE RESIDENTS NEED OVERLY BE CONCERNED OVER THE SEVEN TO FIVE SPLIT IN MEMBERSHIP IN THE NEXT COUNCIL.

MR. SPEAKER, I, LIKE OTHER MEMBERS, AM GLAD TO SEE THE END OF THIS SPRING SESSION. AS WE'VE ALREADY PASSED THE LONGEST DAY AND ARE WELL INTO OUR SHORT BEAUTIFUL SUMMER, I'M ANXIOUS TO GET BACK TO PAWSON AND TO MY LIVELIHOOD. BEFORE THE END OF '74, WE'LL HAVE A NEW GOVERNMENT IN OTTAWA AND A NEW TERRITORIAL COUNCIL. I URGE ALL RESIDENTS TO DO THEIR PART TO ENSURE THE BEST POSSIBLE REPRESENTATION IN BOTH.

FINALLY, MR. SPEAKER, MAY I WISH ALL MEMBERS AND ALL RESIDENTS OF THE TERRITORY AN ENJOYABLE AND RELAXING HOLIDAY WEEKEND.

THANK YOU, MR. SPEAKER.

MR. SPEAKER: THE HONOURABLE MEMBER FOR WHITEHORSE EAST.

MR. CHAMBERLIST: MR. SPEAKER, FELLOW MEMBERS OF 22ND WHOLLY ELECTED TERRITORIAL COUNCIL. AND I'M SURE I WON'T BE USING THAT EXPRESSION AGAIN IN THIS LIFE OF THIS COUNCIL.

I TODAY AM GOING TO SPEAK ON VARIOUS MATTERS BECAUSE AS I HAVE ALREADY INDICATED, I DO NOT INTEND TO SEEK RE-ELECTION AT THE NEXT TERRITORIAL ELECTION. AND I WILL GENERALLY OUTLINE WHAT I THINK HAVE BEEN THE HIGHLIGHTS OF MY LIFE IN TERRITORIAL COUNCIL. BUT I WOULD FIRST LIKE TO MAKE SOME STATEMENTS WITH REFERENCE PARTICULARLY TO SESSIONAL PAPER NO. 1 WHICH IS THE COMMISSIONER'S OPENING ADDRESS AND SESSIONAL PAPER NO. 2 WHICH WAS HIS BUDGET INTRODUCTION TO TERRITORIAL COUNCIL.

MR. SPEAKER, THE OPENING ADDRESS OF THE COMMISSIONER, AND I'M SURE THERE CAN BE NO DOUBT TO ANYBODY THAT HAS READ THE SESSIONAL PAPER AND ANALYZED THE SESSIONAL PAPER, SHOWS THAT IT IS COMPLETELY FULL OF RECOGNIZED CLICHES, AND CERTAINLY IT HASN'T BROUGHT FORWARD TO ANYBODY ANY CLEAR UNDERSTANDING OF WHAT IS THE INTENT AND SUBSTANCE OF THE ADMINISTRATION OF THIS TERRITORIAL GOVERNMENT. WHEN I READ THESE WORDS: "WE IN YUKON ARE UNDERGOING MEASURELESS CHANGES IN OUR FORM OF GOVERNMENT", I CANNOT BUT HELP AND THINK TO MYSELF AND SAY OUTWARDLY HOW RIDICULOUS A STATEMENT THAT COULD BE. WHEN EVERYBODY KNOWS FULL WELL THAT THE CHANGES IN OUR FORM OF GOVERNMENT REMAIN EXACTLY THE SAME AS A RESULT OF THE LACK OF THE SUITABLE CHANGES THAT THIS COUNCIL AND COUNCILS BEFORE HAVE ASKED FOR IN THE YUKON ACT.

THIS IS A ONE MAN GOVERNMENT. AND THERE CAN BE NO DOUBT AT ALL IN ANYBODY'S MIND THAT IT IS ANYTHING BUT THAT.

AND THEN WE READ ANOTHER SENTENCE. "IT IS MORE THAN LIKELY THAT THESE CHANGES WILL BE INCREASINGLY EVIDENT DURING THE SUMMER OF 1974." HERE WE ARE IN THE SUMMER OF 1974. CAN ANYBODY SAY THAT THERE ARE MEASURELESS CHANGES IN OUR FORM OF GOVERNMENT DURING THE SUMMER OF 1974? AND I ASK MEMBERS OF COUNCIL TO CONSIDER THAT,

AND THEN I READ ANOTHER CLICHE. "WHAT WE MAKE OF THE FURTHER OPPORTUNITIES NOW AFFORDED WILL DEPEND TO A VERY GREAT EXTENT ON THE DELIBERATIONS AND THE ADVICE TENDERED WITHIN THESE CHAMBERS WITHIN THE NEXT FEW WEEKS." THE ADMINISTRATION THROUGH MR. COMMISSIONER HAS MADE IT QUITE CLEAR THAT HE DOES NOT ACCEPT THE ADVICE OF THIS TERRITORIAL COUNCIL. IT'S BEEN MADE QUITE CLEAR BY A MESSAGE RECEIVED JUST A FEW DAYS AGO FROM THE DEPARTMENT OF JUSTICE. THAT THERE IS NO REASON FOR THIS TERRITORIAL COUNCIL TO EXIST. ONE CAN ONLY TIE THESE SPECIFIC STATEMENTS IN TOGETHER TO SEE HOW MUCH VALUE THERE IS IN THE STATEMENTS THAT HAVE BEEN MADE BY THE COMMISSIONER. CERTAINLY WE HAVE AN EXECUTIVE COMMITTEE AND I AM GOING TO LIMIT MY REMARKS TO ANY INDIVIDUAL MEMBER OF THE EXECUTIVE COMMITTEE. BECAUSE I FEEL AND I AGREE THAT THE CONCEPT OF AN EXECUTIVE COMMITTEE UNDER OUR PRESENT SYSTEM IS ONE THAT WE ALL HAVE AGREED MUST WORK. BUT THE TIME WENT PAST AND IT WAS SHOWN THAT THE STRENGTH OF THE ADMINISTRATION, THROUGH ITS APPOINTED OFFICERS UNDER THE YUKON

ACT, DEPRIVES THE TERRITORIAL COUNCIL OF PROPERLY INSTRUCTING AND PROPERLY RECEIVING FROM THE ELECTED MEMBERS TO THAT EXECUTIVE COMMITTEE, THE REQUIREMENTS AND SERVICES THAT IT REQUIRES FROM THEM.

AND I MUST SAY, MR. SPEAKER, THAT ON LOOKING BACK, I FEEL THAT I, IN MANY WAYS, DID NOT GIVE TO THE TERRITORIAL COUNCIL WHAT THEY HAVE DESIRED OF ME WHILE I WAS A MEMBER OF THAT EXECUTIVE COMMITTEE. AND I DIDN'T GIVE IT ALL THAT I COULD HAVE GIVEN BECAUSE I WAS INVOLVED WITH A SITUATION WHERE I BELIEVED AT THE TIME TO MAKE THE CONCEPT WORK, IT WAS NECESSARY FOR ME TO SUPPORT THE AIMS OF THE ADMINISTRATION. AND IN MY FIRST TWO YEARS I UNFORTUNATELY LEANED IN THAT PARTICULAR DIRECTION. BUT THEN I WAS OVERCOME WITH THE FEAR OF SEEING ADMINISTRATIVE OFFICERS APPOINTED BY THE GOVERNMENT OF CANADA, UTILIZING THE POWERS THAT WERE GIVEN TO THEM UNDER THE YUKON ACT, UTILIZING THEM IN SUCH A WAY THAT IT WAS NOTHING BUT SHEER, DIRECT ABUSE OF THE PEOPLE OF THE YUKON. IN EVERY MANNER WHETHER IT BE BY WAY OF DISTRIBUTION OF LANDS, WHETHER IT BE BY WAY OF DISTRIBUTION OF FUNDS, WHETHER IT BE BY WAY OF THE NORMAL COURTESIES THAT SHOULD BE EXTENDED BY ANY GOVERNMENT OFFICIAL TO THE PEOPLE OF THE YUKON.

AND I WOULD WANT TO MAKE A SPECIFIC POINT CLEAR AT THIS TIME. BECAUSE TIME IS A GREAT HEALER. AND I WILL SAY THAT FOR A FEW YEARS, I HAD THE UTMOST CO-OPERATION FROM THE MEMBER FOR CARMACKS-KLUANE, WHO SERVED WITH ME IN THAT ELECTED CAPACITY. AND IT WAS ONLY WHILE I SAW AFTER MY SECOND YEAR THE DELIBERATE INFILTRATION OF THE ADMINISTRATOR'S EFFORTS INTO THE AFFAIRS OF GOVERNMENT AND THE COMMISSIONER'S ACTUAL JEALOUSY THAT I WAS ABLE TO CONVERSE WITH MANY MEMBERS OF THE CABINET OF CANADA IN SUCH A WAY THAT IT WAS SOMEWHAT UPSTAGING HIM. THAT HE TURNED FROM BEING A PERSON WHO WANTED TO CO-OPERATE WITH THE ELECTED REPRESENTATIVES OF THIS TERRITORIAL COUNCIL ON THE EXECUTIVE COMMITTEE TO ONE OF A VICIOUS AND VINDICTIVE SPOILED MAN. WHO SAID THAT THERE WAS A LITTLE OF HIS POWER BEING TAKEN AWAY FROM HIM? AND THIS IS WHERE I WILL LIMIT MY COMMENTS ON THE EXECUTIVE COMMITTEE MEMBERS TOO. EXCEPT TO SAY THIS. THAT THERE ARE TWO MAJOR AREAS OF WHERE I HAVE HAD SOME UNHAPPINESS IN THE PAST FOUR YEARS OF COUNCIL.

THAT IS ONE THAT I HAVE ALREADY SAID WAS A TREACHEROUS TERMINATION OF MY APPOINTMENT. AND TWO WHERE THIS COUNCIL AND ITS MEMBERS

COULD NOT EVEN GIVE ME THE COURTESY OF ALLOWING ME TO ATTEND ON THEIR BEHALF THE STANDING COMMITTEE OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT. AFTER I HAD DONE SO MUCH WORK BOTH PUBLICLY AND PRIVATELY TO FEILD TO THE GOVERNMENT OF CANADA, THE CONCEPT THAT THE PEOPLE OF THE YUKON REQUIRE MORE THAN JUST AN ADMINISTRATIVE OFFICER TO RUN THEIR AFFAIRS. THAT THEY REQUIRE THAT THE ELECTED PEOPLE OF THE YUKON RUN THEIR AFFAIRS.

MR. SPEAKER, IN THE COMMISSIONER'S ADDRESS, ANOTHER CLICHE. "AS WE MOVE INTO THIS AREA OF CONSTITUTIONAL EVOLUTION, YOU AS ELECTED REPRESENTATIVES OF THE PEOPLE WILL BE CALLED UPON TO SHARE THE EXCITEMENT, TO FACE THE CHALLENGE AND TO HELP CHARTER THE DIRECTION IN WHICH THE TERRITORY WILL MOVE." MY GOD, MR. SPEAKER AND MEMBERS OF THIS COUNCIL. I WONDER HOW MANY MEMBERS REALLY SWALLOWED THAT. I DON'T THINK ANY MEMBER DID. EVEN THOSE MEMBERS OF THE EXECUTIVE COMMITTEE WHO MUST HAVE SEEN THIS ADDRESS BEFORE IT WAS GIVEN, MUST HAVE SMILED INSIDE THEIR SKIN TO FEEL THAT THIS ATTEMPT WAS BEING MADE. THAT THERE WAS CONSTITUTIONAL EVOLUTION WHEN NO CHANGES HAVE ACTUALLY BEEN MADE.

HE WENT ON TO SAY IN THIS SESSIONAL PAPER. "ONE OF THE ESSENTIAL ELEMENTS OF THE SOCIETY'S MORAL IS TRUST IN GOVERNMENT." I THINK MR. COMMISSIONER WAS BEGGING. HE WAS SAYING TRUST US. WHEN THERE ARE VERY FEW PEOPLE IN THE YUKON WHO HAVE NOT SUFFERED UNDER HIS TYRANNICAL ADMINISTRATION. PEOPLE IN ALL THE OUTLYING DISTRICTS HAVE COME TO MEMBERS OF COUNCIL TIME AND TIME AGAIN AND HAVE INDICATED THAT THEY APPLIED THROUGH VARIOUS GOVERNMENT OFFICES AND THE VARIOUS GOVERNMENT OFFICES HAVE GIVEN THEM THE OPPORTUNITY TO BE HEARD. AND HAVE SUGGESTED THAT THE MATTER WOULD HAVE TO GO TO THE COMMISSIONER. AND YET, ONCE IT GOT TO THAT STAGE, THAT WAS THE END.

MR. SPEAKER, THE MESSAGE OF THE COMMISSIONER IN HIS SESSIONAL PAPER, DID NOT IN ANY WAY INDICATE TO THIS COUNCIL OR THE PEOPLE OF THE YUKON THAT HE HAD ANY CONCERN AT ALL FOR THE PEOPLE OF THE YUKON. IT SHOWED QUITE CLEARLY THAT HIS ABILITY TO UNDERSTAND THOSE PEOPLE THAT NEED UNDERSTANDING WAS COMPLETELY LACKING.

I WOULD LIKE TO MAKE SOME REFERENCE, MR. SPEAKER, TO THE BUDGET ADDRESS OF THE COMMISSIONER. I WOULD LIKE TO POINT OUT THAT THE FIRST PAGE JUST

SHOWS THE HISTORY FROM 1966 TO 1973, PERHAPS IN AN ATTEMPT TO INDICATE THAT HE WAS RESPONSIBLE FOR ALL THESE THINGS HAPPENING. ESPECIALLY WITH THE GROWTH OF THE MINERAL PRODUCTION FROM TWELVE MILLION TO ONE HUNDRED AND FORTY-SIX MILLION. AND OF COURSE THE GROWTH OF THE BUDGET FROM TWELVE MILLION IN 1966 TO ALMOST SIXTY-ONE MILLION IN 1974. WITH AN INCREASE IN POPULATION DURING THOSE YEARS OF SOME FIVE THOUSAND. THERE WAS AN INCREASE OF 500% IN THE BUDGET AND IF ONE TAKES A LOOK AT THE AREAS OF TAXATION, THERE ARE INCREASES IN SOME AREAS OF UP TO 650% OVER CERTAIN ITEMS OF TAXATION THAT EXISTED IN THE YEAR 1966.

A STORY THAT SHOWS THAT WHILE WE HAVE INCREASED OUR BUDGETARY REQUIREMENTS IT ALSO SHOWS THAT WE HAVE FOUND AN ADMINISTRATOR IN THE COMMISSIONER WHO IS CONCERNED WITH MAINLY GETTING AS MUCH MONEY OUT OF THE PUBLIC AS POSSIBLE. THAT MONEY THAT IS NEEDED TODAY THERE IS, AS WE ALL HEARD THE OTHER DAY, FOUR AND A HALF MILLION DOLLARS OF THE TAXPAYERS MONEY IN RESERVES PLUS THE INTEREST THAT IS COMING IN ON THAT MONEY. YET THE ABILITY TO FIND SOME FUNDS TO ALLEVIATE THE FUEL COSTS CAN'T BE BROUGHT FORWARD OUT OF THAT FOUR AND A HALF MILLION DOLLARS. THE MONIES THAT COME FROM THE TAXPAYER WHO IS PAYING HIS PREMIUMS UNDER THE MEDICARE PLAN, THE INTEREST ON THAT MONIES HAS GONE INTO THAT FOUR AND A HALF MILLION DOLLARS RESERVE. IT IS NOT BEING USED TO INCREASE THE BENEFITS OF THE MEDICARE PLAN SO THAT PEOPLE CAN HAVE SOME ATTENTION TO THEIR TEETH, THEY CAN HAVE SOME OPTOMETRY TREATMENT, THEY CAN HAVE SOME CHIROPRACTIC TREATMENT AND THEY CAN HAVE A LITTLE ASSISTANCE TOWARDS THE PAYMENT OF DRUGS.

THERE IS AN EXAMPLE OF WHERE THE ADMINISTRATION IS CONCERNED WITH HAVING A LOT OF MONEY SO THAT THE COMMISSIONER, PERHAPS, CAN SAY, "LOOK WHAT I'VE SAVED, FOUR AND A HALF MILLION DOLLARS." IN THE MEANTIME IT WAS TAKEN OUT OF THE POCKETS OF PEOPLE WHO CAN ILL AFFORD TO HAVE IT REMOVED FROM THEM.

MR. SPEAKER, QUESTIONS THAT HAVE BEEN ASKED IN THIS HOUSE OF THE COMMISSIONER HAVE BEEN DELIBERATELY REFUSED TO BE ANSWERED BY HIM. WHY? THE REASON IS CLEAR. HE DOESN'T WANT TO FACE UP TO THE ELECTED PEOPLE OF THE YUKON TERRITORY. IN A MOST IMPORTANT BUDGET THAT ANY LEGISLATIVE BODY HAS HAD, WHAT DID

HE DO? HE TOOK OFF TO VANCOUVER SO THAT HE CAN BE AWAY FROM FACING THE PEOPLE. THE MANNER IN WHICH HE ANSWERS QUESTIONS - A RECENT ONE WHETHER OR NOT THE COMMISSIONER WILL PUT INTO EFFECT THE MOTION OF THIS COUNCIL WITH REFERENCE TO THE RESCINDING OF APPOINTMENTS. THAT HE HAD TO GIVE IT SOME THOUGHT.

TO ME, MR. SPEAKER, HE HAD TO TELL IT TO ME IN AN AIRPLANE FLYING OVER FT. ST. JOHN THAT THERE WAS A COUNCIL TO BE CALLED TO HAVE ME REMOVED FROM THE ADVISORY COMMITTEE ON FINANCE. ONE JUST IMAGINES THE IMPORTANCE THAT THIS MAN PLACES TOWARDS THE INDIVIDUALS.

THE SCHOOL ORDINANCE HAS TURNED OUT NOW TO BE A FAIRLY GOOD BILL. I SAID THAT THE HONOURABLE MEMBER FROM CARMACKS-KLUANE WORKED VERY HARD WHILE I WAS WITH HER IN THE EXECUTIVE COMMITTEE. SHE KEPT IT A LONG TIME TO HERSELF. I'M SURE THAT IF SHE HAD DISCUSSED THE ORDINANCE WITH OUR VERY CAPABLE LEGAL ADVISER MUCH BEFORE SHE DID WE MIGHT HAVE HAD THE LEGISLATION THAT FALL AND WE WOULD HAVE HAD A FALL SESSION. OBVIOUSLY SHE WAITED UNTIL SHE WAS AT HER WIT'S END TO KNOW HOW TO DEAL WITH THE LEGAL NEEDS AND THE REQUIREMENTS OF IT. THEN OF COURSE SHE WAS, PERHAPS, GUIDED BY MR. FINGLAND WHO CONSIDERS HIMSELF TO BE THE ATTORNEY GENERAL OF THE YUKON BECAUSE HE HAS THE DEPARTMENT OF LEGAL AFFAIRS UNDER HIS OFFICES AS EXECUTIVE MEMBER.

AND THAT SCHOOL ORDINANCE IS ONE THING WE DID ASK FOR AND WE HAVEN'T RECEIVED YET. I AM NOT GOING TO APPLAUD A HUNDRED PERCENT THE ORDINANCE, EXCEPT TO SAY THAT THE ORDINANCE IS NOT A GOOD ORDINANCE AS A RESULT OF IT BEING BROUGHT FORWARD BY THE HONOURABLE MEMBER FROM CARMACKS-KLUANE. BUT IT IS A GOOD ORDINANCE AS A RESULT OF THE WORK PUT IN BY ALL MEMBERS OF COUNCIL TO MAKE IT A GOOD ORDINANCE. NOTWITHSTANDING THAT DURING THE DISCUSSION I WAS CHALLENGED AS TO WHAT I WAS DOING WITH THE ORDINANCE. IT WAS A GOOD ORDINANCE. WHAT WE HAVE NOT DONE, AND THIS IS WHERE THE DANGER LIES, THE COMMISSIONER HAS REGULATORY POWERS UNDER THAT ORDINANCE. THE REGULATIONS WERE NOT BROUGHT FORWARD.

I WOULD CAUTION THOSE MEMBERS OF THIS COUNCIL WHO WILL BE SEEKING ELECTION NEXT TIME. I SINCERELY HOPE THAT THE TWO THAT HAVE INDICATED THAT THEY ARE SEEKING ELECTION NEXT TIME WILL BE ELECTED. BECAUSE IT IS SO IMPORTANT TO HAVE

PEOPLE OF EXPERIENCE IN THIS TERRITORIAL COUNCIL AND IN FUTURE TERRITORIAL COUNCILS. I HOPE THEY WILL WATCH VERY CLOSELY WHAT WILL BE DONE WITH THESE REGULATIONS AND THIS SCHOOL ORDINANCE TO MAKE SURE THAT THE COMMISSIONER DOES NOT ABUSE THE POWERS THAT THIS ADMINISTRATION HAS GIVEN HIM AND UTILIZE THOSE POWERS TO MAKE REGULATIONS WHICH WILL IN FACT DESTROY THE INTENTS OF THAT ORDINANCE.

I'D LIKE TO SAY A FEW WORDS NOW ABOUT INDIAN LAND CLAIMS. TO ME IT IS A TERRIBLE CALAMITY THAT THE COMMISSIONER HAS NOT SEEN FIT TO BRING FORWARD TO TERRITORIAL COUNCIL AND THE PEOPLE OF THE YUKON A FULL COMPREHENSIVE STATEMENT OF WHAT HAS TAKEN PLACE IN THOSE NEGOTIATIONS BETWEEN THE NATIVE BROTHERHOOD AND THE REPRESENTATIVE OF THE TERRITORIAL GOVERNMENT.

IT IS NO POINT, MR. SPEAKER, IN THE COMMISSIONER ATTEMPTING TO JUSTIFY HIS LACK OF DOING THIS BY SAYING THAT THIS IS A FEDERAL NEGOTIATING TEAM. HE HAS BEEN APPOINTED ON THAT TEAM TO REPRESENT THE PEOPLE OF THE YUKON. THE PEOPLE OF THE YUKON WHO HAVE BEEN ELECTED, WHO ARE IN THIS HOUSE HAVE ASKED FOR A REPORT. WE RECEIVED A SESSIONAL PAPER WHICH MEANT AND SAID NOTHING.

THIS, MR. SPEAKER, TO ME IS A DIRECT NEGLECT ON THE COMMISSIONER'S PART. BECAUSE I DO NOT BELIEVE FOR ONE MOMENT THAT THE MINISTER OF INDIAN AFFAIRS HAS DIRECTED HIM NOT TO INFORM THE MEMBERS OF TERRITORIAL COUNCIL. THE PUBLIC AT LARGE ARE VERY CONCERNED WITH THE INDIAN LAND CLAIMS. LET ME SAY SO ARE THE NATIVE INDIANS THEMSELVES BECAUSE AT ALL LEVELS THEY TOO ARE NOT GETTING INFORMATION. WE HAVE SEEN WHAT HAPPENED TODAY WHEN A LEGISLATIVE RETURN NO. 94 DEALING WITH THE HAINES LID DISTRICT WAS BROUGHT FORWARD TO US THIS MORNING. I HAVE ASCERTAINED DURING THE LUNCH HOUR THAT INFORMATION ABOUT THE LID HAS ALREADY BEEN IN THE COMMISSIONER'S HANDS FOR A FEW DAYS.

I RECALL HEARING THAT THE LID WANTED NO PART TAKEN OUT OF THE LID. THAT HAS HAPPENED. I WOULD SAY TO THE PEOPLE OF HAINES JUNCTION, IN PARTICULAR, "DON'T ALLOW THE COMMISSIONER TO BULLDOZE YOU INTO SOMETHING THAT YOU DON'T WANT. MAKE

HIM COMPLY WITH THE LAW. IF HE DOESN'T COMPLY WITH THE LEGISLATION AS IT IS WRITTEN - ONE OF YOU TAKE IT INTO COURT."

LET ME TELL YOU, MR. SPEAKER, I WANT TO TELL EVERYBODY, THAT WE ARE FORTUNATE THAT WE HAVE A SOUND JUDICIAL SYSTEM IN THE YUKON TERRITORY. WITHOUT THAT JUDICIAL SYSTEM WE WOULD HAVE A COMPLETE STATE OF DICTATORIAL POWER WHICH HAS BEEN SO ADEPTLY USED BY THE COMMISSIONER. HE KNOWS FULL WELL THAT THE JUDGE OF THE HIGH COURT-THAT WE HAVE BOTH MR. JUSTICE MADDISON AND MR. JUSTICE MORROW THAT THEY ARE BOTH JURISTS WHO DEAL WITH FACT OF LAW AND WILL NOT OVERLOOK ANY ADMINISTRATIVE DIRECTION TO SIMPLY ABUSE THE LAW THAT THIS LEGISLATIVE COUNCIL PUTS INTO FORCE.

MR. SPEAKER, THE NEXT POINT IS THE PUBLIC SERVICE. I WANT TO SAY IN MY YEARS IN THIS LEGISLATIVE BODY I HAVE FOUND, I CAN HONESTLY SAY, THAT THE YUKON TERRITORIAL PUBLIC SERVICE DOES NOT NEED TO TAKE SECOND PLACE TO ANY PUBLIC SERVICE IN ANY JURISDICTION IN CANADA. IN THE MAIN WE HAVE MERELY CONSCIENTIOUS PEOPLE WHO TRY TO DO THEIR WORK TO THE BEST OF THEIR ABILITY. I WOULD LIKE TO NAME AND GIVE A FEW SPECIAL TRIBUTES TO SOME PEOPLE THAT I HAVE COME INTO DIRECT CONTACT WITH. I WOULD SAY THIS, IN A HOPE THAT HE DOESN'T BLUSH AT THIS TIME THAT WE ARE FORTUNATE ENOUGH TO HAVE THE CAPACITY AND THE CAPABILITIES THAT OUR LEGAL ADVISER HAS.

LET ME TELL YOU THAT THERE ARE VERY FEW PEOPLE, VERY FEW PEOPLE THAT CAN TRY AND BE A CIRCUS PERFORMER AS THIS MAN HAS TO BE. BECAUSE OF THE THREE OR FOUR HATS HE HAS TO TOSS INTO THE AIR AT THE SAME TIME AND GET THE RIGHT ONE ON HIS HEAD WHEN HE IS DEALING WITH ANY PARTICULAR MATTER.

WHEN I THINK THAT THERE WAS A VERY VERY CLOSE TIME MR. LEGAL ADVISER WAS ALMOST REMOVED FROM HIS POSITION. THEN I THINK TO MYSELF THAT THERE IS A NECESSITY FOR MEMBERS OF THIS TERRITORIAL COUNCIL TO WATCH OVER, VERY CLOSELY, THE PUBLIC SERVICE SO THAT NONE OF THE PEOPLE IN THE PUBLIC SERVICE CAN BE BULLIED OR TAKEN ADVANTAGE OF BY ANY IRRESPONSIBLE SENIOR ADMINISTRATIVE OFFICER APPOINTED HERE BY THE FEDERAL GOVERNMENT IN OTTAWA.

I WOULD LIKE TO GIVE TRIBUTE TO, I DON'T SAY THE FORMER ASSISTANT COMMISSIONER BECAUSE I BELIEVE

THAT HE STILL IS ASSISTANT COMMISSIONER, MR. FISHER-FLEMING; ALTHOUGH I ARGUED VERY STRONGLY AND VERY HEAVY WITH HIM, HE ALWAYS CARRIED OUT HIS DUTIES IN A VERY EFFICIENT MANNER.

PEOPLE LIKE KEN BAKER, OUR TERRITORIAL ENGINEER AND HARRY MURPHY, OUR DIRECTOR OF SOCIAL WELFARE, PEOPLE WHO ARE SO DEDICATED TO THE PEOPLE OF THE YUKON, WHILE THEY HAVE TO FULFIL SOMETIMES VERY ONEROUS POSITIONS.

I HAVE ASKED IN LEGISLATION THAT WE INTRODUCE, AND I'VE BEEN ASKING THIS MR. SPEAKER FOR SOME THREE YEARS OR MORE, LEGISLATION TO CONTROL REAL ESTATE BROKERS AND REAL ESTATE AGENCIES. I THINK THAT THE NEXT TERRITORIAL COUNCIL MUST BRING LEGISLATION INTO EFFECT HERE. I'VE ASKED FOR LEGISLATION THAT WOULD BRING INTO EFFECT A CHANGE TO THE LEGAL PROFESSION ORDINANCE. WHERE MEMBERS OF THE LEGAL PROFESSION, WHICH IS A VERY FINE PROFESSION SHOULD NOT IN ANY WAY BE IN THE POSITION THAT THEY ARE NOW OF NOT BEING ABLE TO BE PROPERLY DISCIPLINED WHEN DISCIPLINING IS SOMEWHAT NECESSARY.

MR. SPEAKER, I FEEL THAT WE HAVE BEEN FAILED COMPLETELY BY THE ATTITUDE OF MR. COMMISSIONER. I SAID I WOULD MAKE THIS CLEAR AND I HOPE I HAVE. IT IS A MATTER OF - WE KNOW WE HAVE TO LIVE WITH THE OFFICE OF THE COMMISSIONER BECAUSE THIS IS WHAT THE FEDERAL GOVERNMENT HAVE INDICATED. I DON'T APPROVE OF THIS. I DON'T APPROVE OF THAT WE HAVE TO LIVE WITH THE OFFICE OF THE COMMISSIONER AT ALL. IT IS WITHIN THE POWER OF THE FEDERAL GOVERNMENT TO RECOGNIZE THE NEED FOR RESPONSIBLE GOVERNMENT AND GIVE IT TO US NOW.

I AM GOING TO PROTEST IN THE ONLY WAY THAT THE COMMISSIONER JAMES SMITH IS STILL IN OFFICE, THAT I KNOW. I HAVE ASKED MR. MINISTER THAT HE SHOULD BE REPLACED. I MAKE NO BONES ABOUT THAT. I'VE BEEN ASKING IT FOR SOME TIME. I THINK THAT HE IS BAD FOR THE YUKON. HE CAN'T BE PUT OUT BY THE ELECTORATE OF THE PEOPLE OF THE YUKON BECAUSE HE IS APPOINTED. THAT IS ONE OF THE BAD THINGS. I HAVE MADE MY POSITION CLEAR. I'VE ALREADY SAID, I AM A GOOD LIBERAL. I LIKE THE LIBERAL PHILOSOPHY. I AM GOING TO VOTE AGAINST, IN THIS FEDERAL ELECTION, THE LIBERAL CANDIDATE HERE AS A PROTEST AGAINST THE CONTINUATION OF THIS MAN IN OFFICE, WHO HAS BEEN MAINTAINED IN OFFICE BY THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT.

I THINK I AM A MAN OF PRINCIPLE. BECAUSE I HAVE THE PRINCIPLE THAT I MUST SHOW MY PROTEST THIS IS WHAT I INTEND TO DO.

I HEARD AN ANNOUNCEMENT TODAY BY THE LIBERAL CANDIDATE THAT COUNCIL IS NOT EXERCISING ITS POWER. HE CLAIMED AND USED THE WORD THAT IT IS 'HOGWASH' THAT WE ARE NOT ABLE TO CONTROL THE ADMINISTRATION AT THIS TIME. THAT IS A SLAP TO EVERY MEMBER OF THIS COUNCIL WHO HAS BEEN ATTEMPTING TO GET MORE RESPONSIBLE GOVERNMENT FOR THE YUKON. I SAY NO MORE.

MR. SPEAKER, I AM LEAVING THE YUKON, NOT PERMANENTLY, JUST TEMPORARILY. I AM GOING TO BE MAINTAINING AN ADDRESS IN THE YUKON. I WILL BE MAINTAINING MY MEDICARE PAYMENTS IN THE YUKON SO THAT WHEN ANYBODY SAYS "WILL THE REAL NORMAN CHAMBERLIST STAND UP" I WILL HONESTLY BE ABLE TO SAY THAT IT IS ME AND I WILL STAND UP.

JOKING ASIDE, I MAKE IT QUITE CLEAR THAT WHEREVER I WILL BE, WHATEVER STAGE I WILL BE IN MY FUTURE YEARS, THAT THE YUKON IS GOING TO MEAN A LOT TO ME. I AM GOING TO CONTINUE MY INTERESTS IN THE YUKON.

I WOULD LIKE TO SEE THE NEW TERRITORIAL COUNCIL PUT INTO EFFECT THE MOTION THAT HAS BEEN PASSED FOR THE CREATION OF AN OMBUDSMAN. IT IS SO IMPORTANT THAT THE PUBLIC OF THE YUKON HAVE A PERSON WHO IS INTERESTED IN MAKING SURE THAT ADMINISTRATIVE WRONGS ARE NOT DELIBERATELY OR OTHERWISE PLACED ON A PERSON WITHOUT HAVING RECOURSE. JUST SO THAT THERE SHOULD BE NO DOUBT ABOUT IT, I AM GOING OUT OF THE YUKON FOR A FEW YEARS. I WILL NOT BE APPLYING OMBUDSMAN'S JOB ALTHOUGH I FEEL I COULD FULFIL IT. I KNOW WHAT THE NEEDS ARE.

MR. SPEAKER, I LEAVE THE YUKON FOR A FEW YEARS WITH SOMEWHAT OF A HEAVY HEART. THE NORTH HAS BEEN PRETTY GOOD TO ME AND IT HAS BEEN PRETTY GOOD TO MOST PEOPLE THAT HAVE COME HERE. I HOPE THAT THE DIFFICULTIES THAT HAVE ARISEN IN THESE LAST FOUR YEARS OF COUNCIL WILL NOT RISE AGAIN. I HOPE THAT PEOPLE WHO GET ELECTED TO COUNCIL WILL HAVE NO SHAME ABOUT SAYING THAT THEY ARE A POLITICIAN. IT IS AN HONOURABLE PROFESSION. I HOPE THAT THOSE PEOPLE WHO SEEK OFFICE, SEEK OFFICE FOR THE SPECIFIC PURPOSE OF WANTING TO SERVE THE PEOPLE OF THE YUKON. IF THEY HAVE ANY IDEA OF SEEKING OFFICE FOR ANY OTHER PURPOSE THEY WILL HARM THE YUKON.

MR. SPEAKER, I THANK YOURSELF AND THE HONOURABLE MEMBERS FOR BEING SO PATIENT WITH ME AT TIMES. THEN IT IS SOMETIMES NECESSARY TO GET ACROSS TO THE ADMINISTRATION, IN PARTICULAR, THAT THEY ARE NOT ALWAYS RIGHT. THAT MOST TIMES IN THE LAST FEW YEARS, THEY HAVE BEEN WRONG. I HOPE, MR. SPEAKER, THAT YOU YOURSELF WILL ENJOY YOUR RETIREMENT FROM THE SPEAKER'S CHAIR. I HOPE THOSE MEMBERS OF TERRITORIAL COUNCIL WHETHER I HAVE BEEN OPPOSED TO THEM AT ONE TIME OR ANOTHER OR OTHERWISE, WILL APPRECIATE THAT MY EFFORTS HAVE BEEN ONE OF CONSIDERATION FOR THE PEOPLE OF THE YUKON.

WITH THAT I SAY THANK YOU VERY MUCH, MR. SPEAKER, FOR YOUR ATTENTION.

MR. SPEAKER: THE HONORABLE MEMBER FOR WHITEHORSE WEST.

MR. MCKINNON: THANK-YOU MR. SPEAKER. MR. SPEAKER, MEMBERS OF COUNCIL. AFTER I HAVE HEARD THE SPEECH OF THE HONORABLE MEMBER FROM WHITEHORSE EAST, MR. SPEAKER, I WAS WONDERING WHETHER I HAD MISUNDERSTOOD HIM AT THE BEGINNING WHEN HE SAID HE WASN'T INTENDING RUNNING FOR TERRITORIAL COUNCIL AGAIN. OF COURSE, MR. SPEAKER, IT IS CUSTOMARY BEFORE THE PROROGATION OF COUNCIL AND AN ELECTION NEAR FOR EACH MEMBER WHO INTENDS TO RUN AGAIN TO USE THE OCCASION TO FIRE HIS OPENING SALVO IN THE NEXT CAMPAIGN. THAT, MR. SPEAKER, IS WHAT EXACTLY IT SOUNDED TO ME THAT THE HONORABLE MEMBER FOR WHITEHORSE EAST WAS DOING AT THIS TIME.

I HOPE MR. SPEAKER THAT I AM STILL UNCONVENTIONAL ENOUGH OF A POLITICIAN NOT TO USE THIS OCCASION FOR THAT PURPOSE. I'D LIKE TO SAY, MR. SPEAKER, RATHER SIMPLY, THAT BARRING UNFORSEEN CIRCUMSTANCES, I INTEND TO BE AN INDEPENDENT CANDIDATE IN THE NEXT TERRITORIAL ELECTION IN THE NEWLY FORMED CONSTITUENCY OF WHITEHORSE NORTH CENTRE, AN AREA I FEEL I KNOW INTIMATELY BECAUSE I LIVE THERE AND WHERE I HOPE, MR. SPEAKER, THAT I HAVE THE SAME RESPECT FROM MY NEIGHBOURS THAT I HAVE OF THEM.

OF COURSE, MR. SPEAKER, ONE OF THOSE UNFORSEEN CIRCUMSTANCES THAT I SPEAK OF MAY WELL BE THE FEELINGS OF MY WIFE. SHE LIKES POLITICS AND MY POLITICAL ACTIVITIES SO MUCH THAT SHE'S ALREADY INFORMED ME THAT THE FIRST ONE WHO THROWS THEIR HAT IN THE RING

AGAINST ME, SHE WILL BE CONTACTING THAT PERSON TO OFFER HER SERVICES AS THEIR CAMPAIGN MANAGER. BE THAT AS IT MAY, MR. SPEAKER, THERE ARE MANY WHO WOULD SAY THAT THE LAST FOUR YEARS OF COUNCIL HAVE SET BACK THE CAUSE OF RESPONSIBLE GOVERNMENT IN THE YUKON A DECADE.

IN THAT RESPECT, MR. SPEAKER, I THINK THAT ONCE THE DEFINITIVE HISTORY OF THE EVOLUTION OF RESPONSIBLE GOVERNMENT IN YUKON IS WRITTEN, THAT THESE PAST FOUR YEARS WILL GO DOWN AS BEING THE NECESSARY CHAOTIC, CATALYTIC PRELUDE TO MEANINGFUL GOVERNMENT REFORM. IN THAT SENSE, MR. SPEAKER, I WOULD LIKE TO PERSONALLY THANK THOSE MEMBERS, NAMELY COUNCILLORS CHAMBERLIST, WATSON AND TANNER WHO HAVE TAKEN IT PRETTY HOT AND HEAVILY DURING THE COURSE OF THIS COUNCIL AT VARIOUS TIMES AS MEMBERS OF THAT EMBRYO EXPERIMENT IN CABINET GOVERNMENT, THE EXECUTIVE COMMITTEE.

MR. SPEAKER, I BELIEVE THAT EVERY MEMBER OF THIS COUNCIL IS EVERY BIT AS GOOD AS ANY ELECTED REPRESENTATIVE ANYWHERE IN THE COUNTRY. ALL OF US, MR. SPEAKER, HAVE THE SAME STRENGTHS, WEAKNESSES, FEARS, EGO AND INTELLIGENCE THAT ALLOWS DEMOCRACY TO WORK IN OTHER AREAS OF CANADA. UNFORTUNATELY, WE DO NOT HAVE THE SAME RIGHTS, PRIVILEGES AND POWERS THAT ANY OTHER CANADIAN DEMOCRATICALLY ELECTED REPRESENTATIVE HAS.

THE BITTERNESS AND RANCOUR OF THIS COUNCIL COMES NOT SO MUCH FROM, AS THE MEDIA WOULD HAVE YUKONERS BELIEVE, THE PERSONAL ANIMOSITY BETWEEN US. BUT RATHER FROM THE FRUSTRATION WE ALL FEEL, FROM NOT HAVE THE ABILITY TO REPRESENT THOSE WHO SO HOPEFULLY HAVING PUT THEIR TRUST IN US. MR. SPEAKER, THIS WILL CHANGE. THERE'S NO DOUBT OF THAT. THERE'S NEVER BEEN A MOVEMENT IN POLITICAL HISTORY WHERE A PEOPLE UNITED HAVE NOT EVENTUALLY GAINED THEIR LEGITIMATE AND DESIRED AIM. IF IT HAPPENS WITHIN THE LIFE OF THE NEXT COUNCIL, THEN THIS MUCH MALIGNED AND VILIFIED COUNCIL CAN TAKE A LARGE PART OF THE CREDIT. TO EACH OF YOU MY HEARTFELT THANKS, AND BEST WISHES.

YOU KNOW, MR. SPEAKER, THAT WITH THE HEALING PROCESS OF TIME, WE COULD AT SOME TIME IN THE FUTURE ALL BE SITTING AT THE SAME TABLE HAVING A DRINK AND REMINISCING FONDLY OVER A VERY NECESSARY CHAPTER OF THE HISTORY OF THE EVOLUTION OF SELF-GOVERNMENT IN YUKON.

THANK-YOU MR. SPEAKER, MEMBERS OF COUNCIL.

MR. SPEAKER: THE HONORABLE MEMBER FOR CARMACKS-KLUANE.

MRS. WATSON: MR. SPEAKER, MEMBERS OF COUNCIL. I AM RELIEVED AND I MIGHT ADMIT JOYOUS, THAT THIS MARATHON TWELFTH SESSION OF THE 22ND FULLY ELECTIVE COUNCIL IS NOW CONCLUDED. LENGTHY AS IT MAY HAVE BEEN, TO ME PERSONALLY IT HAS BEEN THE MOST REWARDING.

BILL NO. 7, AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE, WHICH TOOK TWO YEARS AND VIRTUALLY HUNDREDS OF HOURS OF PREPARATION WAS PASSED AND ASSENTED TO DURING THIS SESSION. MANY PEOPLE ASSISTED IN ITS PREPARATION. MEMBERS OF THE PUBLIC WHO PREPARED AND PRESENTED BRIEFS AND ATTENDED MEETINGS TO EXPRESS THEIR VIEWS. THE SCHOOL ADVISORY COMMITTEE, THE COMMITTEE ON EDUCATION ITSELF, THE TEACHERS IN OUR SCHOOLS AND THEIR ASSOCIATION, THE YTA, AND THE ADMINISTRATIVE PEOPLE WITHIN OUR GOVERNMENT ALL PLAYED A VITAL ROLE IN THE FORMULATION OF THIS COMPREHENSIVE PIECE OF LEGISLATION.

TO ALL THESE PEOPLE, I EXPRESS MY SINCERE THANKS. IT IS TRUE IT EVOKED CONSIDERABLE CONTROVERSY AND OPPOSITION. BUT THIS IS A HEALTHY PROCESS AND NO DOUBT THE AMENDMENTS THAT WERE MADE AS A RESULT OF THE OPPOSITION HAVE HELPED TO MAKE A BETTER BILL. THE FINAL PASSAGE OF THIS BILL WOULD NOT HAVE BEEN POSSIBLE WITHOUT THE CO-OPERATION OF EVERY MEMBER OF THIS COUNCIL. I REALIZE THE BILL WAS TABLED FOR YOUR CONSIDERATION AT A MOST INOCCUPORTUNE. TIME AND HAD YOU GIVEN IT THE SIX MONTH WAIT, AS THE HONORABLE MEMBER FROM WHITEHORSE WEST SAID HE WAS TEMPTED TO DO, I THINK THAT I WOULD HAVE UNDERSTOOD.

MIND YOU I WOULD HAVE BEEN VERY DISAPPOINTED FOR THE PEOPLE WHO HAD PARTICIPATED IN ITS PREPARATION. I DO APPRECIATE THE FACT THAT YOU DID GIVE IT YOUR CONSIDERATION AT WHAT COULD BE THE LAST SESSION OF THIS COUNCIL. AND THAT WE WERE ABLE TO PASS WITH THE SUPPORT OF ALL COUNCILLORS, A SCHOOL ORDINANCE OF WHICH THE YUKON CAN BE PROUD.

THE BILL WAS WRITTEN SPECIFICALLY FOR YUKON NEEDS, BUT IT DOES HAVE SOME VERY PROGRESSIVE PARTS WHICH OTHER JURISDICTIONS OF THE COUNTRY

HAVE IMPLEMENTED OR ARE NOW CONSIDERING FOR INCLUSION IN THEIR OWN LEGISLATURE. PART PROVIDES FOR COLLECTIVE BARGAINING BETWEEN THE EMPLOYER, THE GOVERNMENT OF THE TERRITORY, AND THE TEACHERS OF THE YUKON. IT PROVIDES THE PROCEDURE FOR THE NEGOTIATION OF SALARIES AND WORKING CONDITIONS AND HAS PROVISIONS FOR THE PROTECTION OF THE RIGHTS OF EACH PARTY TO ANY COLLECTIVE AGREEMENT SUBJECT TO SIMILAR OBLIGATIONS AND PENALTIES. THE COLLECTIVE BARGAINING WILL BE SUPERVISED AND MONITORED BY A STRONG INDEPENDENT BOARD. IN THE CASE OF THE YUKON, MEMBERS OF THE PUBLIC SERVICE STAFF RELATIONS BOARD.

THE PROVINCE OF SASKATCHEWAN, TWO YEARS AGO, PASSED SIMILAR LEGISLATION. BRITISH COLUMBIA IS PRESENTLY GIVING CONSIDERATION TO FOLLOWING THIS PROCEDURE AT A PROVINCIAL LEVEL. AND LAST WEEK NOVA SCOTIA ALSO INTRODUCED LEGISLATION INTO THEIR HOUSE TO CLEARLY DEFINE AT A PROVINCIAL LEVEL THE COLLECTIVE BARGAINING PROCEDURES FOR TEACHERS IN THAT PROVINCE. ONTARIO AND NOW THE YUKON ARE THE ONLY TWO JURISDICTIONS IN CANADA WHICH GIVE THE RIGHT TO PARENTS TO EXAMINE THE CONFIDENTIAL SCHOOL RECORDS OF THEIR CHILD. AND TO CHALLENGE THE ACCURACY OF THE INFORMATION IN THESE RECORDS.

THIS DOES NOT REMOVE THE CONFIDENTIALITY FROM THE RECORDS BUT CLEARLY DEFINES WHO HAS ACCESS TO AND WHO CAN USE THE INFORMATION IN THESE RECORDS. IN THE BILL WE HAVE GIVEN THE PUBLIC THE OPPORTUNITY AND THE AUTHORITY TO BECOME INVOLVED IN THE OPERATION OF THEIR SCHOOLS, THROUGH A SCHOOL COMMITTEE STRUCTURE. I WOULD HOPE THAT THIS IS THE FIRST STEP WHICH WOULD ULTIMATELY LEAD TO THE PEOPLE OF THE TERRITORY ASSUMING THE FULL RESPONSIBILITY FOR THE OPERATION OF THEIR SCHOOLS. SCHOOLS IN OUR COMMUNITY SHOULD NOW MORE CLEARLY REFLECT THE WISHES AND THE ASPIRATIONS OF THE PEOPLE THAT THEY DIRECTLY SERVE.

THE PEOPLE OF OLD CROW WILL MAINTAIN THEIR ABILITY TO ADAPT THE SCHOOL CALENDARS TO THEIR OWN SPECIFIC NEEDS. THE SCHOOL YEAR WILL BE COMPOSED OF A HUNDRED AND EIGHTY-SEVEN INSTRUCTIONAL DAYS WITH THREE DAYS BEING RESERVED FOR EXTRA ACTIVITY, THE DISPOSITION OF WHICH CAN BE DETERMINED BY THE SCHOOL COMMITTEE. THE EASTER VACATION OF THE PAST, HAS BEEN REPLACED WITH A SPRING VACATION CONSISTING OF FIVE DAYS WHICH COMMENCES ON THE MONDAY OF THE THIRD FULL WEEK IN MARCH.

GOOD FRIDAY AND EASTER MONDAY WILL CONTINUE TO BE SCHOOL HOLIDAYS IN THE SCHOOL YEAR AND THE SCHOOL COMMITTEE AND THE PRINCIPAL WILL BE ABLE TO DETERMINE THE HOURS WHICH SHOULD BE SET FOR PUPIL ATTENDANCE AND THE LENGTH OF ANY RECESS.

KINDERGARTENS WILL NOW BE PART OF THE SCHOOL SYSTEM AND EVERY CHILD ONE YEAR YOUNGER THAN THE NORMAL SCHOOL ENTRANCE AGE WILL BE GIVEN THE OPPORTUNITY TO HAVE KINDERGARTEN INSTRUCTION. IT WILL NOW NOT BE NECESSARY TO DEPRIVE ANY KINDERGARTEN AGE CHILD IN THE YUKON THE OPPORTUNITY TO HAVE INSTRUCTION AT THIS LEVEL FOR THE SIMPLE FACT THAT THERE ARE NOT ENOUGH CHILDREN LIVING IN THEIR COMMUNITY TO WARRANT THE FORMATION OF A CLASS. THESE ARE ONLY A FEW OF THE FEATURES OF THIS BILL AND I'M SURE THAT MEMBERS OF THE PUBLIC WILL BE ANXIOUS TO AVAIL THEMSELVES A COPY IN ORDER THAT THEY MAY BECOME FAMILIAR WITH THE NEW ASPECTS OF THE ORDINANCE. COPIES ARE NOW BEING PREPARED AND CAN SOON BE OBTAINED FROM THE TERRITORIAL SECRETARY'S OFFICE.

MR. SPEAKER, FOUR YEARS AGO THIS COUNCIL WAS GIVEN A CHALLENGE, DIFFERENT FROM WHAT ANY OTHER COUNCIL HAD BEEN GIVEN BEFORE. TWO ELECTIVE MEMBERS WERE TO BECOME PART OF THE EXECUTIVE ARM OF THE GOVERNMENT. LITTLE DID ANY OF US KNOW THEN WHAT THE RAMIFICATION OF THIS EXPERIMENT WOULD BE. NOR DID WE EVEN BEGIN TO FORSEE THE PROBLEMS THAT WOULD BE ENCOUNTERED. CONCESSIONS SUCH AS THIS FROM OTTAWA HAVE BEEN VERY RARE. SOME OF US IN THIS COUNCIL WERE DETERMINED TO ACCEPT THIS EXPERIMENT AND TO MAKE IT WORK.

WE DID NOT ALL HAVE A COMMON BOND OF POLITICAL PHILOSOPHY, BUT WE DID HAVE A COMMON DETERMINATION TO PROVE NOT ONLY TO THE POWERS THAT BE IN OTTAWA BUT TO THE PEOPLE OF THE YUKON THAT ELECTIVE PEOPLE IN THE YUKON ARE CAPABLE AND ABLE TO ASSUME THE RESPONSIBILITIES FOR THEIR OWN ADMINISTRATION. MR. SPEAKER, I MAINTAIN THAT WE HAVE SUCCEEDED. IN SPITE OF SOME OF THE CYNICISM OF THE OPPOSITION, WHICH IN MANY INSTANCES WAS PERPETUATED BY CONFLICTING VIEWS OF FEDERAL POLITICAL PARTIES, I HAVE LEARNED NOW, AND I AM SURE THAT OTHERS HERE HAVE LEARNED, THAT THE YUKON CANNOT EVER BECOME IT'S OWN INDEPENDENT JURISDICTION AND AT THE SAME TIME HAVE AN OVERFLOW OF FEDERAL POLITICS WITHIN IT'S COUNCIL CHAMBERS.

THE EXPERIMENT HAS WORKED IN SPITE OF THIS, AND IF THE CANDIDATES FOR ELECTION FOR THE NEXT TERRITORIAL COUNCIL CLEARLY DEFINE THEIR YUKON POLICY IN THEIR PLATFORMS WHEN THEY GO TO THE ELECTORATE THEN THE EXECUTIVE COMMITTEE CAN BE EVEN MORE SUCCESSFUL, PARTICULARLY IF THE MEMBERS ON THE EXECUTIVE COMMITTEE AND THE SUPPORT THAT THEY HAVE IN THE LEGISLATIVE COUNCIL HAVE A COMMON POLITICAL PHILOSOPHY AND HAVE CLEARLY DEFINED COMMON GOALS IN THEIR CAMPAIGN. EVEN THOUGH THIS COUNCIL WILL NO DOUBT BE REMEMBERED FOR THE CONSTANT BATTLES AND EXTREME PERSONALITY DIFFERENCES, A GREAT DEAL HAS BEEN ACCOMPLISHED. SOME VERY GOOD LEGISLATION HAS BEEN PASSED AND SOME VERY GOOD PROGRAMS HAVE BEEN INITIATED. FORMOST OF ALL IS THE FACT THAT MORE RECOGNITION HAS BEEN GIVEN TO THE EXISTENCE OF THE FRONTIER COMMUNITIES OF THE TERRITORY.

THE DEVELOPMENT OF THESE COMMUNITIES HAS BEEN PLANNED IN CONJUNCTION WITH THE PEOPLE WHO RESIDE THERE. THE PROVISIONS HAVE BEEN MADE IN THE BUDGET TO PROVIDE FOR SOME OF THIS DEVELOPMENT IN AN ORDERLY FASHION. EVEN THE MINIMAL CAPITAL FUNDS THAT HAVE BEEN PROVIDED SO FAR HAVE GIVEN THESE PEOPLE A HOPE THAT THEY TOO WILL HAVE AN OPPORTUNITY TO BECOME INVOLVED IN THE ECONOMIC DEVELOPMENT OF THIS COUNTRY.

IT IS OBVIOUS, MR. SPEAKER, THAT ANY GROWTH IN THE HINTERLAND WILL BE REFLECTED IN THE COMMUNITY WHICH IS THE SERVICE CENTRE OF THE YUKON. AND THAT IS THE CAPITAL CITY OF WHITEHORSE. I AM CONFIDENT, MR. SPEAKER, THAT NOW THAT THIS DEVELOPMENT PLAN HAS BEGUN, THE PEOPLE OF THESE COMMUNITIES WILL NOT LET IT CEASE. MR. SPEAKER, MEMBERS OF COUNCIL, I HOPE YOU HAVE AN ENJOYABLE SUMMER. IN ALL LIKELIHOOD WE WILL NOT SIT AGAIN AS A COUNCIL SO TO THOSE OF YOU WHO WILL BE SEEKING RE-ELECTION, I HOPE YOU HAVE CHALLENGING OPPONENTS VIGOROUS CAMPAIGNS AND MAY THE BEST MAN OR WOMAN WIN.

THANK YOU MR. SPEAKER.

MR. SPEAKER: THE HONORABLE MEMBER FOR WATSON LAKE.

MR. TAYLOR: MR. SPEAKER, MEMBERS OF COUNCIL. IT IS VERY LIKELY THAT BARRING UNFORSEEN CIRCUMSTANCES THAT THIS MAY WELL BE THE FINAL SITTING OF THE WHOLLY ELECTED COUNCIL.

PRIOR TO A FALL ELECTION AND A NEWLY CONSTITUTED LEGISLATIVE BODY. RATHER THAN REFLECT UPON THE PAST AS SOME MEMBERS HAVE, I WOULD LIKE TO DIRECT MY REMARKS TO THE FUTURE OF THE LEGISLATURE AND THE TERRITORY THAT IT REPRESENTS.

WE CAN LEARN MUCH FROM THE TRIALS AND EXPERIENCE OF THE PAST, MR. SPEAKER. CONSTITUTIONALLY SPEAKING WE MUST IN PURSUIT OF EXCELLENCE IN GOVERNMENT, IN PURSUIT OF REALISTIC GOALS AND IN PURSUIT OF MEANINGFUL CONSTITUTIONAL OBJECTIVES REVIEW AND REAFFIRM THAT DEDICATION TO THE SEEKING OUT OF THOSE HIGH PRINCIPLES OF JUSTICE AND FAIR PLAY FOR ALL OUR CITIZENS, IRRESPECTIVE OF STATUS OR STATION IN OUR COMMUNITY. THE PEOPLE OF YUKON ARE PERHAPS TODAY MORE AWARE AND CONCERNED FOR THEIR GOVERNMENT THAN AT ANY TIME IN THEIR PAST.

THE VERY UNIQUENESS OF OUR GOVERNING STRUCTURE IN THE YUKON, THE DAY TO DAY CONFRONTATIONS BETWEEN THE EXECUTIVE AND LEGISLATIVE ARMS OF GOVERNMENT, THE UNUSUAL PERSONAL CONFRONTATION HERE IN THIS HOUSE, ALL HAVE PERPLEXED THE CITIZEN OF THE YUKON AND HE TRULY IS DEEPLY CONCERNED FOR HIS FUTURE. AND THAT OF HIS GOVERNMENT.

RECOGNIZING FOR THE MOMENT, MR. SPEAKER, THE GRAVE PROBLEMS THAT WE AS A TERRITORY MUST FACE, I THINK THAT THREE BASIC POSITIONS SHOULD BE CONSIDERED AND SO I WILL DEAL WITH THEM BRIEFLY AND IN ORDER OF PRIORITY.

FIRSTLY, MR. SPEAKER, WE MUST RECOGNIZE THAT WE ARE NO LONGER AS A SOCIETY, SIMPLY DRAWERS OF WATER AND HEMERS OF WOOD, SO TO SPEAK, AS WAS THE CASE IN THE LATE 1900'S. IN FACT WE HAVE EVOLVED INTO A HIGHLY TECHNICAL AND SOPHISTICATED SOCIETY. BUT MINDFUL STILL HOWEVER, THAT THE FACT THAT DEMOCRACY IS NO MORE OF A MYTH TODAY THAN IT WAS IN THOSE RECENT TIMES. PRINCIPLES AND STANDARDS HAVE SIMPLY ADJUSTED TO COMPLIMENT THE REALITIES OF OUR TIMES AND CIRCUMSTANCES. THE CONCEPT OF DEMOCRATIC RULE STILL DEMANDS THE PARTICIPATION OF INDEPENDENT THINKING MEN AND WOMEN IN REPRESENTATIVE LEVELS OF GOVERNMENT.

IT IS MY OPINION, MR. SPEAKER, THAT UNLESS THE PEOPLE OF THE YUKON SEND TO THIS HOUSE REPRESENTATIVES THAT ARE UNENCUMBERED BY THE DIRECTION OF PARTISAN POLITICAL

PHILOSOPHIES AND BELIEFS IN DEFERENCE TO OPEN DIRECTION OF THE PEOPLE AT LARGE, REPRESENTATIVE GOVERNMENT IN THE YUKON. COULD WELL CEASE TO FUNCTION AND WOULD RESULT IN TOTAL ABSOLUTE FEDERAL CONTROL WITHIN OUR TERRITORY.

OUR PRESENT FORM OF ADMINISTRATION IS SIMPLY NOT STRUCTURED TO PROVIDE FOR A PARTY SYSTEM OF GOVERNMENT AT THIS TIME. WITH AN INDEPENDANT COUNCIL WORKING IN THE INTERESTS OF THE PEOPLE THEY SERVE, WE MAY PERHAPS REALIZE THE ACHIEVEMENT OF A NEW RELATIONSHIP BETWEEN THE TWO ARMS OF GOVERNMENT ESSENTIAL TO OUR FUTURE AND ESSENTIAL TO THOSE WHO FOLLOW.

SECONDLY, MR. SPEAKER, WE MUST PROVIDE FOR THE LEGISLATIVE INDEPENDENCE OF THIS COUNCIL FROM THE ADMINISTRATION CONCURRENT WITH PARLIAMENTARY PRACTICE ENJOYED BY THE SEVERAL PROVINCES OF THE DOMINION OF CANADA. THIS LEGISLATURE MUST BELONG TO THE PEOPLE, A FORUM DEDICATED TO THE PRESERVATION OF THEIR RIGHTS AND FREEDOMS. THIS HOUSE MUST FUNCTION ON ITS OWN, WITH ITS OWN STAFF AND ITS OWN MAINTENANCE; INDEPENDANT OF ADMINISTRATION CONTROL OR DIRECTION AND UNDER THE DIRECT GUIDANCE OF THE HOUSE ITSELF THROUGH MR. SPEAKER.

IT IS TO THIS HOUSE THAT YUKONERS MUST LOOK FOR JUST AND REASONABLE LAWS, PROPERLY CONSIDERED AND PROPERLY MADE. IT IS HERE THAT YUKONERS MUST LOOK FOR PROTECTION OF THEIR FREEDOM AND FOR THE ASSURANCE OF THAT TYPE OF GOVERNMENT WHICH IN ITSELF WILL BE A CLEAR EXPRESSION OF THAT FREEDOM.

THIRDLY, WE MUST NOT FALTER IN OUR DETERMINATION TO ACHIEVE RESPONSIBLE GOVERNMENT FOR ALL THE PEOPLE OF THE YUKON. THESE ARE, MR. SPEAKER, INDEED, CRUCIAL TIMES IN TERMS OF CONSTITUTIONAL OBJECTIVES. DEMOCRATIC INSTITUTIONS MUST BE CREATED HERE IN THE YUKON AND SOON. WE THE PEOPLE MUST CONTINUE TO PRESS AND PREVAIL UPON PARLIAMENT FOR RESPONSIBLE GOVERNMENT AS A FIRST IMPORTANT STEP IN THE EVENTUAL ACHIEVEMENT OF PROVINCEHOOD. OUR ARGUMENTS CAN NO LONGER BE IGNORED BY THE SO CALLED WISE MEN IN THE EAST. OUR REPRESENTATIONS CAN NO LONGER BE STIFFLED BY BUREAUCRATIC MANOUVER OR SUPPRESSION. CANADA AS A NATION CAN NO LONGER VIEW OUR DILEMMA WITH INDIFFERENCE.

OUR OBJECTIVE IS CLEAR AND OBTAINABLE. SO LET US THEN, MR. SPEAKER, TURN OUR ENERGIES TO THIS MOST IMPORTANT CAUSE AND BRING ONCE AND FOR ALL TO OUR CITIZENS RESPONSIBLE AND TRULY REPRESENTATIVE GOVERNMENT HERE AT HOME INSTEAD OF SO FAR AWAY AT OTTAWA IN THE EAST.

IN CLOSING, MR. SPEAKER, I WOULD LIKE TO COMMEND ALL MEMBERS OF BOTH THE ADMINISTRATION AND OF THIS HOUSE. WE HAVE ENDURED FOUR PRETTY TOUGH YEARS. THE HOUSE IS FREQUENTLY ENGAGED IN CONFRONTATIONS SO BITTER AT TIMES THAT INDIVIDUAL FEELINGS HAVE RUN EXCESSIVELY AND REGRETFULLY HIGH.

I PERSONALLY BELIEVE HOWEVER, MR. SPEAKER, THAT PERHAPS EVERYONE, IRRESPECTIVE OF HIS MOTIVATION OR CIRCUMSTANCES HAS IN HIS OWN WAY TRIED HARD, NOT ONLY TO RESOLVE THE MANY PROBLEMS OF GOVERNMENT AND ADMINISTRATION, BUT TO GENUINELY ATTEMPT TO MAKE LIFE A LITTLE BETTER HERE IN THE YUKON. PERHAPS AT TIMES WE HAVE GOTTEN OURSELVES COMPLETELY ON THE WRONG TRACK BUT IN RETROSPECT, LET US HOPE AND TRUST THAT THOSE WHO FOLLOW WILL LOOK UPON THE YEARS WITH SOME PATIENCE AND UNDERSTANDING AND USE THIS EXPERIENCE IN DESIGNING AND EFFECTING A FRESH APPROACH TO THE MANY DIFFICULTIES AND CHALLENGES THAT YUKON MUST SURELY FACE IN THE YEARS AHEAD.

IT IS, MR. SPEAKER, IN THIS SPIRIT THAT I WISH TO THANK ALL MEMBERS OF THE ADMINISTRATION AND OF THIS HOUSE FOR THE COURTESIES AND SUPPORT THAT THEY AT TIMES SHOWN BOTH TO ME AND THOSE THAT I HAVE REPRESENTED IN THESE CHAMBERS AS SITTING MEMBER, DEPUTY SPEAKER, AND CHAIRMAN OF COMMITTEES. MY BEST WISHES FOR PERSONAL SUCCESS AND FULFILLMENT GO OUT TO YOU EACH AND ALL. I THANK YOU, MR. SPEAKER.

MR. SPEAKER: WILL THE HONOURABLE MEMBER FOR WATSON LAKE PLEASE TAKE THE CHAIR?

MR. TAYLOR: THE HONOURABLE MEMBER FROM MAYO.

MR. RIVETT: MR. SPEAKER AND FELLOW COUNCILLORS. THIS IS THE PLACE USUALLY RESERVED FOR COMIC RELIEF. WELL, THE COMEDY WILL PROBABLY BE UNINTENTIONAL BUT THE RELIEF IS GENUINE. FROM THE COMMISSIONER'S OPENING ADDRESS WE NOTE THAT IN GENERAL, CONDITIONS IN THE YUKON ARE ROSY. OF GREAT IMPORTANCE TO THE YUKON IS THE MARKED INCREASE IN THE MINING POTENTIAL OF THE MINTO AREA.

A NEW PRODUCING MINE WITH MANY YEARS OF OPERATION CANNOT HELP BUT BE A GREAT BOON TO THE WHOLE OF THE YUKON. AT THE PRESENT TIME GROUNDWORK IS BEING LAID FOR THE EVENTUAL CONSTRUCTION OF A MAJOR HYDRO DEVELOPMENT AT THE FIVE FINGER RAPIDS. IN THE MAYO DISTRICT THE MINING BOOM IS NOW UNDER WAY AND HOPEFULLY WE WILL HEAR THAT THERE ARE IMPORTANT MAJOR DISCOVERIES IN THE NEAR FUTURE. IN THE MAYO DISTRICT GENERALLY, THE PROBLEMS THAT WERE THERE FOUR YEARS AGO, MOST OF THEM ARE STILL THERE. THE ONLY MARKED CHANGE IS, BEING THAT THE NUMBER HAS GROWN. I AM NOT SOLELY RESPONSIBLE FOR THIS INCREASE, I HAD HELPERS.

AT ONE TIME I THOUGHT THAT PROMISES WERE THE SOLE PREROGATIVE OF THE POLITICIANS BUT I FIND THAT THE CIVIL SERVANTS HAVE BEEN EXCELLENT PUPILS. I WISH TO THANK MY FELLOW COUNCILLORS FOR THEIR ASSISTANCE AND FORBEARANCE. FURTHER, I WOULD LIKE TO THANK THE COMMISSIONER AND HIS STAFF FOR THE ASSISTANCE TOWARDS SOLVING MANY OF OUR PROBLEMS. IN SIMILAR VEIN I WOULD LIKE TO CONVEY MY THANKS FOR THE CO-OPERATION FROM ALL LEVELS OF THE TERRITORIAL GOVERNMENT. I WOULD LIKE TO EXPRESS MY PERSONAL APPRECIATION FOR THE ENDEAVOURS OF MADAM CLERK AND HER STAFF ON MY OWN BEHALF. THE LEGAL ADVISOR HAS ALSO BEEN MOST HELPFUL AND INFORMATIVE.

DURING THE PAST FOUR YEARS MUCH LEGISLATION HAS BEEN PRODUCED. THE GOOD WILL SOON BE FORGOTTEN AND THE BAD, NEVER FORGOTTEN. IT IS PROBABLY THE WISH OF EVERY POLITICIAN THAT HE MAY PERSONALLY INTRODUCE SOME NEW LEGISLATION. I HAD THIS IN MIND BUT MY PLANS WERE THWARTED AS EVEN THE AMATEURS OVERWHELMED THE STAID PROFESSIONALS. WITH REGARD TO THE MEDIA, I REALIZE FULL WELL THEY HAVE A RESPONSIBLE JOB TO PERFORM IN THAT THEY ARE THE WATCH DOGS OF DEMOCRACY AND I ALSO REALIZE IT MUST BE FRUSTRATING TO SEEK INFORMATION FROM SOME OF THE MEMBERS WHO KNOW EVEN LESS THAN THE MEDIA.

WITH REGARD TO THE BEER BOTTLE LITTER PROBLEM, I HAVE A SOLUTION THAT WILL PROVIDE INSTANT CHAOS AND CONFUSION. I SUGGEST THAT NO BOTTLE BE SOLD UNLESS AN EQUAL NUMBER OF EMPTIES ARE RETURNED TO THE SELLER. THIS SHOULD CREATE A BEER BOTTLE BLACK MARKET.

I WISH EVERY POSSIBLE SUCCESS FOR THE INCOMING TWELVE DISCIPLES AND I RESPECTFULLY SUGGEST THAT THEY FIND THEIR OWN MESSIAH. THIS CLOSES THE

FINAL CHAPTER OF THE MUTUAL ADMIRATION SOCIETY, HOWEVER, I HAVE SOME GOOD NEWS FOR THE VOTERS OF THE YUKON. ON THE ADVICE OF BOTH MY SUPPORTERS MESSRS. PENMAN AND STANFIELD, I HUMBLY RETIRE FROM TERRITORIAL POLITICS. WERE I MUSICALLY INCLINED I WOULD SING A FEW LINES FROM MY THEME SONG, HOWEVER, I WILL MERELY SAY 'OLE MAN RIVETT, HE JUST KEEPS ROLLING ALONG'.

BEST WISHES TO ALL.

MR. SPEAKER: WOULD THE HONOURABLE MEMBER FROM MAYO RESUME THE CHAIR PLEASE.

MR. SPEAKER: WE WILL NOW HAVE A SHORT RECESS.

RECESS

SGT.-AT-ARMS: ORDER. JAMES SMITH, COMMISSIONER OF THE YUKON TERRITORY.

MR. COMMISSIONER: MR. SPEAKER, MEMBERS OF COUNCIL, I WELCOME THIS OPPORTUNITY FOR A FEW CLOSING REMARKS AT THIS PARTICULAR TIME. THE POSSIBILITIES OF YOU BEING CALLED BACK TOGETHER AGAIN AS A COUNCIL ARE REMOTE. I THINK IT WOULD BE QUITE APPROPRIATE TO REVIEW SOME OF THE THINGS THAT HAVE BEEN PART AND PARCEL OF YOUR DUTIES AND RESPONSIBILITIES HERE DURING THE FOUR YEAR LIFE SPAN OF THIS PARTICULAR COUNCIL.

SOME INTERESTING STATISTICAL THINGS THAT I THINK IT WOULD GOOD TO BRING TO YOUR'S AND THE PUBLIC'S ATTENTION AT THIS TIME IS THE FACT THAT YOU HAVE HAD TWELVE SESSIONS DURING THESE FOUR YEARS. THE NUMBER OF SITTING DAYS HAS TOTALLED 160. I'M SURE TO SOME OF YOU THAT MAYBE IT HAS FELT LIKE 16,000 - TO OTHERS MAYBE ONLY ABOUT 16. ONE HUNDRED AND SIXTY DAYS, MR. SPEAKER WOULD AVERAGE ABOUT 40 DAYS PER YEAR DURING THAT FOUR YEARS TIME.

YOU HAVE PASSED 146 BRAND NEW ORDINANCES. THESE VARY IN LENGTH FROM ONE PAGE ORDINANCES TO THE VERY LONG SCHOOL ORDINANCE WHICH YOU HAVE JUST DEALT WITH HERE IN THE, OR YOU HAVE JUST COMPLETED YOUR DEALINGS WITH IN THE COURSE OF THE LAST FEW DAYS.

EXISTING ORDINANCES YOU HAVE AMENDED TO THE TOTAL OF 169. YOU HAVE 109 SESSIONAL PAPERS TABLED BEFORE YOU COVERING A VARIETY OF SUBJECTS AND THERE HAS BEEN OVER 500 LEGISLATIVE RETURNS PREPARED BY THE ADMINISTRATION IN RESPONSE TO QUESTIONS THAT YOU HAVE SOUGHT ANSWERS ON.

DURING THE FOUR YEARS THAT YOU HAVE BEEN HERE YOU HAVE INITIATED AND PARTICIPATED IN AND SUPERINTENDED OVER QUITE A FEW HISTORIC DEVELOPMENTS IN THE POLITICAL, SOCIAL, AND THE ECONOMIC FACE OF THE YUKON TERRITORY.

AT THE POLITICAL LEVEL I THINK THE MOST SIGNIFICANT THING IS THAT YOU HAVE PARTICIPATED IN THE SUCCESSFUL OPERATION OF THE EXECUTIVE COMMITTEE WHICH WAS ESTABLISHED AT THE TIME OF YOUR ELECTION IN 1970. DURING THE COURSE OF YOUR YEARS YOU INITIATED ACTIONS WHICH RESULTED IN THE EXPANSION OF THE COUNCIL IN SIZE FROM SEVEN TO TWELVE MEMBERS AND ESTABLISHED A PROVISION FOR FUTURE INCREASES IN LINE WITH CHANGES IN YUKON'S POPULATION AT THE BEHEST OF YOUR OWN MEMBERSHIP.

THE JUDICIAL REDISTRIBUTION OF THE TERRITORY INTO TWELVE ELECTORAL DISTRICTS WAS PRECIPITATED BY YOUR OWN ORDINANCE THAT YOU PASSED HERE. LIKEWISE DURING THE PAST FOUR YEARS YOU HAVE SEEN THE TAKEOVER OF SEVERAL FEDERAL GOVERNMENT FUNCTIONS THAT ARE TRADITIONALLY PROVINCIAL IN NATURE - TWO OUTSTANDING ONES BEING THE ADMINISTRATION OF JUSTICE AND THE MAINTENANCE OF THE MAJOR HIGHWAY SYSTEM IN THE TERRITORY MAINLY THE ALASKA HIGHWAY. ALSO YOU WERE PARTICIPANTS IN THE YUKON'S 75th BIRTHDAY.

AT THE LOCAL LEVEL YOU HAVE SEEN THE CREATION OF NEW MUNICIPALITIES AND LOCAL IMPROVEMENT DISTRICTS - FOR EXAMPLE, THE TOWN OF FARO, THE LOCAL IMPROVEMENT DISTRICT IN TESLIN AND THE LOCAL IMPROVEMENT DISTRICT IN CARMACKS. AND YOU PARTICIPATED IN THE CREATION OF THE METROPOLITAN AREA OF WHITEHORSE.

SOCIALLY, AND I THINK THIS IS WHERE THIS COUNCIL CAN REALLY TAKE A LOT OF CREDIT FOR SOCIAL LEGISLATION AND THE AMENDMENT OF SOCIAL MEASURES DESIGNED TO IMPROVE THE QUALITY OF LIFE IN THE YUKON AND LIKEWISE TO BRING OUR LEVEL OF PARTICIPATION INTO THAT OF A PROVINCIAL AREA. YOU WERE THE PEOPLE WHO INITIATED THE PRESENT MEDICARE SCHEME. YOU HAVE INITIATED THE SUPPLEMENTARY ALLOWANCES TO THE RECIPIENTS OF OUR OLD AGE SECURITY PROGRAM, WHICH PROGRAM I SAY, HAS SINCE BEEN FOLLOWED BY SEVERAL OTHER AREAS OF CANADA. YOU INTRODUCED A SYSTEM OF EQUALIZATION OF HEATING FUEL COSTS. YOU HAVE MAINTAINED THE ESTABLISHMENT OF MINIMUM WAGE LEVELS IN THE TERRITORY THAT ARE AUTOMATICALLY TRIGGERED ON BY ACTIONS OF THE FEDERAL GOVERNMENT. YOU BROUGHT THE WORKMEN'S COMPENSATION

ORDINANCE INTO MODERN TERMINOLOGY AND BROUGHT THE TOTAL ADMINISTRATION OF THIS MOST IMPORTANT ITEM HERE TO THE YUKON TERRITORY. THE NEW SCHOOL ORDINANCE THAT YOU HAVE JUST PASSED, I'M SURE THAT IT WILL STAND THE TEST OF THE TIME AND EFFORT THAT YOU HAVE SEEN FIT TO PUT INTO IT. I THINK THAT YOU ARE TO BE CONGRATULATED PARTICULARLY THE MEMBER FROM CARMACKS-KLUANE WHO HAS PRACTICALLY SPENT FULL-TIME ON THIS PARTICULAR PROGRAM FOR THE PAST TWO YEARS.

YOU ESTABLISHED THE YUKON HOUSING CORPORATION WHICH IN TURN INITIATED A PUBLIC HOUSING PROGRAM, AND HOPEFULLY THIS WILL COME TO TAKE CARE OF THE WORST SOCIAL PROBLEM THAT WE HAVE IN OUR TERRITORY - NAMELY THE LACK OF ADEQUATE HOUSING FOR A GOODLY NUMBER OF OUR CITIZENS. YUKON ARCHIVES CAME INTO BEING UNDER YOUR JURISDICTION AND IN ITSELF IS PROBABLY A TREMENDOUSLY SIGNIFICANT MOVE IN OUR CONSTITUTIONAL DEVELOPMENT, BECAUSE FINALLY THE ARCHIVAL MATERIAL THAT RIGHTLY BELONGS TO THE TERRITORY, MR. SPEAKER, IS BACK HERE IN THE ARCHIVES.

YOU LIKEWISE HAVE PRECIPITATED THE LEGISLATION THAT PERMITTED THE FIRST COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TERRITORIAL GOVERNMENT AND EMPLOYEES OF THE TERRITORIAL PUBLIC SERVICE.

YOU SAW ALSO AND WERE WITNESSES TO PUBLICATION OF A COMPREHENSIVE COMMUNITY SERVICE IMPROVEMENT PROGRAM FOR THE ENTIRE TERRITORY AND DEVELOPMENT PLANS FOR SERVING THE COMMUNITIES CONTAINED THEREIN.

ECONOMICALLY, PROBABLY THESE LAST FOUR YEARS HAS SEEN THE GREATEST UNPRECEDED GROWTH IN OUR MINERAL SECTOR AT ANYTIME AT ALL. AND THE VALUE OF MINERALS PRODUCED IN THE TERRITORY DURING THE LIFE OF THIS COUNCIL, MR. SPEAKER, HAS BEEN IN EXCESS OF FOUR HUNDRED AND TWENTY-THREE MILLION DOLLARS VALUED AT WORLD MARKET PRICES AT THE TIME IT WAS PRODUCED.

YOU PARTICIPATED IN THE DEVELOPMENT OF THE TOURISM INDUSTRY AS A MAJOR ELEMENT IN OUR TOTAL ECONOMY. I'M SURE THAT YOU ARE ALL AWARE THAT THIS INDUSTRY ALONE CONTRIBUTED OVER TWENTY-FIVE MILLION DOLLARS TO OUR ECONOMY LAST YEAR.

YOU PARTICIPATED IN THE EXPANSION OF THE TRANSPORTATION AND INFRASTRUCTURE IN THE TERRITORY THROUGH AN ACCELERATED PROGRAM OF CONSTRUCTION

INVOLVING THE DEMPSTER HIGHWAY AND THE MUCH SOUGHT AFTER SKAGWAY-CARCROSS ROAD. YOU, LIKEWISE WERE A WITNESS ALONG WITH MANY OTHER PEOPLE IN THE NORTH TO PROBABLY ONE OF THE GREATEST COMMUNICATIONS IMPROVEMENTS THAT HAS HAPPENED SINCE THE DC3 AIRPLANE CAME INTO EFFECT - NAMELY THE LAUNCHING OF THE ANIK SATELLITE ON THE TELEVISION PROGRAMING.

LIKEWISE YOU SAW THE START OF THE LAND CLAIMS NEGOTIATIONS ON BEHALF OF THE NATIVE PEOPLES IN THE YUKON TERRITORY. CONSEQUENCES OF WHICH ARE GOING TO HAVE DRAMATIC CONSEQUENCES TO EACH AND EVERY ONE OF US WHO LIVE IN THIS PART OF CANADA.

MR. SPEAKER, THOSE OF YOU WHO ARE GOING TO SEEK RE-ELECTION TO THIS LEGISLATURE I PERSONALLY WISH GOOD LUCK WITH THE POLLS ON DECEMBER 9TH. THOSE OF YOU WHO ARE GOING INTO RETIREMENT FROM POLITICAL LIFE I THINK YOU GO WITH MY VERY BEST GOOD WISHES AND THAT YOUR REFLECTIONS CONCERNING THE TIME THAT YOU SPENT IN THESE CHAMBERS WASN'T ENTIRELY A WASTED ONE. TO EACH AND EVERY ONE OF YOU I WOULD LIKE TO WISH YOU ALL A PLEASANT SUMMER AND THANK YOU FOR THE COOPERATION THAT YOU HAVE SEEN FIT TO EXTEND TO MY OFFICERS AND MYSELF TO ASSIST US IN THE CONDUCT OF THE TERRITORY'S BUSINESS DURING THE FOUR YEARS THAT YOU HAVE BEEN IN THIS HOUSE.

THANK YOU VERY MUCH, MR. SPEAKER.

MR. SPEAKER: WE WISH TO THANK MR. COMMISSIONER FOR HIS CLOSING ADDRESS.

MR. LEGAL ADVISER: IT IS THE COMMISSIONER'S WILL AND PLEASURE THAT THIS COUNCIL BE NOW PROROGUED. THIS COUNCIL IS ACCORDINGLY PROROGUED.

PROROGUED

MR. SPEAKER

MEMBERS OF COUNCIL

IN WELCOMING YOU TO THE OPENING OF THE 12TH SESSION OF THE TWENTY-SECOND WHOLLY-ELECTED COUNCIL OF THE YUKON TERRITORY, I WOULD LIKE TO REITERATE WHAT I HAVE ALREADY SAID ON MORE THAN ONE OCCASION -- WE, IN YUKON, ARE UNDERGOING MEASURELESS CHANGES IN OUR FORM OF GOVERNMENT, OUR ECONOMY AND OUR SOCIAL STRUCTURE. IT IS MORE THAN LIKELY THAT THESE CHANGES WILL BE INCREASINGLY EVIDENT DURING THE SUMMER OF 1974.

IN ITS FIRST THREE AND A HALF YEARS OF OFFICE, THE 22ND WHOLLY-ELECTED COUNCIL FACED THE CHALLENGE POSED BY THESE CHANGES AND SUCCEEDED IN CHANNELLING THEM FOR THE BENEFIT OF ALL YUKONERS.

WHAT WE MAKE OF THE FURTHER OPPORTUNITIES NOW AFFORDED WILL DEPEND, TO A VERY GREAT EXTENT, ON THE DELIBERATIONS AND THE ADVICE TENDERED WITHIN THESE CHAMBERS IN THE NEXT FEW WEEKS.

INNOVATION IN OUR FORM OF GOVERNMENT IS SYNONYMOUS WITH THE TERM OF THIS COUNCIL. SEEKING TO BRING THE EXECUTIVE AND LEGISLATIVE FUNCTIONS INTO A CLOSER WORKING RELATIONSHIP IS AN IMPORTANT STEP TOWARDS A GREATER MEASURE OF LOCAL RESPONSIBILITY AND THIS WAS ACCOMPLISHED TO SOME EXTENT BY THE 22ND WHOLLY-ELECTED COUNCIL THROUGH THE APPROVAL IT GAVE AT ITS FIRST SESSION TO THE EXECUTIVE COMMITTEE CONCEPT.

THE CONCEPT HAS STOOD THE TEST OF TIME AND ITS SUCCESS IS, IN NO SMALL MEASURE, RESPONSIBLE FOR THE ANNOUNCED INTENTION OF MY MINISTER TO EXTEND FURTHER THE LIMITS OF SELF-GOVERNMENT IN YUKON.

FIRST AND SECOND READING HAS ALREADY BEEN GIVEN IN THE HOUSE OF COMMONS TO AN ACT TO AMEND THE YUKON ACT AND IT IS HOPED THAT THE MEASURE WILL RECEIVE THE SUPPORT AND APPROVAL OF THE PARLIAMENT OF CANADA AT AN EARLY DATE.

THE IDEA THAT YUKONERS SHOULD CONTROL THEIR POLITICAL AND ECONOMIC POLICIES IS GAINING MOMENTUM; THEREFORE, WE MUST HAVE SOME SENSE OF WHERE WE ARE TRYING TO GO, OF WHAT WE ARE TRYING TO DO, AND WHAT THE TERRITORY MAY LOOK LIKE A FEW YEARS FROM NOW. AS WE MOVE INTO THIS ERA OF CONSTITUTIONAL EVOLUTION, YOU, AS ELECTED REPRESENTATIVES OF THE PEOPLE, WILL BE CALLED UPON TO SHARE THE EXCITEMENT, TO FACE THE CHALLENGE AND TO HELP CHARTER THE DIRECTION IN WHICH THE TERRITORY WILL MOVE.

AS WE STAND ON THE THRESHOLD OF A NEW ERA OF CONTINUED PROSPERITY, THE OVERRIDING CHALLENGE OF THE NEXT FEW YEARS WILL NOT BE JUST HOW TO EXPAND THE SIZE OF THE EXECUTIVE OR LEGISLATIVE ARMS OF THE GOVERNMENT. THE TASK WILL BE THE MORE DIFFICULT ONE OF IMPROVING THE QUALITY OF TERRITORIAL POLITICAL LIFE SO THAT IT FITS BETTER WITH THE EVOLVING CHARACTER OF YUKON SOCIETY.

THE HEALTH OF ANY ECONOMY DEPENDS ON THE QUALITY OF

ITS POLITICAL LIFE. THE CONDITION OF BUSINESS IS AFFECTED BY THE BASIC SELF-CONFIDENCE AND MORALE OF THE SOCIETY AS A WHOLE. ONE OF THE ESSENTIAL ELEMENTS OF A SOCIETY'S MORALE IS TRUST IN GOVERNMENT - AND GOVERNMENT IN THIS CONTEXT EMBRACES NOT JUST THE EXECUTIVE, BUT THE LEGISLATURE AS WELL.

IN A PERIOD DOMINATED BY GROWTH AND CHANGE, ONE OF THE CHALLENGES FACING THE GOVERNMENT IS TO REMOVE THE SENSE OF NON-INVOLVEMENT WHICH SO OFTEN SURROUNDS MEN AND WOMEN, DEPRIVING THEM OF THEIR SENSE OF WORTH, OF ACCOMPLISHMENT, OF FULFILMENT. OUR CHALLENGE IS TO REMOVE THE BARRIERS THAT CREATE THE FEELING OF NON-INVOLVEMENT AND FRUSTRATION WITH OUR POLITICAL MECHANISM, TO PERMIT EACH YUKONER TO DETECT HIS OWN POTENTIAL, TO ENSURE THAT HIS IMAGE OF YUKON IS ONE OF PROMISE AND HOPE.

EVERY ONE OF US IS ENRICHED THROUGH INVOLVEMENT IN THIS STIMULATING PROCESS WE CALL 'YUKON'. OUR GOALS AND HOPES ARE BOUND UP IN THE RESTLESSNESS AND VITALITY OF THIS RICH TERRITORY. WE, IN THIS PLACE, HAVE A SPECIAL RESPONSIBILITY TO HELP BRING THESE GOALS AND THOSE HOPES WITHIN REACH AND THERE WILL BE OPPORTUNITY IN THIS SESSION OF THE COUNCIL TO PURSUE THESE ENDS.

THE INCREASED POPULATION OF THE TERRITORY, THE SCATTERED NATURE OF OUR ESTABLISHED SETTLEMENTS AND THE ANTICIPATED EXPANSION IN THE MEMBERSHIP OF THE COUNCIL WARRANT A JUDICIAL RE-DISTRIBUTION OF TERRITORIAL ELECTORAL DISTRICTS BY MEANS SIMILAR TO THAT USED IN

THE PROVINCES. TOWARDS THIS END, LEGISLATION WILL BE PROPOSED TO ESTABLISH AN ELECTORAL DISTRICT BOUNDARIES COMMISSION WHICH WOULD BE ENTRUSTED WITH THE TASK OF RECOMMENDING TO COUNCIL A RE-STRUCTURING OF OUR ELECTORAL DISTRICTS SO AS TO REFLECT THE REALITIES OF CHANGING TIMES.

THE ULTIMATE AIMS AND OBJECTIVES OF THE TERRITORIAL GOVERNMENT MUST SURELY BE THE ACQUISITION OF RESPONSIBLE GOVERNMENT FOR YUKON. THERE IS QUESTION IN THE MINDS OF EVERYONE, BOTH HERE AND IN OTHER PARTS OF CANADA, AS TO TIMING, BUT IT IS INCONCEIVABLE THAT OUR FELLOW CANADIANS SHOULD DENY US THE SAME OPPORTUNITIES WITHIN CONFEDERATION THAT THEY THEMSELVES VALUE SO HIGHLY.

IN ORDER TO ACHIEVE OUR AIM IN THE FIELD OF POLITICAL EVOLUTION, THE DEVELOPMENT OF LOCAL GOVERNMENT INSTITUTIONS MUST BE AN ONGOING POLICY OF THE TERRITORIAL GOVERNMENT. IN THE FULL KNOWLEDGE THAT COSTLY MISTAKES ARE GOING TO BE MADE IN THE FORMATIVE YEARS, WE SHOULD ANTICIPATE DIFFICULTIES ARISING AND ACCEPT THEM AS SIMPLY PART OF THE PROGRAM OF ENCOURAGING GOVERNMENT AT THE GRASS ROOTS LEVEL.

THE CRITERIA FOR THE ESTABLISHMENT OF A PROVINCIAL-STYLE GOVERNMENT HERE MAY NEVER BE SPELLED OUT. IT WILL BE A POLITICAL DECISION MADE BY A FEDERAL GOVERNMENT AT SOME INDETERMINATE TIME AND THE VERY MINIMUM THAT THE EXECUTIVE AND LEGISLATIVE ARMS OF THE GOVERNMENT OF YUKON CAN DO IN THE INTERIM IS TO ENCOURAGE

CITIZEN PARTICIPATION IN LOCAL GOVERNMENT SO THAT LACK OF EXPERTISE IN THE HANDLING OF LOCAL AFFAIRS WILL NOT BE AN EXCUSE THAT CAN BE USED FOR DIS-ALLOWING A NORMAL PROGRESSION ALONG DEMOCRATIC LINES.

A BASIC OBJECTIVE, THEREFORE, OF THIS ADMINISTRATION, IN THE FIELD OF POLITICAL DEVELOPMENT, IS THE PROVISION OF CONTINUED SUPPORT FOR THE INVOLVEMENT OF THE RESIDENTS OF YUKON COMMUNITIES IN THE DEVELOPMENT OF LOCAL GOVERNMENT INSTITUTIONS.

TO ASSIST RESIDENTS WITH PLANNING THE DEVELOPMENT OF THEIR COMMUNITIES, COMPREHENSIVE STUDIES INVOLVING SIX INDIVIDUAL COMMUNITIES AND A PROPOSED COMMUNITY SERVICES IMPROVEMENT PROGRAM DEALING WITH VIRTUALLY EVERY POPULATED AREA OF YUKON HAVE BEEN COMPLETED. CAPITAL ASSISTANCE TO MUNICIPALITIES AND SETTLEMENTS FOR THE PURPOSE OF IMPROVING THEIR QUALITY OF LIFE AS PROPOSED IN THESE AND OTHER STUDIES IS CURRENTLY UNDER DISCUSSION WITH THE FEDERAL AUTHORITIES.

ON THE ECONOMIC FRONT, THE VARIOUS SECTORS IN THE TERRITORIAL ECONOMY PERFORMED EXTREMELY WELL IN 1973 AND INDICATIONS ARE THAT THIS TREND WILL CONTINUE INTO 1974.

ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF AN OIL PIPELINE FROM PRUDHOE BAY TO VALDEZ ARE EXPECTED TO COMMENCE SHORTLY. THE IMPACT OF THIS PROJECT ON THE YUKON ECONOMY IN BOTH THE SHORT AND LONGER RANGE COULD BE SIGNIFICANT.

AS YOU ARE NO DOUBT AWARE, CANADIAN ARCTIC GAS IS FILING A FORMAL APPLICATION RELATED TO THE CONSTRUCTION OF A GAS PIPELINE ACROSS NORTHERN YUKON AND THE MACKENZIE VALLEY.

DURING THE RECENT ARCTIC WINTER GAMES AT ANCHORAGE, I HAD THE PRIVILEGE OF DISCUSSING THESE MATTERS WITH GOVERNOR EGAN OF ALASKA AND COMMISSIONER HODGSON OF THE NORTHWEST TERRITORIES. THE UNIQUE AND DYNAMIC NATURE OF THESE TWO PROJECTS, ONE OF WHICH IS ABOUT TO BEGIN THIS YEAR, INDICATES THAT IT IS INCUMBENT ON THE TERRITORIAL GOVERNMENT TO CONTINUOUSLY MONITOR THE PHYSICAL, SOCIAL, ECONOMIC AND ENVIRONMENTAL INFLUENCES OF THESE PROJECTS ON THE YUKON TERRITORY SO AS TO BE ABLE TO RESPOND EFFECTIVELY.

ARRANGEMENTS WILL BE MADE TOWARDS THIS END BY COMMISSIONING AN INTERNAL STUDY OF THE ALASKA PIPELINE AND ITS IMPACT ON YUKON. WE SHALL ALSO HAVE TERRITORIAL REPRESENTATION IN THE FEDERAL EFFORT ESTABLISHED TO ASSESS THE APPLICATION TO CONSTRUCT A GAS PIPELINE ACROSS NORTHERN YUKON.

DEVELOPMENTS IN TRANSPORTATION AND THE AVAILABILITY OF LOW COST POWER WILL CONTINUE TO EXERCISE A DECISIVE INFLUENCE ON THE SHAPE OF THINGS TO COME IN YUKON'S ECONOMIC DESTINY.

THE ADMINISTRATION HOLDS THE VIEW THAT THE PROVISION OF RAIL TRANSPORTATION TO YUKON'S INDUSTRIAL HEARTLAND IS THE LOGICAL NEXT STEP IN OUR TRANSPORTATION SYSTEM,

AND TOWARDS THIS END, THE TERRITORY IS PARTICIPATING IN STUDIES WITH THE CONCERNED FEDERAL DEPARTMENTS ON THE ECONOMICS OF RAIL EXTENSION AND THE FORMULATION OF A LONG-TERM RAIL STRATEGY FOR YUKON.

IN THE FIELD OF ELECTRIC POWER, THE TERRITORY HAS RECEIVED INFORMATION THAT THE NORTHERN CANADA POWER COMMISSION IS INITIATING A MAJOR POWER STUDY TO ASSESS THE POTENTIAL AND PLAN THE DEVELOPMENT OF SUITABLE SITES TO MEET YUKON'S POWER NEEDS FOR THE NEXT TWO DECADES. WE WELCOME SUCH LONG-RANGE PLANNING ON THE PART OF THE COMMISSION AND WOULD HOPE THAT IT IS BUT A PRELUDE TO THE DEVELOPMENT OF MAJOR HYDRO-ELECTRIC PROJECTS IN THE NEAR FUTURE.

MUCH IS BEING SAID ABOUT YUKONERS HAVING A MORE AUTHORITATIVE VOICE IN THE CONDUCT OF THE AFFAIRS OF THEIR GOVERNMENT AND WHILE THE PACE OF PROGRESS TO SATISFY THESE DEMANDS IS NOT AS FAST AS WE MIGHT LIKE, AT LEAST SOMETHING IS BEING DONE. IT WOULD APPEAR TIME SIMILAR DEMANDS WERE BEING MADE ON THE CORPORATE BUSINESS COMMUNITY TO ALLOW VOICES OF YUKONERS TO BE HEARD IN THEIR DECISION-MAKING PROCESSES. ALL BRANCHES OF THIS GOVERNMENT SHOULD IMPRESS UPON OUR CORPORATE CITIZENS THAT THE POLITICAL EVOLUTION OF YUKON WILL NOT BE COMPLETE UNLESS AND UNTIL ITS ECONOMIC DEVELOPMENT IS REFLECTED BY THE INTRODUCTION OF YUKONERS INTO THE BOARD-ROOMS OF COMPANIES THAT CARRY ON BUSINESS IN THIS TERRITORY.

IN THE FIELD OF SOCIAL DEVELOPMENT, THE 22ND WHOLLY-

ELECTED COUNCIL CAN BOAST OF A REMARKABLE TRACK RECORD.

WE HAVE PROVIDED BETTER CARE AND SECURITY FOR OUR CITIZENS. THE OLD AGE SUPPLEMENTARY ALLOWANCE, INTRODUCED IN APRIL, 1972, WITH YOUR CONCURRENCE, HAS SUCCEEDED IN ESTABLISHING A GUARANTEED ANNUAL INCOME FOR OLD AGE PENSIONERS AND NON-PENSIONERS EXCLUDED FROM THE WORK FORCE.

WORKERS IN YUKON HAVE BENEFITED BY NEW LEGISLATION ENACTED BY THIS COUNCIL. THE MINIMUM WAGE HAS RISEN 75¢ AN HOUR DURING THIS COUNCIL'S LIFETIME. THE NEW WORKMEN'S COMPENSATION ORDINANCE ALLOWS FOR JUST COMPENSATION IN ACCORDANCE WITH AVERAGE WAGE SCALES AND COST OF LIVING FLUCTUATIONS. WITH THE TERRITORIAL GOVERNMENT AS AGENT, THIS FLEXIBILITY HAS BECOME FEASIBLE AND UNIVERSAL. COLLECTIVE BARGAINING IS FIRMLY ESTABLISHED AS A RIGHT FOR EMPLOYEES OF THE TERRITORIAL GOVERNMENT.

THIS COUNCIL ENACTED THE FIRST COMPREHENSIVE MEDICAL CARE PLAN, AVAILABLE TO ALL YUKON RESIDENTS. THE ADMINISTRATIVE AND FINANCIAL EXPERIENCE GAINED IN THE OPERATION OVER THE PAST TWO YEARS WILL BE APPLIED TO IMPROVE THE OVERALL PLAN AND TOWARDS THIS END YOUR ADVICE WILL BE SOUGHT ON PROPOSED CHANGES.

IN LINE WITH OUR POLICY OF ASSUMING RESPONSIBILITY FOR PROVINCIAL-TYPE PROGRAMS, MY ADMINISTRATION ENVISAGES THE EVENTUAL TRANSFER OF FEDERAL RESPONSIBILITY IN

THE FIELD OF HEALTH TO THE TERRITORIAL GOVERNMENT. TO FACILITATE SUCH A COURSE OF DEVELOPMENT, THE DEPARTMENT OF NATIONAL HEALTH AND WELFARE HAS AGREED TO OUR SUGGESTION THAT YUKON BE CLASSIFIED AS A SEPARATE REGION EFFECTIVE APRIL 1, 1974. ONCE THE REGION HAS BEEN SET UP AND THE FINANCIAL CRITERIA AND METHODS IDENTIFIED, IT WILL OBVIOUSLY BE EASIER FOR ALL PARTIES TO APPRECIATE WHAT IS INVOLVED IN THE TERRITORIAL GOVERNMENT TAKING OVER THIS SERVICE.

IN THE FIELD OF EDUCATION, THE POPULATION INCREASE SINCE THE MIDDLE OF THE SIXTIES, COMBINED WITH THE INCREASING DEMAND OF THE PUBLIC FOR MORE AND BETTER EDUCATION, PLACED UNUSUAL PRESSURES ON OUR SCHOOL SYSTEM. AS OUTLINED BY ME WHILE OPENING THE SIXTH SESSION OF THIS COUNCIL, OUR EDUCATION SYSTEM WAS SUBJECTED TO AN EXAMINATION TO IDENTIFY ITS OBJECTIVES, THE DEGREE TO WHICH THOSE OBJECTIVES ARE BEING ACHIEVED AND THE TRANSFORMATION NEEDED TO ENSURE THAT THE SYSTEM MEETS THE NEED OF OUR SOCIETY.

A REVISED SCHOOL ORDINANCE WILL BE PRESENTED FOR YOUR CONSIDERATION TO GIVE EFFECT TO THE RECOMMENDATIONS OF THE COMMITTEE ON EDUCATION AND TO ENSURE THAT THE SPECTRUM OF EDUCATIONAL ACTIVITY IN THE TERRITORY RESPONDS TO THE NEEDS OF YUKON SOCIETY.

THIS ORDINANCE HAS BEEN AWAITED WITH GREAT INTEREST SINCE THE LEVIRS' COMMITTEE REPORT AND THE GOVERNMENT WHITE PAPER WHICH FOLLOWED IT.

ONE OF THE IMPORTANT DECISIONS WHICH HAD TO BE TAKEN IN THE PREPARATION OF THE LEGISLATION WAS WHETHER THIS ORDINANCE SHOULD TAKE THE FORM OF A BASIC POLICY DOCUMENT FOR THE GUIDANCE OF THE GOVERNMENT IN EDUCATING THE CHILDREN OF THE TERRITORY, OR WHETHER IT SHOULD BE A FULLY COMPREHENSIVE ORDINANCE. WE HAVE CHOSEN THE LATTER COURSE.

THE SCHOOL ORDINANCE CAREFULLY DELINEATES THE RIGHTS OF CHILDREN TO AN EDUCATION, THE DUTIES AND RIGHTS OF THEIR PARENTS, AND THE FUNCTIONS OF PRINCIPALS AND TEACHERS TO ENSURE THAT OUR CHILDREN GET THE BEST EDUCATION THAT THE TERRITORY CAN PROVIDE.

I AM SURE THAT THE MEMBERS OF COUNCIL WILL FIND THAT THE BILL IS A DETAILED AND COMPLEX ONE. I KNOW THAT THEY WILL DISCUSS IT WITH GREAT CARE, AND THEIR VIEWS WILL RECEIVE THE FULLEST CONSIDERATION.

THE SUBJECT OF LEGAL AID WHICH WAS PLACED BEFORE THE 1973 (FIRST SESSION) WILL BE RE-INTRODUCED IN THE FORM OF A SESSIONAL PAPER WHICH WILL REQUEST COUNCIL'S GUIDANCE.

SPORTS, RECREATION, CULTURAL AND LEISURE-TIME AGENCIES IN YUKON ARE CONTINUALLY LOOKING FOR FUND-RAISING ACTIVITIES TO FINANCE THE EVER-INCREASING DEMANDS FOR IMPROVED PROGRAMMING. WHILE THE TERRITORIAL GOVERNMENT GENERALLY HAS IMPLEMENTED SUPPORT PROGRAMS, THERE IS DOUBT THAT WE COULD BEGIN TO ASSIST FINANCIALLY ON A SCALE THAT WOULD ANSWER ALL REQUESTS. AS A RESULT,

ORGANIZATIONS ARE LOOKING TOWARD OBTAINING FUNDS FROM ADDITIONAL SOURCES. REPORTS OF THE SUCCESS OF LOTTERY PROGRAMS INDICATE THAT THIS METHOD OF FUNDING COULD BE A VIABLE MECHANISM TO ANSWER A SIGNIFICANT PART OF THE NEED.

IN MY OPENING ADDRESS TO THE SEVENTH SESSION OF THIS COUNCIL, REFERENCE WAS MADE TO THE DISCUSSIONS BEING HELD FOR A WESTERN CANADA LOTTERY INVOLVING THE FOUR WESTERN PROVINCES AND THE YUKON TERRITORY. THESE DISCUSSIONS HAVE PROCEEDED TO THE POINT WHERE YOUR APPROVAL WILL BE SOUGHT AT THIS SESSION FOR TERRITORIAL PARTICIPATION IN THE PROPOSED LOTTERY. ENABLING LEGISLATION IN THE FORM OF A LOTTERIES BILL WILL BE INTRODUCED.

A POLITICAL DEVELOPMENT OF FUNDAMENTAL IMPORTANCE TO YUKON IS THE SETTLEMENT OF YUKON INDIAN LAND CLAIMS. WHETHER A SETTLEMENT WILL COME ABOUT THIS YEAR, I CANNOT PREDICT. I CAN ASSURE YOU THAT THE GOVERNMENT OF THE YUKON TERRITORY IS EXERTING ITS FULL INFLUENCE TO ENSURE A FAIR SETTLEMENT FOR ALL YUKONERS AS QUICKLY AS IS FEASIBLE.

SINCE THE LAST REGULAR SESSION OF COUNCIL, MEETINGS HAVE BEEN HELD WITH REPRESENTATIVES OF THE YUKON INDIAN PEOPLE AND THE FEDERAL GOVERNMENT.

THE APPOINTMENT OF EX-TERRITORIAL COUNCILLOR, GEORGE SHAW, TO THE NEGOTIATING TEAM WAS ANNOUNCED RECENTLY BY MY MINISTER AND I AM SURE THAT THE COUNCIL WOULD JOIN ME IN WELCOMING THE OPPORTUNITY FOR ADDED TERRITORIAL INPUT INTO THE NEGOTIATIONS.

IN SUMMARY, 1974 WILL BE ANOTHER YEAR OF CHANGE, PROGRESS AND PROSPERITY.

MATTERS OF CONSIDERABLE IMPORTANCE, AS WELL AS NORMAL FISCAL BUSINESS, WILL BE PLACED BEFORE THE COUNCIL AT THIS SESSION.

THE LEGISLATIVE PROGRAM WILL INCLUDE A REVISED SCHOOL ORDINANCE AND RELATED PROPOSALS INCLUDING AMENDMENTS TO THE PUBLIC SERVICE STAFF RELATIONS ORDINANCE, KINDERGARTEN AND PRE-KINDERGARTEN PROGRAMS PLUS A TOBACCO TAX MEASURE TO FUND THE LATTER TWO ITEMS. THERE WILL ALSO BE A LOTTERIES BILL AND THE ELECTORAL DISTRICT BOUNDARIES COMMISSION ORDINANCE AS OUTLINED. AMENDMENTS WILL ALSO BE SOUGHT FOR VARIOUS ORDINANCES AS DETAILED BELOW:

A BILL TO AMEND THE SOCIETIES' ORDINANCE - THE PURPOSE OF THE BILL IS TO IMPROVE THE SYSTEM OF FILING ANNUAL STATEMENTS WITH THE REGISTRAR. THE EFFECT OF THE AMENDMENT WILL BE TO REQUIRE EVERY SOCIETY TO FILE THE REQUISITE STATEMENT WITHIN THIRTY DAYS AFTER THE ANNUAL GENERAL MEETING OF THE SOCIETY.

A BILL TO AMEND THE INTERPRETATIONS ORDINANCE - THE PURPOSE OF THIS BILL IS TO SET THE THIRD MONDAY IN AUGUST AS THE DISCOVERY DAY HOLIDAY AS REQUESTED BY COUNCIL. THE AMENDMENT ALSO HAS THE EFFECT OF TREATING THE REMEMBRANCE DAY HOLIDAY LIKE OTHER HOLIDAYS. CONSEQUENTLY, WHENEVER REMEMBRANCE DAY FALLS ON A SUNDAY, THE EXPRESSION "HOLIDAY" INCLUDES THE FOLLOWING DAY.

A BILL TO AMEND THE NOTARIES ORDINANCE - THE PURPOSE OF THIS BILL IS TO EXPAND THOSE BEFORE WHOM A NEW NOTARY MAY SWEAR HIS OATH OF OFFICE TO INCLUDE A MAGISTRATE.

A BILL TO AMEND THE FAIR PRACTICES ORDINANCE - THIS BILL IS PRIMARILY IN RESPONSE TO A REQUEST FROM THE YUKON STATUS OF WOMEN COUNCIL REQUESTING THE AMENDMENTS BE INTRODUCED WHICH WOULD PREVENT DISCRIMINATION ON GROUNDS OF SEX AND MARITAL STATUS. THE CHANGES HAVE BEEN BASED ON SIMILAR LEGISLATION IN THE PROVINCES. THE BILL WILL ALSO PROHIBIT DISCRIMINATION IN SITUATIONS WHERE EMPLOYERS EMPLOY LESS THAN FIVE EMPLOYEES.

A BILL TO AMEND THE MINING SAFETY ORDINANCE - THE ORDINANCE PRESENTLY PREVENTS MALE WORKERS UNDER 18 AND 16 FROM CERTAIN KINDS OF MINING EMPLOYMENT. THE REPEAL OF THE WORD "MALE" APPLIES THAT PROTECTION TO BOTH SEXES.

A BILL TO AMEND THE MOTOR VEHICLE ORDINANCE - THE REPEAL OF SECTION 9 IN THE FIRST SESSION OF 1973 WAS

INTENDED TO IMPOSE A MINIMUM FINE FOR FAILURE TO CARRY INSURANCE IN RESPECT OF A MOTOR VEHICLE. COURT DECISIONS HOLD THAT THE SECTION FAILED TO MAKE THIS CLEAR. THE AMENDMENT IS INTENDED TO REMEDY THE DRAFTING DEFECT AND TO EXTEND THE ONUS OF HAVING INSURANCE TO A DRIVER AS WELL AS THE OWNER OF A MOTOR VEHICLE.

A BILL TO AMEND THE ELECTRIC PUBLIC UTILITIES ORDINANCE - THE PURPOSE OF THE BILL IS:

- (a) TO REDUCE THE NUMBER OF ELECTRICAL CONSUMERS OUTSIDE A MUNICIPALITY WHO MAY FILE A COMPLAINT WITH THE PUBLIC UTILITIES BOARD;
- (b) TO PERMIT ELECTRICITY TO BE SOLD IN AN AREA NOT COVERED BY A FRANCHISE, PENDING THE GRANTING OF FRANCHISE;
- (c) TO CLARIFY AN APPARENT INCONSISTENCY BETWEEN THIS ORDINANCE AND THE MUNICIPAL ORDINANCE.

A BILL TO AMEND THE COURT OF APPEAL ORDINANCE - THE PURPOSE OF THIS BILL IS TO MAKE UNIFORM THE TITLES OF THE MEMBERS OF THE COURT OF APPEAL OF THE YUKON TERRITORY.

THE NECESSARY LEGISLATION TO GIVE EFFECT TO OUR MONETARY REQUIREMENTS FOR THE BALANCE OF THIS FISCAL YEAR AND THE NEXT, WILL BE INTRODUCED WITH THE 1974-75 BUDGET ON MARCH 21, 1974.

IN ADDITION, COUNCIL'S ADVICE WILL BE SOUGHT ON A
NUMBER OF OTHER MATTERS.

I TRUST THAT THE MATERIAL PLACED BEFORE YOU WILL
ENABLE YOU TO CARRY FORWARD YOUR DELIBERATIONS IN
A MANNER THAT WILL MEET WITH YOUR APPROVAL. MY
OFFICERS AND I STAND READY TO ASSIST YOU IN ANY WAY
WE CAN TO HELP MAKE THIS A PRODUCTIVE SESSION FOR
ALL YUKON.



J. SMITH,
COMMISSIONER.

MR. SPEAKER,

MEMBERS OF COUNCIL

I HAVE THE PRIVILEGE AND HONOUR TO PRESENT MY EIGHTH
SUCCESSIVE ANNUAL BUDGET AS COMMISSIONER OF THE YUKON
TERRITORY.

DURING THE PAST EIGHT YEARS, THE TERRITORY EXPERIENCED AN
ECONOMIC UPSWING UNMATCHED IN YUKON'S HISTORY --

- MINERAL PRODUCTION INCREASED FROM \$12 MILLION IN
1966 TO \$146 MILLION IN 1973;
- THE VALUE OF MINERALS PRODUCED DURING THE PAST
EIGHT YEARS EXCEEDED THE PRODUCTION VALUE FOR THE
PREVIOUS EIGHTY YEARS;
- NUMBER OF VISITORS COMING INTO YUKON INCREASED
THREEFOLD;
- THE VALUE OF TOURISM TO THE TERRITORIAL ECONOMY
INCREASED FROM \$7 MILLION IN 1966 TO OVER \$25
MILLION IN 1973;
- TERRITORIAL POPULATION INCREASED BY 40% FROM
14,382 IN 1966 TO OVER 20,000 IN 1973;
- RECORD NUMBERS OF YUKONERS OBTAINED GAINFUL
EMPLOYMENT IN THE VARIOUS SECTORS OF THE
TERRITORIAL ECONOMY;

- YUKON LED THE NATION IN THE PERFORMANCE OF ALL LEADING INDICATORS OF COMPARATIVE AFFLUENCE, I.E., INDEX OF EMPLOYMENT, AVERAGE WEEKLY EARNINGS, AVERAGE FAMILY INCOME, ETC.

THE ROLE OF THE TERRITORIAL GOVERNMENT EXPANDED TO MEET THE CHALLENGES PRESENTED BY THIS RISING TEMPO OF ACTIVITY IN THE ECONOMIC AND OTHER FACETS OF TERRITORIAL LIFE AND THIS WAS REFLECTED IN THE TERRITORIAL GOVERNMENT'S EXPENDITURES OVER THE PAST EIGHT YEARS AS THE FOLLOWING TABLE WILL INDICATE:

1966-67	Actual	\$12,103,111
1967-68	"	13,923,457
1968-69	"	18,220,455
1969-70	"	24,617,609
1970-71	"	26,770,933
1971-72	"	27,312,893
1972-73	"	42,470,423
1973-74	Voted	51,047,817
	Main & Supp. Est. 1-3	
1973-74	Estimated	52,839,755

THE ESTIMATED FUNDING NEEDS FOR THE CURRENT FISCAL YEAR, 1973-74, TOTAL \$52,839,755.16, REPRESENTING AN INCREASE OF \$1,791,938.16 OVER THE APPROPRIATIONS ALREADY VOTED BY THE COUNCIL. A SUPPLEMENTARY APPROPRIATION ORDINANCE, BEING THE FIFTH APPROPRIATION ORDINANCE FOR FISCAL YEAR 1973-74, TOGETHER

WITH SUPPLEMENTARY ESTIMATES COVERING THE INCREASE, WILL BE PRESENTED AT THIS SESSION FOR YOUR APPROVAL.

THE CHALLENGE FOR THIS GOVERNMENT TO KEEP YUKON MOVING AHEAD ON ALL FRONTS CONTINUES UNABATED. IN MY OPENING ADDRESS TO COUNCIL, I MADE A REFERENCE TO THE IMMENSE CHANGES THAT WE ARE UNDERGOING IN OUR FORM OF GOVERNMENT, OUR ECONOMY AND OUR SOCIAL STRUCTURE.

ALL OF THESE CHANGES HAVE IMPLICATIONS FOR THE FUTURE OF THE TERRITORY AND IT APPEARS TO HAVE BECOME INCREASINGLY IMPORTANT THAT PROGRAMS AND POLICIES OF THE TERRITORIAL GOVERNMENT BE HARMONIZED WITHIN THE EXISTING FRAMEWORK AS A PRELUDE TO MEETING THE CHALLENGE POSED BY THE ANTICIPATED CHANGES.

MR. SPEAKER, THE BUDGET FOR 1974-75 HAS BEEN DRAFTED WITH THE OBJECTIVE OF CONSOLIDATING THE GAINS ALREADY MADE BY THE TERRITORIAL GOVERNMENT AND WOULD THEREFORE CONTAIN NO MAJOR NEW PROGRAMS. IT IS BASICALLY A BUDGET OF A HOUSEKEEPING NATURE. THE PROPOSALS THAT WILL BE PLACED BEFORE YOU INDICATE A TOTAL BUDGET OF \$60,862,907 FOR THE FISCAL YEAR 1974-75, MADE UP AS FOLLOWS:

OPERATION & MAINTENANCE	\$36,049,256
CAPITAL	20,099,251
LOAN AMORTIZATION	<u>4,714,400</u>
	<u>\$60,862,907</u>

MR. SPEAKER, I WOULD NOW LIKE TO REVIEW BRIEFLY THE PERSPECTIVE OF THE 1974-75 FISCAL YEAR BUDGET AS IT RELATES TO THE PRINCIPAL FUNCTIONS OF TERRITORIAL EXPENDITURE.

THE PROPOSED OPERATING EXPENDITURE OF \$36,049,256 IS \$2,302,205 OR 6.8% MORE THAN THE ESTIMATED REQUIREMENT AS REFLECTED IN SUPPLEMENTARY ESTIMATES #4 FOR THE CURRENT YEAR AND WILL BE APPROPRIATED TOWARDS THE FOLLOWING ACTIVITIES:

	<u>PROPOSED 1974-75</u>	<u>ESTIMATED 1973-74</u>	<u>INCREASE</u>
HIGHWAYS & PUBLIC WORKS	10,649,000	10,275,749	373,251
EDUCATION	8,696,876	7,981,306	715,570
HEALTH, WELFARE & REHABILITATION	7,605,918	6,934,707	671,211
LOCAL GOVERNMENT	1,977,189	2,349,273	(372,084)
ADMINISTRATIVE SERVICES	1,678,876	1,470,839	208,037
TOURISM, CONSERVATION & INFORMATION SERV.	1,663,100	1,411,200	251,900
LEGAL AFFAIRS	1,396,663	1,315,663	81,000
TERRITORIAL TREAS- URER	1,176,182	1,022,213	153,969
SECRETARY & REGISTRAR GENERAL	805,074	694,000	111,074
YUKON HOUSING CORP.	400,378	292,100	108,278
	<u>\$36,049,256</u>	<u>\$33,747,051</u>	<u>\$2,302,206</u>

ANTICIPATED INCREASES IN SALARIES AND WAGES PAYABLE TO TERRITORIAL CIVIL SERVANTS IN ACCORDANCE WITH THE COLLECTIVE BARGAINING AGREEMENT ENTERED INTO BETWEEN THE GOVERNMENT AND THE PUBLIC SERVICE ALLIANCE OF CANADA ACCOUNTS FOR THE BULK OF THE INCREASE PROPOSED FOR 1974-75.

THE EXPENDITURES PROPOSED FOR THE COMING YEAR WILL BE REVIEWED BY THIS COUNCIL IN DETAIL AND I SHALL NOT DEAL WITH THEM IN LENGTH AT THIS TIME. HOWEVER, I SHOULD POINT OUT A FEW OF THE MORE SIGNIFICANT ITEMS.

HIGHWAY AND PUBLIC WORKS

THE YUKON HIGHWAY SYSTEM IS, IN THE AGGREGATE, ONE OF THE BEST IN THE COUNTRY. WHATEVER ITS FAULTS AND PROBLEMS, AND THERE ARE SOME, IT IS IMPORTANT THAT THESE INADEQUACIES BE SEEN IN THE CONTEXT OF THE TREMENDOUS VARIETY OF SERVICE AND THE ENORMOUS VALUE THAT IT CONTRIBUTES TO THE TERRITORIAL ECONOMY AND TO THE REALIZATION OF OUR SOCIAL GOALS.

WITH THE SUCCESSFUL TAKEOVER OF THE ALASKA HIGHWAY MAINTENANCE DURING THE 1972-73 FISCAL YEAR, WE ARE NOW RESPONSIBLE FOR THE MAINTENANCE OF 1800 MILES OF ALL WEATHER HIGHWAYS AND OVER 600 MILES OF RECREATIONAL SUMMER ROADS. OUR COSTS IN THIS AREA ARE ESCALATING AT A RATE OF APPROXIMATELY 4% PER ANNUM, WHICH COULD BE CONSIDERED MODEST IN THE LIGHT OF THE INFLATIONARY TREND PREVALENT IN TODAY'S ECONOMY.

EDUCATION

TO ENSURE A PROPERLY PLANNED EDUCATION SYSTEM THAT IS RESPONSIVE TO THE NEEDS OF A DYNAMIC SOCIETY, A REVISED SCHOOLS ORDINANCE WILL BE PROPOSED FOR YOUR EXAMINATION AND SCRUTINY. HOWEVER, THERE ARE OBVIOUS AREAS WHICH DEMAND IMMEDIATE ATTENTION AND THE GOVERNMENT IS COMMITTING \$8,696,876 TO UPGRADE EXISTING PROGRAMMES AT ALL LEVELS OF THE EDUCATION SYSTEM. ONE ITEM NOT INCLUDED IN THESE ESTIMATES IS PROVISION FOR A NEGOTIATED SALARY INCREASE TO YUKON'S TEACHERS. ALSO EXCLUDED FROM THE BUDGET BEING TABLED AT PRESENT ARE MONIES REQUIRED TO OPERATE THE REGULAR AND PRE-KINDERGARTEN PROGRAMS. A SEPARATE PAPER RELATING TO THE KINDERGARTEN PROGRAMS TOGETHER WITH A COVERING APPROPRIATION ORDINANCE AS WELL AS AN OUTLINE OF THE FUNDING SOURCE, WILL BE PRESENTED LATER TO COUNCIL AT THIS SESSION.

HEALTH, WELFARE AND REHABILITATION

IN THE FIELD OF HEALTH, WELFARE AND REHABILITATION, THE CREATION OF A COMPREHENSIVE FIRST RATE HEALTH SERVICE SYSTEM, THE PROVISION OF A PROGRESSIVE SOCIAL SERVICES PROGRAMME AND THE ESTABLISHMENT OF AN EFFECTIVE AND ECONOMIC METHOD OF REHABILITATION ARE OF MAJOR IMPORTANCE AND HIGH PRIORITY TO THIS GOVERNMENT. A TOTAL OF \$7,605,918 OR 21% OF THE OPERATION AND MAINTENANCE BUDGET IS DEVOTED TO THE FULFILLING OF THESE OBJECTIVES AS DETAILED BELOW:

	<u>PROPOSED 1974-75</u>	<u>ESTIMATED 1973-74</u>	<u>INCREASE</u>
NORTHERN HEALTH SERVICES	829,419	650,754	178,665
YHIS (expand)	1,961,959	1,936,476	25,483
YHCIP (expand)	1,468,387	1,312,531	155,856
SOCIAL WELFARE	2,301,000	2,179,946	121,054
CORRECTIONS	1,045,153	855,000	190,153
	<u>\$ 7,605,918</u>	<u>6,934,707</u>	<u>671,211</u>

THE \$1,468,387 APPROPRIATED FOR YHCIP ALLOWS FOR INCREASES IN THE SCHEDULE OF FEES PAYABLE TO DOCTORS UNDER THE MEDICARE SCHEME. DESPITE THIS INCREASE IN COSTS, THE RATE OF PREMIUMS PAYABLE BY YUKONERS WILL BE REDUCED BY 25% EFFECTIVE APRIL 1, 1974. FURTHER PREMIUMS WILL BE TOTALLY ELIMINATED FOR PERSONS OVER 65 YEARS OF AGE. DETAILS OF THESE AND OTHER CHANGES PROPOSED TO THE PLAN WILL BE PRESENTED TO YOU IN A SEPARATE PAPER.

LOCAL GOVERNMENT

THE REDUCTION IN EXPENDITURE PROPOSED FOR NEXT YEAR IS ATTRIBUTABLE TO THE COMPLETION DURING FISCAL YEAR 73/74 OF TWO SPECIAL PROJECTS FOR WHICH FUNDING WILL NOT BE REQUIRED ON THE SAME LEVEL IN 1974-75, VIZ., REPAIRS TO THE ROBERT CAMPBELL BRIDGE AND INITIATION OF COMMUNITY PLANNING STUDIES.

THE TERRITORIAL GOVERNMENT FULLY REALIZES THE IMPORTANT SERVICES MUNICIPALITIES AND LOCAL IMPROVEMENT DISTRICTS RENDER OUR CITIZENS. IT IS ALSO RECOGNIZED THAT NOT ONLY ARE COSTS OF THESE FUNCTIONS RISING, BUT THE DEMAND FOR ADDITIONAL SERVICES IS GROWING BECAUSE OF POPULATION INCREASES. THE GOVERNMENT IS ALERT TO THE FINANCIAL PROBLEMS OF LOCAL GOVERNMENTS AND THE TAX BURDEN UPON PROPERTY OWNERS.

ADMINISTRATIVE SERVICES

THE ADMINISTRATIVE SERVICES AREA, WHILE CONTINUING TO GROW, REFLECTS THE NORMAL PATTERN FOR THE GOVERNMENT AS A WHOLE.

TOURISM, CONSERVATION & INFORMATION SERVICES

TOURISM - THE TOURISM INDUSTRY IN YUKON HAS JUST UNDERGONE ITS LARGEST SINGLE YEAR IN THE HISTORY OF THE TERRITORY. THE PHENOMINAL GROWTH IN THIS AREA IS LIKELY TO CONTINUE INTO THE 1974-75 BUDGET YEAR. FOR THIS REASON, WE ARE CONTINUING OUR LEVELS OF EXPENDITURE IN THIS PROGRAM.

WITH THE FUNDING LEVELS PROVIDED IN THE CURRENT YEAR ESTIMATES, WE FEEL THAT OUR TOURIST AND INFORMATION OPERATIONS HAVE REACHED AN ADEQUATE LEVEL OF FUNDING AND STAFFING TO PROVIDE FOR PROGRAMS INVOLVING THE YUKON TOURIST INDUSTRY, THE GENERAL PROMOTION OF THE VISITOR INDUSTRY TO A LARGER AUDIENCE AND TO BRINGING THE INFORMATION SERVICES ASPECT OF THE BRANCH INTO A POSITION WHERE IT IS OPERATING AT A LEVEL COMPARABLE TO

SIMILAR SERVICES IN OTHER AREAS.

CONSERVATION - WILDLIFE PROVIDES BOTH INCOME AND RECREATION IN THE YUKON ECONOMY. TRADITIONALLY, THE CONTRIBUTION OF WILDLIFE RESOURCES HAS BEEN TO THE INCOME OF OUR NATIVE POPULATION - IN THE HUNTING OF GAME FOR FOOD, IN TRAPPING FOR FURS, IN FISHING FOR FOOD AND IN INCOME FROM GUIDING. MORE RECENTLY, THEIR ECONOMIC CONTRIBUTION HAS BEEN CHANNELLED INCREASINGLY THROUGH RECREATION. A RECENT STUDY COMPILED BY THE TERRITORIAL GAME DEPARTMENT HAS ESTIMATED THAT THE GAME RESOURCE OF YUKON CONTRIBUTES OVER \$3.5 MILLION ANNUALLY TO THE TERRITORIAL ECONOMY, EXCLUSIVE OF THEIR AESTHETIC AND RECREATIONAL VALUES.

SINCE GAME IS THE ONLY RESOURCE IN THE TERRITORY UNDER TERRITORIAL CONTROL AND ADMINISTRATION, A PROGRAM WAS UNDERTAKEN A FEW YEARS BACK TO PROVIDE AN ADEQUATE LEVEL OF ENFORCEMENT. THE ENFORCEMENT STAFF IS NOW ABLE TO PROVIDE A MORE EFFICIENT SERVICE TO THE PUBLIC AND IS ALSO ABLE TO CONTROL THE NUMBER OF GAME INFRACTIONS AND THE OTHER DUTIES RELATED TO THE CONSERVATION OF WILDLIFE IN AN ADEQUATE MANNER. TO COMPLEMENT THE STAFF NOW ON STRENGTH, WE ARE PROPOSING TO ADD TWO ADDITIONAL GAME GUARDIANS, SEASONAL GAME GUARDIANS AND SUPPORT STAFF. A MORE SCIENTIFIC APPROACH TO GAME MANAGEMENT IN THE TERRITORY IS NECESSARY AND THE PROVISION OF ADEQUATE AND COMPETENT STAFF WILL ASSIST IN ATTAINING THAT GOAL.

LIBRARY SERVICES - WITH THE OPENING OF THE NEW ADDITION TO THE YUKON REGIONAL LIBRARY WHICH PROVIDES FACILITIES FOR THE YUKON ARCHIVES AND EXPANDED FACILITIES FOR THE YUKON REGIONAL LIBRARY HEADQUARTERS, THE PHYSICAL PLANT OF THE LIBRARY SERVICES BRANCH CAN NOW BE LOOKED UPON AS ACCEPTABLE FOR THE FORESEEABLE FUTURE. INCLUDED IN PREVIOUS YEAR'S ESTIMATES WERE PROVISIONS FOR EXPANDING OUR BOOK COLLECTION, PRIMARILY IN THE SCHOOL AND PUBLIC LIBRARY AREAS, WHICH HAS ALSO BEEN A SUCCESS. TO BRING THE YUKON ARCHIVES STAFFING TO FULL COMPLEMENT, WE ARE PROPOSING TO ADD TWO ARCHIVISTS.

LEGAL AFFAIRS

THE TAKEOVER OF ADMINISTRATION OF JUSTICE BY THE LEGAL AFFAIRS DEPARTMENT AND THE SIGNING OF THE POLICE SERVICES AGREEMENT DURING THE PAST THREE FISCAL YEARS, WHILE SUBSTANTIALLY INCREASING OUR BUDGET, HAS PROVIDED US WITH FULL CONTROL OVER THIS ASPECT OF JUSTICE ADMINISTRATION IN YUKON. IN 1974-75 MAIN ESTIMATES, WHILE EXPENDITURES ARE CONTINUING TO CLIMB IN THESE AREAS, I BELIEVE WE ARE GETTING VALUE FOR OUR DOLLAR PARTICULARLY WHEN WE VIEW THE EXTREME HIGH COST OF PROVIDING THIS SERVICE IN OTHER JURISDICTIONS. PLANNING IS CONTINUING IN THIS ACTIVITY TO PROVIDE A BETTER QUALITY OF SERVICE THAN HAS BEEN THE CUSTOM IN THE PAST. HOWEVER, WE ARE ATTEMPTING TO MAINTAIN OUR COST LEVELS AT A REASONABLE STANDARD.

TERRITORIAL TREASURER

THE TREASURY ACTIVITY NOW INCLUDES THE TOTAL OPERATION OF CENTRAL PURCHASING AND CENTRAL STORES. WE HAVE FULLY CONVERTED TO OUR OWN COMPUTER, THE PAYROLL SYSTEM, THE MOTOR VEHICLE AND DRIVERS LICENCE REGISTRATION, THE GENERAL LEDGER APPLICATIONS IN THE TREASURY DEPARTMENT, THE ASSESSMENT ROLL AND PROPERTY TAX REGISTER, AND CERTAIN REPORTS FOR THE DEPARTMENT OF EDUCATION. CONTINUED EFFORTS WILL BE TOWARDS PROVIDING MORE DEPARTMENTS WITH THE USE OF COMPUTER FACILITIES SO AS TO PROVIDE BETTER AND FASTER INFORMATION FOR THE USE OF OUR MANAGERS.

TERRITORIAL-SECRETARY AND REGISTRAR-GENERAL

AS INDICATED EARLIER UNDER TREASURY ACTIVITY, CONVERSION OF THE MOTOR VEHICLE AND DRIVERS LICENCE FILES FROM THE MANUAL FILING SYSTEM TO A COMPUTER OPERATION HAS BEEN COMPLETED. IN OUR 1974-75 LICENCING, A SUBSTANTIAL REDUCTION IN WORK LOAD IN OUR OFFICE AND A BETTER LEVEL OF SERVICE TO THE GENERAL PUBLIC HAS RESULTED. THE WEIGH STATIONS AT WATSON LAKE, HAINES JUNCTION AND WHITEHORSE HAVE HELPED IMMEASURABLY IN THE CONTROL OF LICENCING AND WEIGHT RESTRICTIONS ON OUR HIGHWAYS. THE RECORDS MANAGEMENT PROGRAM STARTED LATE IN 1971, IS ALSO ACHIEVING MAJOR ECONOMIES AND EFFICIENCY IN OUR OPERATING DEPARTMENTS; THIS PROGRAM, DURING THE PAST YEAR, HAS COMPLETED THE TAKEOVER OF FILING AND CATALOGUING OF A

NUMBER OF MAJOR DEPARTMENTS. THIS WILL CONTINUE INTO THE 1974-75 PERIOD AND IN CONJUNCTION WITH THE ARCHIVES, WILL ENSURE THAT NEEDLESS RECORDS ARE DESTROYED AND VALUABLE AND HISTORIC ONES ARE PRESERVED. THE INSPECTIONS' SERVICES SECTION IS NOW FULLY STAFFED AND MORE INSPECTIONS ARE BEING CARRIED OUT UNDER THE LABOUR STANDARDS, WORKMEN'S COMPENSATION, BUSINESS LICENCE, YUKON HEALTH CARE INSURANCE PLAN AND LIQUOR ORDINANCES. CONTINUED EFFORTS WILL BE MADE TO PROVIDE A FULL RANGE OF INSPECTION SERVICES UNDER ALL ORDINANCES SO AS TO ENSURE FULL COMPLIANCE UNDER THE LAWS OF YUKON.

YUKON HOUSING CORPORATION

OUR GOVERNMENT'S DETERMINATION TO FORMULATE LONG-RUN HOUSING PROGRAMMES WHICH BEST MEET THE NEEDS OF OUR CITIZENS, RESULTED IN THE CREATION OF THE YUKON HOUSING CORPORATION. TO CONTINUE THE OPERATION OF THE CORPORATION, AN APPROPRIATION OF \$400,378 WILL BE SOUGHT FOR FISCAL YEAR 1974-75.

IN THE FIELD OF CAPITAL, THE PROPOSED EXPENDITURE OF \$20,099,251 WILL PRIMARILY BE DEVOTED TOWARDS THE FOLLOWING MAJOR PROJECTS:

PUBLIC HOUSING	\$2,500,000
LOANS TO MUNICIPALITIES AND THIRD PARTIES	2,350,000
TERRITORIAL ADMIN. BUILDING	2,000,000
CAPITAL FINANCIAL ASSISTANCE TO MUNICIPALITIES	1,500,000

ROBERT CAMPBELL BRIDGE	1,485,000
CAMPBELL HIGHWAY CONSTRUCTION	1,350,000
STEWART CROSSING/DAWSON ROAD	1,300,000
WHITEHORSE WORKSHOP EXTENSION	875,000
ROBERT SERVICE SCHOOL/DAWSON	832,551
LAND DEVELOPMENT, VARIOUS COMMUNITIES	725,000
OTHER (PROJECTS UNDER \$500,000 EACH)	5,181,700
	<hr/>
	\$ 20,099,251
	<hr/>

LOAN AMORTIZATION EXPENDITURES TOTALLING \$4,714,400 PROPOSED FOR 1974-75 REPRESENT INTEREST AND PRINCIPAL REPAYMENTS ON VARIOUS LOANS OBTAINED FROM THE FEDERAL GOVERNMENT.

FISCAL PROSPECTS

WHAT ARE THE PROSPECTS FOR OUR FISCAL POSITION IN ORDER TO GIVE EFFECT TO THE PROGRAMS AS OUTLINED SO FAR ON THE BUDGET?

OPERATION AND MAINTENANCE

THE OVERALL FINANCIAL REQUIREMENTS IN THE O & M AREA ARE EXPECTED TO TOTAL \$36,049,256 AS INDICATED EARLIER. RECOVERIES UNDER COST-SHARED PROGRAMS ARE EXPECTED TO BE \$14,388,500 AND LOCAL REVENUES AT EXISTING TAX RATES ARE EXPECTED TO CONTRIBUTE \$10,096,838 LEAVING A NET OPERATING REQUIREMENT OF \$11,563,918.

THE FINANCIAL AGREEMENT BEING PRESENTED TO YOU WITH THESE ESTIMATES CALLS FOR A GRANT-IN-LIEU OF INCOME TAXES OF \$5,446,000 AND A DEFICIT GRANT OF \$5,187,000 FOR A TOTAL FEDERAL GRANT OF \$10,633,000. THIS WILL RESULT IN AN OPERATING DEFICIT OF \$930,918.

CAPITAL

IN THE CAPITAL AREA, PROPOSED EXPENDITURES OF \$20,099,251 WILL BE FINANCED BY FUNDS TO BE OBTAINED FROM THE FEDERAL GOVERNMENT WITH RECOVERIES ON COST-SHARING PROGRAMS TOTALLING \$8,574,000 AND THE BALANCE THROUGH LOANS. UNDER THE PROPOSED FINANCIAL AGREEMENT, THE TERRITORY WILL RECEIVE CAPITAL LOANS TOTALLING \$11,603,000 PROVIDING A CAPITAL SURPLUS OF \$77,749. THIS SITUATION WILL NO DOUBT BE AFFECTED BY CARRY-OVER OF MONIES BORROWED IN PRIOR YEARS FOR CAPITAL PURPOSES, AS WELL AS BY FUNDS BEING REVOTED FOR PROJECTS WHICH ARE SCHEDULED FOR COMPLETION IN 1974/75 OR FUTURE YEARS.

LOAN AMORTIZATION

EXPENDITURE TOTALLING \$4,174,400 WILL BE FINANCED BY WAY OF RECOVERIES TOTALLING \$763,000 AND THROUGH RECEIPT OF A LOAN AMORTIZATION GRANT FROM THE FEDERAL GOVERNMENT TO THE TUNE OF \$3,951,400.

IN SUMMARY, I WOULD LIKE TO SUMMARIZE WHAT I BELIEVE TO BE THE MAIN CHARACTERISTICS OF THE BUDGET WHICH I HAVE PRESENTED

FOR SCRUTINY AND DISCUSSION BY HONOURABLE MEMBERS OF THE
COUNCIL AT THIS SESSION:

-- IT IS A FISCALLY-RESPONSIBLE BUDGET. DESPITE RECORD-
BREAKING EXPENDITURES, OUR PROGRAMS AND PROPOSALS
ARE FULLY WITHIN THE FINANCIAL RESOURCES OF THIS
TERRITORY AND CONSEQUENTLY, NO MAJOR INCREASE IN THE
TERRITORIAL TAX STRUCTURE HAS BEEN PROPOSED FOR 1974/75.
THE BUDGETED DEFICIT UNDER OPERATION AND MAINTENANCE
WILL BE FINANCED OUT OF FUNDS FROM THE WORKING CAPITAL.

-- IT IS A BUDGET WHICH SYMBOLIZES A TURNING POINT IN
THE FINANCIAL EVOLUTION OF THE TERRITORY. FOR THE
FIRST TIME IN YUKON'S HISTORY, OUR GRANT-IN-LIEU OF
INCOME TAXES WILL EXCEED THE DEFICIT GRANT, DEMON-
STRATING THEREBY THE GROWING VITALITY OF OUR ECONOMY.

-- IT IS A REALISTIC BUDGET, IN THAT NO SIGNIFICANT NEW
PROGRAM HAS BEEN PROPOSED IN LINE WITH OUR STATED
OBJECTIVE OF LOOKING AT 1974/75 AS A YEAR OF STOCK-
TAKING BEFORE THE TERRITORY CHARTERS A NEW COURSE IN
ITS POLITICAL, SOCIAL AND ECONOMIC DEVELOPMENT.

THESE THREE CHARACTERISTICS OF THE BUDGET REINFORCE THE
CONVICTION OF THIS ADMINISTRATION THAT FISCAL YEAR 1974/75
MARKS A FISCAL MILESTONE IN OUR MARCH TOWARDS MORE RESPONSIBLE
GOVERNMENT.

AS INDICATED IN MY OPENING ADDRESS TO COUNCIL, YOUR APPROVAL WILL BE SOUGHT AT A LATER STAGE DURING THIS SESSION FOR APPROPRIATION OF FUNDS COVERING TERRITORIAL INVOLVEMENT IN A LOTTERY PROGRAM.

IN SUMMARY, MR. SPEAKER, THE FOLLOWING MONEY BILLS, IN ADDITION TO THE BUDGET AND FINANCIAL AGREEMENT ORDINANCE, WILL BE PLACED BEFORE YOU TO GIVE EFFECT TO THE BUDGET:

FIFTH APPROPRIATION ORDINANCE 1973-74

INTERIM SUPPLY ORDINANCE

FIRST APPROPRIATION ORDINANCE 1974-75

FINANCIAL AGREEMENT ORDINANCE

MUNICIPAL GENERAL PURPOSE LOAN ORDINANCE

LOAN AGREEMENT ORDINANCE (1974) NO. 1

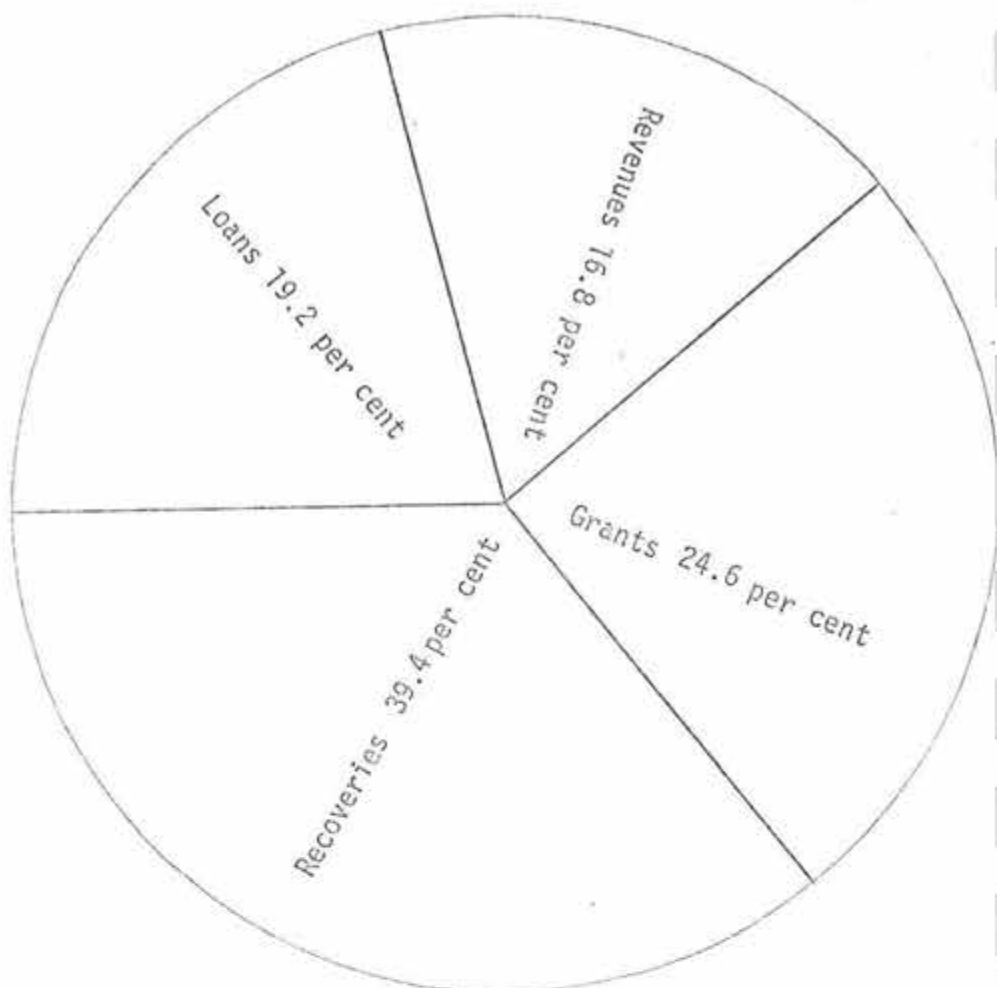
SECOND APPROPRIATION ORDINANCE 1974-75

THIRD APPROPRIATION ORDINANCE 1974-75

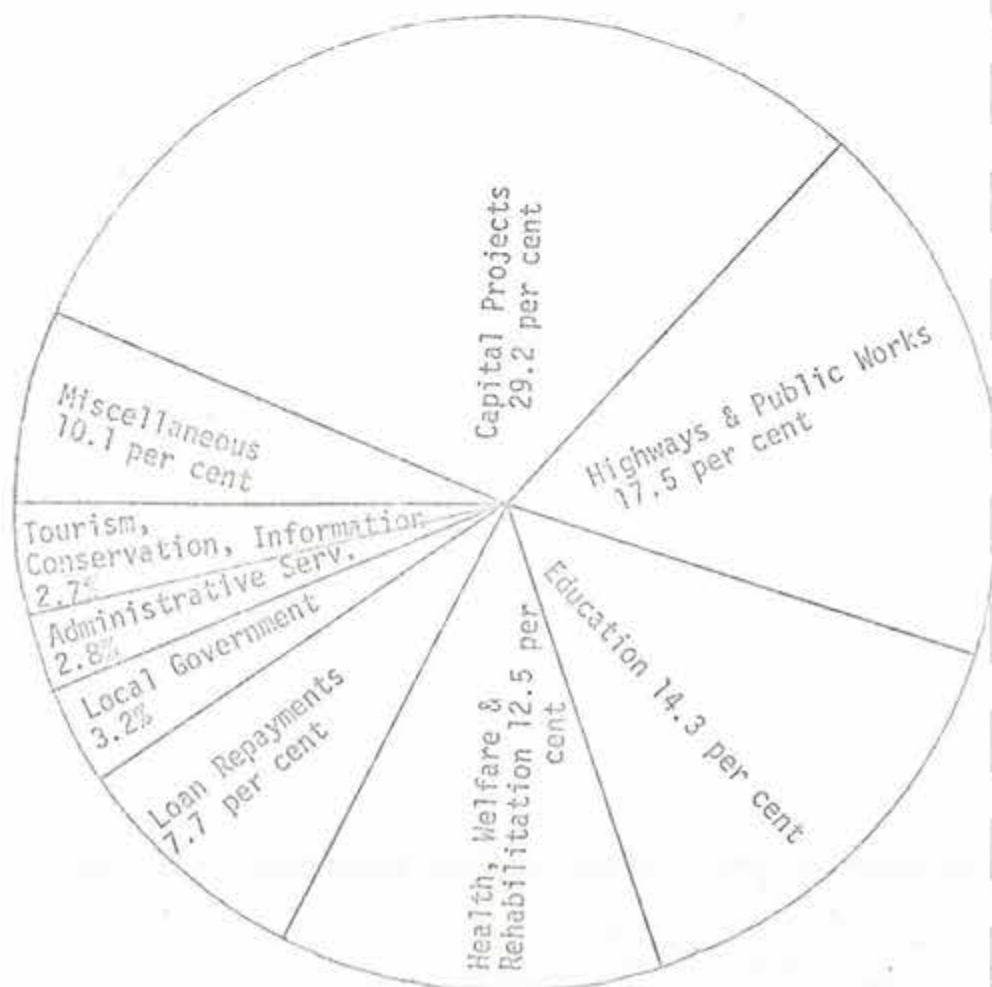
MR. SPEAKER, AS IN THE PAST, I AND THE MEMBERS OF THE EXECUTIVE COMMITTEE, ARE PREPARED TO ANSWER ANY QUESTIONS COUNCILLORS MAY WISH TO ASK OF US DURING THE DISCUSSION OF THE BUDGET.

J. SMITH,
COMMISSIONER.

RECEIPTS - 1974-75
BY MAJOR SOURCE



EXPENDITURE - 1974-75
BY MAJOR FUNCTION



25 February, 1974

SESSIONAL PAPER No. 3 (1974 SECOND SESSION).

Mr. Speaker

Members of Council

Y.T.G. Employees Housing Plan

The provision of staff housing has been discussed and debated many times in the past by both members of the administration and of this Council.

Significant progress has been made over the past few years in maintaining our staff housing needs in the Whitehorse area at a reasonable level. This has not been the case in areas outside of Whitehorse and we often find that while we can recruit staff for these areas, we have difficulty obtaining accommodation unless we provide it ourselves.

At the recent negotiations between the Y.T.P.S.A.C. and the Government one of the major issues centered around the question of housing. This question, while adequately resolved at the negotiating table, will continue to be an issue unless better means are available in the future.

In order to provide at least a partial solution to these problems it is my intention to proceed with legislation at an appropriate future Session of this Council which will provide the members of the public service with a Housing buy back scheme similar to those now available to various groups of employees in the private sector.

This Housing plan, while not offering any initial financial benefit, will guarantee to permanent employees of the Government an opportunity to dispose of their personal and family residence at a price which will not restrict their ability to retire or leave the employment of this Government.

We see this plan as offering to our employees an opportunity to:

- a). be self sufficient members of the community in which they live and work.
- b). be an inducement to employees to acquire their own personal dwellings.
- c). secure to individuals the freedom of choice in respect to their employment desires within the community in which they reside.

This plan when put into effect should assist in reducing the number of staff housing units owned and operated by the Government.



J. Smith
Commissioner

August 8th, 1973

Mr. Speaker,
Members of Council

On June 15th, 1973, a question reading as follows was asked by Councillor Taylor:

"Mr. Speaker, along this line too, the Government of the Yukon Territory, is in the process of concluding agreements with the Public Service of the Territory, and I understand it will be some weeks yet before all matters will be resolved. I am wondering if, at the time these matters have been resolved, the Administration, Mr. Speaker, would undertake to send a memorandum to all Members of Council explaining what happened and also what the financial costs of these negotiations would have to the Government of the Yukon Territory?"

The answer to the question is:

The employees of the Bargaining Unit ratified the changes to the 1971/1973 Collective Agreement on July 28th, and signing ceremonies were held in Whitehorse on July 30th, 1973, for a two year Collective Agreement commencing April 1st, 1973 to March 31st, 1975.

The changes to the current Collective Agreement which have a measurable financial impact are:

- a) An increase in overtime payment for overtime worked in excess of eight hours;
- b) An increase in standby payments from \$1.50 per eight hours of standby on a regular working day to \$3.00 per eight hours of standby, and an increase from the \$4.50 standby payment per day of rest or designated paid holiday to a minimum payment of \$10.00 per day of rest or designated paid holiday;
- c) An increase in shift premiums from 10¢ per hour to 12½¢ per hour for evening work and an increase in graveyard premiums from 15¢ per hour to 18½¢ per hour, effective August 1st, 1973, and an increase effective December 1st, 1973 to 15¢ per hour for evening shift work and 21¢ per hour for graveyard shift work;
- d) An increase in the lump sum payment for red-circled employees from \$200.00 to \$350.00 (red-circled Employees are those employees who did not earn a general salary increase on April 1st, 1972 because they were earning a rate of pay in excess of the maximum rate for the classification of their position);
- e) A general salary increase of 16% over a two year period for all classes of employment and in addition, the following classes received one or more additional increments:

Housing Officer,
Checkpoint Operator,
Checkpoint Supervisor,
Game Guardian I,
Game Guardian II,
Assistant Cooking Instructor,
Cooking Instructor,
Social Worker I,
Probation Officer I,
Corrections Officer I,
Corrections Officer II,
Administrative Officer I,

- e) and employees in the Trades and Labour classification possessing Journeyman qualifications receive 10% in the second year of the two year Agreement;
- f) An increase in the Government's contribution to Medicare and Supplementary G.S.M.I.P. premiums from 50% to 66 2/3% participation;
- g) The introduction of a weekend premium of 50¢ per hour for road maintenance employees who are required to work on Saturday and/or Sunday as part of their regularly scheduled shift assignment;
- h) The introduction of a Yukon Bonus to be paid to employees with two or more years continuous service with the Yukon Territorial Government in accordance with the following rates:

Single Employee:	\$250.00
Married Employee:	\$400.00
For each child:	\$ 50.00 (up to a maximum of \$200.00)
- i) The Employer has agreed to investigate Dental Care Insurance Plans with a view to introducing a plan acceptable to the Territorial Government and to the Alliance not later than September, 1974. If either the Government or the Alliance decide that the resulting plan is unsatisfactory, none shall be introduced. Premium costs of any dental plan shall be shared equally by the employee and the Territorial Government.

The total cost of implementing the above changes to the existing Collective Agreement covering a two year period will amount to approximately \$1.63 million Dollars.


J. Smith,
Commissioner

Mr. Speaker
Members of Council

Appointment of Emergency Measures Co-ordinator

Events over the past several years point to the necessity for the Yukon Territory to develop the ability and technical expertise to safeguard its citizens in the event of a natural or man-made disaster.

To date, this task has been performed by Mr. D. Billing, acting as E.M.O. Co-ordinator for both the Yukon and the Northwest Territories with his headquarters in Yellowknife. I might add, in discharging his duties, Mr. Billing has been very sensitive to the requirements of the Yukon. However, with the quickening tempo in the exploration field coupled with the increased emphasis on environmental control, it is most apparent the Yukon Territory must be in a position to respond immediately and effectively in any given situation.

Following discussions with the Government of the Northwest Territories and Canada EMO, it is therefore proposed, effective April 1, 1974, to appoint the Yukon Territorial Fire Marshal, presently Civil Emergency Planning Officer, as Emergency Measures Co-ordinator. These duties will be incorporated within the framework of his office. The emergency plans for the Territory are being revised to reflect this change as well as to incorporate other improvements and bring them up to date.

I might add, in appointing our own Emergency Measures Co-ordinator, the closest liaison will still be maintained with the Northwest Territories as well as other jurisdictions to ensure maximum response in any given situation.



J. Smith
Commissioner

28 January 1974

SESSIONAL PAPER NO. 6 (1974 SECOND SESSION)

Mr. Speaker
Members of Council

Establishment of Summer Detachment
Komakuk Beach

Activity in the northern Yukon, particularly in the British Mountains, Firth River area and Herschel Island has been increasing in the past few years with a great increase being noted during the summer of 1973.

The high price of gold has attracted a number of prospectors into the Sheep Creek area (a tributary of the Firth River) in the British Mountains. Adjacent to these areas are low hills with small populations of sheep which should be protected. This area is also the major migratory route of the Barren Land caribou.

On the Firth River there exists some excellent Arctic Char fishing, particularly during the spawning season. This information is widely known to both Canadians and Americans and is attracting more and more sport fishermen each season. The Americans come and go from the area at will and are inclined to treat it as part of the U.S.A. It is our understanding that Arctic Char are unable to withstand heavy sport fishing pressures and we may therefore soon see a decline in the Firth River char run if some restrictions are not introduced.

Herschel Island has at least one aircraft landing each day with oil exploration people, geologists, archeologists, biologists, government personnel, etc.

In view of the foregoing, it is proposed to establish a summer detachment of Game Branch personnel for effective enforcement of fish and game legislation.

This detachment would be located at Komakuk Beach, Dewline site Bar 1 and would consist of two game guardians with backup or assistance from a R.C.M. Police summer detachment on Herschel Island.


J. Smith,
Commissioner

February 8, 1974

SESSIONAL PAPER NO. 7 (1974 SECOND SESSION)

Mr. Speaker

Members of Council

KLONDIKE '73 REPORT

Klondike '73 was the official title given to a government sponsored program designed to commemorate the 75th Anniversary of the 1898 Klondike gold rush and the 75th birthday of Yukon as a territory.

The general objective of the Klondike '73 program was to stimulate greater public awareness and pride in Yukon history through publicity, promotion and resident involvement in related commemorative events and activities.

The program plan was to enlist the aid of the public sector to stimulate widespread public participation with government providing the basic leadership and funding. To this purpose the Territorial Council voted \$50,000. in 1973/74 capital funds to facilitate a program of community grants and at the same time authorized the Tourism and Information branch to divert \$25,000. of the tourist promotion allocation towards the financing of direct government staging of key events.

KLONDIKE '73 COMMITTEE

In carrying out the Klondike '73 program the Tourism and Information branch recruited a Klondike '73 committee comprised of community and business leaders from all areas of the Territory. The Committee's assigned terms of reference were to stimulate public interest, instigate suitable community projects, assist in the staging of related events and in general act as a clearing house for community grant applications by evaluating all submissions and recommending qualified requests to government for approval and processing.

To ensure maximum results from committee assignments, the branch provided special salary and expense funds for the services of a paid full time manager whose function was to operate an administrative office, solicit private sector contributions, generate fund raising projects and carry out committee-assigned activities at the community level.

In order to provide advice and assistance to the Klondike '73 committee a senior officer of the Tourism and Information branch served as a regular committee member.

The important contribution of the Klondike '73 committee to the success of the overall program was due primarily to the excellent and dedicated efforts of all committee members and in particular the hard work and proficiency of the paid manager and his staff.

In all, 34 Klondike '73 grants were provided to Yukon communities and organizations, while 14 additional grants were made directly to the Klondike '73 committee to facilitate the provision of special entertainment and services in support of approved community projects.

Of the \$50,000. allocated as Klondike '73 community grant funds, a total of \$40,945.12 was paid out in support of approved community projects and events.

KLONDIKE CANOE PAGEANT

The second element of the Klondike '73 program plan was the staging of government operated events. This was a most important aspect as it was imperative that at least one major event be staged to ensure a high level of public interest and provide a good opportunity for related community involvement. To this end, the Klondike Canoe Pageant was selected as the key event of the Klondike '73 program.

The Klondike Canoe Pageant was planned and coordinated by the Tourism and Information branch. This undertaking was undoubtedly the most imaginative and adventurous canoe event ever staged anywhere. Five specially invited teams took part in a foot and river race that started in Skagway, Alaska, and followed the historic Chilkoot trail and Yukon River route of the Klondike gold stampede. The competing teams were from the State of Washington, the State of Alaska, British Columbia, the Northwest Territories and Yukon. Each of the five teams were comprised of six paddlers and a spare and each team was assigned a six man "voyageur style" canoe bearing their State, Provincial or Territorial markings. The race was in the form of a pageant with carefully coordinated arrival ceremonies and civic events arranged in each community along the route. The event covered a total of 600 trail and river miles and took 21 days to complete. In spite of generally adverse weather conditions, the pageant maintained the planned running schedule and, most important, arrived in Dawson City precisely on time; the morning of August 17th, Discovery Day.

The logistical complexity of staging the canoe pageant is better understood when you consider there were a total of 14 canoes and boats, 2 military helicopters, an antique 9 pound artillery piece and 81 people in the pageant group. Each day on the river over 240 meals were prepared, eight 10 man tents were put up and taken down, 5½ tons of supplies and equipment were handled and moved, river briefings and operational meetings were held and as the camp moved on, a special clean up party completely cleaned the areas used.

The overall success of the Klondike Canoe Pageant is directly attributed to the co-operation and assistance provided by such agencies as the Canadian Armed Forces, The R.C.M.P., the B.C. government who provided the canoes, the State, Provincial and Territorial governments who sponsored the five teams, the Klondike '73 committee, private enterprise, Federal government agencies, other Y.T.G. departments and numerous public spirited citizens and community organizations along the pageant route. The fact that the Klondike Canoe Pageant operated according to plan, without mishap and within the set budget is a credit to all people involved.

A total of \$25,000. was allocated for this important event and actual expenditures were \$23,631.76.

OTHER PROGRAM ACTIVITIES

There were many smaller government sponsored projects that contributed to the success of the total program. Significant among these was the Yukon Song Contest which produced a unique record album of original Yukon Songs and music and earned exposure time on radio and T.V. across the country. In addition, special Klondike '73 souvenir posters were produced and widely distributed, numerous special guests, members of international press agencies and visiting groups were hosted as part of the program.

KLONDIKE '73 EXPENDITURE SUMMARY

Capital Funds

Grants to Communities and Organizations	\$ 40,945.12
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O & M Funds

Klondike '73 Canoe Pageant Expense	\$ 23,631.76
Klondike '73 Committee Expense	1,220.35
Klondike '73 Manager Salary and Expenses	9,658.56
Yukon Song Contest and Albums	3,108.48
Klondike '73 Poster Program	2,557.59
Special Klondike '73 Visitors' Hosting	<u>1,262.21</u>

\$ 41,438.95

TOTAL EXPENDITURES FOR KLONDIKE '73

\$ 82,384.07



James Smith
Commissioner

Mr. Speaker,
Members of Council

Over the past two decades health care in the Yukon Territory has developed from very modest beginnings to a sophisticated system which can stand comparison with its counterpart elsewhere and of which we can be justly proud.

The total health care delivery system falls naturally into three main categories, these being primary, secondary and tertiary care.

Primary Care

This is essentially preventative care delivered by community health workers, public health nurses or similar professionals. It may take the form of education in health practices, home care, clinics, etc. and could well be termed as "grass roots" health care.

Secondary Care

In this case the patient is sufficiently ill to require the services of a doctor either in the patient's home, doctor's office or out-patient department of the hospital depending upon the nature and severity of the illness.

Tertiary Care

The illness or injury here is of such severity that it can only be treated on an in-patient basis in an active treatment hospital.

The Government of the Yukon Territory by means of the Yukon Health Care Insurance Plan and Yukon Hospital Insurance Services already exercises complete control in the secondary and tertiary care fields but not so in that of primary care. The purpose of this paper is to advise members of Council of impending changes which are a vital step towards total assumption of the function of health care by this government.

General Health Services - establishment 502 in the main estimates is the principal vehicle for the delivery of primary health care. It has been evident for some time that this part of the system has operationally outstripped its administrative capability and that re-organisation was necessary. Representations to this effect have been made to the Department of National Health & Welfare and following a study by that Department, the Minister, the Honourable Marc Lalonde has agreed to the expansion of the Yukon Zone to region status effective April 1, 1974.

With the establishment of the Yukon Region, the Director will be dealing directly with Ottawa instead of as previously through Edmonton and very real benefits in the introduction of new programmes or establishment of new facilities are anticipated. Members of Council are already aware of the difficulties in budgeting which are inevitable in programmes in which both levels of government participate and the new organisation will do much to alleviate this. Incumbent with

the change will be a more highly developed management system at the local level which will provide the organisation for eventual takeover by ourselves of the total function of health care.

A handwritten signature in cursive script, appearing to read 'J. Smith', is positioned above the printed name.

J. Smith,
Commissioner

February 8, 1974

SESSIONAL PAPER NO. 9 1974 (2ND SESSION)

Mr. Speaker

Members of Council

BASIC EDUCATION UPGRADING

IN THE COMMUNITIES

- Objectives -
1. To provide the opportunity for adults who are illiterate or near illiterate to learn to read and write.
 2. To provide the opportunity for adults to upgrade their present level of education to a grade 10 level in communications and mathematics in preparation for further skill training.
 3. To provide experiences in Lifeskills to improve their capabilities in understanding themselves and communicating with their families, employers and the rest of the community.

Basic Education Upgrading

The Basic Education consists of two programs, Basic Literacy for Adult Development (BLADE) which provides approximate grade levels from 0 to 5, and Learning Individualized for Canadians (LINC) which provides approximate grade levels from 5 to 10. The overall program is supervised by a regular academic instructor and a Lifeskills Instructor from the Y.V.T.T.C. The instructor for the course in each community, with two exceptions, is a local person who has been provided with a 6 week training course prior to commencement of the courses. Additional assistance is provided on an on-going basis by the supervisors. The programs are as follows:

BLADE - All instructional material is on tapes and workbooks. Each student has his own tape recorder and workbooks. The program is broken down as follows:

	Communications					Mathematics			
Level	1	2	3	4		1	2	3	4
No. Units/Level	26	15	16	10		10	10	16	10

The basics of reading are provided in the 26 units of Level 1 to approximately a Grade 4 level. Levels 2, 3, & 4, have a total of 41 units dealing with oral communications, reading, writing, spelling, grammar usage, punctuation, capitalization, sentence structure, life skill related activities and social sciences

Level 1 - counting, oral & written

Level 2 - addition, subtraction and problems related to

Level 3 - Multiplication, division, review of addition and subtraction. Word problems involving one or more operations.

Level 4 - Measurement and fractions, total review and work problems involving several operations.

LINC - An individualized program allowing students to enter at any point. Each item and unit of the program includes self-tests which indicate to the student whether he or she has satisfactorily completed the item and unit. The program is broken down as follows:

Developmental Reading

Units	Items/Unit	
1	3	Word analysis)
2	3	Word meaning) Vocabulary
3	3	Literal comprehension)
4	3	Interpretative) Interpretations
		comprehension)
5	3	Evaluative comprehension

Functional Reading

Units	Items/Unit	
1	5	Study & learning skills
2	5	Written expressions - sentences
3	4	Structure, mechanical usage, organization
4	4	Effective writing

Mathematics

Units	Items/Unit	
1	5	Whole numbers
2	5	Fractions
3	5	Decimals
4	5	Percent
5	4	Measurement
6	4	Perimeter, area, volume
7	4	Geometry
8	4	Statistics
9	5	Integers & rationals
10	4	Introductory algebra

Present & Future - In 1973/74 the educational upgrading program is mainly in the BLADE area to provide for the illiterate and near illiterate in 10 communities.

In 1974/75 the emphasis will be shifted from BLADE to LINC to provide for the people completing BLADE and desiring further education and to provide for the people who have a minimum operative grade 5 and over. The program will be provided in two more communities, for a total of 12 communities.

There will be a number of people who are in the BLADE program in 1973/74 who will not complete the program until 1974/75. There will also be a number of people in the older age brackets who will not desire more than the basic skill of reading, writing and mathematics.

By 1975/76 it is expected the program will consist of LINC only. Three communities, Kishwoot, Ross River and Carcross will be completed and the program will then be in only nine communities.

Lifeskills - A modified introduction of Lifeskills is being provided in 1973/74 to inform the people about the objectives of Lifeskills and to provide a few experiences in its method of operation. In 1974/75 and 1975/76 the Lifeskills program will be a major component of the overall program. An additional local person from each community will be hired and trained as a Lifeskills coach, and under the supervision of a Lifeskills instructor of the Y.V.T.T.C. will provide the Lifeskills program in his or her own community.

The Lifeskills program involves the student through a group process, providing the knowledge and various methods of:

1. Obtaining and maintaining employment.
2. Learning about obtaining assistance and contributing to community organizations and agencies.
3. Assisting one another.
4. Developing the individual to a point where he is able to function in society as a productive member.

Examples of some of the Lifeskills lessons are as follows:

- | | |
|---------------------------------------|--|
| 1. Communicating effectively | The student uses video tape feedback to practice communicating behaviors. Students assist each other in developing these skills. |
| 2. Role playing effectively | Each student learns the skills required in role playing and participates in a role playing exercise. |
| 3. Brainstorming | The student learns the skills required for brainstorming and participates in a brainstorming exercise. |
| 4. Participating in Group Discussions | The student identifies behaviors which are required to initiate and maintain group discussions. |
| 5. Handling Marital Conflicts | Each student role plays a conflict he has in the home and teaches "fighting fairly" skills to another person. |
| 6. Handling Drinking Problems | The student (a) describes his drinking habits and his behavior towards others with drinking problems (b) practices specific behaviors in role playing situations relating to the abuse of alcohol. (c) plans an activity as follow-up. |
| 7. Dealing with Discrimination | The student (a) plans ways to deal with acts of discrimination by brainstorming the problem it represents (b) practices specific behaviors relating to discrimination in a role playing situation. |

8. Using Parliamentary Procedures

The student uses video tape feedback to practice the skills of parliamentary procedure: chairing meetings, making motions, amendments, debating skills, voting and adjournment.

9. Exploring Expectations of Employers

The student uses the group-on-group techniques and private interview to identify behavior important to employers, in order to practice these skills in the learning group.

10. Managing Money

The student uses the problem solving skills of predicting consequences.

11. Applying for a Job

The student practices skills used in applying for a job.

Statistics

1972/73 - Two Communities - Pilot Programs

Location	No. Students	% Attendance	% Dropout	% Grad.	% Cont. 73/74
Kishwoot, Whitehorse	16	77.7%	12.5%	29%	31%
Ross River	13	82%	15.3%	15.3%	31%

Two local instructors

1973/74 - Ten Communities - Statistics to January 7, 1974

Location	Students	M	F	Oldest	Youngest	Illiterate	Average Age	Gr.*	%Att.	%Dropout
Carcross	8	3	5	70	27	1	49	2to4	40.1	25
Carmacks	16	3	13	71	33	13	49.42	.625	91.6	0
Dawson City	8	1	7	59	26	0	35.8	3to5	72	12.5
Mayo	19	7	12	71	27	8	47.16	1.94	65	52
Pelly	13	5	8	58	18	7	39.46	1.5	61	30
Ross River	3	3	0	46	38	0	42	BLADE73	96.6	0
Teslin	13	3	10	81	29	10	53.84	3.1	81	7
Upper Liard	18	11	7	76	37	15	51.9	.18	77.5	22
Watson Lake	13	3	10	77	23	8	44	.84	66.25	0
Kishwoot, Whse	11	5	6	62	16	8	42.45	1.8	79	9
Total	122	44	78			70	Average 45.5		73	15.75

* The average grade level is based on number of years attended school, not on grade level achieved.

LINC

						Average Age	Gr.*
Carmacks	5	0	5	46	19	28	74
Dawson	14	4	10	33	16	21.42	8.6
Ross River	8	2	6	35	18	24.62	7.25
Total	27	6	21			Average 24.68	

Total Enrolled 147 50 99

* Average grade level based on grade level reached not on grade level achieved.

The majority of the drop-outs occurred in the first few weeks of the course. In three communities the drop-out was related to difficulties the local instructors were having. These problems are being corrected and it is anticipated that some people will re-enroll. The following statistics show the actual enrolments on January 25, 1974

Fourteen Local Instructors

Total Number of Students on Course and Subsistence Allowance paid to January 25, 1974

Location	Territorial Govt.		Canada Manpower		Course Start Date
	No. Students	Allowances	No. Students	Allowances	
Carcross	5	\$ 3,042.00			Oct. 4/73
Carmacks	21	12,605.20			Oct. 31/73
Dawson City	1	357.00	17		Oct. 22/73
Mayo			9		Oct. 29/73
Pelly	9	5,417.00			Oct. 17/73
Ross River	11	9,146.20			Oct. 22/73
Teslin			11		Oct. 10/73
Upper Liard			17		Nov. 7/73
Watson Lake			11		Oct. 29/73
Whitehorse (Kishnoo)	9	8,165.90			Sept. 24/73
	56	\$ 38,733.30	65	\$ 43,900.00 (estimate)	

Total students on course Jan. 25, 1974 - 121

Total allowances paid to Jan. 25, 1974 - \$82,633.30

Completion dates of courses are staggered from the last part of April to the first part of May.
Each community will have approximately 120 course days.

Course Costs 1973/74

Location	Capital	Materials	Rent	Salaries	Total
Carcross	\$ 1,250.00	\$ 1,300.00	\$ 1,200.00	\$ 4,100.00	\$ 7,850.00
Carmacks	2,500.00	2,500.00	1,200.00	8,200.00	14,400.00
Dawson City M.P.	2,500.00	2,700.00	1,200.00	8,200.00	14,600.00
Mayo M.P.	1,900.00	1,700.00	1,200.00	5,500.00	10,300.00
Pelly	1,750.00	1,700.00	1,200.00	4,100.00	8,750.00
Ross River	1,900.00	1,900.00	1,200.00	4,300.00	9,300.00
Teslin M.P.	1,900.00	1,700.00	1,200.00	4,100.00	8,900.00
Upper Liard M.P.	2,500.00	2,500.00	1,200.00	8,200.00	14,400.00
Watson Lake M.P.	1,900.00	1,700.00	1,200.00	4,100.00	8,900.00
Whitehorse	1,900.00	1,700.00	1,200.00	4,100.00	8,900.00
	\$20,000.00	\$19,400.00	\$12,000.00	\$54,900.00	\$106,300.00
Overhead - Y.V.T.C. instructors, transportation, accommodation					\$ 34,000.00
Y.T.G. subsistence allowances					81,000.00
Total Costs					\$221,300.00
Recoveries from Manpower					60,020.00
Total costs to Y.T.G.					\$155,280.00
Total costs of program including estimated Manpower subsistence allowances of \$95,230.00					\$316,530.00
Costs to Y.T.G.					\$155,280.00
Costs to Manpower					\$163,250.00

The capital expenditures includes tables, chairs, tape recorders and A/V equipment.
Recoveries from Canada Manpower for capital expenditures are based on 20% per year.

Anticipated Course Enrolment 1974/75 and 1975/76.

	1974/75	1975/76
Carcross	10	--
Carmacks	24	20
Dawson City	24	10
Mayo	20	20
Pelly	12	10
Ross River	12	--
Teslin	20	10
Upper Liard	24	20
Watson Lake	12	10
Whitehorse	10	--
Haines Junction	12	20
Old Crow	12	10
	192	130
Local Instructors and Lifeskills Coaches	24	20

Conclusions - It is too early to provide a reliable evaluation of the total program. However there have been reports of individual cases which indicates that the program has good possibilities for success. For example one person on course in 1972/73 started the course totally illiterate. He signed his name with an X. At the end of five months he was writing stories of his life. Another report mentioned the reactions of a woman who for the first time recognized her name in the telephone book.

It will never be possible to evaluate the effects on individuals or communities when people who previously have never been able to even read labels on cans or make change can in a space of 6 months be able to comprehend to some extent what their children learn in school.

In addition to the objectives mentioned, there are other advantages gained, namely the development and response of the local people working as instructors to help their own people. We have found that one instructor in 1972/73 raised her grade point average in a couple areas by about two grade points as a result of teaching other people. The enthusiasm and maturity of the majority of the instructors has an effect on the success of the program. It is a reasonable assumption that as a result of their experience, these people will contribute to the community as a whole.

In addition to the benefits anticipated by providing education to the people in their own communities, it is expected that the Lifeskills will contribute to the development of the people as citizens. The success of this portion will not be evident until the end of the 1974/75 year, but expectations are optimistic based on the success the program has had in the Vocational School in Whitehorse.



J. Smith,
Commissioner.

March 1st, 1974.

SESSIONAL PAPER NO.10

1974 SECOND SESSION

Mr. Speaker,
Members of Council

Remedial Tutor Training Programme
Yukon Schools

In August 1973, through the co-operation of the Department of Education and the Yukon Association for Children with Learning Disabilities, application was made to the Federal Department of Manpower and Immigration for a L.E.A.P. (Local Employment Assistance Programme) Grant to operate a Remedial Tutor Training Programme in 15 schools in the Yukon Territory.

Such a programme was deemed necessary after study of the results of basic skill tests given in Yukon schools in the Spring of 1973 which showed that in certain areas more than 50% of the students could be classified as needing remediation in reading, writing and mathematics, i.e. were two years or more behind their grade level.

Application was made for a grant in the amount of \$122,787.20 and approval of the grant was confirmed in September 1973. Sponsor of the programme is the Yukon Association for Children with Learning Disabilities, a non-profit organization registered under the Societies Ordinance of the Yukon Territory.

Canada Manpower requirements stressed that the tutor trainees be unemployed or unemployable. Initial recruiting procedures called for names to be referred to the school principals by the School Advisory Committees and subsequently to the Regional Superintendents of Education, then to Canada Manpower officials for approval.

Sixteen tutors were selected -- four in the Whitehorse area, three in Mayo and one in each of the following centres: Dawson City, Ross River, Carmacks, Pelly Crossing, Beaver Creek, Destruction Bay, Carcross, Teslin and Watson Lake. (In Old Crow, the ½ day kindergarten instructor was hired for the remaining ½ day to do the remedial programme. She is on the staff of the Department of Education and is not paid by the Remedial Tutor Training Programme.)

An initial In-Service Training Session was held from October 15 - 19, 1973 and the tutor trainees began work in the participating schools October 22, 1973. One supervising teacher has been appointed in each school to assist the tutor trainees.

Children needing remediation are selected by the classroom teacher and are divided into groups of from one to four children by the remedial tutor according to diagnostic tests supplied. The tutor works with each group from 25 to 45 minutes per day.

Programme materials are basically from the Behavioral Research Laboratories, an American Company, as they were judged to be the best available for use by persons with minimum training. During the first In-Service Training Session consultant services were obtained from B.R.L. to familiarize the tutor trainees with the programme materials. Further expertise in remedial education is being supplied by Mr. Richard Parker, Supervisor of Special Services, Department of Education.

Preliminary subjective assessment seems to indicate that the programme is achieving some initial positive results in remediation of the children involved. No thorough evaluation has been done to date.

Budget information showing the contributions of Canada Manpower and the Department of Education of the Yukon Territory is attached for your information. Funding of the programme through the L.E.A.P. programme of Canada Manpower will be for a maximum period of three years, but must be approved on a year to year basis.

Attachment



J. Smith,
Commissioner.

ESTIMATED COSTS -- REMEDIAL TUTOR TRAINING PROGRAMME -- 3 YEAR PERIOD

	<u>1973 - 1974</u>	<u>1974 - 1975</u>	<u>1975 - 1976</u>
<u>Salaries</u>			
Tutor Trainees 16 people employed for 42 weeks at \$126.00/week. Increased by 10% in second year and 5% in third year.	\$84,672.00	\$92,736.00	\$98,112.00
<u>Programme Manager</u>			
Provision of salary in amendment to original Manpower proposal. Not calculated in first year totals. Increased at 8%.	5,040.00	5,544.00	5,821.00
<u>Secretary's Salary -- 8% increase</u>	4,200.00	4,620.00	4,851.00
<u>Programme Co-ordinator</u>			
Services of the Supervisor of Special Services to the Programme	6,000.00	6,480.00	6,998.40
<u>Employee Benefits</u>			
First year as in proposal to Canada Manpower -- next two years revised estimates.			
Canada Pension	1,451.10	2,024.80	2,199.60
Unemployment Insurance	1,090.80	883.20	953.60
Vacation Pay	5,331.52	3,709.44	3,924.48
Workmen's Compensation	177.78	231.74	245.28
<u>Premises Rental</u>			
Budget increased in amendment to original Manpower proposal. Increase not calculated in first year totals. Increased at 8%/yr.	500.00	1,080.00	1,166.40
<u>Equipment Furnishings</u>	1,000.00	1,080.00	1,166.40
<u>Telephone</u>	1,170.00	1,263.60	1,364.68

	<u>1973 - 1974</u>	<u>1974 - 1975</u>	<u>1975 - 1976</u>
<u>Materials and Supplies</u>			
Including remedial programme books & material as well as office supplies, postage etc. Office supplies increased at 8%. Educational materials at replacement over three year period.	55,022.00	15,552.00	16,795.76
<u>Transportation and Travel</u>			
Including transportation of tutor trainees to Whitehorse for three weeks In-Service Training and their accommodation costs; and			
- travel and accommodation costs for programme personnel for purposes of evaluation of the programme in outlying areas; and			
- costs of travel and accommodation for supervising teachers from participating schools for two days In-Service Training	10,004.00	10,804.00	11,668.32
<u>Resource Specialist</u>			
Fees	1,500.00	1,620.00	1,750.00
Transportation and Accommodation	800.00	864.00	933.00
Estimates based on services of Resource Specialist at two sessions during the three years of the programme. Increase of 8%			
TOTALS	<u>\$172,919.20</u>	<u>\$148,492.78</u>	<u>\$157,949.92</u>

COST SHARING BREAKDOWN OF COSTS -- ESTIMATES

	1973 - 1974		1974 - 1975		1975 - 1976	
	Canada Manpower	Dept. of Ed.	Canada Manpower	Dept. of Ed.	Canada Manpower	Dept. of Ed.
<u>Salaries</u>						
Tutor Trainees	\$ 84,672.00		\$ 92,736.00		\$ 98,112.00	
Programme Manager	5,040.00		5,544.00		5,821.00	
Secretary	4,200.00		4,620.00		4,851.00	
Programme Co-ordinator		\$ 6,000.00		\$ 6,480.00		\$ 6,998.00
<u>Employee Benefits</u>						
Canada Pension	1,451.10		2,024.80		2,199.60	
Unemployment Insurance	1,090.80		883.20		953.60	
Vacation Pay	5,331.52		3,709.44		3,924.48	
Workmen's Compensation	177.78		231.74		245.28	
<u>Premises Rental</u>	500.00		1,080.00		1,166.40	
<u>Equipment & Furnishings</u>	1,000.00		1,080.00		1,166.40	
<u>Telephone</u>	1,170.00		1,263.60		1,364.68	
<u>Materials & Supplies</u>	10,890.00	44,132.00	3,672.00	11,880.00	3,965.76	12,830.00
<u>Transportation & Travel</u>	10,004.00		10,804.00		11,668.32	
<u>Resource Specialist Fees</u>	1,500.00		1,620.00		1,750.00	
Transport & Accommodation	800.00		864.00		933.00	
 TOTALS	 \$122,787.10	 \$50,132.00	 \$130,132.78	 \$18,360.00	 \$138,121.92	 \$19,828.00

March 1st, 1974.

Mr. Speaker,
Members of Council

Inter-Departmental Committee on Metric Conversion in Yukon

Mr. R. Raghunathan, Statistical and Planning Advisor, represented Yukon at the first National Meeting of "Designated Provincial Metric Conversion Contacts" in Ottawa - June 7, 1973.

This meeting was generally an organizational one which concerned itself mainly with the activities to date of both the Metric Commission of Canada and Standards Council of Canada. The meeting also dealt with how metric activities at the Provincial and Territorial levels could best be initiated. The following schedule of metric conversion in Canada was announced:

Phase 1 -- Investigation - to peak in 1974

Phase 2 -- Planning - 1974-75

Phase 3 -- Scheduling - to be completed in 1976

Phase 4 -- Implementation - to begin in 1975, to increase rapidly in 1976, and to peak in 1977-78

Phase 5 -- Metrification - to be completed by 1980.

Mr. G. Kotyk, Municipal Engineer, represented Yukon at the second meeting of "Designated Provincial Metric Conversion Contacts" in Halifax - October 4, 1973.

The Chairman of the Metric Commission - Mr. S. M. Gossage -- reported on the status of Metric Conversion in the United States and on the progress toward metrification in Canada. Incidentally, it is expected that metrification in the U.S.A. will be achieved somewhat later than metrification in Canada. The U.S.A. legislative target date is 1984-85. However, United States industry may by necessity convert more rapidly and achieve metrification prior to the specified target date.

Each province and territory then gave a brief outline of what was being done and what was being planned at the provincial and territorial levels. In all cases, provincial and territorial delegates reported that Metric Committees had either been established or were in the process of being created. At the National level, it was announced that the following Steering Committees had been established and are presently actively involved in Metric Conversion studies:

- Committee No. 1 -- Transportation
- No. 2 -- Iron-Steel
- No. 3 -- Electrical
- No. 4 -- Mining - Chemicals
- No. 5 -- Construction
- No. 6 -- Food - Beverage
- No. 7 -- Textiles - Clothing
- No. 8 -- Wood - Paper
- No. 9 -- Consumers - Labour
- No. 10 -- Education

Each Steering Committee is composed of several Sector Committees, who are likewise actively involved in a very specific area of metric conversion. An example of this organization is: Steering Committee No. 1 Transportation:

1 -- STEERING COMMITTEE NO. 1

- 1.1 501 Air Transport
- 1.2 503 Railway Transport
- 1.3 504 Water Transport
- 1.4 Bus and Truck Transport and Storage
 - 506 Moving and Storage, Used Goods, Uncrated
 - 507 Other Truck Transport
 - 508 Bus Transport, Interurban and Rural
 - 509 Urban Transit System
- 1.5 Communications
 - 543 Radio and Television Broadcasting
 - 544 Telephone Systems
 - 545 Telegraph and Cable Systems
- 1.6 572 Electric Power
- 1.7 909 Meteorology

On November 7, 1973, the Commissioner ordered the establishment of the Inter-Departmental Committee on Metric Conversion in Yukon under the chairmanship of the Superintendent of Education. Other Departments represented on the Committee are:

Statistical and Planning
Advisor.....R. Raghunathan
Chief Tax Assessor.....J. Yamada
Chief Field Inspector.....R. Wilson
Solicitor.....Mrs. E. Walters
Municipal Engineer.....G. Kotyk

Mr. G. Kotyk was appointed "Co-ordinator of Metric Conversion in the Yukon". Since its establishment, the Committee has had two formal meetings. A third meeting is scheduled in early March. In line with National objectives, the Committee is presently embarking on a "Metric Awareness" programme. In order to increase the impact of this activity, Mr. Don Sawatsky, Tourism and Information, has been added to the Committee's membership. It is anticipated that as Metric activity increases Nationally, Provincially and Territorially others will be added to the "Committee" also. In addition, when a programme at the "Committee" level appears to be "jelling" a plan to guide and assist in "Metric Conversion of Yukon" will be developed and implemented.

The chairman represented Yukon at the third meeting of "Designated Provincial Metric Contacts" in Toronto - January 10, 1974. Each province and territory again reported on "Metric activity" in its particular jurisdiction. Essentially all delegates reported that Metric committees or commissions were more formally structured - by legislation - and that these committees were presently attempting to establish meaningful programmes. Some very successful, but ad-hoc, mickey-mouse type of promotional schemes were reported as a means of introducing "metrics" to the general public.

At the moment, Ontario seems to be the leader in metric conversion in Canada. This of course is quite understandable, as Ontario is quite highly populated, is well-organized administratively and is a major manufacturing province. Both Manitoba and Ontario at the present time are providing the leadership in metrication in Education.

Summary of Metric Activity in Yukon

1. All Government Departments have been requested to review the Ordinances and Regulations under their control and for which they are responsible. This review will identify all references to the British System of Measurement and they are to be tabulated according to Ordinance, section, page, etc. Many of these reviews have now been completed and are presently in the hands of the Committee. The deadline for this activity is March 31, 1974.
2. As each Committee member becomes more familiar with metric conversion, he will be responsible to recommend to the "Committee" how his Department plans to "phase-in" metrics.
3. Committee members are presently attempting to become more familiar with "Metrics" in order to provide some form of "expertise" to better enable them to discharge future responsibilities effectively.
4. The Committee is presently organizing a publicity "Awareness" programme. This programme will include the press, radio and T.V.
5. Some metric "Awareness" materials have been distributed to Yukon schools with a request "to expose" all students (grades 1 - 12) in a formal way to "Canada's Going Metric". Additional materials are presently being prepared.
6. During the current school year there has been a greater emphasis on metrication in Mathematics and in Science classes. Further emphasis on metrication, in accordance with anticipated curriculum changes in B.C. in 1974-75, will be made.

Some Additional Comments

1. Present metric materials available are often not totally (SI) International Systems of Units (Système International d'Unités). They frequently prove to be a combination of c.g.s. (M.K.S.) and SI or simply c.g.s. system. Care therefore should be taken in launching a "so-called" metric programme in Yukon which may cause embarrassment to the Government at some later date.

2. Yukon economy is not basically a manufacturing one. Hence, to a great degree metrication will not be conceived in the Yukon but to a great extent will be inherited.
3. As indicated earlier, an "Awareness" programme is presently being planned and hopefully two programmes will be underway shortly.

It is my recommendation that Yukon not jump on the "publicity bandwagon" prematurely but instead progress more slowly, cautiously and intelligently toward metrication.

A handwritten signature in dark ink, appearing to be 'J. Smith', written in a cursive style.

J. Smith,
Commissioner.

FIGURATIVELY SPEAKING, THIS IS A SAMPLE OF THE RESULTS
OF THE METRIC SYSTEM.



In metric system she's perfect 914-610-914

26 February, 1974

Mr. Speaker

Members of Council

Community Services Improvement Program

As all members of this Council are aware, one of the principal programs which this Government has followed over the past few years is the provision of services to all communities in the Territory.

To further this concept we retained the consulting firm of Stanley Associates Engineering Ltd. to undertake a comprehensive study of all Yukon communities.

The report prepared by the Consultants proves an analysis of existing and proposed levels of service in each community and the phasing, responsibility and cost estimates related thereto. A copy of this report is being tabled with this submission for members' information.

In order to provide the services recommended in this report, my administration has been working on a Capital Assistance Contribution Policy which delineates the terms and conditions under which these services will be provided and the cost sharing necessary to finance the various service areas.

Our basic concepts in this policy include:

- a) local commitment of the people
- b) equalization of costs where possible and practicable
- c) encouragement of Local Government institutions.

This Capital Assistance Contribution Policy is currently under discussion between members of the administration, I.A.N.D. personnel and Treasury Board officials. It is our intention to seek with my Minister's concurrence, program approval in principal from Treasury Board so as to ensure provision of funds for the next 5 to 10 years.

If program approval is obtained I would propose to introduce legislation at an appropriate future Session of this Council in order to obtain your approval of the program and the cost sharing arrangements we have been able to negotiate.



J. Smith
Commissioner

18 March, 1974

Mr. Speaker,

Members of Council

Two years ago the Yukon Health Care Insurance Plan commenced operation. Minor changes in procedures have been made as these became necessary but otherwise the Plan follows the original concepts and is operating to the general satisfaction of the two major parties viz. patients and the medical profession.

Members of Council and the Administration were both most concerned that the Plan should be self supporting i.e. income - contributions by DNH&W and residents' premiums should match expenditures - payments to doctors and administration costs. It was recognised that a two year period of operation would be necessary before a proper assessment of income/expenditure relationship could be made and that no changes in premium rates or medical fees should occur during this period. An independent inspection of the operation of the Plan revealed that an estimated surplus or excess of income over expense in the amount of \$680,000 would result as of March 31, 1974.

Negotiations, using the services of an independent negotiator, have now been completed with the Yukon Medical Association for a new fee schedule and also with CU&C for the provision of services. Both come into effect on April 1, 1974 and will remain in effect for a two year period. Details of these arrangements are as follows:

YMA

The net effect of the negotiations with the medical profession is that the cost of insured services to the Plan shall be increased by 18% in 1974-75 and by a further 8% in 1975-76.

The actual terms are contained in a memorandum of understanding and are as follows:

The Yukon Medical Association Schedule of Minimum Fees dated January 1, 1972 be increased by 6.2% and that payment be made at 100% of this rate (instead of 90% as formerly). This schedule to remain in effect from April 1, 1974 to March 31, 1975.

The Yukon Medical Association Schedule of Minimum Fees dated April 1, 1974 be increased by 8% with payment to be made at 100% of this rate and this schedule to remain in effect from April 1, 1975 to March 31, 1976.

CU&C

As previously, reimbursement is based on a percentage fee of the dollar value of the insured services processed. These are the new rates for the next 2 years.

<u>Yearly claims</u>	<u>Fees</u>
1. 0 - 1,299,999	\$69,300 minimum fee
2. 1,300,000 - 1,399,999	5.25% minimum \$69,300
3. 1,400,000 - 1,499,999	5.125% minimum \$73,500
4. 1,500,000 - 1,599,999	5% minimum \$76,875
5. 1,600,000 - 1,699,999	4.875% minimum \$80,000
6. 1,700,000 -	4.5% minimum \$82,875

In common with our normal practice, a negotiator was retained to act on our behalf.

Having established the costs and identified the surplus, consideration of the following factors was given to determine whether to extend benefits or reduce premiums.

1. The Provinces and the Federal Government appear to be moving towards total medical coverage, universally funded, covering all aspects of medical care.
2. Medicare plans across the country are basically the same with very little variance with respect to benefits covered. Any further expansion of benefits to the Yukon Health Care Insurance Plan would have to be fully funded by the Territory and would not be cost shared by the Federal Government.
3. Extended benefits are available to members of the public at an extra cost through private insurers, and many employer/employee contracts include extended benefits.
4. Extended medical benefits without many defined exclusions are extremely difficult to determine and it was felt that by extending benefits, as opposed to reducing the premium, only certain segments of the population would stand to benefit and the universality of the medicare plan would in some respects disappear.

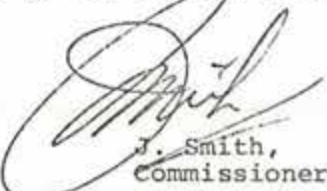
By utilizing the reduction in premium method the public may choose individually whether or not they want to purchase extended benefits.

The financial consequences of these arrangements have been taken into account and the following premiums will be introduced:

Senior citizens (aged 65 or over) will no longer be required to pay premiums.

Single person	\$4.75/month
1 dependent	\$9.25/month
2 or more dependents	\$11.00/month

Council's concurrence to the foregoing is requested.


J. Smith,
Commissioner.

YUKON HEALTH CARE INSURANCE PLANOPERATING STATEMENT ON ACCRUAL BASIS
FOR THE PERIOD

APRIL 1, 1974 - MARCH 31, 1976

Estimated surplus March 31, 1974		\$680,000
Federal contributions 74-75	\$683,900	
Premium contributions 74-75	<u>\$746,800</u>	
Total	\$1,430,700	
Less		
Expenditures 74-75	<u>\$1,699,600</u>	(\$268,900)
Surplus March 31, 1975		411,100
Federal contributions 75-76	812,700	
Premium contributions 75-76	<u>782,800</u>	
Total	\$1,595,500	
Less		
Expenditures 75-76	<u>\$1,891,200</u>	(\$295,700)
Surplus March 31, 1976		<u>\$115,400</u>

DETAILS OF FINANCIAL AGREEMENTS (ESTIMATED)1974-75

Doctors Agreement	\$172,500
CU&C	\$ 26,000
Discontinuance of premiums for senior citizens	\$ 50,000
25% premium reduction	<u>\$253,000</u>
Total	<u>\$501,500</u>

1975-76

Doctors Agreement	\$ 93,000
CU&C	\$ 10,000
Discontinuance of premiums for senior citizens	\$ 50,000
25% premium reduction	<u>\$265,000</u>
Total	<u>\$418,000</u>

March 18, 1974

SESSIONAL PAPER NO. 14 (1974 SECOND SESSION)

Mr. Speaker

Members of Council

L E G A L A I D

A Paper on this subject was presented to the Council at the First Session, 1973 (Sessional Paper No. 16). It pointed out that there is already a system of Legal Aid in the criminal field in the Yukon, but there is no comparable program in the civil field.

The Paper described three systems of providing civil legal aid:

1. Legal Aid Committees, as in Ontario.
2. The Public Defender system.
3. The Neighbourhood Law Clinic, found in the United States.

In 1970, the Federal Government put forward proposals whereby each province providing an acceptable legal aid service to the public could enter a federal-provincial shared-cost scheme. Five provinces have taken advantage of this, and the Northwest Territories has also entered into an agreement with the Federal Government whereby the latter pays 50% of the cost of civil legal aid (including administration costs) to an upper limit of \$37,500 per annum. A similar offer was made to the Yukon but this was turned down because the Territory would have been responsible for all costs after the total annual expenditure amounted to \$75,000. The Department of Justice has since indicated that it would be prepared to enter into an agreement whereby all approved costs would be shareable without limiting the ceiling to \$75,000.

Also in the Paper presented to Council was an outline of three types of systems, any one of which might be considered suitable for the implementation of civil legal aid in the Yukon. The first was a legal aid committee system. The second was a system which could be administered in conjunction with the establishment of an Ombudsman for the Territory and the third system was the scheme put forward by the Department of Justice and is now in effect in the Northwest Territories.

The following estimates for a comprehensive legal aid scheme (both criminal and civil) as they might affect the Yukon have been arrived at:-

1.	Legal Aid Committee System	\$85,000 per year
2.	The Public Defender System	65,000 per year
3.	The Neighbourhood Law Clinic	75,000 per year
4.	System Administered in Conjunction with Ombudsman	60,000 per year
	(For Ombudsman, staff & accommodations an additional \$40,000)	
5.	Department of Justice Scheme as operated in Northwest Territories	80,000 per year

A scale of fees more in line with that paid in other jurisdictions has been used to produce these figures.

The Yukon's experience in criminal legal aid for fiscal year 1973/74 will certainly reach a \$25,000 total in professional fees and disbursements with no administrative costs as such. This is a direct cost to the Yukon. Civil legal aid costs might be expected to match that of criminal legal aid, upon the general public becoming fully aware of such a scheme.

The scale of fees under the present scheme payable to lawyers has remained constant for a number of years and are considered totally unrealistic when compared to fees paid for legal aid services in other jurisdictions at the present time.

Utilizing the scheme proposed by the Department of Justice, the Yukon might expect to be responsible for 50% of the estimated \$80,000 on a cost sharing basis with the Federal Government.

All other schemes would be subject to acceptance by the Government of Canada before a cost sharing agreement would be negotiable.

The Paper presented to the Council during the First Session, 1973, requested the Council's advice as to whether:

- (a) it is in favour of a 50/50 shared cost comprehensive legal aid system to be funded equally by the Territory and the Federal Government; and
- (b) which method of implementing civil legal aid should be chosen by the Territory.

A copy of the Paper presented to the Council at the First Session, 1973, is attached, as well as a copy of the draft agreement proposed by the Federal Department of Justice. It should be noted that the matters for which costs could be shared with the Department of Justice under the proposed agreement would be generally as follows:

- (a) offences against a statute of Parliament of Canada to be proceeded with by indictment;
- (b) offences against federal statutes and territorial ordinances to be proceeded with by summary conviction carrying possible sentences of imprisonment or penalties likely to interfere with the livelihood of the accused;

- (c) proceedings under the Juvenile Delinquents Act, the Extradition Act and the Fugitive Offenders Act;
- (d) civil actions where a resident of the Territory cannot afford to retain his own lawyer without depriving himself or his dependents of reasonable necessities or without sacrificing modest capital assets. Legal Aid in civil matters listed in section 5 of the attached draft agreement would not be shareable with the Department of Justice and if included in the Territorial program would be the full financial responsibility of the Territorial Government.

It would be appreciated if the Council could indicate whether or not the Territorial Government should proceed with the introduction of civil legal aid in the Yukon, and if so, what form of administration would be preferred.



J. Smith,
Commissioner.

SESSIONAL PAPER NO. 16 - 1973 (FIRST SESSION)

Mr. Speaker,
Members of Council

LEGAL AID

Philosophy:

The system of justice operated in Canada is an adversary system both in criminal and civil matters. The Judge is a referee and the parties are involved in a contest, each seeking victory. Once a party engages a lawyer to represent him, the other party is at a disadvantage unless he also has a lawyer to represent him. The inequalities of the system have been known for very many years and justified the criticism that justice favoured the wealthy. Modern society rejects a system which grants its benefits mainly to the rich to the disadvantage of the poor.

Most Western countries have developed schemes for providing counsel at least in serious criminal cases, to defendants who could not afford to pay counsel themselves. In some places the furnishing of this assistance was an act of charity on the part of the Bar, in some a proportion of the costs were paid by the State, and in a few the whole cost of the defence was borne by the State.

Only in very recent times has the concept been accepted that aid should be given to needy litigants in civil cases, either as plaintiffs or defendants. The philosophy however, gained ground rapidly and at the present time it would appear that in Western society, the Yukon is one of the few places which fails to provide some form of equal justice to those who require it in civil as well as criminal matters.

Notwithstanding default in the civil field, counsel has been provided to criminal defendants in the Yukon on a generous scale at least since 1964. The following is the table of expenditures in the Yukon in criminal legal aid payments over this period.

<u>Year</u>	<u>Fees</u>	<u>Disbursements</u>	<u>Total</u>
1964-65	\$4,620.50	\$1,458.67	\$6,079.17
1965-66	9,153.58	3,822.81	12,976.39
1966-67	8,189.25	4,877.39	12,066.64
1967-68	6,787.74	889.50	7,677.24
1968-69	9,535.34	1,830.60	11,365.94
1969-70	8,479.25	1,930.92	10,410.17
1970-71	15,160.00	3,181.67	18,341.67
1971-72	17,916.98	269.65	18,186.63

Payments are made by authority of a policy decision of the Department of Justice (the responsible authority at the time), and as can be seen from a copy of this policy directive, the scale of fees payable to lawyers has never been increased. In light of present day costs, they appear to be out of date.

For comparison the scale of fees in Ontario in 1971 was:

Criminal

Indictable offence - Supreme Court Trial	\$250 per day
Preliminary Enquiry	\$175 per day
Preparation for Preliminary	35 per hour
Provincial Court Trial	\$200 all services
Plea of Guilty	\$100 all services
Summary Conviction	\$150 per day or \$100 per day depending on offence

Civil

Supreme Court Actions (including preliminary interviews, etc.)	\$ 35 per hour
Counsel Fee at Trial	\$250 per day
Uncontested Divorce Proceedings	\$500 all services to judgment absolute
Advising Defendant in Uncontested Divorce Action	\$ 35 per hour

I understand they have since been increased.

After the second world war a comprehensive system of criminal and civil legal aid was brought into being in Britain. The system gave satisfaction in the service provided, but widespread criticisms were made concerning the cost of the service, the complexity of its administration, and its inaccessibility to many who needed it.

Attempts to provide service for needy litigants were made in various parts of Canada, mainly by Law Societies. Most attempts were patchy and left the main problems unsolved since they depended to too great an extent on free or almost free service provided by lawyers. The first serious Government involvement took place in Ontario under the Legal Aid Act of 1966, where a fully comprehensive system came into being modelled on that of Great Britain. Under this system, the defendant or litigant who met the requirements was given a certificate, acceptance of which by a lawyer ensured that the costs of the case would be met by the Government through a system of local legal aid committees who administered the scheme. The cost of the scheme is now very heavy.

In the United States various ways of granting legal aid have been tried and their success varies from place to place. One common method is the public defender system. Under this, public officials are appointed with staffs of lawyers under their command. These lawyers attend regularly in court and defend clients in need. There was little doubt that the system was efficient since the lawyers became specialists both at defending and plea bargaining. Concerned persons however, objected that there was no genuine client/lawyer relationship since the defendant took "Hobson's choice". It was also objected that public defenders sat in the prosecutors' pockets in a buddy system for plea bargaining purposes and were over inclined to advise their clients to plead guilty to lesser offences to escape greater penalties. It was felt by some that the public defenders were loathe to incur the wrath of the authorities by vigorously defending their clients when required. In cost per case the system is not expensive.

The neighbourhood law clinic in various forms has also been tried out. In its Canadian form this has usually consisted of the placing of offices in poorer city districts where law students and younger lawyers under the casual direction of more senior lawyers in active practice would bring law to the people. The argument in favour of this approach is that the average member of the public is unfamiliar with lawyers and the law, and needs a sort of casework approach to be made aware of his rights, and brought to realize that the law is for all and should be used as a weapon of social advancement.

In the United States, large grants have been made to organizations operating neighbourhood law offices. There, concerned young lawyers work for little pay and by a team approach have redressed many wrongs suffered by the poor by oppression from rapacious landlords and city officials, and have remedied social injustices imposed by unfair operation of state and federal law. Their very success has attracted some criticism since it is said that the state is using Government revenues often for the doubtful purpose of imperilling its own institutions. There are still however, communication barriers between the lawyers and their clients. In cost per case, the system is a little more expensive than the public defender system.

By 1970, it had become clear in Canada that there was sufficient public demand to justify a Federal Provincial approach to the supply of legal advice to the public. The Federal Government put forward proposals whereby each Province, providing an acceptable legal service to the needy, could enter a Federal Provincial shared cost scheme. Five Provinces have taken advantage of this so far. A copy of the standard agreement form is appended to this paper. No particular form of legal aid scheme is insisted upon above others, although the Provincial scheme must be an approved one and assistance must be available to those who need it and meet the conditions. The limits of Federal assistance are set at 50% of the total cost up to 50¢ per head of the population.

During discussions concerning the applicability of this scheme to the two Territories, it was obvious that the provincial financial provisions would not be suitable for the Territories. When the plan was applied to the Northwest Territories, the Federal Government undertook to pay 50% of the cost of legal aid under the scheme (including administration costs) to an upper limit of \$37,500.00. An offer was made to the Yukon which was not accepted at that time since it had become clear that in the Northwest Territories, the total cost of the scheme was likely to exceed the estimate of \$75,000.00. The Territory indicated that while the general policy of legal aid in both civil and criminal matters was acceptable, further discussions concerning the method of funding any excess over \$75,000.00 was desirable. In response to the Territory's wish the Minister of Justice has indicated that he is prepared to recommend to the Government of Canada that an amendment be made to the offer, eliminating the upper limit. The effect therefore of the present offer to the Territory is that the Minister of Justice is prepared to recommend that funding of the scheme be on a straight 50% basis, i.e. that half of the cost of an acceptable scheme be paid by the Territory and half by the Government of Canada. The purpose of this paper is to request the advice of Council as to whether;

- (a) it is in favour of a 50/50 shared cost comprehensive legal aid system to be funded equally by the Territory and the Federal Government; and
- (b) which scheme of those available should be chosen by the Territory.

In relation to the particular scheme, it is emphasized that any choice by the Territory is still subject to acceptance by the Government of Canada since the negotiations have not been completed. It is thought however, that provided,

- (a) cost is reasonable,
- (b) aid is available to all persons in the Territory and all residents of the Territory meeting the financial conditions, and
- (c) a reasonably acceptable method of administration and cost control is chosen;

the Government of Canada might be willing to accept the particular scheme of legal aid chosen by the Territory.

Studies were undertaken by the Government to obtain information concerning the various forms of delivering legal aid to the public, what the cost would be, and how any scheme should be administered.

Legal Aid Studies:

1. The departmental study on the subject recommended that a legal aid committee be established to consist of a legal adviser as chairman, a senior member of the Yukon Bar, a non legally connected member of the public, and a member of the department of Social Welfare. The committee would have a staff solicitor called the Director of Legal Aid, as secretary of the committee and administrator of the scheme. The director would be the effective administrator with the duties of,

- (a) publicising the scheme,
- (b) administering the day to day operations, and
- (c) handling as many cases, especially routine matters such as adjournments, undefended civil actions, (divorce etc.) as he can.

If refused legal aid by the director, an appeal would lie to the committee. Any person would qualify for aid if paying legal fees would impair his ability to furnish himself or his family with the essentials needed to keep them adequately fed, clothes and sheltered, or if he is without funds and requires immediate legal assistance to preserve his legal rights.

The director (subject to the committee) or the courts, could order the provision of legal aid and in criminal cases the matter would be referred to a lawyer willing to act, on a roster system, except that in charges carrying heavy penalties (murder, rape, etc.) the accused's choice would be limited to senior lawyers both resident and non-resident. In civil actions except in routine matters, the client would get a certificate which he could bring to the lawyer of his choice. A fee schedule was recommended which would use a block fee system to discourage unnecessary minor court applications and adjournments. It was also recommended that a legal advice system be instituted to enable clients to go for legal advice fairly freely to a lawyer of their choice, as early advice often enables an individual to resolve his difficulties or obtain a settlement without the necessity of court action.

The suggested scheme, it was hoped, would minimize administrative costs by enabling the administrator to perform minor legal services which would be costly when handled by outside lawyers, and being a lawyer, would be in a position to make a recommendation concerning the issuing of certificates in civil matters. He would also be available to advise clients as to their rights before they got to court and so speed the administration of justice.

The scheme had the disadvantage of eliminating to some extent free choice of lawyers, also much would depend on the director's public image since it would be important that he act independently and not be thought of as favouring the Government.

2. Another study made available to the Government, assumed that the office of Ombudsman would shortly be instituted by legislation, and that it would be extremely convenient for the legal aid scheme to be administered by the appointee. This study made the point that legal aid is a necessity and must be treated as one of the guaranteed fundamental rights of every citizen who is unable to afford the costs of hiring legal counsel. The study recommended strongly against a legal aid programme similar to the Ontario and British system on the grounds of cost, it also recommended strongly against the B.C. system as it mistakenly assumed that the Social Welfare department was used in B.C. as a clearing house for clients under the lawyer referral plan. The study recommended against the Nova Scotia system on the grounds that an individual was deprived of his choice of lawyer. I should say that in Nova Scotia a system of offices was established, funded by Federal Provincial funds, where staff lawyers provide free legal aid in both criminal and civil matters. It is administered by the Nova Scotia Law Society and not by the Government, and a choice of lawyer is only available when the lawyers on staff are too busy.

This study recommended against the Northwest Territories programme and an earlier report by Mr. Leslie (now Judge) Cashman, on the grounds that defense lawyers under these schemes are chosen on a rotation basis. The study recommended against the New Brunswick system. Here the Law Society has its own plan where it provides free legal service without fee and the Law Society pays for out of pocket expenses.

The study recommended against the scheme presently in operation in the Yukon in criminal matters on the grounds that counsel is assigned by the court to speak with the accused and subsequently recommends whether in his opinion, the accused should have his fees paid (on the grounds that he has no money) or not. The study recommended that application be made to the Ombudsman who would act as a legal aid committee of one and the Ombudsman would then obtain the best qualified lawyer for the applicant, taking into consideration the type of charge which had been made against him. Similarly in civil matters, the Ombudsman would advise the applicant which lawyer to see. This study assumed that the case load of the courts would be reduced by the provision of lawyers both civilly and criminally. No firm grounds were given for the belief. This study was on firm ground in combining the administration of an Ombudsman's office with legal aid; as with all studies in this field, the delivery of the service and its administration becomes a matter of choice.

3. The scheme favoured by the Department of Justice follows that now in operation in the Northwest Territories. The scheme was brought in after two reports had been presented, one on justice administration by Mr. Justice W.J. Morrow, and one on Legal Aid by Mr. W. Moir, Q.C. A third study on Legal Aid was also carried out by Mr. (now Judge) Cashman. The heavy cost of air transport and regular circuits by aircraft, somewhat inflated the cost of administering the scheme in the Northwest Territories, but the Department of Justice proved generous in assisting with the funding of the excess. It would be hoped that the Department would adopt a similar attitude if their scheme was chosen here.

The scheme would be administered by a committee composed of a Territorial civil servant, a senior lawyer, and a member of the public. The committee would have wide terms of reference but in general its highlights were:

- (a) provision of duty counsel on circuit,
- (b) choice of lawyer would be from a roster,
- (c) aid would be provided after application and processing by the committee, or in appropriate cases, on court recommendation,
- (d) aid would be available to every person in the Territory who could not afford to retain his own lawyer without depriving himself or his dependents of reasonable necessities, or without sacrificing modest capital assets.

It was common to all schemes considered that:

- (a) aid would be available to needy persons in a wide range,
- (b) rules would be made for recovery of fees in civil matters where the client was successful in obtaining damages,
- (c) fees paid to lawyers would be controlled by rules or regulations,
- (d) the scheme would be administered by the Government either through a committee or an appointee, and not by the Law Society,
- (e) in civil matters, certain types of action would not justify legal aid, e.g. defamation, estates, incorporation of companies, breach of promise, per quod amisit servitium, recovery of penalties, etc.

The studies differed on:

- (a) free choice of counsel,
- (b) whether any public defender services should be provided,
- (c) whether a committee alone or an appointee subject to a committee should be the prime administrator,
- (d) whether a lawyer referral system for minor legal advice should be provided,
- (e) whether a duty counsel should be available in Whitehorse or on circuit,
- (f) how fees in civil cases should be fixed (first and third studies favoured 75% of the normal scale, the second study appears to assume a prearranged scale of fees by the Ombudsman).

Cost:

Any estimate as to the cost of a legal aid scheme tends to be a "ball park" figure since the size of the Territory to some extent precludes the application of the experience of other jurisdictions, except alone, that in the Yukon, the scheme will be expensive. All studies recommend a higher scale of legal aid fees in criminal cases than those currently paid. Given a current base figure of \$20,000.00 per annum, fees and disbursements in criminal cases could be expected to increase by at least 50%. Experience has shown that the cost of civil legal aid tends to match criminal expenditures and thus fees and disbursements in a full year could amount to \$60,000.00, once the public have had time to make general use of the opportunities available. This will probably not occur until the financial year 1974/75. To this must be added administrative costs. With the committee system it is estimated that the cost of clerical assistance, office rental, and expenses of the committee, will be less than \$15,000.00, making a total of \$75,000.00. How much different a scheme would cost wherein the administrator provided some services but cost more, is a matter for speculation.

Funding:

If the proposed scheme meets with the approval of the Department of Justice, half of the cost will be paid by the Federal Government and half would be required to be funded by the Territory. It is assumed that the whole of the cost would in the first instance be met from an appropriation of the Territorial Council, and the Territory would recover its expenditures periodically from the Department of Justice.

One new source of funds may become available to assist in defraying the Territory's increased expenditures. In some provinces, use has been made of the dormant non-interest-bearing trust accounts which lawyers are required to maintain in chartered banks, in accordance with the appropriate legislation. Presently in the Territory, all lawyers are required to maintain such trust accounts into which all clients money must be deposited. No interest is paid on these trust accounts since the bookkeeping involved would be extremely complicated and it is generally assumed that if interest was paid it would be the property of the individual clients. Law Societies in the Provinces have complied with legislation which requires that interest be garnered on these trust accounts and paid to the provincial Governments. The money is used for various purposes connected with the administration of justice, e.g. law libraries, scholarship funds etc. The Yukon Law Society has agreed to cooperate with any scheme established by the Government, whereby interest on such trust accounts was taken by the Government to defray its increased expenses in the administration of a general legal aid scheme. It is too early yet to make a firm estimate of how much revenue would accrue from this source, but it might be considerable.

Related Increased Expenditures:

Experience in other jurisdictions has shown that an increase in the number of lawyers involved in the court process, and increased Government controls and enforcement, has resulted both in more cases coming before the courts over the years, and in increased time being required to process individual cases. Both of these factors have already caused heavy burdens on the courts in the Yukon. It can be expected also that where legal aid becomes more widely used, this trend would be accelerated.

Plans are already afoot for increasing the court facilities available in the Territory. If legal aid is adopted, it can only be expected that these facilities will be more urgently required. Provision of increased judicial services will require an increase in the ancillary services related to the courts.

It is not expected that any increased expenditures will be required in relation to the Court of Appeal or the Supreme Court, for a few years, but if an extra professional Magistrate is appointed, the extra annual cost may run to \$60,000.00. This cost not being strictly part of the legal aid scheme, would not be fifty percent recoverable from the Department of Justice.

At least one Magistrate, one Clerk, one shorthand reporter, and a second court will be required. The above mentioned estimated extra cost would be made up as follows:

Magistrate	\$25,000
Shorthand Reporter	12,000
Clerk	9,000
Clerical Assistant	7,000
Rental etc.	2,000
	<hr/>
	55,000
10% contingency	5,000
	<hr/>
	\$60,000
	<hr/>

Copies of the departmental studies are not available for publication, but members of Council may peruse them on request.


J. Smith
Commissioner

LEGAL AID-Y.T.

Purpose:

To provide counsel to any indigent person charged with a criminal offence in the Yukon Territory.

Method of operation:

Defence counsel is supplied by the Department of Justice to any indigent person charged with murder. If the accused is convicted and wishes to appeal to the Court of Appeal or the Supreme Court of Canada, counsel is also supplied. Fees paid to counsel so appointed are based on the usual tariff for agents of the Attorney General of Canada. In other criminal cases, it is left to the Courts to decide whether the indigent accused should be defended by counsel. If such counsel is appointed, he is paid a per diem rate for time spent in Court, plus disbursements. Payment is made by the Department of Justice on behalf of the Territorial Government.

Eligibility:

All indigent persons, no matter what their racial origin may be, charged with criminal offences in the Yukon Territory.

RATES ALLOWED:

Murder cases:

\$10.00 per hour for preparation,
\$75.00 per day for preliminary hearing,
\$150.00 for first day of trial,
\$125.00 for each subsequent day of trial.

All necessary disbursements, including 15 cents per mile for use of own car.

Other criminal cases:

(a) Where the trial of preliminary inquiry takes place at Whitehorse, i.e. where counsel resides, \$75.00 for each full day in Court; and an appropriate fraction thereof for lesser periods;

(b) Where the trial or preliminary inquiry takes place away from Whitehorse, \$75.00 for each full day in Court and \$75.00 for each additional full day that counsel is required, in the conduct of the proceedings, to be away from his office; an appropriate fraction thereof for lesser periods;

(c) \$15.00 is allowed for minor Court attendances of one hour or less.

In addition to the above, reasonable disbursements are allowed. However, no fee is allowed for preparation.

Appeals to Court of Appeal:

Where counsel, appointed by the Court to represent an indigent appellant, later declines to act on the basis that the appeal has no merit, such counsel will receive remuneration on a flat fee basis. If the appeal is from both conviction and sentence, counsel will be paid a fee of \$50.00. If the appeal is from conviction or sentence only, counsel will be paid a fee of \$25.00.

MEMORANDUM OF AGREEMENT MADE THIS

DAY OF

, 1973.

BETWEEN:

THE GOVERNMENT OF CANADA,
represented by the Minister of
Justice and Attorney General of
Canada, hereinafter called the
"Minister",

OF THE FIRST PART

- and -

THE GOVERNMENT OF THE YUKON
TERRITORY, represented by the
Commissioner of the Yukon
Territory, hereinafter called
the "Commissioner",

OF THE SECOND PART

WHEREAS, the Parties hereto have resolved to establish
a comprehensive legal aid program for the people of the Yukon
Territory and to provide for the administration of the program
on a shared cost basis;

NOW THEREFORE, this Agreement witnesseth that the
Minister and the Commissioner, in consideration of the covenants
hereinafter mentioned, agree as follows:

LEGAL AID COMMITTEE

1. (1) The Commissioner shall establish a committee, to be
known as the Legal Aid Committee (hereinafter called
the "Committee"), to administer the legal aid
program in the Yukon Territory as prescribed in
this Agreement.

- (2) The Committee shall consist of a chairman who shall be the Legal Adviser to the Territorial Government or such other person, who is an employee of the Territorial Government, as the Commissioner may, from time to time, designate, and two other members, one from among the resident members of the Bar of the Territory nominated by the President of the Yukon Territory Bar Association, and the other member, selected by the Commissioner, who is a resident of the Territory but who is not a member of the legal profession and who is not employed by the Territorial Government or by the Government of Canada.
- (3) The Commissioner shall arrange as soon as possible to fill vacancies on the Committee as they occur.
- (4) The members of the Committee who are not employees of the Territorial Government may be paid remuneration, for time spent in the performance of their duties as members of the Committee, at such rate not exceeding fifty dollars a day as the Commissioner prescribes; and every member of the Committee shall be paid such reasonable travelling and living expenses incurred by them in the performance of their duties as members of the Committee as are prescribed by the Commissioner.

- (5) The Committee shall prepare two panels of lawyers consisting of persons who are members of the Bar of the Yukon Territory and who are prepared to act as legal aid counsel; the first panel shall comprise those persons who are resident in the Territory and the second panel shall comprise those persons who are not resident in the Territory.
- (6) The Committee shall assign to persons who apply for legal aid and who qualify therefor legal aid counsel from the first panel in the order in which their names appear thereon, having regard to the nature of the legal services required and the experience and qualifications of the counsel, and with the result that all persons on that panel share the legal aid work among them more or less equally.
- (7) Where there is no person on the first panel who, in the opinion of the Committee, should be assigned as legal aid counsel in a particular matter, the Committee may assign legal aid counsel from the second panel in the order in which their names appear thereon, having regard to the nature of the legal services required and the experience and qualifications of the counsel, and with the result that all persons on that panel share the legal aid work among them more or less equally.

- (8) Notwithstanding anything in this Agreement, a person who has been charged with an offence mentioned in section 427 of the Criminal Code, chapter C-34 of the Revised Statutes of Canada, 1970, as a result of which he is subject to be sentenced to death or to imprisonment for life and who qualifies for legal aid, shall be permitted to select his own legal aid counsel from among all the persons who are members of the Bar of the Yukon Territory.
- (9) The Committee shall tax accounts of legal aid counsel and certify them for payment to the Commissioner.
- (10) The Committee may authorize an employee of the Territorial Government, in accordance with such guidelines as the Committee prescribes, to tax and certify accounts of legal aid counsel.
- (11) The Committee may authorize one or more of its members to exercise and perform, in accordance with such guidelines as the Committee prescribes, any of the powers, duties and functions of the Committee under this Agreement.
- (12) Any act or thing required or authorized to be done by the Committee may be done by two members of the Committee.

- (13) Subject to the provisions of this Agreement, the Committee, with the approval of the Commissioner, may make rules
- (a) as to the manner in which legal aid shall be made available to the people of the Territory;
 - (b) the calling and conduct of meetings of the Committee; and
 - (c) with reference to any other matter that the Committee considers necessary to carry out and give effect to this Agreement.

LEGAL AID GENERALLY

2. (1) Subject to the provisions of this Agreement, legal aid in both criminal and civil matters shall be made available to every person in the Territory and to every person ordinarily resident in the Territory who, in the opinion of the Committee cannot afford to retain his own lawyer without depriving himself or his dependents of reasonable necessities or without sacrificing modest capital assets. In determining whether a person can afford to retain his own lawyer, the Committee shall have regard to the financial status of that person, the financial status of the members of his family and any other matter that the Committee considers relevant.

(2) Legal aid provided under this Agreement to any person shall be subject to the following conditions, namely,

(a) where that person recovers any sum in respect of the matter for which legal aid was provided under a judgment, order, settlement or otherwise, an amount equal to the amount of the fees and disbursements paid to the legal aid counsel who acted for that person shall be paid by that person to the Commissioner but, if the sum so recovered by that person is less than the amount of the said fees and disbursements, the full sum so recovered shall be paid by that person to the Commissioner;

(b) where that person recovers property, other than money, an amount equal to the amount of the fees and disbursements paid to the legal aid counsel who acted for that person shall be due and payable by that person to the Commissioner but, if, in the opinion of the Committee, the value of the property so recovered is less than the amount of the said fees and disbursements, an amount equal to the value of the property shall be due and payable by that person to the Commissioner;

- (c) where that person is awarded costs in respect of the matter for which legal aid was provided and an amount equal to the amount of the fees and disbursements paid to the legal aid counsel who acted for that person has not been otherwise recovered by the Commissioner, the costs, or so much thereof as required so that the Commissioner will have recovered the amount of the said fees and disbursements, as the case may be, shall be paid to the Commissioner; and
- (d) where that person, in the opinion of the Committee, is able to contribute towards the cost of employing legal aid counsel, he shall be required to pay such amount in respect thereof to the Commissioner as the Committee considers appropriate.

LEGAL AID IN CRIMINAL CASES

- 3. (1) The Committee shall arrange for legal aid counsel to accompany both the Supreme Court and the Magistrate's Court (hereinafter referred to as the "Court") on all circuits where, in the opinion of the Committee, legal aid counsel will be required. Where the Committee does not make such arrangements, the Court may, if the Court considers it necessary, do so on its own initiative.

- (2) Where, in the opinion of the Committee, it is necessary and practical to do so, the Committee shall arrange for legal aid counsel to precede the Court circuit so that counsel can have time to prepare the cases where legal aid is required. Where such arrangements are not made, the legal aid counsel who accompanies the Court may request an adjournment to the next circuit and, if granted, will brief the next legal aid counsel assigned to that case.
- (3) Legal aid shall be provided, subject to this Agreement, in the following matters:
- (a) where the offence is under a Statute of the Parliament of Canada and is to be proceeded with by indictment;
 - (b) where the offence is under
 - (i) a Statute of the Parliament of Canada,
 - (ii) a Regulation made pursuant to a Statute of the Parliament of Canada,
 - (iii) an Ordinance of the Territory, or
 - (iv) a Regulation made pursuant to an Ordinance of the Territory,and is to be proceeded with by summary conviction in the Court, if the accused is subject to a sentence of imprisonment or to a penalty that, in the opinion of the Committee or the Court, will interfere substantially with his livelihood;

- (c) proceedings under the Juvenile Delinquents Act;
- (d) proceedings pursuant to the Extradition Act and the Fugitive Offenders Act;
- (e) where the offence is one not provided for in subparagraph (a), (b), (c) or (d) of this paragraph and, in the opinion of the Committee or the Court, the accused is not capable of making an informed decision as to his proper course of action, or it appears to the Committee or to the Court that the accused may be subject to a sentence of imprisonment or to a penalty that will interfere substantially with his livelihood; and
- (f) an appeal in any of the matters referred to in sub-paragraph (a), (b), (c), (d) or (e) of this paragraph
 - (i) where the appeal has been taken by the prosecution;
 - (ii) where counsel advises that an appeal by the accused has merit and the Committee agrees; and
 - (iii) where the Appeal Court or a judge thereof requests that legal aid be provided to the accused.

FEES FOR LEGAL AID IN CRIMINAL CASES

4. The fees, disbursements and travel and living expenses to be allowed to legal aid counsel shall be as follows:

- (1) Time spent in Court.....\$30.00 per hour
- (2) Time spent away from office not in Court...\$15.00
per hour
- (3) Reasonable preparation.....\$20.00 per hour
- (4) The total of the fees to be paid to legal aid counsel for any one day under paragraphs (1), (2) and (3) of this section shall not exceed \$300.00.
- (5) Reasonable disbursements shall be allowed but where a disbursement may exceed \$100.00 the prior approval of the Committee shall be obtained.
- (6) Reasonable travelling and living expenses, not exceeding those provided by the Territorial Government Travel Regulations, shall be allowed.

LEGAL AID IN CIVIL CASES

5. (1) The Committee shall, subject to this Agreement, provide for legal aid counsel to an individual in all civil matters with the exception of the following:

- (a) defamation,
- (b) estates,
- (c) incorporation of companies or societies or the formation or dissolution of partnerships,
- (d) real property transfers,
- (e) breach of promise of marriage,

- (f) loss of service of a female in consequence of rape or seduction,
 - (g) alienation of affections or criminal conversation,
 - (h) relator or representative actions,
 - (i) arbitrations or conciliations,
 - (j) proceedings for the recovery of a penalty where the proceedings may be taken by any person and the penalty, in whole or in part, may be payable to the person instituting the proceedings, or
 - (k) proceedings relating to any election.
- (2) Where legal aid is provided in a civil matter, the matter shall not be proceeded with unless the legal aid counsel has supplied the Committee with his written opinion that it is reasonable in all the circumstances for him to commence, defend or continue with the proceeding or matter and the Committee has authorized him to do so.

FEES FOR LEGAL AID IN CIVIL CASES

6. (1) The fees to be allowed to legal aid counsel in any civil matter shall be an amount equal to 75% of the fees that would be taxed or that are taxed by the Court in connection with that matter on a solicitor-client basis. If any question arises as to the fee

that should be allowed in any case or class of case, the Commissioner, after consultation with a judge of the Supreme Court, shall determine the question. Reasonable disbursements shall be allowed in full, and reasonable travelling and living expenses, not exceeding those provided by the Territorial Government Travel Regulations, shall be allowed.

- (2) Where a legal aid counsel, while on a circuit of the Court, provides legal services in both criminal and civil matters, the fee to be paid to him shall not exceed an amount calculated on the basis of \$30.00 per hour with a maximum of \$300.00 for any one day.

PUBLICITY

7. The Commissioner shall ensure that the legal aid program for the Territory receives, from time to time, such publicity as is practical and necessary to inform the people in the Territory of its provisions.

FINANCIAL

8. (1) The Commissioner shall ensure that the Committee administers the legal aid program as prescribed in this Agreement within the limits of a reasonable annual budget therefor which shall be prepared by the Department of Legal Affairs in consultation with the Legal Aid Committee and approved by the Territorial Council.

- (2) The Commissioner shall advise the Minister no later than the 30th day of June in each year of the amounts paid to each member of the Committee and to each legal aid counsel and the amounts, if any, paid or payable to the Commissioner pursuant to paragraph (2) of section 2 of this Agreement during the period of twelve months ending the 31st day of March immediately preceding the 30th day of June, and the Minister, upon being satisfied that the legal aid program has been carried out in accordance with this Agreement, will pay to the Commissioner one-half of the amount determined by subtracting the total of the amounts, if any, paid or payable to the Commissioner pursuant to paragraph (2) of section 2 of this Agreement from the total of the amounts paid to the members of the Committee and to legal aid counsel during that period.
- (3) The Commissioner, at the request of the Minister, will make available to him or to his officials all records, accounts and other documents and information relating to the legal aid program that the Minister or his officials require for the purposes of this Agreement.

ANNUAL REPORT

9. The Commissioner shall make a report to the Minister no later than the 30th day of June in each year on all aspects

of the administration of the legal aid program under this Agreement during the period of twelve months ending the 31st day of March immediately preceding the 30th day of June.

REVIEW AND TERMINATION

10. (1) The terms of this Agreement shall be reviewed by the parties and, if necessary, shall be renegotiated at least once every two years.
- (2) This Agreement may be terminated by either party giving to the other party at least sixty days notice in writing of termination.

IN WITNESS WHEREOF the Honourable Otto E. Lang, Minister of Justice and Attorney General of Canada, has hereunto set his hand on behalf of the Government of Canada, and Mr. James Smith, Commissioner of the Yukon Territory, has hereunto set his hand on behalf of the Government of the Yukon Territory.

Otto E. Lang,
Minister of Justice and
Attorney General of Canada.

James Smith,
Commissioner of the Yukon
Territory.

25 March, 1974

Mr. Speaker,

Members of Council

The purpose of this paper is to outline for Council a policy with respect to the provision of grants to non-governmental community social service agencies.

The present policy, which was introduced in the 1969/70 fiscal year, provided for the payment of grants to establish non-profit community operated agencies. It was primarily intended to assist the Yukon Family Counselling Service and provided for the agency to raise a certain portion of their financial need with the government contributing funds on a proportionate basis.

It has become increasingly apparent in the past few years that in addition to the statutory programmes and preventative social services by government, that there are areas where service of a preventative or rehabilitative nature can be provided more effectively at the community level.

It is also recognised that a broader community based programme of preventative and developmental social service should be developed in communities where there exists a high incidence of social problems.

The programme envisaged is designed to develop community awareness and resources; to stimulate the interest and involvement of the public and to enhance the community's capacity to establish projects and services which will complement and support government services.

It is proposed that the role of government would be one of providing consultative and financial support to enable specific services to be provided at a community level.

The basic criteria for this programme are as follows:

1. The establishment of a Social Services Advisory Board comprised of five members. Membership would be made up of citizens who possess some experience and expertise in the area of social needs and problems. A senior Welfare Department officer would assist the Board in an advisory and consultative capacity..
2. The Social Services Advisory Board would be responsible for
 - (a) consideration of all applications
 - (b) assessment of the community's need for the service
 - (c) objectives and effectiveness of proposed programmes
 - (d) review of agency's budget and previous financial statements
 - (e) establishment of accountability guidelines, and
 - (f) recommending the acceptance or rejection of the application for assistance.

3. Contributions under this programme will be in accordance with specific criteria developed by the Government.

It is anticipated that for the next six months contributions will be made to existing agencies (funded in 1973/74) to a minimum level based on need.

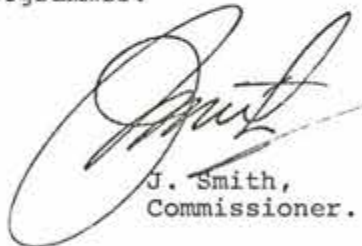
During the period of April 1, 1974 and September 30, 1974 the Social Services Advisory Board, working in conjunction with the Executive of each social service agency, will attempt the encouragement and setting up of a single fund raising project for the Yukon. The proceeds of this fund would be equitably divided amongst the participating agencies.

The government will contribute funds available to the single fund raising project on the basis of \$2 of government funds for each \$1 raised by the project up to the total funds unexpended in appropriation No.534.

In the 1975/76 fiscal year the government will contribute to the fund raising organization on a dollar for dollar basis up to maximum dollars available which will be not less than the 1974/75 appropriation of \$57,000.

It is felt that by introducing this policy the Government can contribute to reducing the fragmentation which is developing in this particular area and can bring about a concerted and co-operative approach to the identification of social problems and social needs.

The adoption of the programme will aid in the social development of communities and because of the focus on preventative services will assist other government health and social programmes.



J. Smith,
Commissioner.

SESSIONAL PAPER NO. 16 (1974 Second Session)

Mr. Speaker
Members of Council

An Economic Evaluation of the
Yukon's Wildlife Resource

Introduction

The following report is an evaluation of the present economic value of the Yukon's wildlife resource.

The economic importance of each contributing factor (resident hunters, non-resident hunters, trappers, revenues and wild game meat) is discussed individually and wherever appropriate, predictions are made for further growth potential.

Information used in this report is largely based on detailed questionnaires that were sent to both resident as well as non-resident hunters at the end of the 1973 hunting season.

a) Contribution by Resident Hunters

The contribution of resident hunters to the Yukon's economy was assessed on the basis of detailed questionnaires which were mailed to each hunter at the end of the 1973 season.

3,568 resident hunters were licenced in 1973. Of these, 2,854 actively hunted big game or game birds in the Yukon. Of the 1,195 questionnaires returned (about 30%), 820 were useful for the purpose of computing expenses in the following categories:

a) Aircraft: 7.1% or 202 hunters used aircraft at an average expense of \$111.37 each, contributing \$22,497.00 to locally based air charter companies.

b) Boats: 35.7% or 1,019 hunters used boats at an average cost to each of them of \$38.33. Most of this total of \$39,058.00 was spent on gas and oil.

c) Vehicle: 87.4% of the resident hunters used vehicles at an average expense of \$66.55 to each. Again, gas and oil comprised the bulk of this \$165,975.00 contribution.

d) Horses: Only 2.4% or 68 residents used horses during the last hunting season. Cost for feed, transportation, etc. amounted to \$31.85 for each hunter, totalling \$2,166.00.

e) Food: 69.4% of the hunters paid food bills averaging \$43.57 each. This amounts to a total contribution of \$86,312.00.

f) Lodging: 5.14% or 154 local hunters made use of lodges at an average expense of \$31.42 each, thus contributing a total of \$4,839.00 to the local hotel industry.

g) Clothes: A total of \$18,487.00 was invested by resident hunters in outdoor clothing.

h) Firearms: 479 or 16.8% of local hunters invested in firearms last season. Each person spent an average of \$159.33 for a total of \$76,319.00. New weapons purchased accounted for most of this amount; repairs and accessories being of minor importance.

i) Ammunition: 62.2% of the resident hunters bought ammunition at an average expense of \$11.71 each for a total of \$20,785.00.

j) Optics: 10.7% or 305 resident hunters invested in binoculars or scopes at \$74.70 each for a total of \$22,784.00.

k) Miscellaneous Purchases: These include films, decoys, duck calls, whiskey, etc., were made at an average expense of \$39.00 for 21.3% of the local hunters; the total investment being \$23,870.00.

An estimated total of \$483,092.00 was spent by 2,857 resident hunters for an average cost to each of about \$170.00.

The contribution to the Yukon's economy by resident hunters can be expected to increase at an average rate of 10 to 20% annually, due to population growth, more spare time, higher incomes and inflation.

b) Contribution by Non-Resident Hunters

The economic importance of this group of people can be assessed more accurately than that of any other group, since it is compulsory for outfitters to return to the Game Branch detailed information about each hunter. In addition the Game Branch has this year sent out questionnaires to each non-resident hunter to evaluate such expenses as travel, accommodation, food, miscellaneous equipment for hunting and souvenirs. About 40% of the non-resident hunters have so far returned those questionnaires, which is a sufficient sample size for a valid assessment. The largest contribution by these people comes from direct payments to the outfitters. The number of non-resident hunters catered to varies with outfitters as well as the fee charged per day.

A total of 423 non-resident hunters were accommodated by a total of 20 outfitters during the 1973 season. The number of hunters per outfitter varied from 9 to 31, the average being 21. Most non-resident hunters booked for a 14 day hunt. The rate charged by outfitters per hunter - day varied from \$120.00 to \$175.00, the average being about \$155.00. The total sum directly paid by non-resident hunters to outfitters for the 1973 hunt was \$907,606.00.

Questionnaire analyses show that the average non-resident hunter spends \$93.06 on souvenirs (Total: $423 \times \$93.06 = \$39,364.38$), \$67.00 on miscellaneous hunting equipment (Total: $423 \times \$67.00 = \$28,341.00$), \$44.41 on food (Total: $423 \times \$44.41 = \$18,785.43$), \$54.33 on accommodation (Total: $423 \times \$54.33 = \$22,981.59$), and about \$100.00 on transportation (Total: $423 \times \$100.00 = \$42,300.00$). This \$100.00 for transportation consists of one flight out of Whitehorse to Vancouver or Edmonton as well as some local travel by vehicle or aircraft.

The grand total of contributions of non-resident hunters to the Yukon's economy works out to be \$1,059,378.40.

In contrast to other economic aspects of the Yukon's wildlife resource (i.e. trapping) further growth of non-resident hunting must be scrutinized very carefully. As the following Table 1 will reveal, the numbers of non-resident hunters being catered to in the Yukon has been increasing steadily over the past 20 years, inspite of the fact that two outfitters have been suspended for the past three seasons.

TABLE: 1

YEAR	NUMBER OF NON-RESIDENT HUNTERS	YEAR	NUMBER OF NON-RESIDENT HUNTERS
1954	64	1964	210
1955	81	1965	260
1956	85	1966	264
1957	98	1967	278
1958	83	1968	306
1959	121	1969	351
1960	133	1970	393
1961	209	1971	393
1962	164	1972	400
1963	186	1973	423

While growth from the mid 1950's to the mid 1960's took place by expanding into new, formerly unhunted areas, growth during the past 10 years took place by intensifying hunting pressure.

While no detailed game number estimations are available from most outfitting areas, except for three in the south central Yukon which have recently been surveyed, indirect evidence in the form of decreasing hunters' success indicates that at least certain outfitting areas are overharvested.

In the mid 1950's about 50% of the non-resident hunters coming into the Yukon bagged a grizzly bear, while over the past few years only 1 hunter out of 5 was able to shoot a bear. This is a much better indication of the trend in our grizzly population than the total number of bears shot, which has remained fairly constant.

The other much desired trophy animal, whose harvesting has to be very carefully watched is the dall sheep. In the early 1950's almost all non-resident hunters coming to the Yukon were able to bag their dall ram, while over the past three seasons this success rate has dropped to about 50%. That sheep are overharvested in certain outfitting areas is also obvious from the size and age of the rams taken. The percentage of rams which cannot be classified as "trophies" by any standards increases every year, and several outfitters have reached the point where they have to shoot rams as soon as they become legal (270° curl).

Moose and caribou are still in good shape throughout the Yukon and hunting pressure on them could be intensified in certain areas.

It is therefore concluded that further growth of the outfitting industry in the Yukon must be very carefully watched and must not take place at the expense of our wildlife. Some growth is possible by charging higher prices by day per hunter, but definitely not by taking out still more hunters.

c) Contribution by Trappers

The Yukon's fur industry has had its "ups and downs" and is presently recovering from an all time low in the late 1960's.

During the 1972/73 season, \$339,437.00 were paid to Yukon trappers for their furs. Observations during this winter's activity indicates that we can expect an increase of perhaps 20% over last year's harvests, which would bring the total to about \$400,000.00.

The recent upsurge in trapping activity is due in part to the high prices of furs on a world-wide scale, but also to the recent founding of a Yukon's Trappers Association, which sells its furs directly to the North Bay auctions, thereby eliminating profits that used to be made by the "middle man."

No other aspect of the Yukon's wildlife resource has a growth potential compared to that of the harvesting of fur bearing animals. In the boreal zones of the provinces it is estimated that on a sustained yield basis a square mile of habitat will produce about \$10.00 worth of fur annually. This figure will be lower in the Yukon because of a lower density and lower productivity of fur bearing animals in our sub-arctic latitudes. But even if we only consider a potential of \$5.00 per square mile, we are looking at a one million dollar industry from the Yukon's 205,000 square mile area. An all time high was reached in 1945/46, when furs at a value of \$677,495.00 were sold by Yukon trappers.

The number of active trappers has now been increased through the recent introduction of an "assistant trappers licence," 115 of which have been granted so far. We have about 385 registered traplines in the Yukon, some are harvested very heavily at present, the majority are harvested below capacity, and perhaps 50 are used very little if at all.

Because the trapping industry provides temporary employment for up to 500 people for up to four months per year, because of its importance to native people and its potential of becoming a one million dollar industry, this aspect of game management should receive prime importance in any future expansion plans of the Yukon Game Branch as well as in its allocation of funds.

d) Contribution Through Direct Revenue Paid to the Government

Revenues paid to the Yukon Game Branch for the 1972/73 season total \$133,395.00. This includes \$34,654.11 for sport fishing licences, leaving \$98,741.89 for game revenues. It is reasonable to predict an increase of about 15% for the 1973/74 season based on increases in licence sales for resident and non-resident hunters, trophy fees, assistant trappers licences and fur export tax, which would total about \$115,000.00 for the 1973/74 season.

e) Contribution Through the Economic Value of Wild Meat

Under present Yukon legislation wild meat cannot be offered for sale. It can be argued, though, that a person who shoots a moose for example does not have to spend money on beef and can use this money for purchasing other items and thereby contributing to the local economy.

For ease of calculation one pound of meat is assessed at \$1.00. The following Table 2 shows the number of big game animals harvested, an estimation of the weight of meat they produced, and the total value of their meat.

TABLE: 2

SPECIES	RESIDENT HUNTERS	NON-RESIDENT HUNTERS	GENERAL LICENCE HOLDERS	POUNDS PER ANIMAL	TOTAL POUNDS	TOTAL MARKET VALUE
Moose	976	193	438	500	803,500	\$803,500.00
Caribou	352	176	1,246	75	662,600	662,600.00
Sheep	75	228	12	75	23,625	23,625.00
Goat	33	27	-	75	4,500	4,500.00

Total meat value of these four species: \$1,494,225.00

Summary and Conclusion

The following Table 3 indicates that the wildlife resource of the Yukon is at present valued at about 3.5 million dollars annually.

TABLE: 3

a) Contribution by resident hunters	\$ 483,092.00
b) Contribution by non-resident hunters	1,059,378.00
c) Contribution by trappers	400,000.00
d) Revenues paid to Game Branch	115,000.00
e) Meat value of big game species	<u>1,494,225.00</u>
	\$3,551,695.00

This does not take into account such aspects as recreational or aesthetic value of our wildlife, because of the obvious difficulty of expressing these intangibles in dollars and cents.

The important thing to remember is that the above mentioned 3.5 million dollars are only the annual "interest" or "dividends." The total "investment" or standing crop is much more difficult to evaluate. If we venture an educated guess and place our big game numbers at the following levels: 130,000 caribou, 35,000 moose, 15,000 sheep, 5,000 grizzlies, 500 goats, 300 deer and 100 elk, then the meat value only of these species is around 30 million dollars. If we in addition take into account the "standing crop" of our fur bearers, then the total value of our wildlife is between 30 and 40 million and the annual interest rate of 3.5 million works out to be around 10%.



J. Smith,
Commissioner.

March 20th, 1974.

SESSIONAL PAPER NO. 17 -- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

Fitness and Amateur Sport in the Yukon Territory

Fitness and Amateur Sport in the Yukon Territory has been developed more or less by individuals interested in specific activities. Consequently, as people come and go, so have many of the sports. Presently some thirty physically active sports are enjoyed by Yukoners, which compares favourably with any area in Canada. Added to the sports programme is a rapidly expanding cultural group. The cultural programme is increasing in popularity and scope. Continued support by all levels of government will ensure a total programme by which all Yukoners can be justifiably proud.

The time is at hand when the Territorial Government should give further guidance to all aspects of sport and recreation within our school system. The school programmes have had little or no direction in regard to programming or equipment purchase. A standardization of programmes will enable the Department of Education to ensure that a comprehensive developmental programme is carried out in all Yukon schools. The recommended programme will include a sensory development programme at the lower levels. Such activities as Games, Gymnastics, Running and Fitness Exercises plus an introduction to Rhythmic (Simple steps done to musical accompaniment that assist in co-ordination, balance, timing, speed and fitness.) are part of this programme. Elementary school programmes will be a minimum of 30 minutes per day and will follow up the kindergarten programme with Fitness Games, i.e. Floor Hockey, Indoor Soccer, etc., Gymnastics (tumbling, trampoline, vaulting, rope climbing), running and fitness exercises (long distance sprints, cross country, etc., for running). The Physical Exercise class will include calisthenics, circuit training, sometric/isometric exercises, and weight training. Also at the elementary level there will be an introduction to carry-over sports (activities that can be enjoyed by people of any calibre or age), badminton, tennis, skating, bowling, swimming, table tennis, curling, skiing and volleyball. At this level, only the basics will be taught with emphasis on some knowledge of the rules and a stress on sportsmanship and involvement. Competition will be restrained and participation will be the key.

The Junior/Secondary Programme will require a minimum of 40+ minutes per day, with a continuation of the Elementary Programme combined with an introduction into the skills and competitiveness of sports. During regular class periods competitiveness will again be very low key with participation a must.

Extra mural sessions for the competitive athlete will also be required. Consideration will be given to competition in sports chosen for Arctic Winter Games.

To sum up the total school programme -- standardization, combined with continuity and participation, will ensure a more physically fit, better all round individual. Competitiveness will be included only for the so inclined.

The Director of Recreation will have the authority to supervise all Physical Education Programmes in the school system and will provide direction concerning the necessary training and in-service programmes.

This suggested school programme will benefit the students, but we also have many adults who are becoming aware of the general poor physical condition of Canadians. In order to get these people involved, it is hoped that interest in physical fitness can be stimulated by the promotion of "family" involvement programmes through our school system.

The Yukon Sports Governing Bodies have maintained their independence during the past. Now, as numbers and demands increase, the Sports Federation has been organized to bring all sports together. The Federation is acting as the catalyst between the sports groups and the different levels of government. They are providing guidance to sports bodies, assistance in representative "team" selection, co-ordination of fund raising activities and they are also assisting in long range planning at both the municipal and territorial level.

The Sports Advisory Committee is the body that has had the responsibility for the disbursement of Territorial Government financial assistance to the various sports groups and also to the various communities.

Both the Sports Federation and the Sports Advisory Committee are to be commended for the enthusiasm they have shown in assisting the Government in the development of Amateur Sport and Recreation in the Territory.

The influx of "games" has taken over the sports field. Involvement in Arctic Winter Games, Polar Games, Canada Summer and Winter Games, Olympic Games and now Junior Olympics has given rise to various problems. In the past, the Arctic Winter Games has provided an avenue of competition and companionship with people in similar circumstances. It is now necessary to have a reaffirming of the original concept of the Arctic Winter Games, especially in regard to ensuring that sports common to all areas will be the basis for the competition.

The Polar Games provide an opportunity for competition for our school athletes who are unable at present, but who ultimately may take part in the Arctic Winter Games. A possible enlargement of the Yukon participation and a retraction of the invited numbers from outside the Territory is being given consideration for this event.

Because of the unevenness of competing teams, Yukon involvement in the other "games" gives a psychological blow to many of our young athletes. To overcome this problem, representation will be made to Sports Canada suggesting that entitlement in the competitions should be based upon attainments of certain standards. Another option which will be suggested to them is the categorizing of provincial and territorial teams into A and B classification, whereby the top six teams play off and the lower six teams compete against one another. A play-off between A6 and B1 could be used as a guide as to who competes in the A or B section for the next "games".

Regardless of the type of programme in our schools, in our communities, or our involvement in the "games", the key to a good quality programme is leadership. Leadership should, and will, become the responsibility of the Territorial Government. The Government plans to ensure a continuity of good resource people and exposure to maximum numbers. An approach has been made to Alberta and British Columbia regarding the use of their resource people. Both provinces have expressed their pleasure in being able to assist. The costs involved will include transportation, accommodation, and an honourarium. The proposal is to bring in qualified people who would tour the Yukon giving a session for the schools during the afternoon and another session during the evening for coaches, officials and adult participants. This type of leadership programme run annually will quickly improve the quality of Yukon athletes in competitions, plus expose every child to all of the sports regardless of ability.

Recreation is fast becoming the most important aspect of people's lives. The beneficial fulfillment of leisure hours will be instrumental in deterring the mental and physical health problems common to people of North America. A good all round programme with the total backing of the Physical Education Staffs of our schools and the Government will do much toward a better, more meaningful, life for the people of the Yukon Territory.

A stylized, handwritten signature in dark ink, appearing to read 'G. Smith'.

G. Smith,
Commissioner.

SESSIONAL PAPER NO. 18 (1974 SECOND SESSION)

Mr. Speaker,

Members of Council

Re: Labour Standards Ordinance

Brief from Canadian Restaurant Association & Yukon Hotel & Motel Association

A brief has been received from the above-mentioned Associations concerning the Labour Standards Ordinance, and more particularly the over-time requirement for pay on statutory holidays and minimum wage for persons under seventeen years of age. (Copy of brief attached)

1. The Restaurant Association brief requests some relief from the requirement of the Ordinance that double time and a half must be paid for work performed on a statutory holiday. When comparing our legislation with that of the neighbouring jurisdictions, the following is the situation:

- a) In the province of British Columbia an employer has an alternative that he may pay persons who work on a statutory holiday double time and a half as is required in the Yukon, or he may pay straight time for the hours worked on the statutory holiday and give another day off with pay at a later date.
- b) Alberta provides the same alternative as that set out above in the province of British Columbia.
- c) Saskatchewan makes provision for what is in effect double time for work performed on a statutory holiday. The employer is given the choice of paying the regular daily rate of wages and in addition the regular rate for each hour worked or time off with pay for each hour worked, on a later date.
- d) The Northwest Territories provides that an employee working on a general holiday be paid, in addition to his regular daily wage, a payment at least equal to his regular rate of wages for the time worked by him on that day. An alternative is also given to the employer in that he may pay the employee his regular rate of wages for the holiday, and in addition give the employee a holiday with pay not later than his next annual vacation, or on termination of his employment, whichever comes first.

The brief contains a statement that the Yukon legislation exceeds all existing trade union contracts which only require double time for work on a general holiday. This statement is not correct as all union contracts with which we have come in contact call for at least double time and half; in some cases triple time, and in the case of Labour Day, one contract calls for four times the regular rate of pay.

2. The second point raised by the Restaurant Association-Yukon Hotel and Motel Association brief concerns a minimum wage for those employees under the age of seventeen years.

In the neighbouring jurisdictions younger employees are covered as follows:

- a) British Columbia sets a minimum of \$1.85 per hour effective December 3, 1973.

- b) The Northwest Territories have set a minimum for the same age group at \$1.75 per hour, effective September 1, 1973.

In the neighbouring jurisdictions, i.e., British Columbia, Alberta Saskatchewan and Northwest Territories, domestic servants, which would include work such as baby sitting, are exempted from the minimum wage provisions of the various labour Acts. In the Yukon Territory we have specifically exempted domestic servants from the hours of work part of the Ordinance, and although domestic servants are exempted from the Ordinance by virtue of the definition of an industrial establishment, it would clarify matters if a specific exemption was inserted into Part II of the Ordinance, the minimum wage section.

In the matter of a minimum age for employment in various industries, the Alberta Labour Act sets a general minimum at fifteen years of age. However, licenses may be granted for employment of children from twelve years of age and up in entertainment and in other types of employment not considered to be injurious to life, limbs, health, education or morals and only as a clerk in a retail store, as a delivery boy or girl in a retail store, as a newspaper vendor, as an office clerk or messenger, as an express or dispatch messenger, as a shoeshiner, as a water boy on a construction project, or as a gardener. This is permitted provided he or she has the written consent of a parent and the period of employment is not over two hours on a school day and not after 8:00 P.M.

In British Columbia the minimum age is set at fifteen, without the written permission of the Minister of Labour, and then only in accordance with the conditions prescribed in the permit.

In Saskatchewan the minimum age is set at sixteen. There are certain prohibitions from employment of boys and girls from sixteen to eighteen where the work is dangerous and unwholesome.

Direction of Council is requested in the matter of over-time, minimum wage for persons under seventeen, and minimum age for employment as set out above.



James Smith,
Commissioner.

Canadian
Restaurant
Association



Yukon Territory Branch
306 Hoge Street
Whitehorse, Yukon

SUBMISSION TO
SPEAKER AND MEMBERS
YUKON LEGISLATIVE COUNCIL

FROM THE
CANADIAN RESTAURANT ASSOCIATION - YUKON BRANCH
AND THE
YUKON HOTEL AND MOTEL ASSOCIATION

SUBJECT:
AN ORDINANCE TO AMEND THE LABOUR STANDARDS ORDINANCE
ASSENTED TO MARCH 6TH, 1973
SPECIFIC: RATES OF PAY TO THOSE UNDER SEVENTEEN YEARS OF AGE

MAY 25, 1973

Ladies & Gentlemen:

The Canadian Restaurant Association and the Yukon Hotel Association respectfully request your consideration regarding the minimum wage paid to persons working under the age of seventeen. At the moment, our ordinance requires that all persons over the age of seventeen be paid the minimum wage of two dollars. There are no definite provisions made for those under seventeen.

In an effort to assist you in such a deliberation, and to avoid exploitation of those under seventeen, we request a scale of pay be legislated for this age group, as is the case for those over the age of seventeen.

We respectfully suggest that the minimum wages that can be paid be set at 1.60 per hour.


Our reasons for this are as follows:

1. Most of the working force between the ages of 15 and 17 are either school students or are in the process of training to do a job they have chosen. Productivity during this training period is extremely low and is costly to the employer.
2. Employee turn over at this age level is high with added expense experienced in repeated training processes with new employees.


3. Inter-staff problems result when a novice worker is paid a wage almost at the same level as an experienced employee.
4. In the hospitality industry, there are no apprentice programs so any person employed, regardless of age, must be paid the lawful rates whether they are experienced or not.


In closing, we reaffirm our complete support and agreement with the new legislation concerning the minimum wage but do suggest clearer lawful guidance for those underage as described.

Respectfully submitted,


Stan Bendera, President
Yukon Hotel and Motel Association


Len Marsh, President
C. R. A., Yukon Branch


Ron Atkinson, Vice-President
Yukon Hotel and Motel Association


Bill Mueller, Vice-President
C. R. A., Yukon Branch

Canadian
Restaurant
Association



Yukon Territory Branch
306 Hoge Street
Whitehorse, Yukon

SUBMISSION TO
SPEAKER AND MEMBERS
YUKON LEGISLATIVE COUNCIL

FROM THE
CANADIAN RESTAURANT ASSOCIATION - YUKON BRANCH
AND THE
YUKON HOTEL AND MOTEL ASSOCIATION

SUBJECT:
ORDINANCE TO PROVIDE FOR LABOUR STANDARDS
IN THE YUKON TERRITORY
SPECIFIC SECTION: PART IV. SEC. 27

MAY 25, 1973

Ladies & Gentlemen:

The Canadian Restaurant Association - Yukon Branch is an association with an active membership of 35 operators of restaurant facilities in the Yukon Territory. The Yukon Branch is part of the larger Association which is Canada-wide, with a total membership of 2,500. For the purposes of dealing with problems of a local nature, we belong to the B. C. Region of the Canadian Restaurant Association, as we find that many of the issues we face are identical in nature. The submission we make today is an example.

Our prime purpose, as an association, is to carry out a continuous program of up-grading and education for all those employed within our industry. It should be noted that our industry is commonly referred to as the "Hospitality Industry" and includes the operations within hotels and motels.

Our submission today is of vital importance to all segments of our industry and affects all types of operations - be they large or small.

SUBMISSION

Since the Ordinance dealing with "General Holidays" was passed in April 1968, we have experienced many sad experiences which we now find impossible to cope with, in view of the new legislation which requires all employers to pay a minimum wage of \$2.00 per hour.

We are unanimous in our opinion that \$2.00 per hour is indeed a just figure and do not dispute it. We must however, voice our concern

over the requirement of paying double time and one-half for time worked on a General Holiday.

The Province of British Columbia had an identical labour law which was bitterly opposed by the Canadian Restaurant Association and as a result, a change was made. We, of the Yukon, are asking you to consider changing our Ordinance so that it is the same as B. C.'s. The "Stat Holiday Act" from B. C. is attached for your perusal and your attention is drawn to the Stat Holiday Act dated August 12, 1968 superceding Order 105/67, Subsection 5 - 2A and B which is the particular part we would ask you to copy.

You will note that specific reference is made to the words "continuous operation". Many of the operations in the Yukon come within this definition and we would request that our plea be considered. Hotels and restaurants cannot close on holidays; that is, if we are to live up to our obligation to the public. By the same token, it is unjust to expect us to operate at a substantial loss on these special days.

In B. C. there were areas that did close entirely on holidays and many hardships and unfavourable impressions were made with the travelling public. Since the Act was changed in B. C. many operations can remain open as usual. Many still close but there are enough outlets operating to take care of those eating out.

Closing on general holidays has been discussed here in the Yukon, but we have not closed, inspite of the fact that it has not been economically sound to stay open.


If "Continuous Operations" had the choice such as is law in B. C., we could find the ways and means of adjusting. Under our present law, we must express our deep concern.


It must also be pointed out that this present legislation exceeds all existing trade union contracts, which only require double time for work on general holidays.

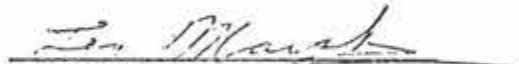
We ask for your consideration in this matter as many of the operators require such relief if they are to remain operation on the days in question.


The final point we make in this presentation deals with the salaried employee. This segment of our industry is usually employed in a supervisory capacity and is paid at higher rates than the regular staff. The reasons for the higher pay are obvious as these employees are directing others in their phases of work and are also empowered to hire and fire. It has been our understanding that such salaried employees are exempt from the extra holiday pay. We request clarification of this point so that we do not find ourselves in violation of this law. We would request that an exemption be made to employees in this classification, providing their pay scale is above the minimum wage, by a substantial margin, as it usually is.

Respectfully submitted,


Stan Bendera, President
Yukon Hotel and Motel Association


Ron Atkinson, Vice-President
Yukon Hotel and Motel Association


Len Marsh, President
C. R. A., Yukon Branch


Bill Mueller, Vice-President
C. R. A., Yukon Branch

4. (1) That where an employee is not required to work on a general holiday that would otherwise be a working-day, and where his wages are calculated

- (a) on a weekly or monthly basis, he shall not have his weekly or monthly wage reduced for a week or month in which a general holiday occurs by reason only of his not working on the general holiday;
- (b) on a daily or hourly basis, he shall be paid not less than the equivalent of the wages he would have earned at his regular rate of pay for his normal hours of work;
- (c) on any basis other than that provided in clause (a) or (b), he shall be paid not less than the equivalent of the wages he would have earned at his regular rate of pay for his normal working-day.

(2) That where an employee's hours of work differ from day to day or where his wages are calculated on a basis other than time, the wages he would have earned at his regular rate of pay for his normal hours of work shall be deemed to be the average of his daily earnings exclusive of overtime for the days he has worked in the four-week period immediately preceding the week in which the general holiday occurs.

(3) That where an employee is not required to work on a general holiday, he shall not be required to work on another day of that week that would otherwise be a day of rest unless he is paid not less than his regular rate of pay for all hours worked on such day, in addition to all other wages due him.

(4) That where a general holiday falls on a day that is a nonworking day for an employee, the employee shall be given a holiday with pay at some other time not later than his next annual holiday or the day on which he is required to be paid in lieu of an annual holiday pursuant to subsection (2) of section 6 of the *Annual and General Holidays Act*, as the case may be, or on termination of his employment, whichever first occurs.

5. (1) That, except as provided in subsection (2), where an employee is required to work on a general holiday, he shall

- (a) be paid not less than time and one-half his regular rate of pay for all hours worked by him on that day; and
- (b) be given a holiday with pay at some other time not later than his next annual holiday or the day on which he is required to be paid in lieu of an annual holiday pursuant to subsection (2) of section 6 of the *Annual and General Holidays Act*, as the case may be, or on termination of his employment, whichever first occurs.

* (2) That where an employee employed in a continuous operation is required to work on a general holiday, he shall, in addition to his regular rate of pay for that day,

- (a) be paid not less than time and one-half his regular rate of pay for all hours worked by him on that day; or
- (b) be given a holiday with pay at some other time not later than his next annual holiday or the day on which he is required to be paid in lieu of an annual holiday pursuant to subsection (2) of section 6 of the *Annual and General Holidays Act*, as the case may be, or on termination of his employment, whichever first occurs.

(3) That for the purposes of this section an employee's regular rate of pay shall be deemed to be the average of his hourly earnings exclusive of overtime for the hours he has worked in the four-week period immediately preceding the week in which the general holiday occurs.

6. Where a collective agreement binds certain employees of an employer and in order that any general holiday to which other employees of the employer are entitled under this order may coincide with a holiday provided for under a collective agreement, the employer may apply to the Board to substitute another designated holiday for any general holiday under this order, and if the Board approves of the substitution, such designated holiday shall, for those employees not bound by a collective agreement, be a general holiday for the purposes of this order.

7. (1) That sections 3, 4, and 5 do not apply

- (a) where an employee has not earned wages for at least 15 days during the 30 calendar days immediately preceding the general holiday; or
- (b) where a general holiday occurs in the employee's first 30 days of employment.

(2) That for the purposes of this section a person is deemed to be in the employment of another person when he is available at the call of such other person, whether or not he is called upon to perform any work therefor.

8. (1) That every employer shall at all times keep in his principal place of business in the Province a correct record in the English language showing the following particulars in respect of each of his employees:

- (a) Each general holiday given under clause (a) of section 3;
- (b) The amount of pay paid to an employee under clause (b) of section 3 and under clauses (b) and (c) of section 4;

March 20th, 1974.

SESSIONAL PAPER NO. 19-- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

Proposed Public Kindergarten
and Pre-Kindergarten Programmes

Background of Proposed Public Kindergarten Programme

In the fall of 1967 there were eight kindergartens operating in the Yukon Territory. These kindergartens were of three types: those supported by fees and housed in private residences, those supported by religious organizations and those supported in conjunction with the Department of Indian Affairs.

In order to serve an increased number of Yukon residents, a sessional paper was presented in the spring of 1968 proposing the concept of "community kindergartens", whose licensing, instructor certification, and curriculum guidelines would be set forth under Department of Education kindergarten regulations. These community kindergartens would be supported by the Yukon Territorial Government grants for equipment and certified instructors salaries. The kindergartens would, however, be administered by community advisory committees and housed in whatever community halls, local churches, and residences were available.

To this date Yukon kindergartens have operated as outlined above. Though it is generally attested that the influence of the kindergarten educational experience on the public school system has been overwhelmingly positive, a number of experiences during the past few years have made obvious the need for a different administrative structure and the improvement in kindergarten operations which a different structure would allow. Chief among these experiences have been:

- (a) the unavailability of suitable accommodations in all communities.
- (b) curriculum reform and the initiation of new experimental programmes by the Department of Education at the kindergarten level.
- (c) the increased need for in-service training and supervision of kindergarten instructional staff both as the curriculum is improved and as there is increased turnover in kindergarten staff.

- (d) the necessity for a more efficient, centralized system for the purchase, storage, and shipment of instructional materials as the number of kindergartens in the Yukon has increased.
- (e) the varying degrees of assistance which local communities have been able to afford their community kindergartens.

Because of the above listed reasons and the strong base of public support for such a move, it is proposed that Yukon kindergartens become integrated as part of the Yukon Public School System, and administered by the Department of Education, Yukon Territorial Government.

Rationale for Public Support of Yukon Kindergartens

In addition to the reasons stated above, the proposed incorporation of Yukon kindergartens as part of the public school system is supported by general recognition in recent years that the experiences during the early years of a child's life are crucial to his later development and learning. These are considered by many authorities to be "critical years" during which time certain aspects of learning, especially concept acquisition and language growth, occur with great facility. If these early years should offer little in the way of opportunities for this type of learning, later education to "compensate" for or "remediate" these deficits will predictably be of limited success.

Perhaps most parents recognize social maturity and personality development as the major benefits to be derived from kindergarten. Success, both in the first grade and in years following, will be largely determined by the development of a healthy self-concept and skill and enjoyment in associating with others.

The kindergarten also gives the opportunity, if needed, to teach specific readiness skills which underlie basic grade one academic performance. For some children, this attention to grade one readiness at the kindergarten level is clearly necessary. Many other children at this level will already have these readiness skills and will derive more benefit from other curricular activities.

The Kindergarten Philosophy and Curriculum

A kindergarten programme should set as its major objectives the social, emotional, and intellectual development of the child, preparing him for first grade entrance. A well organized kindergarten programme fosters the development of the child's self-concept, one of the most important factors in his total development. Kindergartens also permit communication between teachers and parent in an atmosphere where personal failure is not a major consideration.

In addition, kindergartens may benefit the disadvantaged especially, by providing the secure environment and early learning experiences which the home may not supply.

There are those who maintain that the home provides the only acceptable environment for young children, some fearing that the kindergartens may tend to be merely a downward extension of grade one. There is also some research supporting the contention that any academic advantage obtained by kindergarten attendance seems to dissipate by the time a child reaches the third or fourth grade.

Philosophy of Yukon Kindergartens

It is our view that kindergartens, although a part of the social system, be considered not solely as a downward extension of grade one. They must have their own unique and identifiable programme and organization. As in the approaches towards kindergarten taken by British Columbia, Alberta, Saskatchewan and Ontario, emphasis in Yukon kindergartens should be placed upon a child's development of a healthy self-concept, as well as basic thinking and language skills. Any instruction in readiness skills at this level must consider the child's maturity in the areas of social and emotional as well as intellectual development.

The development of a kindergarten programme in the Yukon Territory will naturally be influenced by what is being done elsewhere, but should be oriented towards our own unique needs. In the Yukon there is a disproportionate number of children entering school whose cultural background or home environment would place them in the category of "disadvantaged". In developing the kindergarten programme, one of the top priorities should be to provide within it the specialized resources to meet the needs of the disadvantaged child.

It is desirable to make the kindergarten environment one which is largely relaxed and non-restrictive, without the large proportion of formal instruction in the traditional school sense. However, the kindergarten programme is not to be considered an aimless, haphazard affair, without any formal direction. There should be a curriculum incorporating both general competencies and specific skills. The child should not, however, be bound to a desk, a text, or a work-book, but should be allowed to enjoy a wide variety of vital, constructive experiences.

The degree of need for individual attention and recognition of individual differences is greater at this level than at perhaps any other stage in the child's life, and the pupil-teacher ratio should reflect this fact.

Teacher Qualifications and Attendance Requirements

The teaching techniques required to carry out the programme as defined above indicate a degree of special training in early childhood education. For this reason, wherever possible, properly qualified kindergarten teachers should be employed. It also follows from this approach that student attendance should be optional; mandatory attendance may have a tendency to inhibit a natural positive attitude towards school.

Under the present system of kindergarten operation, there are some instructors who are instructing under a "Yukon Kindergarten Certificate". In view of the fact that fully qualified kindergarten teachers have not been readily available, and in order to meet the demands brought on by the existing kindergarten programme, kindergarten certificates were awarded to those people who successfully completed a short course in kindergarten instructional content and teaching methods, a programme sponsored by the Yukon Department of Education.

With the inclusion of kindergarten into the regular public school programme, every effort must be made to obtain properly certified teachers. We must at the same time recognize our responsibility to those kindergarten instructors who were certified under our own short training programme by allowing them to teach in accordance with proposed regulations governing the operation of kindergartens.

Instructional Time

Because of the maturity level of kindergarten students, the attention span is limited not only in the specific sense but also in a more general sense. This would indicate that the total hours of kindergarten instruction should be limited to no more than 2½ hours per day, which is, in fact, in general practice elsewhere in pre-school education. The length of the kindergarten school year would approximate the regular school year and in no circumstance should exceed it.

Minimum Enrolment

It should be noted that in several communities importance placed upon a minimum enrolment figure would, at times, prevent children from benefitting from kindergarten instruction. For those communities where the low number of kindergarten children would make conducting the standard kindergarten programme not feasible, the Superintendent of Education should decide upon the form which the kindergartens will take. In these cases, the Superintendent may either operate a separate kindergarten class or place the children in a year one classroom. In the latter case, a teacher aide would be justified.

Supervision

The introduction of the kindergarten programme constitutes a substantial increase in the educational services being provided, and unfortunately there is no pool of professional resource people in the Yukon upon whom we can draw for support. Considering that this programme, as part of the public school system is in its very initial stages, some thought should be given to supervisory needs, which would cover not only the kindergarten but the primary grades as well.

Since supervision of the kindergarten teachers and the kindergarten programme would automatically become the responsibility of the Department of Education, and inasmuch as this is a new and additional responsibility of a highly specialized nature, specialists in this area should be available on a resource or consultative basis.

Entrance Age

In order to maintain a parallel regulation to that governing minimum entrance age to grade one, it is suggested that the regulation for kindergarten entrance require children to be five years of age on or before December 31st of the year during which they intend to enroll.

Community Involvement

Kindergartens, previous to being under the jurisdiction of the Department of Education, were of a private nature, and administered as such with local parent groups accepting this responsibility. A kindergarten association was formed in Whitehorse to assume some of the organizational and administrative duties involved. With the new public school organization, K-12, parental involvement can now be expected to take place at the school advisory committee level.

Summary of Major Points

The following major points summarize this proposal:

1. That a public system of kindergartens be established in the Yukon Territory as an integral part of the school system.

2. That those instructors presently teaching under a Yukon Kindergarten Certificate be permitted to continue in the system according to regulations governing their tenure.
3. That the kindergarten programme include provision for a readiness programme for the disadvantaged.
4. That a kindergarten/primary consultant be employed.
5. That entry age into the kindergarten programme be one year prior to normal school entry age.
6. That the kindergartens follow the curriculum guidelines laid down by the British Columbia Department of Education (Yukon modification).
7. That instructors with training in early childhood education be hired wherever possible.
8. That attendance at kindergarten not be made compulsory.
9. That the length of the kindergarten instructional day for each child should not exceed two and one-half hours.
10. That transportation be provided.
11. That supplies be provided annually on a per pupil basis at one-half the amount allocated to full-time elementary pupils.

Background of Proposed Public Pre-Kindergarten Programme

The Pre-Kindergarten is a year of educational experience designed for four year olds which immediately precedes the year of kindergarten instruction. Pre-kindergartens are found in over one third of those school districts or divisions in Canada which also offer kindergarten programmes.

Whereas the Pre-Kindergarten may not be considered merely as an extension of the present developing kindergarten programme, obviously the two programmes will complement one another. The pre-kindergarten will facilitate acquisition of social, cognitive, and language skills which are treated as instructional content a year later in kindergarten.

Pre-kindergarten experiences initially gained an educational rationale as compensatory programmes for children with special needs, especially those children disadvantaged economically, culturally, and/or in language. For these children, a range and sequence of carefully planned play activities may have beneficial long-term effects upon the notion of self in relation to others, language and concept development, cognitive skills and creativity.

Pre-kindergarten or "junior kindergarten" programmes have also been implemented for the child from an advantaged social background. For this type of child, the educational justification of such a programme is not as strong. Long-term gains in verbal-conceptual skills and learning potential tend not to be maintained for the advantaged child. On the contrary, many early childhood specialists feel that only the rare and exceptional home could provide the opportunities for the variety of learning experiences and social interaction found in a well-run junior kindergarten.

An opposing point of view regarding junior kindergartens for the advantaged contends that such a programme may merely duplicate experiences that some homes can adequately provide. The concern often unvoiced seems to be that this type of programme may contribute to further disintegration of the family unit.

There are a significant number of children in the Yukon who would undoubtedly benefit from the environment rich in language, concept building opportunities, and supervised social interaction which a well-run pre-kindergarten affords. The general curriculum objectives of most existing pre-kindergarten programmes are quite similar, but different approaches have developed to meet these objectives.

Curriculum Objectives and Approaches

The general objectives shared by most pre-kindergarten programmes are: enhancing physical co-ordination, development of self-concept and a notion of self related to others, development of social play habits, increased skill in the use of language structures and concrete concepts, and lack of inhibition in creative self-expression.

In working toward the achievement of these objectives, programmes vary widely on the dimensions of child versus instructor-directed activities, involvement of the parent and community in general, and orientation toward language and concept development versus emotional growth and social skill development.

Approach to the Pre-Kindergarten in the Yukon

Because some Yukon communities have substantially different early childhood education needs, it is reasonable to tailor the operational specifics of a pre-kindergarten class to individual communities or types of communities. Furthermore, since those early childhood projects which have proved most successful in recent years have maximized local parent involvement, it follows that the local community should be consulted to assist in tailoring, within specified guidelines, its own pre-kindergarten programme. It is anticipated that members of most Yukon communities will want to enrich the content of their own pre-kindergarten programme by contributing to it the best of knowledge, skills, traditions and values which that community can offer.

As opposed to the case of the kindergarten curriculum, at the pre-kindergarten level school readiness is not an immediate objective. This fact should have the effect of adding considerable flexibility to the curriculum content and operation of pre-kindergartens.

In some communities this flexibility will be used to conduct the pre-kindergarten as an "enrichment" experience. In other communities, whose children have very different needs, the children will be encouraged, within the structure of child play, to explore more fully the uses of language or form simple generalizations about the way physical objects appear and respond to manipulation.

This individual community approach, entailing considerable information gathering and analysis, will cause an initial delay in the implementation of a Yukon wide pre-kindergarten programme. The 1974-75 school year should include discussions with representative parents from each community to determine the expectations and preferences of the majority and minorities. As well, the issues of transportation and accommodation, and availability of instructors must be solved on an individual community basis.

Some broader decisions, such as duration of school year and what months of the year the class should be in session, should apply to every pre-kindergarten class begun, and should be based upon a combination of what has a broad base of community support on the one hand, and what is reasonable from a professional educational point of view on the other.

The pre-kindergartens should be implemented on at least a partial basis by the 1975-76 school year, allowing time enough to lay the proper groundwork for this major, widespread programme.

Though a pre-kindergarten programme can certainly be justified for the Yukon, at least two facts in addition to what has been expressed above, demand caution and thorough planning in this effort. First the lack of physical and emotional maturity of a child four years of age is manifested in his ability to tolerate cold weather, to remember directions, and to follow simple safety procedures. In these areas of behaviour and others, the four year old child must be planned for separately from the five or six year old.

Secondly, the Department of Education has an obligation to support and certainly not to detract from the effectiveness of the kindergarten programme as it is presently developing in the Yukon. The assumption that the new pre-kindergarten programme will mean merely an expansion in enrollment of the present kindergarten programme cannot help but reduce the effectiveness of both programmes.

Summary of Major Points

These major points summarize the content of this proposal:

1. That a public system of pre-kindergartens be established in the Yukon Territory as an integral part of the school system.
2. That pre-kindergarten classes be established no earlier than September 1975.
3. That the nature of the pre-kindergarten programme reflect the needs and requirements of the individual communities as determined by the local school committee and the Department of Education.
4. That entry age into the pre-kindergarten programme be two years prior to normal school entry age.
5. Instructors for the pre-kindergarten programme be locally employed, and Departmentally trained, during the year preceding implementation of the programme.
6. That attendance at pre-kindergarten not be compulsory.
7. That the length of the pre-kindergarten instructional day for each child should not exceed two and one-half hours.
8. That transportation be provided.
9. That supplies be provided annually on a per pupil basis at one-half the amount allocated to full-time elementary pupils.

Financial Implications

Attached is an outline of the estimated costs of implementing both the proposed Public Kindergarten and Pre-Kindergarten Programmes.

Attachment

J. Smith,
Commissioner.

PROPOSED PUBLIC KINDERGARTEN PROGRAM - EFFECTIVE SEPT. 1974

<u>Operation & Maintenance</u>		<u>Estimated Annual Costs</u>	<u>Estimated Costs Sept. 1974 to March 31, 1975</u>	<u>Less Existing Program Costs</u>	<u>Supplementary Appropriation and Additional Funds</u>
8 Teachers @ \$15,000	-	\$120,000	\$ 70,000	\$ 53,977	\$16,023
14 Aide Instructors @ \$7,000	-	98,000	57,163		57,163
Transportation	-	64,000	37,331		37,331
Kindergarten/primary supervisor	-	18,500	10,887		10,887
Supplies	-	8,500	4,956	5,250	(294)
Relocation of 4 portable classrooms	-		40,000		40,000
Renovations	-		7,500		7,500
Total		<u>\$309,000</u>	<u>\$227,837</u>	<u>\$59,227</u>	<u>\$168,610</u>
 <u>Capital</u>					
Misc. School Equipment			<u>4,000</u>		<u>4,000</u>

PROPOSED PUBLIC PRE-KINDERGARTEN PROGRAM - EFFECTIVE SEPT. 1975

<u>Operation & Maintenance</u>		<u>Estimated Annual Costs</u>		
23 Pre-kindergarten sessions - 600 hours per session @ \$6.00 per hour plus fringe - benefits.	-	\$ 85,000		
Staff Training	-	10,000		
Transportation	-	20,000		
Supplies	-	8,500		
Total		<u>\$123,500</u>		
 <u>Capital</u>				
5 classrooms @ \$50,000		\$250,000		
Equipment		<u>30,000</u>		
		<u>\$280,000</u>		
 Total - Operation & Maintenance		 <u>\$432,500</u>	 <u>\$101,527</u>	 <u>\$330,973</u>

SESSIONAL PAPER NO. 20 (1974 Second Session)

Mr. Speaker
Members of Council

Game Harvest Report and Summary of Questionnaire
Analysis

Introduction

1973 was the first year in which the Game Branch attempted a comprehensive inquiry into the status of big game populations, harvest estimates, the determination of hunting pressure and hunter success rates.

Methods of accurately estimating the non-resident big game harvest have been in use for several years. The biggest unknown in harvest statistics has been the resident hunter kill. To gain as much knowledge as possible of the resident harvest, a questionnaire was designed and mailed to all resident hunters in late November of last year. Notices, including a sample questionnaire, were posted in the local newspapers a week ahead of the mailing date. A further notice appeared in the papers one week before the return cut-off date of February 1, 1974.

Procedure

Each of the 3,568 licenced resident hunters was mailed a questionnaire. By February 1, 1974, 1,195 or 33.5% had been returned to the Game Branch.

448 non-resident hunters were each provided with a questionnaire. Accurate kill statistics, however, are provided by the respective outfitters.

Kill statistics from the 477 General Licence holders are gleaned from the affidavits which are part of each licence.

Of the 3,568 resident hunters, 714 or 20% did not hunt big game. The remaining 2,854 hunted big game.

These kill statistics do not include animals taken by Indians for meat purposes, poaching or crippling losses. At the present, we have no way of estimating these quantities.

Results

Resident Hunter Success Rates

Of the 2,854 resident tag holders that hunted, 33.6% killed a moose. This figure compares very favourably with the B. C. success rate of 10 - 15% over the last six years. It takes 8.34 days for the average Yukon hunter to find and kill a moose.

19.7% shot a caribou. This figure is an all Yukon average. Success on the Dempster runs 46%. 4.2 days are required by the average Yukoner to find and kill a caribou.

9.4% of goat tag holders were successful, as were 7.5% of sheep tag holders. As each of these species are usually hunted to the exclusion of others, it takes only 5 days to find and kill a goat or sheep.

3.0% of grizzly tag holders were successful.

8.7% of black bear tag holders were successful. Most black bear are probably taken incidental to the hunting of other species.

Hunting Pressure

Hunting pressure was determined as to location by plotting the known kills on a map, and by computing the number of days hunted in each of the three months of open season.

The kill distribution tends to be localized near population centres and concentrated along roads and navigable rivers. This distribution greatly aids us in determining "hot spots" which are a consideration in structuring management zones.

Hunting pressure is fairly evenly distributed between August and September, 15 days and 15 days respectively, with the most hunters afield with the highest percentage of success in the latter month. In October, hunting effort falls off to 9 days per hunter.

This information, considered with before and after aerial surveys, gives us the continuing annual status of a heavily harvested population. Through the use of these techniques, seasons, bags and kill composition become more realistically based on the reproductive and survival potential of the population.

SUMMARY OF BIG GAME HARVEST 1973

	MOOSE	CARIBOU	GOAT	SHEEP	GRIZZLY	BLACK BEAR
3,568 RESIDENT HUNTERS	976	352	33	75	24	57
448 NON-RESIDENT HUNTERS	193	176	27	228	95	26
447 GENERAL LICENCE HOLDERS	438	1246 (including approx. 700 from Old Crow).	-	12	31	108
FT. McPHERSON PEOPLE HUNTING IN PEEL RIVER PRESERVE	a known 15	?	-	-	?	?
TOTAL KILLS	1,632	1,774	60	315	150	191

A 33.5% return of a hunter questionnaire on the first attempt is encouraging and adequate, but a higher percentage return is desirable. Apparently not all hunters received a questionnaire last year. This problem will be solved in 1974 by issuing the questionnaire with the licence.

At the present levels of harvest, restricted cow moose seasons are not thought to be detrimental except perhaps for "hot spots". One of the best indicators of the status of a big game population, is the information gathered from an examination of female reproductive organs. The object of last year's experimental cow season was to get preliminary data on various moose populations by these examinations. Out of an estimated 100 hunters taking cow moose only 10 collected the reproductive organs. We didn't learn very much from this experiment.

The participation of the hunter in the future is critical to the establishment of good management practices in the Yukon.

Conclusion

While Yukon hunters currently enjoy huntable populations of all big game species, the need for flexible and enforceable game laws, and zoning to facilitate a biological basis for species management will become apparent in the near future. Our increasing population and an intensifying of alternative uses of wildlife habitat suggest these endeavours are necessary and appropriate. This report represents a first step in addressing these problems.



J. Smith,
Commissioner.

Mr. Speaker

Members of Council

Information Paper
Indian Land Claim Negotiations

On February 15, 1973, the Yukon Native Brotherhood presented to the Prime Minister of Canada a brief entitled "Together Today for Our Children Tomorrow". It expressed claims to land in the Yukon Territory and grievances about the quality of life of Yukon Indians. The Prime Minister agreed to form a committee to meet with representatives of Yukon Indian people to discuss their claims.

The Yukon Territorial Council in the 1973 First Session passed a motion congratulating the Yukon Native Brotherhood on their presentation to the Government of Canada. They also requested assurance of the Government of Canada for adequate representation of the Council in proposed negotiations between the Government of Canada and the Indians of the Yukon Territory.

The Minister of Indian and Northern Affairs, the Honourable Jean Chretien, announced on April 6 that a Federal negotiating team had been formed to meet with the Yukon Native Brotherhood and that the Commissioner or in his absence an elected member of the Executive Committee would represent the Yukon on the negotiating team.

To acquaint participants with each other and to familiarize members of the government team with some aspects of the Yukon, the government team and representatives of the Yukon Native Brotherhood and the Yukon Association of Non Status Indians met with residents in various Yukon communities. Since then there have been three sessions of negotiations in Vancouver on July 17-18, October 2-4, and November 17, and there were two inter-governmental meetings in Edmonton and Ottawa.

The government team met with representatives for the Yukon Native Brotherhood and the Yukon Association for Non Status Indians initially, but after the second meeting the Indian team was representing all Indian people as members of the Council for Yukon Indians. The Council for Yukon Indians is discussing with their people in the communities, specific concerns that will be expressed in future talks.

The government team has gained a better understanding of Yukon Indian people's concern about their participation in the growth of the Yukon. The team has also realized the importance of evaluating facts and opinions presented in discussions and uncovered by research. The Government of the Yukon Territory has expressed itself clearly on all issues discussed and has made important contributions in both the government meetings and the negotiating sessions.

The recent appointment of Mr. George Shaw, a well known Yukoner, is a welcome addition to the Government Negotiating Team. His participation as a member of the Team will augment the Yukon's contributions in future discussions. The next round of talks will be held sometime after March, 1974, the specific date being agreed to by the co-chairmen of the respective teams.

* See Appendix "A"

Land Claims Secretariat

In June, 1973, a Land Claims Secretariat was created to assist the Commissioner and Executive Committee in their work with the Land Claims Negotiations. It is responsible for research activities, preparation of reports, administration, and generally to assist the Yukon representatives in the performance of their duties as members of the government negotiating team.

On July 13, 1973, at the request of Yukon, the Minister approved a grant up to \$50,000.00 to fund the Land Claims Secretariat until the end of the fiscal year.

Summary of the estimated expenses of the Secretariat to March 31, 1974, is listed below:

Wages	\$21,000.00
Fringe Benefits	1,700.00
Travel	3,600.00
Communications	700.00
Office Supplies	1,000.00
Office Rental	2,000.00
	<hr/>
	\$30,000.00

The Secretariat consists of:

Research Administrator
Research Assistant
Draftsman
Legal Adviser (Part time)
Anthropologist (Contract now complete)

The Secretariat has researched statistics, prepared papers and reports, taken an unofficial part in discussions with federal government support staff, consulted with Territorial officials to ensure validity of all aspects of research and recommendations, and generally assisted the Commissioner as required on matters concerning the Land Claims Negotiations. It monitors Yukon public opinion expressed in the local media and correspondence of residents. It also monitors activities associated with native claims in other regions of Canada and other parts of the world.

Two major pieces of work prepared for application in the Secretariat will also have continuing general utility. A study of land use in the Yukon Territory prior to the Twentieth Century completed by the Secretariat entitled "Through the Eyes of Strangers", is available for public information through the Yukon Archives and Regional Library system. A series of maps of Yukon communities showing various classifications of land disposition are being developed and these will eventually be used for reference purposes in the Federal and Territorial Lands Offices.

The Secretariat is continuing with its research and related activities in preparation for future talks.



F. B. Fingland
Administrator

APPENDIX "A"

MOTION NO. 3

It has been moved by Councillor Tanner, seconded by Councillor McKinnon,

that this Council congratulates the Yukon Native Brotherhood on their presentation to the Government of Canada of the Yukon Indian Land Claims, and the Council recognizes that a successful outcome to the negotiations on the claims currently being programmed will require the aid and assistance of the Council of the Territory and will affect the future constitutional development of the Territory.

Now therefore, this Council respectfully requests the Honourable Pierre Trudeau, Prime Minister of Canada and the Honourable Jean Chretien, Minister for Indian Affairs and Northern Development, to ensure that adequate representation be afforded to the Council of the Territory to freely take part in the proposed negotiations in order to aid in,

- (a) ensuring a successful outcome to the negotiations;
- (b) eventual success in implementing any agreement which may be arrived at resulting from the proposed negotiations; and
- (c) ensuring that any such agreement does not impede or limit the future constitutional development of the Territory.

Ref. 1973(1st) Session of Council.

April 29, 1974.

Mr. Speaker

Members of Council

Western Canada Lottery

The four western provinces of Canada recently approved plans for the implementation of a major lottery for western Canada. A corporation is to be formed entitled the Western Canada Lottery Foundation Limited. The four western provinces will have equal representation on the Board of Directors of this corporation and the Yukon Territory is to be invited to participate, with one member on the Board of Directors in an Ex Officio capacity for the first year. This arrangement will be subject to review with a view to giving the Yukon full membership at the end of the first year.

Prizes

Draws will be held quarterly. Tickets for the first draw are to go on sale in June with the draw being held in September. Prize money for the first draw is presently planned to be as follows:

First prize	\$ 250,000
Second prize	100,000
Third prize	50,000
5 prizes of \$25,000 each	125,000
1,900 prizes of \$100 each	190,000

Total prizes	715,000
Sellers prizes - 5% of prizes	35,750

Total prize pot \$ 750,750

Revenue

The revenue derived from the sale of tickets will be distributed as follows:

1. The tickets will be distributed in books of 12, with the individual seller being allowed 2 free tickets.
2. The balance of 10 tickets being sold at \$2.50 each will constitute the revenue to be turned in to the selling agencies. The selling agency will be allowed to retain 33 1/3% of the gross receipts; the balance to be paid to the Territorial Government.

3. The Territorial Government will retain 26 2/3% of the revenue, submitting the balance to the Western Canada Lottery headquarters.
4. The 40% to be forwarded to the Western Canada Lottery Corporation will be distributed approximately 20% to the prize fund, 15% to cover administration costs and 5% to a special fund to be distributed by the Western Canada Lottery Corporation in the form of grants to non-profit organizations of a sports or cultural nature, to cover significantly Canadian or provincial events.
5. The breakdown for each book of tickets sold would be as follows:

10 tickets @ \$2.50	\$ 25.00
40% to Western Canada Lottery	10.00
	<hr/>
	\$ 15.00
33 1/3% to selling agency	8.33
	<hr/>
To YTG	6.67

6. One of the conditions of participation in the Western Canada Lottery that has been agreed upon by the provinces, is that no new major lotteries will be licenced and that existing major lotteries will be phased out in an orderly fashion. For this purpose a major lottery is being interpreted as a lottery with a prize of over \$100,000. It is presently understood, however, that agreement has been reached among the provinces that each jurisdiction is to be allowed one lottery per year with a prize in excess of \$100,000 (but in no case to exceed \$250,000) for every 500,000 population.

Management

The four western provinces are limiting the selling agencies for these Western Canada Lottery tickets to sports or cultural organizations of a non-profit nature. The Manitoba Lottery is to be phased out and the organization which has been handling it will act as the headquarters for the Western Canada Lottery and as the selling authority in Manitoba. The province of Saskatchewan has turned over the complete administration and control of the lottery to Sask Sport which is the organization which handles all sports activities in Saskatchewan. The lottery is to be handled in the province of Alberta by the Calgary Stampede and Edmonton Exhibition Associations. The province of British Columbia is setting up a separate branch of the Public Service of British Columbia to handle their lottery sales.

Yukon Position

The Territorial Government could gross \$100,000 or more per year, with at least the same amount being realized by the selling agencies throughout the Territory. The cost of administering the program in the Yukon is estimated at \$58,000 per annum.

An Ordinance is required to give the Territory the legal authority to join the Western Canada Lottery Foundation Limited. The Ordinance will also authorize the Territorial Government to licence organizations within the Territory to sell lottery tickets. This need not be limited to non-profit organizations, although all four western provinces are restricting their authorization to non-profit organizations of a sports or cultural nature.

It is recommended that a three member Board be established to receive applications and recommend acceptance or rejection of organizations wishing to obtain a licence to sell tickets. While it is anticipated that the type of agency licensed to sell tickets will normally be such groups as sports organizations, community clubs, the KVA, Sourdough Rendezvous and other similar sports or cultural groups, there may be occasions when service clubs should also be allowed to participate. It may also be advisable to limit the licensing of some organizations to certain seasons of the year e. g. winter sports organizations to winter draws etc. Licensed organizations should be domiciled in the Territory or societies registered under the Societies Ordinance.

In order to make it possible for the Yukon to obtain the maximum financial advantage from its participation in the Western Canada Lottery, it is proposed that no other lotteries in the Territory be allowed with a first prize in excess of a value of \$10,000. Lotteries for which tickets are currently on sale will not be affected.

The views and advice of the Council on the type of organization to be licenced for the sale of tickets in the Territory would be appreciated.



F. B. Fingland,
Administrator.

29 April, 1974

Mr. Speaker

Members of Council

Electric Rate Equalization Plan

As all Councillors are aware, an Electric Rate Equalization Plan was instituted by this Council effective April 1, 1970, based on a study conducted for the Government by officials of B.C. Hydro and Power Authority.

During the course of the past year we have instituted a review of this plan, which was undertaken by Mr. G.J.A. Kidd of Underwood, McLellan and Associates.

The following summary outlines Mr. Kidd's findings and recommendations regarding this plan:

At the present time the equalization plan applies to 15 communities serviced by the Yukon Electrical Co. Ltd. and one community serviced by Northern Canada Power Commission.

Disbursements from the equalization fund commenced in 1970. Analysis of the fund shows that the fund has been growing and the annual income tax rebate plus interest earned has been greater than the annual amounts disbursed in equalization in every year since the plan went into effect.

It is noted that three years of tax rebate has been paid to the Territorial Government in fiscal year 1972/73 which resulted in an increase in the fund by about \$560,000.

The surplus expected at the end of fiscal year 1973/74 is estimated at approximately \$1,250,000. which is more than five times the annual disbursement estimated for that year.

There is nothing wrong about having a sizeable balance in the equalization fund, particularly as the Territorial Government has little control over some circumstances which may lead to the annual cost of the equalization exceeding the tax rebate in each year. Indeed, some circumstances if they were to occur, such as a change in Federal Government policy, could result in no tax rebate payment and therefore no income to the fund. Other circumstances which could affect the plan and increase the subsidy required are as follows:

1. A decline in the Companies' earnings and consequently a reduction in tax rebate. This could result from increased costs without a counterbalancing increase in rates. In view of the establishment of the Yukon Public Utilities Board this could easily happen if the Board were to conclude the Company should be making a lower rate of return on their investment.

2. Growth in terms of the number of customers and/or individual consumption. Both has occurred since the equalization plan was implemented and it can be shown that if the subsidy to the effective rate of 2.5¢ per kwh were fully utilized by all residential consumers the equalization required would be approximately \$100,000. per annum higher than presently paid. If this difference actually occurred and remained constant the fund would be fully depleted in less than 20 years.
3. A rate increase by Northern Canada Power Commission as a supplier to Yukon Electrical and as a retailer.
4. The probable increase in fuel prices could affect the earnings of Yukon Electrical, thereby reducing future income tax abatements.

The above uncertainties must be kept in mind in considering modification of the existing plan.

In September 1973 the Yukon Electrical Company Limited introduced a new rate schedule in the Whitehorse area for both residential and commercial customers.

The only change in rates for residential consumers apply to the monthly use of 1700 kwh in excess of the first 300 kwh to 1.4¢ per kwh. Very few residential customers would use the full 2000 kwh in any month and from an examination of statistics for 1972, the average monthly residential use in Whitehorse in that year was 963 kwh. Thus on an average, the rate reduction from 1.6¢ per kwh to 1.4¢ per kwh would apply to 663 kwh per residential customer, thereby reducing revenue to Yukon Electrical by an average of \$1.33 per month per residential customer, or by an average of \$15.96 per year.

The changes in commercial rates show a reduction of .1¢ per kwh for 160 kwh and .9¢ kwh for 200 kwh. It is most unlikely that any Whitehorse commercial customer would use less than 400 kwh per month and assuming this is the case, the revenue per customer would be reduced by \$1.96 per month or \$23.52 per year.

In considering amendments to the existing plan the following factors were considered and appropriate recommendations are made concerning these items:

1. It is not possible to propose a uniform or equal rate for all commercial customers because of complexity of rate schedules used which vary widely, and due to lack of information. This being the case, it seems logical that if commercial customers are to benefit from the income tax rebate, it be done on the basis of equalizing savings to each customer on a percentage basis. This approach also has the advantage of simplicity of its application.
2. The recent rate reduction by Yukon Electrical Company to Whitehorse customers benefitted each residential consumer by \$16.00 per year.
3. The further equalization of residential customers throughout the Territory could place too large a burden on the equalization fund and may also result in electricity demands which the public utilities' present equipment could not meet.

It is recommended that:

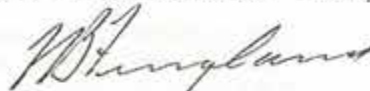
1. The non-government commercial customers outside of Whitehorse be subsidized by returning to them an amount equal to 15% of the money paid by the consumer under the published rates of the electrical utility. Commercial customers do not include mining or large industrial operations who are supplied under contract.
2. The residents outside of Whitehorse be further subsidized by returning to them an amount equal to the difference between the money paid by the consumer under the published rates of the utility for consumptions up to and including 300 kwhs per month and the money the consumer would have paid for such consumption at a rate of 2.0¢ per kwh.
3. The residential and commercial customers in Whitehorse not be further subsidized at this time.
4. The total funds paid out for electrical rate equalization be charged to the Electrical Rate Equalization Fund.
5. That these recommendations be put into effect by the Public Utility Companies as soon as possible and practicable following Council's acceptance.

Summary.

The above recommendations, if implemented, will result in an increase in disbursements for the equalization fund in the amount of approximately \$60,000. per annum. This additional disbursement together with the decrease in the annual income tax rebate of about \$40,000. which is brought about by the recent rate reduction will result in disbursements exceeding the rebate. This will not be a problem for some years to come considering the size of the surplus in the equalization fund.

- The above recommendations when implemented will result in approximately the same benefits for residential customers outside of Whitehorse as those gained by Whitehorse residents from the recent rate reduction. The commercial customers outside of Whitehorse will benefit more from the above recommendations than Whitehorse commercial customers under the recent rate reductions; however, the non-Whitehorse customers pay much higher rates than those which apply in Whitehorse.

When the major uncertainties presently evident are resolved, later this year, a further review of the Equalization Plan will be undertaken with appropriate recommendation being presented to Council.



F. B. Fingland
Administrator.

May 8, 1974.

SESSIONAL PAPER NO. 24 (1974 SECOND SESSION)

Mr. Speaker

Members of Council

Yukon Licencing Board - Western Canada Lotteries

Following discussion in Committee of the Whole, the Council authorized Mr. McKinnon and Mr. Stutter to meet with officers of the Administration to suggest the membership and a method of operation for the proposed Licencing Board.

On the morning of Monday, May 6, 1974, Mr. McKinnon and Mr. Stutter met with myself and Mr. Miller. Mr. McKinnon and Mr. Stutter recommended that the Advisory Committee on Fitness & Amateur Sport should serve as the Licencing Board under the Lottery Ordinance, and this was acceptable to the Administration. Mr. McKinnon and Mr. Stutter also felt that the Advisory Committee on Fitness & Amateur Sport should have a continuing role in the administration of the lottery system in the Yukon, and it was agreed that this could be handled by having the public servants responsible for administering the lottery scheme come under the supervision and direction of Mr. Noble who is a member of the Advisory Committee on Fitness & Amateur Sport and is presently Acting Chairman.

As a result of the meeting on May 6, the following proposals are submitted to the Council for its approval:

1. The Advisory Committee on Fitness & Amateur Sport would decide which agencies would be licensed to sell tickets.
2. The administration of the Yukon's involvement in the Western Canada Lottery should come under the Director of Recreation and Amateur Sport;
3. The Advisory Committee on Fitness & Amateur Sport would recommend the allocation of lottery funds accruing to the Territory. The actual expenditures would be based on appropriations approved by the Council.



F. B. Fingland,
Administrator.

June 17, 1974.

Mr. Speaker

Members of Council

WESTERN CANADA LOTTERY

Earlier in the Session, the Council requested that the administration of the Yukon's participation in the Western Canada Lottery be the responsibility of the Director of Recreation and Amateur Sports and that the Advisory Committee on Fitness and Amateur Sport review applications and recommend the issue of licences for the sale of lottery tickets.

The role of the Advisory Committee on Fitness and Amateur Sport as the licensing board is consistent with the decision that the types of agencies licenced to sell tickets will be sports and cultural organizations. However, there are complications involved in having Yukon Government's administrative functions in connection with the Western Canada Lottery become the responsibility of the Director of Recreation. Direction of the Lottery administration is going to be a major, time-consuming job which to be successful would absorb much of the time of the Director of Recreation for the next few months. This will detract from his normal duties to such an extent that his responsibilities in connection with the development of recreational programs will be seriously affected and could involve the postponement of new programs in the schools by as much as a whole year.

Under these circumstances it is the view of the Administration that responsibility for Lotteries should remain in the Department of the Territorial Secretary which is the agency of the Yukon Territorial Government presently responsible for the administration of Games of Chance licensing. The role of the Advisory Committee on Fitness and Amateur Sport as the licensing board would not be affected nor would there be any change in the nature of the organizations or the benefits that they would derive from the sale of tickets.

The foregoing considerations have been re-examined by Mr. McKinnon and Mr. Stutter who were authorized by the Council to deal with the Administration on this matter. The previous paper presented to Council is attached.

The Council's views are requested on the possibility of having the lottery administration remain in the Department of the Territorial Secretary on the understanding that recommendations for licensing of sales agencies will remain with the Advisory Committee on Fitness and Amateur Sport.



J. Smith,
Commissioner

June 12, 1974.

SESSIONAL PAPER NO. 26 -- 1974 (THIRD SESSION)

Mr. Speaker

Members of Council

Participation by the Government of the Yukon
Territory in the Federal-Provincial Programme
for Bilingualism in Education

In December 1969, this House approved Sessional Paper No. 59 which dealt with the second language instructional programme in Yukon schools. In brief, the paper requested approval for the initiation of an elementary French language programme. At the time the paper was approved, my major concern was that financial assistance, over and above the Federal-Territorial Fiscal Agreement, would be forthcoming. I had requested my Minister to provide the necessary operating funds for the programme and had obtained a commitment for the 1970-71 fiscal year. At that time, the Secretary of State was negotiating with provincial authorities regarding financial assistance from the Federal Government for bilingual educational programmes in the provinces. Although it was anticipated that the Yukon Territory would be included in any Federal-Provincial agreement relating to bilingualism in education, both Territories were, in fact, excluded. As a result, the anticipated extra funding for the future expansion of the programme was not made available to this Government. However, the level of financial assistance provided in 1970-71 has continued and we have been able to maintain the second language programme at the level at which it was initiated four years ago.

We were recently asked by the Secretary of State to participate in the Federal-Provincial Programme to promote bilingualism in education. The Federal-Provincial agreements in this area were renewed in March and at that time it was decided to include both Territories in the programme. We were invited to submit a proposal to the Department of the Secretary of State outlining additional programmes that would be implemented with federal funds that might be made available.

After consultation with officers of the Department of Education, it was decided that the federal funds could be utilized to improve our French language programme and to extend our minimal bilingualism programme. A tentative proposal was submitted to the Secretary of State for approval. A copy of our proposal and a five-year budget is attached for your information.

Our proposal has been reviewed and accepted by the Department of the Secretary of State and we have been advised that total funding will be available for our proposed programmes until the end of the 1978-79 fiscal year. Therefore, I would ask this Council to approve our participation in the Federal-Provincial Programme to promote Bilingualism in Education.



J. Smith,
Commissioner.

FEDERAL-PROVINCIAL PROGRAM
FOR BILINGUALISM

Submission prepared by
The Government of the Yukon Territory

May, 1974.

Programs to be Initiated During the 1974-75 Fiscal Year Under
The Federal-Provincial Program to Promote Bilingualism
in Education in the Yukon Territory

1. French Language Co-ordinator

Virtually 100% of the students in Grades 5, 6 and 7 in Whitehorse participate in the Elementary French Language Program which was initiated in 1968. In our rural communities far fewer elementary pupils participate in the program. During the 1973-74 school year, only 70% of the students in Grades 5, 6 and 7 in our rural schools are involved in the program. It should be noted that this figure is variable and depends upon the availability of teachers with an adequate French language background who are prepared to teach other subjects as well as French. The size of our rural schools simply precludes the employment of a full-time French teacher and as a result, our Elementary French Language Program is inequitable - our Whitehorse students are participating in an effective ongoing program whereas our rural students may participate in the program one year and then, because of our inability to employ a suitable teacher, the program is dropped.

To alleviate this situation, we propose to employ a full-time French Language Co-ordinator who will act initially (during the 1974-75 fiscal year) as a researcher and investigate the availability and suitability of a "video-taped" Elementary French Language Program for our rural schools. It is anticipated that the Co-ordinator will visit various school systems now utilizing such programs, assess the programs and recommend to this Government a suitable program for our rural schools. Once a program has been selected and its use implemented, the Co-ordinator will make routine visits to our rural schools to provide individualized instruction where there is a need and also provide in-service training sessions for teachers involved in the program.

In addition to his duties related to the Elementary French Language Program, the Co-ordinator would be responsible for implementing or developing a new French language program at the secondary level. We are finding that our present program is inadequate for those students who have completed the three year Elementary French Language program and modifications to the program or an entirely new course of studies is required for our secondary French language classes.

2. Teacher Exchange Program

To foster an understanding of our French-Canadian culture and to enable our French teachers to live and work for one year in the milieu of that language, we propose to establish a teacher exchange program between Yukon and Quebec. The funds expended under this particular program would be a supplement to a teacher's regular salary, which would continue to be paid by the teacher's employer, to cover removal costs from Yukon to Quebec and vice-versa.

3. Post-Secondary Bursaries

It is proposed that a number of bursaries (worth \$2,000.00 each, plus return air fare) for Yukon Anglophone students who wish to continue their studies in a Canadian Francophone university during the duration of our agreement with the Federal Government will be offered. Bursaries will be available to students in any faculty. Recipients will be required to serve as an assistant to a teacher of English for six to eight hours each week, September through May, at a secondary school close to the university chosen.

4. Student Exchange Program

It is proposed to initiate a program of student travel and/or exchange to French-speaking areas of Canada for senior-secondary students. It will provide students with an opportunity to live for a period in the French milieu and to gain an appreciation of the French Canadian culture.

5. Bursaries for French Language Teachers

It is proposed to initiate a program of bursaries for French language teachers. This will enable teachers of French in our rural schools with minimal qualifications to commence a program of up-grading. It is anticipated that the majority of the bursaries will be offered for university summer school courses.

A five-year budget for the programs which are proposed is attached. It should be noted that no consideration has been given to capital expenditures at the present time. We would request that any allocation of capital funds be deferred until the French Language Co-ordinator has completed his research and determined the equipment requirements.

PROJECT	1974-75	1975-76	1976-77	1977-78	1978-79
1. French Language Consultant (Co-ordinator)					
a) Salary (assuming Class VI Certification - M.A. in Modern Languages)	\$ 21,900.00	\$ 22,995.00 (allowing for 5% increase)	\$ 24,145.00 (allowing for 5% increase)	\$ 25,350.00 (allowing for 5% increase)	\$ 26,600.00 (allowing for 5% increase)
b) Fringe Benefits (7% of gross salary)	<u>1,533.00</u>	<u>1,610.00</u>	<u>1,690.00</u>	<u>1,775.00</u>	<u>1,862.00</u>
Sub-Total - Salary	<u>23,433.00</u>	<u>24,605.00</u>	<u>25,835.00</u>	<u>27,125.00</u>	<u>28,462.00</u>
c) Overheads - secretarial service, supervision @ 10%	2,350.00	2,460.00	2,580.00	2,710.00	2,850.00
d) Travel - French Language Co-ordinator					
i) Out of Territory (researching programmes, attending meetings, etc.)	4,000.00	2,000.00	2,000.00	2,000.00	2,000.00
ii) In Territory	<u>1,000.00</u>	<u>2,000.00</u>	<u>2,000.00</u>	<u>2,000.00</u>	<u>2,000.00</u>
Total Cost for French Language Co-ordinator	<u>30,783.00</u>	<u>31,065.00</u>	<u>32,415.00</u>	<u>33,835.00</u>	<u>35,312.00</u>
2. Teacher Exchange (Equalization Fund)	3,000.00	3,100.00	3,205.00	3,315.00	3,431.00
3. Post-Secondary Bursaries @ \$2,000.00	4,000.00	4,000.00	6,000.00	6,000.00	6,000.00
4. Student Exchange and provision of funds for secondary students to attend French language summer schools	9,000.00	9,000.00	9,000.00	9,000.00	9,000.00
5. Bursaries to enable French language teachers to upgrade their qualifications @ \$800.00 maximum	6,000.00	5,535.00	2,080.00	550.00	-
6. Administrative costs relating to French language education	<u>717.00</u>	<u>800.00</u>	<u>800.00</u>	<u>800.00</u>	<u>800.00</u>
Total Cost All Projects	<u>\$ 53,500.00</u>	<u>\$ 53,500.00</u>	<u>\$ 53,500.00</u>	<u>\$ 53,500.00</u>	<u>\$ 53,543.00</u>

LEGISLATIVE RETURN NO. 1 (1974 Second Session)

25 February, 1974

Mr. Speaker

Members of Council

Old Crow River Bank Stabilization.

On Friday February 22, 1974 Councillor Stutter asked the following question:

"I would like to ask Mr. Commissioner what provisions have been made for the stabilization of the river bank in Old Crow, the Porcupine River bank."

The answer to this question is:

Engineering studies have been carried out to review the alternate methods of providing stabilization. A field survey was carried out late last summer to determine availability of materials and the cost of moving these materials to the river bank.

We have now determined that the best and most economical method is to use river bar material which is available at a short distance from the eroding bank. It is our intention to seek Council approval for funds to undertake this project following the spring of 1974 run-off. If approval is obtained, existing equipment in Old Crow will be utilized for this project.


J. Smith
Commissioner

LEGISLATIVE RETURN NO.2 (1974 SECOND SESSION)

1 March, 1974

Mr. Speaker
Members of Council

On 25 February, 1974 Councillor Chamberlist asked the following question:

It was reported that the contract let to the management consultant firm (investigating the Department of Social Welfare) was let with an undisclosed amount. As all contract amounts are published, would Mr. Commissioner state now what was the amount of the contract - and from what vote it is to be paid.

The answer to this question is as follows:

This management study was entered into with Kates, Peat, Marwick of Vancouver for an estimated cost of \$8,000. plus expenses.

This contract will be paid from Vote 1, Est. 120 Professional and Special Services.


J. Smith
Commissioner

March 11, 1974.

LEGISLATIVE RETURN NO. 3 (1974 SECOND SESSION)

Mr. Speaker

Members of Council

Questions Concerning the Role of
Assistant Commissioner (Exec.)

On February 22, 1974, Councillor Chamberlist asked the following questions:

1. Would you indicate under what authority Mr. Fingland acts in his capacity as Assistant Commissioner?
2. Would Mr. Commissioner also ascertain whether or not the Assistant Commissioner who is appointed, only when he is absent, has the power under the Public Service Ordinance, to act in any other capacity?

The answers are as follows:

1. Mr. Fingland acts in his capacity as Assistant Commissioner under the authority of the Commissioner.
2. The Assistant Commissioner (Executive) has the same power under the Public Service Ordinance as other members of the Executive Committee; he has the same powers as the Commissioner only when the Commissioner is unable to act because of absence, illness or other incapacity.



J. Smith,
Commissioner.

March 7th, 1974.

LEGISLATIVE RETURN NO. 4 (1974 SECOND SESSION)

Mr. Speaker,

Members of Council


Appointment of Advisory Committee
Section 98, School Ordinance -- R. A. Rivett

On Monday, February 25th, 1974 Councillor N. S. Chamberlist asked the following question:

"Under what authority did you issue an order on the 19th of December, 1973, cancelling Councillor Rivett's appointment to the Advisory Committee on Education?"

The following information outlines why the Commissioner's Order dated December 19th, 1973 was prepared.

1. Mr. Rivett was appointed to the Advisory Committee by Commissioner's Order 1970/333 on November 17, 1970.
2. A further appointment was made appointing Mr. Rivett to the Advisory Committee on February 1, 1971 by Commissioner's Order 1971/37. This latter order appointed the whole of the Advisory Committee, with three other members in addition to Mr. Rivett.
3. At the end of that year the same Advisory Committee was appointed, except that Mr. McPhail was appointed instead of Mr. Strong. This Commissioner's Order 1971/426 revoked Commissioner's Order 1971/37, but not Commissioner's Order 1970/333. It was made on December 13, 1971.
4. A further Commissioner's Order was made in 1972 -- Commissioner's Order 1972/17 on January 21, 1972. This order revoked Commissioner's Orders 1971/37 and 1971/426 and again reinstated the Committee, the change being the substitution of Mr. K. Martin for Mr. A.I. Guttman.
5. In 1973, apparently in an ongoing attempt to tidy up various Commissioner's Orders and appointments, Commissioner's Order 1970/333 was discovered and Commissioner's Order 1973/466 of December 19, 1973 revoked the appointment made under that order. Therefore, all the order did was to revoke the appointment made under Commissioner's Order 1970/333, and since the appointments made under Commissioner's Orders 1971/37 and 1971/426 had already been revoked, the substantive appointment of Mr. Rivett made by Commissioner's Order 1972/17 continued in full force and effect and is still in effect.


J. Smith,
Commissioner.

March 4, 1974

Mr. Speaker,
Members of Council

During the 1974 First Session, Councillor McKinnon asked what progress has been made in halting the proliferation of highway signs and if a policy for 1974 and future years has been formulated.

The answer is as follows:

At the present time, the Highway Signs Regulations established pursuant to the Motor Vehicle Ordinance (Commissioner's Order 1959/52, amended by C.O. 1973/227) prohibit erecting any commercial sign between mileposts 912 and 925, and between mileposts 630 and 640, on the Alaska Highway. Last summer and fall, all commercial signs were removed from the highway right-of-way in these areas, with the exception of those signs located at highway business establishments. Signs erected in the prohibited zones since that time are illegal. There are several commercial signs located on private property immediately adjacent to the highway right-of-way. These are visible from the highway but are legal.

The program to control advertising on Yukon highways as proposed by Council will be implemented in two phases during 1974. First, highway Rest Stops will be constructed at Watson Lake and Whitehorse in order to provide an opportunity for businesses located in these communities to advertise their premises. Second, commercial signs located on all Yukon highways will be replaced by standard highway information signs which will inform travellers that food, lodging or gasoline is available at a given location. At an appropriate time, the provisions of the Highway Signs Regulations will be extended to cover all Yukon Highways. Subject to an evaluation of the 1974 activities, construction of Rest Stops will be expanded in future years to include all municipalities and LID's in the Territory.



F. B. Fingland
Assistant Commissioner (Executive)

October 4, 1973.

Mr. Speaker

Members of Council

Yukon Fire Insurance Premiums

On February 22, 1973, Motion No. 9, moved by Councillor Taylor, seconded by Councillor McKinnon, was passed by Council as follows:

That the Administration endeavour to obtain from the Joint Insurance Underwriters complete details and reasons for the 25% surcharge levied on Yukon Fire Insurance Premiums.

On February 28, 1973, Legislative Return No. 12 was tabled indicating no firm answers, but a continued follow-up by the Administration and report to Council at the earliest possible moment.

By letter of September 28, 1973, the Canadian Underwriters Association advise that a review of classification and rates for the City of Whitehorse is now complete with revised rates to be effective immediately. These rates indicate no change or a downward trend for all areas of the City except Porter Creek and Crestview. While comparisons on all classifications are not practical, examples given were a reduction from \$135.00 to \$118.00 per annum for a \$30,000 homeowner policy in Riverdale, and a reduction of approximately 7% for unsprinklered commercial properties in the downtown and industrial areas of the City.

Porter Creek and Crestview rates are slated to increase as a result of these areas being more than five miles from a municipal fire hall. Efforts are being made to have these rates reviewed again with a view to reduction if possible.

All other areas of the Yukon are currently under study by Canadian Underwriters' Association. Details will be made available to you as soon as they are received.



M. E. Miller,
Member,
Executive Committee.

LEGISLATIVE RETURN NO. 7 (1974 SECOND SESSION)

2 October, 1973

Mr. Speaker

Members of Council

On December 8, 1972 Territorial Council passed
Motion #9 which reads as follows:

"Whereas: A Report on the financial
and related consequences for the
City of Whitehorse of City enlargement
and new Municipal Aid Ordinance has
been prepared by the Eric Hardy
Consulting Co and;

Whereas: The report concludes after
examination of the facts that from a
dollar and cents viewpoint alone,
expansion of the City's boundaries to
the metropolitan limit was clearly
not in the City of Whitehorse's
interest, and;

Whereas: The Commissioner of the
Yukon has acknowledged "that some
problems will only come to light after
events have been set in motion by a
decision" but that "with good faith no
specific problems of implementation
will prove insurmountable."

Now be it resolved that:

A Committee be struck, representing
both the City of Whitehorse and the
Territorial Government, to study the
first financial year of operation of
the newly amalgamated City of Whitehorse,
after the City has submitted a financial
statement for 1972, and prepared its
provisional budget for 1973. The
committee to make recommendation
concerning the Hardy Report and the
Oliver Report."

A committee comprised of the following members was
selected by the Government of the Yukon and the City of
Whitehorse to deal with this motion:

R. L. Ardiel	-	City Treasurer
R. L. Byron	-	City Manager
W. A. Bilawich	-	Director of Local Govt.
M. E. Miller	-	Territorial Treasurer.

Meetings commenced on April 26, 1973 and were held on successive Thursdays thereafter.

No attempt was made by the committee to study the full financial operations of the City as divergency of opinion varied greatly among members as to financing methods, charges for services provided, etc.

The committee agreed to review the Hardy Report in its entirety and to attempt solutions to the recommendations contained therein. Results of the committee's meetings, while not being fully decisive in all matters raised by Hardy, did create a forum for dialogue which proved to be valuable in our relationship with the City administration. They also provided an opportunity for the City and YTG administrations to define more precisely some of the problem areas which have not as yet been resolved.

The following points raised in the Hardy Report have been substantially cleared up as a result of these meetings:

1. Land use planning and control - it was made clear that the City has the responsibility for land use planning and control within the City boundaries, and it was further brought to the City's attention that the Government has a policy of financial support for planning purposes.

It was also agreed that all usable gravel pits within the City limits would be transferred to the control of the City. Legal procedures are now in process to effect this transfer and we are preparing copies of our regulations regarding control of gravel pits for the City's use in drafting appropriate by-laws.

2. Squatters - it was agreed that the squatter problem within the City of Whitehorse was a City responsibility, however, YTG was attempting to assist in this matter by providing Low Rental Housing, and that we would, if the opportunity arose, provide the City with some assistance in the way of relocating or demolishing buildings of a squatter nature.
3. Parks and Recreational facilities - it was made clear to the City that funds for Municipal Parks and Recreation purposes are included in the unconditional per capita grant made to the City. It was, however, recognized that because of the City of Whitehorse being the capital city of the Yukon, we would entertain any proposals brought forward by the City in the way of beautification projects and that assistance would be provided as and when we are able to do so. It was, however, made clear to the City that this would not be handled on a piece-meal basis but that it must be part of an overall plan.

Discussions were also held regarding campgrounds and the litter barrel pick-ups within the City boundaries. It was felt that if the City wanted this responsibility that arrangements could be made to effect transfer of these items. Funding would probably be available to the City at the same level currently expended by YTG.

4. South Access and Chadburn Lake Roads - the areas to be maintained have been defined to the City and this was concurred with by the committee. The City suggested that possibly the government should take over maintenance of further sections leading up to these cut-off points, however, our position must be that while we would be willing to maintain them for the City, it would have to be on a cost recovery basis. Details of this were left to be worked out between the City and the Director of Highways and Public Works.
5. Escarpment - the question of the escarpment problem is already under discussion between the City and YTG, with YTG being prepared to take the co-ordinating role in dealings between the City and any federal department, or vice versa.
6. Fire Protection - the problem raised by Hardy in his report on page 16 has been satisfactorily resolved between the City and the Yukon Forest Service.
7. Rights-of-way, Land use, etc. - it was agreed that this would be a City responsibility, however, if they needed assistance in this matter, we would be happy to provide any outside input and dialogue that was required.
8. Capital Works within the City - it was agreed by committee that the engineering study funded by YTG would identify the capital work needs and that a capital aid program would be developed based on this study.
9. Ambulance Service - it was agreed that this service should remain the responsibility of YTG for the foreseeable future.
10. Territorial Grant in lieu of Taxes - it was agreed that while Hardy felt that there were insufficient funds available to the City, that the existing financial arrangements did not allow the committee to deal with this matter in a satisfactory way. It was also agreed that in our handling of the grant in lieu of taxes on Territorial properties that there were certain properties that were not included in the schedule which should be subject to grant in lieu of taxes. This item has since been corrected.
11. Population figures - much discussion centred around the population estimates used by Hardy in his report. As these population figures were of considerable importance to Hardy's comments regarding per capita grants and grant in lieu of taxes on a population basis, considerable checking has subsequently taken place in regard to these population figures, and they have been found to be substantially correct. It can, therefore, be concluded that Hardy's figures on a per capita basis are based on substantially accurate population figures, with the only unresolved problem being what is included in the figures, particularly where reference is made to

comparisons between other jurisdictions and the City of Whitehorse. The major problem foreseen in that area is the question of how things are accounted for and what is included in other City and Provincial figures as compared to what the City of Whitehorse is responsible for.

12. Unconditional Grants subject to bouyancy factor - the committee agreed that the limitations imposed by a fixed status of the grant, while maybe not acceptable to the City, it was, however, better than a fluctuating grant with no meaning to it. It was indicated to the City that study was being given to some suitable growth factor, however, this was contingent on us finding some logical and acceptable method whereby our population figures could be adjusted on an annual basis.
13. Assessments - the City agreed that YTG's undertaking of the total Territorial Assessment was fair and equitable, however, they felt that they should have some input into when the assessments were carried out. The City asked that a general assessment be carried out on the basis of one third of the City being done each year, rather than following the past practice of a general assessment every five years. Study is being given to this suggestion.
14. Policing - the City was concerned that they were going to have to increase their enforcement of by-law regulations and subsequently their by-law enforcement department would have to be expanded. It was pointed out that the RCMP would do certain municipal by-law enforcements on a cost recovery basis. The City was advised that they could discuss this with the local RCMP and if they needed any assistance in this matter, that we would be pleased to assist them.
15. Public Health - it was agreed that such a program was beyond the means of the City but a review of the degree of inspection and enforcement might very well be undertaken by the City Council. It was agreed that if the City felt there were problems in these areas we would attempt to co-ordinate them with National Health and Welfare.
16. Social Welfare - it was agreed that this should be a continuing responsibility of the YTG.
17. Public Library Services - it was agreed that YTG should continue this service, however, some concern was raised by the City that they may require assistance in the continuing and larger development of the museum service now provided by the Yukon Historical Society. It was their general consensus that this museum might outgrow the ability of the Historical Society to operate and that the City might have to provide some financial input into this, particularly in the way of maintaining the physical facilities.

18. User Charges - it was agreed that it was up to the City as to how they raise revenues. Discussions took place on comparative water costs in other Yukon municipalities and it was agreed that the City should give consideration to a water rate increase to recover a more reasonable portion of the costs of providing this service.
19. Capital Budgeting - the current engineering study being carried out would provide a solid base for a five year capital forecast, which would allow both the City and ourselves to deal with the question of capital expenditures on a more logical basis.
20. Business Tax - it was agreed that the City of Whitehorse should investigate imposing a Business Tax. The City has undertaken to do this investigation and present the results to their own Council.
21. Increase in limit on capital expenditure from current funds - inasmuch as the interpretation of Section 82 of the Municipal Ordinance was part of a legal action before the Courts, this recommendation was not discussed.
22. Property Tax Credit Plan - it was pointed out that this item was currently beyond YTG's control. However, some study has been undertaken on this form of assistance, but the complexities are such that considerably more work is necessary before any further action is possible.
23. Mill rate differences between old City and urban areas added - a study is underway by the City concerning providing a mill rate difference between areas within the City. It was noted by the committee that differences already exist in the assessment procedures which downgrade assessments by a percentage differential dependent on how far a property is situated from the old City.
24. Territorial/City Relations - it was agreed that continued dialogue would provide a useful means of improving these relations. It was further felt that a defined policy by YTG would also assist in this matter. This policy is being developed and will be released to all municipalities and L.I.D.'s when available.



M. E. Miller
Member, Executive Committee.

LEGISLATIVE RETURN NO. 8 (1974 SECOND SESSION)

January 11th, 1974

Mr. Speaker,
Members of Council

On July 30, 1973, the following question was asked by Councillor Stutter:

"Might I ask the Commissioner if at the time that negotiations of the power line (to the Dawson airport) that any other company, or any other party, other than the N.C.P.C. were contacted with a possible view of getting a lower rate than the 15¢ per kilowatt hour?"

The answer is that no other company was approached on this matter because N.C.P.C. is the only power company operating in the Dawson area.



M.E. Miller,
Member, Executive Committee

December 13, 1973

LEGISLATIVE RETURN NO. 9 (1974 SECOND SESSION)

Mr. Speaker,
Members of Council

On Monday, July 23, 1973, Councillor Tanner asked the following question:

Could the Commissioner inform the House whether the Executive Committee or any part of the Administration have had any conversation with C.M.H.C. with reference in particular to obtaining C.M.H.C. mortgages in Porter Creek and whether the Executive Committee through the City Administrator will be prepared to forward a letter to C.M.H.C. stating that the water and sewer system should be brought into Porter Creek and therefore obtain C.M.H.C. mortgages?

The answer to this question is as follows:

The Department of Local Government had discussed this question with C.M.H.C. on several occasions during 1973. The problem has been solved with the recent announcement that C.M.H.C. mortgages will be approved for housing in Porter Creek based on the City of Whitehorse's written assurance to C.M.H.C. that the Porter Creek Subdivision would be serviced with water and sewer.



M.E. Miller

Member, Executive Committee

December 13, 1973

LEGISLATIVE RETURN NO. 10 (1974 SECOND SESSION)

Mr. Speaker,
Members of Council

On Thursday, July 26, 1973, Councillor McKinnon asked the following question:

I wonder if Mr. Commissioner would be prepared to tell the House how many people were approached to act as Advisor for the City of Whitehorse prior to the acceptance of those five who are now acting as Advisors to the Administrator of the City of Whitehorse?

The answer to this question is as follows:

Eight persons were approached to act as Advisors to the City Administrator of whom five accepted the appointment as Advisor.



M. E. Miller
Member, Executive Committee

February 28, 1974

Mr. Speaker,
Members of Council

During the 1974 First Session, Councillor McKinnon asked the following question:

"It seems to me that a very serious charge has been levelled against the Government by the Consumers' Association which says that the Government flatly refuses to enforce the terms of the Consumer Protection Ordinance. I wonder if Mr. Commissioner would care to comment on this?"

The answer is as follows:

When the Consumer Protection Ordinance was enacted by the Council, it was the policy of the Government that the Ordinance was enacted to lay down certain guidelines for retailers dealing with their customers, particularly in the area of credit sales. Provision was made in the Ordinance for remedies available to consumers where breaches of the Ordinance occurred which put purchasers or borrowers at a disadvantage. In addition, statutory warranties became available to purchasers of goods by retail and restrictions were placed upon sellers in various ways which might put purchasers at a disadvantage.

In accordance with the Government's declared policy, the Ordinance differs considerably from similar laws in the Provinces as there is no provision for any administration of the Ordinance or enforcement of penalties by the Government.

If the Council desires a change in the policy, I am willing to have a paper brought forward indicating what legislative changes are required and what financial provision would be necessary to carry out these further duties.



F. B. Fingland
Assistant Commissioner (Executive)

February 25, 1974

Mr. Speaker,
Members of Council

On February 22, 1974 Councillor Stutter asked the following question:

"Mr. Speaker, I would like to ask the Commissioner a question. First of all I would like to make a statement. About 18 months ago, and possibly a little longer, Council was told that the Administration was working on a paper concerning disposable or non-disposable bottles in the Territory. I would like to ask if that paper is to be presented to Council in the near future.

The answer is as follows:

The littering of roads by non-returnable bottles is a part of the larger problem of environmental pollution in the Yukon.

An internal administrative study is presently underway to identify the areas of concern that should be included in new legislation required to control these problems.

Administrative policy will be determined and legislation will be drafted for your consideration by the end of 1974.



M.E. Miller,
Member, Executive Committee.

LEGISLATIVE RETURN NO.13 (1974 SECOND SESSION)

13 March, 1974

Mr. Speaker,

Members of Council

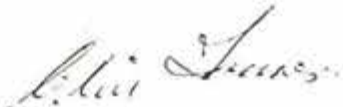
On February 25, 1974 Councillor Chamberlist asked the following question:

"It was recorded that Councillor Tanner had indicated the reason for the management business consultants being called into the Welfare Department and to quote the words that he used as was reported, that he knows "...of twelve different agencies visiting one family." I would ask Councillor Tanner to name these twelve different agencies."

The answer is as follows:

The family that I have in mind is resident in the Indian Village and the following agencies have been involved over the past two or three years:

1. R.C.M.P.
2. Indian Affairs
3. Probation Officer
4. Child Welfare Officer
5. Department of Education
6. Public Health Nurse
7. Social Assistance Officer
8. Health Inspector
9. Alcoholism Consultant
10. City By-law Enforcement Officer
11. Unemployment Insurance Office
12. Yukon Family Counselling Service



Clive Tanner,
Member, Executive Committee

March 21, 1974.

Legislative Return No. 14 (1974 Second Session)

Mr. Speaker

Members of Council

During the 1974 Second Session, Councillor Chamberlist asked the following questions:

Mr. Speaker, I have a series of questions which I would be satisfied if Mr. Commissioner will provide a written answer to. Mr. Commissioner, these questions deal with the appointment of Mr. Merv Miller to the Executive Committee. The questions are as follows:

1. Was an internal competition held for the job?
2. Were senior civil servants given consideration?
3. Did Mr. Miller apply in the competition?
4. On what grounds were the legitimate applicants rejected?
5. When and how was the competition terminated?
6. If Mr. Miller did not apply and the competition was terminated, how did he receive the appointment?
7. Was Mr. Miller given the job on a contractual relationship with YTG?
8. In any event, how could he be appointed when Mr. Fleming was still in that position but on sick leave?

The answers are as follows:

1. Yes
2. Yes.
3. No.
4. The applicants were not rejected. The competition was terminated.
5. Effective September 18, 1973, by notice in writing to all candidates.
6. By letter from the Commissioner.
7. No.
8. The position was vacant effective July 2, 1973.


J. Smith,
Commissioner.

LEGISLATIVE RETURN NO15(1974 SECOND SESSION)

March 26, 1974

Mr. Speaker,
Members of Council

During the 1974 Second Session, Councillor Taylor asked the following question:

"Yes, Mr. Speaker, I would like to give Notice of Motion for the Production of Papers that the Administration provide Members of Council with all information relative to proposed campground and recreational areas throughout the Territory as referred to in the February Newsletter, to Council, including the size and location of such areas.

The answer is as follows:

It is assumed that the question refers to the January newsletter, and lands referred to in that Newsletter are as follows:

<u>AREA</u>	<u>ACREAGE</u>	<u>PURPOSE OF RESERVE</u>
1. Moose Creek	1050	Campground extension
2. Tagish	551	Campground extension
3. Kluane Lake (MP 1070)	640	Campground site
4. Dempster Highway (MP 153)	160	Campground site
5. Kusawa Lake Road intersection	157	Access road to park area
6. Ethel Lake Road intersection	600	Access road to park area
7. Babbage River Falls	10,240	Recreational reserve
8. Firth River	1,600 sq.mi.	Recreational reserve
9. Tombstone Mountain	126 sq.mi.	Recreational reserve
10. Herschel Island	43 sq.mi.	Historical park reserve



F. B. Fingland
Assistant Commissioner (Executive)

LEGISLATIVE RETURN NO. 16 (1974 SECOND SESSION)

26 March, 1974

Mr. Speaker

Members of Council


Northern Canada Power Commission Power Plant

On March 21, 1974 Councillor McKinnon asked the following questions:

"Mr. Speaker, I would like to direct a question to Mr. Commissioner about one of the paragraphs in his Opening Address. I think it is probably one of the most important paragraphs in the Address that he gave yesterday, it is on page seven, "In the field of electrical power, the Territory has received information that the Northern Canada Power Commission is initiating a major power study to assess the potential and plan the development of suitable sites to meet Yukon's power needs over the next two decades." I wonder, Mr. Speaker, whether Mr. Commissioner is willing to give dates and times and what size of power plant that the N.C.P.C. is looking for, how long they feel it will be until a major power development is developed, whether there is actually a commitment now from N.C.P.C. to find a major generating facility in the Yukon that will supply the Yukon's needs in the foreseeable future?"

The answer is as follows:

The power study to be undertaken by N.C.P.C will determine precisely the answers to the questions raised. Until such time as the study is complete, no further information will be available regarding this item. We can only assume that the undertaking of N.C.P.C. to do this study will lead to a major power development somewhere in the Territory.



G. Smith
Commissioner

LEGISLATIVE RETURN NO. 17 (1974 SECOND SESSION)

26 March, 1974

Mr. Speaker

Members of Council

Robert Campbell Bridge.

On March 20, 1974 Councillor Chamberlist asked the following question:

"Mr. Speaker, before the signing of the last contract, did you consult with the City of Whitehorse in this matter. The information I have was that you advised the City of Whitehorse that you had signed the contract. Now, is that correct or is that incorrect?"

The answer to the question is as follows:

Discussions were held between members of the Administration and members of both City Council and the City Administration prior to the contracts being signed.



J. Smith
Commissioner

LEGISLATIVE RETURN NO. 18 (1974 SECOND SESSION)

March 26, 1974.

Mr. Speaker

Members of Council

Instructions of the Minister on the Executive Committee

Councillor Chamberlist asked the following questions:

1. With those instructions of the Minister on the Executive Committee, were they written or oral instructions?
2. If they were written instructions, are you prepared to table for Members of Council a copy of those written instructions?

The answers are as follows:

1. Written.
2. No.



J. Smith,
Commissioner.

LEGISLATIVE RETURN NO. 19 (1974 SECOND SESSION)

March 26, 1974.

Mr. Speaker

Members of Council

Councillor Chamberlist asked the following questions:

1. Who authorized you to issue C. O. 1970/2 in the method in which you will be responsible for the management and direction of the elected members of Council to the Executive Committee?
2. Under what statutory authority does Mr. Commissioner find the authority to appoint an administrative executive?
3. Where does the Commissioner get his statutory authority?
4. Under what sections of the Public Service Ordinance does Mr. Fingland or any other member of the Executive Committee have any power?

The answers are as follows:

1. The Minister of Indian Affairs & Northern Development.
2. The Yukon Act.
3. Same as 2.
4. Section 3.


J. Smith,
Commissioner.

March 27, 1974.

Mr. Speaker

Members of Council

Councillor Chamberlist asked the following question:

Would Mr. Commissioner indicate why if the position was effective July 2nd, 1973, was the Commissioner's Order revoking Mr. Fleming's appointment not made until October 4th, 1973?

The answer is as follows:

There are two appointments involved. One is to a position established under the Public Service Ordinance. The other is an appointment to the Executive Committee. Cancellation of the latter appointment followed as a result of the Public Service position being vacated.



J. Smith,
Commissioner.

LEGISLATIVE RETURN NO. 21 (1974 SECOND SESSION)

28 March, 1974

Mr. Speaker

Members of Council

On March 25, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, I have a question I would like to direct to Mr. Commissioner and its almost every session I do ask this question for the purposes, I think, that all members and Mr. Commissioner would appreciate. I am wondering if as yet the Administration have received or granted any applications from the White Pass & Yukon Route or to the Canadian National Railroads for land upon which to place railroad yards in the Carmacks area."

The answer is as follows:

No applications have been received or granted to White Pass & Yukon Route or Canadian National Railroad.



J. Smith
Commissioner

Legislative Return No. 22 (1974) Second Session

March 29, 1974.

Mr. Speaker

Members of Council

Councillor Chamberlist requested a written reply to the following question asked by Councillor Stutter:

Is it the intention of the Administration to call another session of Council between this one and the Fall session, or the election I should say?

The answer is as follows:

Yes.



F. B. Fingland,
Administrator.

LEGISLATIVE RETURN NO. 23 (1974 SECOND SESSION)

1 April, 1974

Mr. Speaker
Members of Council

Royalties on Production and Export of
Petroleum and Natural Gas.

On March 27, 1974 Councillor Taylor asked the following question:

"My third question, would the Administration provide Council with information as to the total amount of revenue paid or owing to the Federal Government in respect of royalties on production and export of petroleum and natural gas in the Yukon Territory."

Total amount of revenue accruing to the Federal Government in respect of oil and gas are as follows:

	<u>1971-72</u>	<u>1972-73</u>
Permit Fee	-	750.00
Transfer Fee	410.00	-
Lease Fee	85.00	2,950.00
Rentals	120,688.25	458,756.50
Royalties	11,036.23	25,750.74
	<u>132,219.48</u>	<u>488,207.24</u>


J. Smith
Commissioner

LEGISLATIVE RETURN NO. 24 (1974 SECOND SESSION)

1 April, 1974

Mr. Speaker
Members of Council

Revenue from Income Tax, Corporation Tax.

On March 27, 1974 Councillor Taylor asked the following question:

"My second question, would the Administration provide Council with information as to the total amount paid or owing to the Federal Government in respect of fiscal years 1971/72 and 1972/73 from all sources attributed to the Yukon Territory in respect of (a) Income Tax (b) Corporation Tax."

The precise answers to these questions are not as yet available from the Department of National Revenue, however, we do have estimates prepared by the Department of Finance for the fiscal years 1972/73 and 1973/74.

1972	Personal Income	Yukon Basic Tax	= \$10,406,000
1972	Corporate Income	" " "	= 5,649,000
1973	Personal Income	" " "	= 13,240,987
1973	Corporate Income	" " "	= 6,649,000

The Income Tax Abatements applicable to the Yukon are Personal Income 30% of basic tax and Corporate Income 10% of basic tax. Applying these abatement percentages, the Income Tax Abatement available to the Yukon are:

1972	Personal Income Abatement	\$3,122,000
	Corporate Income "	<u>565,000</u>
		3,687,000
1973	Personal Income Abatement	3,972,296
	Corporate Income . "	<u>664,900</u>
		4,637,196.


J. Smith
Commissioner

LEGISLATIVE RETURN NO. 25 (1974 SECOND SESSION)

29 March, 1974

Mr. Speaker

Members of Council

On March 27, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, I believe it was about a year ago I asked a question of Mr. Commissioner respecting the Village of Faro and the Municipal Aid Grant pointing out to him that the Municipal Aid Grant was based upon, I believe, 863 people. I pointed out that indeed there are some 1200 to 1300 people now in Faro. At that time I was told that steps were being taken to correct this situation. I am wondering if Mr. Commissioner, a year later now, could tell me what steps have been taken to correct this statement?

I am wondering if he could assure me that the Grant will be based on at least 1200 people this year?"

The answer is as follows:

The Government has considered various other methods to determine populations in Municipalities for the purposes of administering the Municipal Aid Ordinance. We have not as yet been able to find any other method which would correlate to an official census which might be carried out by Statistics Canada.

The Municipal Aid Grants for all Municipalities for the budget year 1974/75 are based on the last official Statistics Canada census figures.



J. Smith
Commissioner

April , 1974

Mr. Speaker,
Members of Council

On March 21, 1973, Councillor Taylor asked the following question:

"Mr. Speaker, this morning were tabled the regulations. A very great multitude which seemed to emanate out of this Administration, this Legislation by regulations business. I have a question related to three of these. One is the Hospital Insurance Services Ordinance, Commissioner's Order 1974/18 whereby the Administrator's report of Hospital Insurance Services for each calendar year shall be filed with the Commissioner's office. The report shall be tabled in Council at the ensuing Session of Council. The Commissioner's Order 1974/17, Yukon Housing Corporation Ordinance, an annual report. Again, this shall be tabled at Council at the next ensuing Session of Council. And the one that intrigues me the most is Commissioner's Order 1974/19, respecting the Yukon Health Care Insurance Plan for each year ending March 31st shall be filed in the Commissioner's office no later than December 31st of that year. I would like to know why the Administration, Mr. Speaker, do not wish the Council of the Yukon Territory to have this information before them as in all these other areas?

The answer is as follows:

Commissioner's Orders 1974/18, 1974/17 and 1974/19 were drafted in consultation with the Department Heads to ensure a due date for annual reports required by the Ordinances.

Commissioner's Order 1974/19 concerning the Health Care Insurance Plan report was drafted pursuant to s.7(1) of the Health Care Insurance Plan Ordinance which states,

"7(1) The Administrator shall make an annual report to the Commissioner respecting the administration of the Plan."

The effect of the Order is to set a time for receipt of the report and does not alter the intent of the Ordinance.

Commissioner's Order 1974/18 deals with the report to be made pursuant to s.8(1) of the Hospital Insurance Service Ordinance. Section 8(1) states:

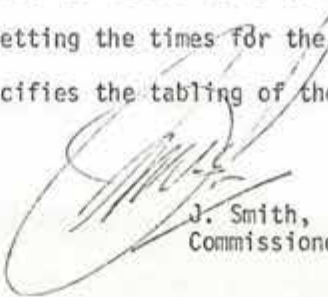
"8(1) The administrator shall make an annual report to the Commissioner respecting the administration of the Hospital Insurance Plan and the report shall be tabled at the Session of Council next following the making thereof."

Commissioner's Order 1974/17 deals with the report to be made pursuant to Section 19 of the Housing Corporation Ordinance. Section 19 states:

"19(1) The corporation shall annually, after the end of its fiscal year, prepare a report showing the revenues, expenditures and activities during its last fiscal year, together with
(a) an audited financial statement, and
(b) such other information as the Commissioner may require.

19(2) The Commissioner shall table a copy of the report at the next ensuing Session of the Council."

The Housing Corporation Ordinance and the Hospital Insurance Service Ordinance specify that the report is to go to Council. The Commissioner's Orders setting the times for the receipt of the annual reports also specifies the tabling of the report.



J. Smith,
Commissioner.

LEGISLATIVE RETURN NO. 27 (1974 SECOND SESSION)

3 April, 1974

Mr. Speaker

Members of Council

Main - Steele Lots

On March 20, 1974 Councillor Chamberlist asked the following question:

"Mr. Speaker, to Mr. Commissioner, the Mainsteele Lots have been under discussion now by both Territorial and City Council for some two years. It was understood, while I was at a meeting, sitting in on a meeting of the City Council, that recommendations have been made by the City Council that Mr. Commissioner does not approve the By-law but recommends that he takes the position that a plebiscite be called. This is a prerogative of the Commissioner. Would the Commissioner indicate whether he will comply with the wishes of the City of Whitehorse and have a plebiscite on this particular matter?"

The answer is:

The City of Whitehorse have, pursuant to section 75 of the Municipal Ordinance, given first and second reading to Bylaw 415 and have, pursuant to section 76 of the Municipal Ordinance, made application to the Commissioner for approval of the loan.

The Commissioner has, pursuant to section 76 of the Municipal Ordinance and in accordance with the request from City Council, approved the loan and requested that the Bylaw be submitted to a special vote of the taxpayers.



J. Smith
Commissioner

LEGISLATIVE RETURN #28 (SECOND SESSION) 1974

April 5, 1974

Mr. Speaker

Members of Council

On April 1, 1974 Councillor McKinnon asked the following question:

"Mr. Speaker, I would like to ask Mr. Commissioner whether there were any changes asked for by any of the Municipalities in the Municipal Ordinance for this session of Council."

The answer to the question is as follows;

No council of any municipality has officially asked for changes in the current Municipal Ordinance.


J. Smith
Commissioner

March 29, 1974.

LEGISLATIVE RETURN NO.29 (Second Session) 1974

Mr. Speaker

Members of Council

On Tuesday, March 27, 1974, Councillor Stutter asked the following question:

I have a two part question and hopefully the Commissioner could answer the first one orally and the second one I would be quite willing to receive a written answer. That is, first of all do libraries throughout the Territory receive the Yukon Territorial Government Newsletter and secondly, may I have a copy of the mailing list of those who receive them.

The answer to the second question is as follows:

The purpose of the Newsletter is to provide information about the operations of the Territorial Government on a monthly basis to Council Members, heads of Federal and Territorial Agencies in the Yukon, the Minister of Indian Affairs & Northern Development and the Member of Parliament for the Yukon. Copies are also sent to the Territorial Agents and to Yukon House. Upon request they have also been made available to other agencies such as the Arctic Institute of North America and the Dawson City Library. The format of the Newsletter is presently under review, and a draft copy is attached. The possibility of wider distribution is being considered in conjunction with the change in format.



J. Smith,
Commissioner.

10 April, 1974

Mr. Speaker,

Members of Council

On March 29, 1974 Councillor Taylor asked the following question:

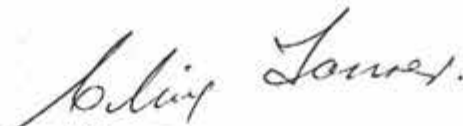
"Would the Administration provide Council with information as to in-patient and out-patient case load at the Watson Lake Cottage Hospital including the number of referrals to Whitehorse or other hospitals for the fiscal years 1971-72, 1972-73 and 1973-74".

The answer to the question is as follows:

Hospitals operate on a calendar year (January 1 - December 31) and their statistics are compiled on this basis.

<u>In-patients</u>	1971		1972		1973	
	A&C	NB	A&C	NB	A&C	NB
In hospital Jan 1	3	2	2	-	2	1
Admissions	226	21	200	22	169	14
Separations	227	23	200	21	170	14
In hospital Dec.31	2	-	2	1	1	-
Patient days	664	107	527	99	440	65
<u>Patient days by responsibility for payment</u>						
Y.H.I.S.	442	70	390	91	298	53
W.C.B.	1		8		9	
Non-residents	221	37	129	8	133	12
<u>Out-patients</u>						
Total visits	4086		3813		3589	

The number of referrals, if any, to Whitehorse General Hospital or other facilities are not isolated in the statistical returns. It would be possible to determine this by detailed examination of the actual Watson Lake Hospital records, which are kept at the hospital, but it will take some time to obtain if the member thinks it necessary.



Clive Tanner,
Member, Executive Committee

March 27th, 1974.

LEGISLATIVE RETURN NO. 31 1974 (SECOND SESSION)

Mr. Speaker

Members of Council


Appointment of Deputy
Superintendent of Schools

On Friday, March 22nd, 1974 Councillor Chamberlist asked the following questions:

1. Who is the Deputy Superintendent of Schools?
2. Was there ever an appointment made pursuant to the School Ordinance that Mr. Ferbey or anybody is Deputy Superintendent of Schools?

In my initial reply, I stated "Mr. Speaker, I believe Mr. Ferbey is the Deputy Superintendent." On investigating the matter, I find that there has not been a member of the Department of Education officially designated as Deputy Superintendent of Schools. Various departmental officials have acted as Deputy Superintendent at different times depending upon the designation made by the Superintendent. Since August 1972 Mr. Ferbey has in most cases acted unofficially as Deputy Superintendent, although on a number of occasions Mr. Ferguson has acted in this capacity.

Mr. John Froese was appointed as Deputy Superintendent on April 1, 1966. His appointment was revoked on July 1, 1967.


Hilda P. Watson,
Member,
Executive Committee.

April 5, 1974

Mr. Speaker
Members of Council

On Friday, March 22, 1974 Councillor McKinnon asked the following question:

- 1) "I would like to ask Mr. Commissioner whether requests and decisions made by the resource people under the Land Use Regulations in the Northern Canada Inland Water Act, whether these come to the attention of the Commissioner, whether they come to the attention of the Executive Committee and whether the requests and the decisions could also be made available to all Members of Council?"

The answer is as follows:

- 1) Land Use Applications and Permits which are granted are recorded in a register which is available for public inspection.
- 2) Water Use Applications and Licenses and Authorities issued are likewise recorded in a register. This register is available for public inspection. Public Hearings are held on major projects.
- 3) Dredging Lease Applications and Leases granted are on open record in the office of the Supervising Mining Recorder. Any Lease granted is now being granted subject to the Territorial Lands Act and the Northern Inland Waters Act.


J. Smith
Commissioner

LEGISLATIVE RETURN #33 (1974 Second Session)

16 April, 1974

Mr. Speaker

Members of Council

Royalty Revenue on Mine Production

On the 27 March, 1974 Councillor Taylor asked the following question:

"Would the Administration provide Council with information as to the total amount of Royalty Revenue on Mine Production, paid or owing the Federal Government respecting the fiscal years 1971/72, 1972/73, and 1973/74 in respect to the following Companies: Whitehorse Copper Mines, United Keno Hill Mines, Clinton Creek Asbestos and Anvil Mining Corporation."

The answer is:

Total Royalties paid by all Companies in the Yukon are as follows:

1970	\$ 62,286.
1971	387,641
1972	768,471

Royalty returns for 1973 production are not as yet complete.


M. E. Miller
Assistant Commissioner

April 17, 1974

Mr. Speaker

Members of Council

On April 2, 1974, Councillor McKinnon asked the following question:

I was interested in noting under the Regulations appointments pursuant to the Mining Safety Ordinance that we have appointed as Environmental Inspector a Mr. Patrick from Yellowknife. Now, in the Budget of the Yukon Territory for the Fiscal Year 1974-75, I think we have something like 37 new civil service positions. We still haven't got enough? We have to go over to the Northwest Territories to look for some Environmental Inspector pursuant to our Mining Safety Ordinance?

The answer is :

The Department of Indian Affairs and Northern Development recently appointed Mr. A. N. Patrick to the position of Environmental Control Engineer to conduct ventilation surveys and studies of mine atmospheres at all mining operations in the Yukon and Northwest Territories. Since he does carry out inspections in the Yukon mines he was appointed an Inspector (Environmental) under the provisions of the Yukon Mine Safety Ordinance. He lives in Yellowknife.

Similarly the Department of Indian Affairs and Northern Development appointed Mr. M. Bond to the position of Electrical-Mechanical Engineer to carry out inspections of the electrical and mechanical equipment at all mines in the Yukon and Northwest Territories. He resides in Whitehorse.

Only one man was appointed to cover both Territories in each position as there would not be enough work to keep two men occupied.



F. B. Fingland
Administrator

April 17, 1974.

Mr. Speaker

Members of Council

On April 1, 1974, questions were asked in the House concerning the new applications for Liquor Licences, especially in the area of the Government requesting information as to the applicants having any convictions under any Act or By-Law.

Prior to drawing up the new application forms, extensive information was obtained from the Provincial Liquor Commissions of Manitoba, Saskatchewan, Alberta and B. C. These Commissions require complete information on the owners, the managers, and the actual financing of each licensed premise. This is done for one reason only; to assure that liquor licences are not issued to persons having a recent record of conflict with the law. All forms from the four provinces used an identical section regarding convictions.

This complete form is being used for renewals for this year only. From next year, a renewal form comprised of one page will be used. The complete application will then be used for new applicants only. All but three of the licencees agreed with the new form. Representatives of the Canadian Restaurant Association including the President of the Yukon Branch agree with the form in order to ensure that all licencees should give the same information and to retain the good image of present operators. The Association has offered to explain this to licencees.



F. B. Fingland,
Administrator.

April 19th, 1974.

LEGISLATIVE RETURN NO. 36 -- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

Grants Approved for Sports Groups

On Wednesday, April 17th, 1974 Councillor Taylor asked the following question:

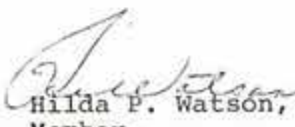
"I have a question of Mr. Administrator relating to the Information Office's release of April 9th respecting sports grants to sixteen groups stating that a total of \$65,000.00 in sports and recreation grants had been awarded to sixteen sports groups. Would it be possible to get a copy of the breakdown of which groups got that?"

The answer to this question is as follows:

The Sports Advisory Committee approved financial assistance to the groups listed below for 1974-75.

Yukon Amateur Softball Association.....	\$ 5,000.00
Yukon Ladies Curling Association.....	\$ 3,000.00
Yukon Ski Zone Northern Division.....	\$ 1,500.00
Yukon Black Belt Association.....	\$ 3,600.00
Yukon Amateur Hockey Association.....	\$15,000.00
Yukon Gym Association.....	\$ 4,000.00
Yukon Amateur Swimming Association....	\$ 6,000.00
Yukon Amateur Figure Skaters.....	\$ 4,000.00
Yukon Amateur Basketball Association..	\$ 1,000.00
Yukon Badminton Association.....	\$ 500.00
Yukon Table Tennis Association.....	\$ 2,000.00
Yukon Archery Association.....	\$ 300.00
Yukon Soccer Association.....	\$ 1,000.00
Yukon Arts Council.....	\$ 4,000.00
Yukon Sports Federation.....	\$ 5,000.00
Total	<u>\$55,900.00</u>

Another \$8,500.00 was allocated by the Committee from Councillor McKinnon's Community Development Fund.


Hilda P. Watson,
Member,
Executive Committee.

22 April, 1974

Mr. Speaker

Members of Council

On April 17, 1974, Councillor McKinnon asked the following question:

"There are two things in the last day or so that have just absolutely amazed me with this Government and I would like to question the Administration on them.

First, who authorized the complete sound proofing of the Commissioner's office while he is away on vacation?

Secondly, who is paying for the cost of sound-proofing the Commissioner's office?

Thirdly, why is the sound-proofing of the Commissioner's office necessary?

Fourthly, if this is a Federal Building and the Federal Government are doing renovations, why are Territorial employees sound-proofing the Commissioner's office and why are materials paid out of the Consolidated Revenue Fund of the Yukon Territory being used to sound-proof the Commissioner's office?

Also included in the sound-proofing of the Commissioner's office I wonder if Mr. Administrator could say whether any tape recorders or bug devices are also being installed at the same time?"

The answer is as follows:

1. Sound-proofing of the Commissioner's office, as well as several other security improvements, was recommended jointly by the RCMP/DIAND as a result of a security survey of Territorial Government Buildings and Offices conducted by the two above agencies in September of 1972.
2. Renovation expenses are part of regular building maintenance funds from Department of Highways and Public Works budget.
3. Present construction provides only minimal sound barrier between office and reception/waiting room facilities outside office. Conversations at normal voice level carries both ways, providing little privacy and absolutely no security for top level discussions. The practice of incorporating sound-proofing in chief executive offices and boardrooms in all government and private industry is a recognized procedure to ensure some measure of privacy and security.
4. It is a condition of our lease with D.P.W. of Canada that all required renovations are done at the expense of the Yukon Territorial Government.



M. E. Miller
Assistant Commissioner

LEGISLATIVE RETURN NO 38 (1974 SECOND SESSION)

22 April, 1974

Mr. Speaker

Members of Council

On April 18, 1974 Councillor Stutter asked the following question:

"Now that the contract or at least the tenders have been opened on the road reconstruction from Stewart Crossing to Dawson I would like assurance from the Administration that as this work is to be done during the tourist season that every precaution will be taken to make sure that the traffic will not in any way be hindered. Really my question is: Has something been written into the contract to make sure that there will be no detriment to the tourist traffic to Dawson during the summer?"

The answer is as follows:

The following is an excerpt from the Contract document, "Information to Tenderers and Project Requirements", page 5:

12. PASSAGE OF TRAFFIC:

The Contractor must arrange to keep portions of the road open to traffic at all times and must cause as little inconvenience as possible to the travelling public. The Contractor shall keep the travelled way as smooth as practicable and shall endeavour to complete the sub-grade as soon as possible, in order that some gravel surfacing may be applied. The Contractor must in no case tear up, open or obstruct any greater portion of the roadway than the Engineer may from time to time sanction.



M. E. Miller
Assistant Commissioner

April 22, 1974

Mr. Speaker
Members of Council

On April 16, 1974, Councillor Taylor asked the following question:

Would the Administration provide Council with information which would indicate, a monthly breakdown of the numbers of convictions under the impaired driving Sections of the Criminal Code, for principal Yukon Settlements, during the Fiscal Years 1972-73 and 1973-74.

The Police Uniform Crime Reports as supplied to Statistics Canada record the number of charges laid rather than the convictions. There are no statistics on the number of charges dismissed or withdrawn so the R.C.M.P. are unable to supply the actual number of convictions.

What follows are statistics on the number of charges laid recorded by settlement for the period 1972-73 and 1973-74 Fiscal Years. During the period, Breathalyzers were in use in the communities of Whitehorse, Dawson City and Watson Lake. A machine has only recently been in service in Faro.



F. B. Fingland
Administrator

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
Beaver Creek 1972-73 1973-74	nil nil											
Carmacks 1972-73 1973-74		1 1							1			
Dawson City 1972-73 1973-74	1	2	4 3	12	13 1	4	1	7 2		1 1		
Faro 1972-73 1973-74	1 2		1			2	1			1	2 1	1
Haines Junction 1972-73 1973-74		1	1	1	2	1		1				
Mayo 1972-73 1973-74	1	2 1	1				2		1			1
Old Crow 1972-73 1973-74	nil nil											
Ross River 1972-73 1973-74			1		1 1							
Teslin 1972-73 1973-74	1	2	1					1	1	1 1	1 1	1 2
Watson Lake 1972-73 1973-74	3 1	5 6	4 15	2 10	1 7	3	3 11	1 1	1	10	1 5	3 8
Whitehorse 1972-73 1973-74	14 33	16 35	14 38	18 35	14 23	18 36	22 28	11 23	22 28	10 20	11 28	21 23

Number of persons charged with refusal to submit to Breathalyzer.
All settlements excluded have nil for both years.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
Carmacks 1972-73 1973-74		1										
Dawson City 1972-73 1973-74	1			2	3	1	1	1				
Watson Lake 1972-73 1973-74						1				1		
Whitehorse 1972-73 1973-74	2 2	2	2	1 1	2	5	5	1		2	1 5	2

22 April, 1974

Mr. Speaker

Members of Council

On April 2, 1974, Councillor McKinnon asked the following question:

"Mr. Speaker, I would like to ask Mr. Commissioner a question that has been asked many times at this Table and never a satisfactory answer has been given to this time. What is the status of the Whitehorse Airport and when can we expect some construction on a new terminal building? I think it's been in the wind now for at least a decade. We still see no new terminal building at the Whitehorse Airport and I'm sure Mr. Commissioner, travelling as much as he does, it seems that when more than two people get together the Commissioner is available to make a speech. He must know the conditions at the Whitehorse Airport when half a dozen or more planes arrive at the same time. Its just utter bedlam and chaos and with the traffic that goes through the Whitehorse Airport, certainly there is no justification any longer for the inadequate facilities that are presently serving the community of Whitehorse."

On April 2, 1974, a supplementary question was asked by Councillor Taylor, as follows:

"Mr. Speaker, I have a question supplementary to the question raised by the Honourable Member from Whitehorse West in respect to the new timetable and forecast of improvements for air facilities in the Yukon. I'm wondering if Mr. Commissioner in endeavouring to get the information requested by the Honourable Member, if he might consider tabling before Council that he get this information, the total package as forecast as foreseen by M.O.T."

The answers to these questions are as follows:

1. M.O.T. in Edmonton have indicated that they are attempting to do long range planning and hope to have mature plans with input from users and the public so that when a facility is completed it will meet the needs of the community. This process has been started. It is too early in the planning to be specific on dates. They are faced with many high priority projects, costs are increasing and dates can only be established when Parliament vote the funds. Plans are being made for senior regional officials to visit Whitehorse before the end of June, and at that time hope to have an opportunity of discussing the matter with the Commissioner.

2. Attached is a copy of the recent Cabinet approved Policy for the Provision of Air Transportation Facilities and Services in the Yukon and Northwest Territories.
3. Attached is a table detailing each location in the North, the proposed facilities to be provided and the estimated cost of the proposed facilities.

The timing schedule for the proposed facilities has not as yet been worked out between the Territorial Governments and M.O.T.

Y.T.G. tentative priorities for Arctic "B" Airports is as follows:

- a. Beaver Creek (port of entry)
- b. Dawson
- c. Mayo
- d. Old Crow
- e. Faro
- f. Haines Junction
- g. Clinton Creek
- h. Carmacks
- i. Ross River
- j. Burwash
- k. Teslin.



M. E. Miller
Assistant Commissioner

April 22, 1974

LEGISLATIVE RETURN NO. 41 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

On April 18, 1974, Councillor McKinnon asked the following question:

In the Policy Manual I notice that the one given to this member at least does not contain what the Policy Manual of the Chambers contains. Which is the schematic diagram illustrating the passage of legislation. I wonder, Mr. Speaker, if Mr. Administrator could say whether this was an intended exclusion of this schematic diagram from the Policy Manual prepared for the Members, whether the Administration is willing to give the schematic diagram to them so that we may put it in our binders, or whether schematic diagram is now outmoded and can be taken out of all the Policy Manuals in the Territory?

The omission of the schematic diagram from Councillor McKinnon's Policy Manual was merely an oversight, not a deliberate act. The diagram, which is page 5 of Section 32.1, is still an accurate flow chart illustrating the passage of legislation.



F. B. Fingland
Administrator

LEGISLATIVE RETURN NO.42 (1974 SECOND SESSION)

April 23, 1974

Mr. Speaker

Members of Council

On March 22, 1974, Councillor Taylor asked if a summary of Northern pipeline studies was available for Council's information.

In response to this request we have been in communication with Mr. Earle Gray, Director of Public Affairs of Arctic Gas. Mr. Gray informs us that a summary is now being prepared, entitled Digest of Application Exhibits. Copies of the Digest will be forwarded to Council at the earliest available date.

In the meantime, we have for Council's information copies of the Arctic Gas applications to the Department of Indian Affairs and Northern Development and to the National Energy Board. Each application has a schedule attached listing exhibits to be summarized in the Digest.



F. B. Fingland
Administrator

LEGISLATIVE RETURN # 43(1974 SECOND SESSION)

April 18, 1974

Mr. Speaker

Members of Council

On April 17, 1974, Councillor McKinnon asked the following question:

"Mr. Speaker, I wonder if I could ask Mr. Administrator what is the status at present of the Isolated Post Allowance for Federal Civil Servants in Whitehorse."

The answer to the question is as follows:

The National Joint Council is a Committee consisting of both management and union representation and deals with matters relevant to Federal Government employees throughout Canada. The National Joint Council Sub-Committee on Isolated Posts Allowances has for some time been reviewing the present system of allotments and in this respect it has been learned that a proposal was tabled regarding a decrease to the Environmental Allowance paid to Federal employees in Whitehorse.

This matter has been under negotiations for some time and to date no decision has been reached and the matter is still under consideration. The Federal Interdepartmental Co-ordinating Committee has made inquiries to the National Joint Council and is expecting to be informed as to the course of action to be adopted. The Yukon Territorial Council will be provided with information as it is received.



F. B. Fingland
Administrator

LEGISLATIVE RETURN # 44 (1974 SECOND SESSION)

April 18, 1974.

Mr. Speaker

Members of Council

On April 2, 1974, Councillor McKinnon raised a question concerning an application by the Northern Canada Power Commission to raise the water storage level of Marsh Lake.

The Minister of Indian and Northern Affairs announced on April 5, 1974 that the Northern Canada Power Commission will withdraw its application to increase the water storage level of Marsh Lake. A copy of the 'communique' issued by the Department of Indian and Northern Affairs on the subject is attached for your information.



F. B. Finland
Administrator

LEGISLATIVE RETURN # 44 (1974 SECOND SESSION)

April 18, 1974.

Mr. Speaker

Members of Council

On April 2, 1974, Councillor McKinnon raised a question concerning an application by the Northern Canada Power Commission to raise the water storage level of Marsh Lake.

The Minister of Indian and Northern Affairs announced on April 5, 1974 that the Northern Canada Power Commission will withdraw its application to increase the water storage level of Marsh Lake. A copy of the communique' issued by the Department of Indian and Northern Affairs on the subject is attached for your information.



F. B. Fingland
Administrator

April 23, 1974

LEGISLATIVE RETURN NO.45 1974 (SECOND SESSION)

Mr. Speaker,
Members of Council

On March 21, 1974, Councillor Taylor raised a series of questions concerning the activities of the Electric Public Utilities Board.

A review of the 1973 Annual Report in view of the questions asked by Council would indicate the following:

- (1) With regards to the Dawson complaint it was found by the Board that while the rates for Dawson City, although higher than those at Faro and Whitehorse, are not inconsistent with those charged at other communities of comparable population.
- (2) The Teslin complaint was accompanied by a petition of fifteen signatures dated December, 1972. This number being far below the number required pursuant to section 26(1) of the Ordinance the Board could take no further action.
- (3) In fulfilling its obligations pursuant to section 23(1) of the Ordinance the Board has decided that expert advice is required before any decision can be made.
- (4) Similarly, in fulfilling its obligations under section 32(1) of the Ordinance concerning the rules the Board must make in conducting its business it was felt that further research was necessary before such rules could be formulated.
- (5) It is also the Board's feeling that preliminary studies indicate that advice from both legal and financial experts will be necessary before the Board will be able to deal with the fixing of rates pursuant to subsections 26(4) and 26(5) of the Ordinance.
- (6) It should be noted when considering the 1973 Annual Report, that the Report covers a period of only four months following the appointment of the first Board members. This explains what has been termed the brevity of the Report.



F. B. Fingland,
Administrator.

April 22, 1974.

LEGISLATIVE RETURN NO. 46 (1974, SECOND SESSION)

Mr. Speaker,

Members of Council

On Wednesday, April 17, 1974, Councillor Stutter asked a question concerning the enforcement of section 62 of the Motor Vehicles Ordinance, which states in part as follows:

No person shall operate any motor vehicle and trailer on a highway unless a device coupling the motor vehicle and trailer is of such construction and strength as to hold the weight of the trailer and prevent a breakaway.

The answer to this question is as follows:

The section is not intended to apply to the operation of a tractor with a semi-trailer attached by means of a fifth wheel. The requirement for the installation of the fifth wheel is very stringent in that it is necessary that the fifth wheel be attached to the frame of the tractor and be equipped with a special locking device. In other jurisdictions, and in the United States, tractor semi-trailer units are not required to have an auxiliary hitch. This requirement applies only to full trailers.



F. B. Fingland,
Administrator.

LEGISLATIVE RETURN #47 - 1974 (Second Session)

April 23, 1974.

Mr. Speaker,
Members of Council

On April 22, 1974 Councillor Stutter asked the following question:

"I wonder if Mr. Administrator would provide a policy paper to Council on the sale of serviced lots by the Territorial Government? We have a policy book in front of us, and I am unable to find any policy on the sale of lots.

The answer is as follows:

The sale of serviced lots by the Territorial Government is carried out in accordance with the provisions of the "Regulations Governing the Administration and Disposal of Yukon Lands - Commissioner Order 1973-58.

The applicable sections for the sale of serviced lots are #6, 7, 8, 9, 10, 26 and 27.

A copy of the regulations are attached for your information.



M.E. Miller,
Assistant Commissioner

April 22, 1974

LEGISLATIVE RETURN NO. 48 (1974 SECOND SESSION)

Mr. Speaker

Members of Council

On Friday, April 19, 1974, Councillor Stutter asked the following question:

"Mr. Legal Adviser, are you satisfied with the interpretation as worded in the Taxation Ordinance? It appears there may be some problems in the Dawson area on this interpretation."

The answer to this question is as follows:

"I am satisfied with the interpretation of the phrase "real property" in the Taxation Ordinance. I have been in touch with Mrs. Burkhard, City Clerk of Dawson City, who informs me that a problem has arisen from the interpretation of Section 55 of the Taxation Ordinance which requires a minimum of \$25.00 to be paid in respect of any real property. Some property owners have complained that where they own a number of separate lots - portions, the area of which in aggregate is less than the area of a normal lot, it is unjust to charge them the minimum of \$25.00 in respect of each lot - portion. The Dawson City council are in doubt as to whether they have the power in the Taxation Ordinance to assist these property owners.

In my opinion, Section 55 is unclear and difficult to interpret and I have asked the City Clerk to have the council put in a formal request to the Government as to what they wish to be done in the matter so that an amendment can be considered to be placed before a future session of the Council."



F.B. Fingland
Administrator

LEGISLATIVE RETURN #49 (1974 Second Session)

25 April, 1974

Mr. Speaker

Members of Council

On April 24, 1974 Councillor McKinnon asked the following question:

"Mr. Speaker, I wonder if I could ask Mr. Administrator if the land transactions that appears every month in the paper is the total number of land transactions through Indian Affairs and Northern Development for the month in which it appears? The total number. There are none excluded from this digest that is published in the paper?"

The answer to this question is as follows:

The Lands Section, Water Lands and Forests, Northern Natural Resources and Environment Branch advise that every land application to their office is being published in their monthly advertisement.



M. E. Miller
Assistant Commissioner

26 April 1974

MR. SPEAKER
MEMBERS OF COUNCIL

RE: Written Question No. 1

On March 26th, 1974, Councillor Chamberlist had Written Question No. 1 placed on the Order Paper. This Written Question was a series of nineteen questions concerning Mr. G. K. Fisher-Fleming, former assistant commissioner.

On April 17th, 1974, Councillor Chamberlist asked the following question:

"Is it the intention of the Administration to deny myself as a member of this Council of receiving answers to specific clearly written questions?"

To this the Administrator replied that the Administration did not intend to answer the questions.

On April 22nd, 1974, Councillor Chamberlist raised the question again, asking:

"I wonder if Mr. Administrator could indicate whether he had received instructions from the Department of Indian Affairs and Northern Development to answer questions related to Executive Committee Members, Mr. Fleming in particular?"

The Administrator replied that no instructions had been received to date and confirmed that no answer would be submitted to Council.



F. B. Fingland
Administrator

Legislative Return # 51 (1974 Second Session)

Mr. Speaker

26 April 1974

Members of Council

On April 22, 1974, Councillor McKinnon asked the following question:

"I see we have new regulations regarding the consumption of liquor and I wonder whether Mr. Administrator can tell me the reason for Section 10, subsection 2: 'Beer and ale sold by the bottle or can shall be served with a glass and shall be consumed from the glass'."

The above Regulation has been in effect for many years in conjunction with Department of Health requirements, and has not been altered in any way. It was also in the old Liquor Ordinance prior to 1970. The use of a sanitary glass provides a means of avoiding contact with unhygienic foreign matter on the rim of the bottle or can. The regulation is also designed to enable the purchaser to see what he is drinking.



Administrator of the Yukon Territory

29 April, 1974

Mr. Speaker

Members of Council

On April 17, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, for some time in the successive years I have asked a question related to railroad yards at Carmacks, and as to whether the White Pass and Yukon Route has applied for or received a lease or anything, a grant of lease in respect of any of these lands in or around Carmacks for the purposes of railroad yarding and this type of thing. I have on each occasion received an answer from the Government of the Yukon Territory to the effect that, no, in neither case has anything been happening. Yet I have received several complaints while in Whitehorse, both at this session and at the former session, of people complaining that they cannot get recreational property more particularly in the area around Fox Lake and so forth because of a White Pass Reserve going by. Now I'm wondering if Mr. Administrator could tell me who is right and who is wrong. Do White Pass indeed have a lease or reserve or something of this nature and if so, could we have some details on it? If not, can we have the assurance that those lands will be released for the people who wish to build recreational facilities along that route?"

The answer is as follows:

The White Pass and Yukon Route do not have any land leases for a railroad yard at Carmacks

Land along a proposed route from Whitehorse to Carmacks has been reserved in the name of the Department of Indian Affairs and Northern Development.

The proposed route is clearly marked on our plotting maps, and can be seen at any time at the office of the Supervisor of Lands, Federal Lands Branch.



M. E. Miller
Assistant Commissioner

April 26, 1974.

LEGISLATIVE RETURN NO. 53 (1974 SECOND SESSION)

Mr. Speaker,

Members of Council

On Friday, March 29, 1974, Councillor McKinnon asked a question concerning liability coverage for out of Territory vehicles entering the Yukon Territory.

The answer to this question is as follows:

Section 21 of the Motor Vehicles Ordinance reads as follows:

"21.(1) Where the owner of a motor vehicle or trailer resides outside the Territory and has complied with the law of his place of residence with respect to the registration and licensing of the motor vehicle or trailer and the motor vehicle or trailer carrying number plates for the current year assigned under that law to that motor vehicle or trailer is brought into the Territory for the purpose of touring for pleasure for a period not exceeding ninety days, the motor vehicle or trailer shall be deemed to be registered pursuant to this Ordinance."

The interpretation of this Section has been, almost since the time that vehicles were required to be licensed in the Territory, that a vehicle operated in the Yukon by a tourist and properly licensed in its home jurisdiction, was exempt from requirements for registration in the Yukon which includes compulsory insurance. This is an unwritten reciprocal arrangement between every province in Canada and every State in the United States. In no jurisdiction in Canada and none that we are aware of in the United States is a tourist required to produce proof of insurance before entering that province or State. In some of the provinces of Canada, and indeed not in all of the provinces, if a tourist is involved in an accident, his vehicle is impounded until he produces proof of financial responsibility and obtains a release from the other party involved in the accident. This is the case in the Yukon Territory. In some jurisdictions of Canada this impoundment law is not in force and the resident who was involved in an accident with a non-resident must take civil action to recover damages.



F. B. Fingland,
Administrator.

30 April, 1974

Mr. Speaker,

Members of Council

On April 24, 1974 Councillor Chamberlist asked the following question:

"Mr. Speaker, to Mr. Administrator. The Whitehorse General Hospital Advisory Board has not met since last August. Can the Administrator indicate whether he will seek information as to why meetings are not being called?"

The answer to the question is as follows:

Further to the verbal reply I gave on April 24th, meetings of the Whitehorse General Hospital Advisory Board have been called repeatedly but due to the inability to obtain a quorum these meetings have not been held. There are five members on the Board, three of whom would form a quorum.



F.B. Fingland,
Administrator

April 30th, 1974.

LEGISLATIVE RETURN 55 (1974 SECOND SESSION)

Mr. Speaker
Members of Council

On Tuesday, April 23rd, 1974, Councillor McKinnon asked the following question:

" Mr. Speaker, I wonder if Mr. Administrator could answer me as to what action the Government of the Yukon Territory has taken to guarantee that the first opportunity for jobs in the Kluane National Park will be offered to residents of the Haines Junction area. "

The answer to the question is:

Positions with respect to the Kluane National Park are the jurisdiction of the Federal Government.

It is the policy of the Federal Government, where practical, to hire local residents, particularly in the operational and clerical categories, depending upon the classification level of the position. Generally speaking, an official of the Parks Branch would place a job order with the local Canada Manpower Office and they would refer local candidates to an official of the employing Department for selection.

Technical, professional or scientific positions are normally handled through the Federal Public Service Commission by competition. The competition would have a geographical assignment which would probably include the Yukon, the Northwest Territories, Northern Alberta and Northern British Columbia.



F.B. Finland,
Member, Executive Committee

LEGISLATIVE RETURN NO. 56 (1974) SECOND SESSION

April 30, 1974.

Mr. Speaker

Members of Council

On Friday, April 26, 1974, Councillor McKinnon asked the following question:

What is the cost for the full page tourist promotion advertisement on the Yukon in this week's issue of Time magazine?

The answer to the question is:

The net cost for the attached advertisement in Time magazine, April 29, 1974, is \$1,990. Full rate for this advertisement would normally be \$2,260. Due to a Canadian Government Travel Bureau volume discount applicable to all tourism advertisements by Provincial and Territorial travel bureaux, we are able to use this large circulation publication as a marketing vehicle at a discount.



F. B. Fingland,
Administrator.

LEGISLATIVE RETURN NO. 57 (1974 SECOND SESSION)

1 May, 1974

Mr. Speaker,

Members of Council

On April 16, 1974 Councillor Taylor asked the following question:

"I have a question I would direct to the Executive Committee Member in charge of Health. I would like to ask, Mr. Speaker, if he could inform me as to why it is not possible to make available the facilities of a portion thereof of the nursing stations and cottage hospitals in the Territory for the use of visiting chiropractors to these communities in the same manner as we do for dentists and other specialists. In addition, could I be informed if indeed a policy is to be established to provide for this most necessary service?"

The answer is that other specialists, in particular dentists and optometrists, use the facilities in the nursing stations on a contractual basis with the Department of National Health & Welfare. Chiropractors are not on a contractual basis with National Health & Welfare.

With regard to a policy being established to provide for chiropractic service, this matter will be taken under review and considered in the near future.



Clive Tanner,
Member, Executive Committee

LEGISLATIVE RETURN NO. 58 (1974 SECOND SESSION)

May 2, 1974.

Mr. Chairman

Members of Council

During discussion of Legislative Return No. 45 concerning the activities of the Electrical Public Utilities Board, the question was asked as to what is being done to assist the Board with the legal and financial experts required.

Funds are made available, as required, from the Professional and Special Services Primary of the Territorial Secretary's Department.



F. B. Fingland
Administrator.

LEGISLATIVE RETURN # 59 (1974 SECOND SESSION)

May 5, 1974.

Mr. Speaker

Members of Council

On May 3, 1974, Mr. Chamberlist asked the following question:

Mr. Administrator, the Commissioner's Order, 1971/44, dealing with the Board of Review under the School Ordinance, Item No. 7 indicates that the Public shall not be entitled to attend the hearing. Will consideration be given by the Administrator to allow the public to attend this particular hearing as a result of the public interest in this matter?

The answer is as follows:

As indicated in the oral answer on the morning of May 3, 1974, it is my view that there is no power in the Ordinance for the Commissioner to issue such regulations. Accordingly, the procedure to be followed in a situation of this kind should be determined by the Board itself.



F. B. Fingland,
Administrator.

May 6, 1974

Mr. Speaker,
Members of Council

On May 2, 1974, Councillor Taylor asked the following question:

" Mr. Speaker, I have another question directed to Mr. Administrator. In receipt of some documentation received in the House, I note that apparently the Land Claims Secretariat are having prepared maps showing various classifications of land disposition in Yukon communities. I am wondering if Mr. Administrator could explain what this involves and also would he assure us that Members of Council will receive copies of this information when it becomes available? "

The answer is as follows:

The Land Claims Secretariat has prepared the following:

1. Two sets of clear plastic overlay maps of 22 X 28". These maps are on a scale of 1:2,000,000 and are designed for illustrative purposes indicating general land dispositions by classification. A copy will be available in the lands office of the Territorial Government.
2.
 - a) List of disposition of non private lands in the Yukon by classification, mainly outside of communities.
 - b) Book of maps 8 1/2" X 14" of scales 1: 50,000 and 250,000 showing current land alienations immediately surrounding municipalities, Local Improvement Districts, and other areas in the Yukon.

These are in the Lands Administration section of the Department of Local Government and are open to the public.
3. Duplication for Territorial Lands Office and Federal Lands Office records :
 - a) Maps of communities showing initial lot disposition by Federal, Territorial and private holdings.

3. cont'd

- b) Set of lists complementing the above maps. The maps are Territorial engineering maps and are hand coloured. The foregoing are compilations of information already available to the public in the Federal and Territorial lands offices.



F. B. Fingland
Assistant Commissioner

May 6th, 1974.

LEGISLATIVE RETURN NO.61 -- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

Termination of Teacher in Mayo

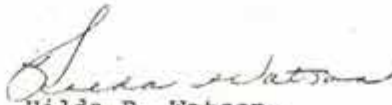
On Monday, May 6th, 1974 Councillor McKinnon asked the following question:

"Mr. Speaker, it has been brought to my attention that one of the Deputy Superintendents of Education has summarily terminated one of the teachers in the Mayo School. It is also my understanding this action has been taken over the objections of the principal of the school and the Advisory Committee of the school, both of whom are satisfied with the teacher in question.

I would like to ask the Executive Committee Member in charge of Education whether the facts are correct and whether in fact one of the teachers in the Mayo School has been terminated by action of one of the Deputy Superintendents of that Committee?"

The answer to this question is as follows:

One teacher at Mayo received an unsatisfactory report from the Regional Superintendent, but there were no terminations. Mayo was the only school in the Yukon where a principal's report differed from that of an official of the Department of Education.


Hilda P. Watson,
Member,
Executive Committee.

May 7th, 1974

LEGISLATIVE RETURN 62 (1974 Second Session)

Mr. Speaker
Members of Council

On Friday, May 3rd, 1974, Councillor Chamberlist asked the following question:

"Mr. Speaker, it has been brought to my attention that there are some citizens of the Yukon who are on welfare rolls and have applied for and are receiving welfare payments and have applied for employment in the Campgrounds Programme and have been denied employment. The employment is being given to students primarily. I understand further, Mr. Speaker, that the Canada Manpower has protested to the Personnel Department here and they have been informed that the positions are available for students.

I am wondering now whether the administration, through the Administrator, could indicate whether he will examine the particular situation - I will name the people to him afterwards - as to why the Personnel Department are refusing to employ the people because they happen to be older and because, in any event, it is costing the taxpayer money by keeping them on welfare when there is employment available."

The answer to the question is:

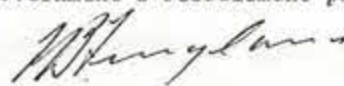
133 applications were received this year from persons applying for seasonal employment in the Campgrounds Program. 21 persons were hired in the following locations: 2 at Watson Lake, 2 at Teslin, 6 at Whitehorse, 1 at Tagish, 1 on the Carcross Road, 1 at Carmacks, 1 at Minto, 1 at Faro, 1 at Mayo, 1 at Dawson City, 3 at Haines Junction (one of which will come on staff at the end of June) and 1 at Beaver Creek.

Of these 21 persons, 4 are students and of the remaining 17 non-students, 8 are former seasonal employees.

It is the policy of the Government of Yukon Territory to hire persons on the basis of related experience, ability to carry out the required duties, and personal suitability. It is impossible for the Government of Yukon Territory to determine whether or not an applicant is in receipt of welfare since the application form does not accommodate that type of information. It is very definitely not the policy of the Government of Yukon Territory to discriminate against welfare recipients.

The Government of Yukon Territory recognizes that it has a moral obligation to attempt to hire Yukon residents for summer employment who are in receipt of Yukon educational grants since one of the criteria for continuing receipt of a grant is a requirement for the student in question to obtain employment in Yukon.

At no time did any officer of Canada Manpower "protest" to anyone in our Personnel Department concerning our recruitment policy. Officers of Canada Manpower are fully conversant with the Government's recruitment policy and adhere strictly to it.



F.B. Fingland,
Administrator

LEGISLATIVE RETURN # 63 (1974 Second Session)

7 May, 1974

Mr. Speaker
Members of Council

On May 3, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, I have a question I would direct to Mr. Administrator this morning, and I would like to ask him if the Territorial Fuel Contracts have been tendered on an equitable basis by community and region as in the past."

The answer is as follows:

The tender for the supply of bulk gas, diesel and fuel oil was called and has been awarded.

The same method that has been used in the past for awarding the contracts was used this year.

Section A of the tender - supply of products to various locations within a Community was awarded on the basis of the lowest delivered price to each location at which delivery is specified by individual product.

Section B of the tender - supply of products to tank storage within a location. This was awarded on the basis of the lowest lot price for all products in each location.

Section C of the tender - metered tank deliveries of gasoline and diesel to various crew locations on all Territorial Roads, Alaska Highway from Mile 627 to 1221 and Haines Road from Mile 42 to 159. This was awarded on the basis of the lowest metered tank delivered price for each product to each location.



M. E. Miller,
Assistant Commissioner

May 10, 1974

Mr. Speaker
Members of Council

On May 1, 1974 Councillor McKinnon asked the following question:

"Mr. Speaker, I would like to ask Mr. Administrator if the question concerning a press release out of Yellowknife on April 23rd, Indian Affairs & Northern Development announced the establishment of a program in the Northwest Territories to train resident Indians and Eskimos for positions as Assistant Resource Management Officers with the Northwest Lands & Forest Service."

"I wonder if Mr. Administrator would tell me whether the Administration has given any consideration to such a program, which I understand is financed by the Federal Department of Indian & Northern Affairs. Whether he will use his offices to see whether such a program can be undertaken in the Yukon, whether it can be financed by Federal Funds and whether it can be set up immediately?"

The answer to the question is as follows:

Since March of 1972 the Department of Indian Affairs & Northern Development, Yukon has had in effect a training program for the Water, Lands & Forest Branch. A total of nine Indians have gone through Assistant Resource Management Officer training. Of these nine, two are filling permanent positions, one quit, two left training to return to school, one is a seasonal employee, two are still in training status and the other one has gone to employment in the private sector. In addition to these nine trainees, one native Yukoner is presently at Banff National Park taking training as a park warden, and seven girls have taken training as secretaries and clerk typists. Three of the girls quit, three are working in permanent positions with the Water, Lands & Forest Branch and one is now employed with the Department of Fisheries.

With reference to the advertisement for trainees, the Yukon region has been offered two of the six training positions and are presently seeking suitable candidates. Notwithstanding this opportunity, the Water, Lands & Forest Branch has an ongoing program of training native Yukoners in the Resource Management field.



J. Smith
Commissioner

LEGISLATIVE RETURN # 65 (1974) Second Session)

8 May, 1974

Mr. Speaker

Members of Council

On May 3, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, I would like to direct a question to Mr. Administrator. I am wondering if he could find out for me why the paving programme for this year on the first six miles of the Campbell Highway of Watson Lake was not indeed undertaken and deleted from the budget. I am also wondering if he could determine for me why the culvert and bridge replacement on the Annie Lake Road was also deleted from the budget."

The answer to this question is as follows:

The paving of the first 6 miles of the Campbell Highway was not undertaken this year because funds were not made available by the Department of Indian Affairs and Northern Development under the Engineering Services Agreement.

Upgrading of the Annie Lake Road was not planned for 1974. However, in 1973 \$12,582. was spent for this purpose.



M. E. Miller
Assistant Commissioner

May 7, 1974.

Mr. Speaker

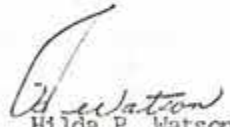
Members of Council

On Friday, May 3, 1974, Councillor Taylor asked the following question:

I would ask the Honourable Member to provide members of Council with the reasons for the visit to Ross River by the Regional Superintendent of Education - Rural, and his party yesterday, or shall we say May 2, 1974.

The answer to the question is:

Mr. W. Ferguson, Regional Superintendent (Rural), Dr. D. Simonson, Educational Psychologist and Mr. D. Roberts, Principal of Whitehorse Elementary School participated in a workshop on Family Life Education in Faro on Friday, May 3. Because of the lack of eating facilities in Faro, they decided to over-night in Ross River where both sleeping and eating facilities are readily available.


Hilda P. Watson,
Executive Committee Member
in charge of Education.

LEGISLATIVE RETURN NO. 67 (1974) SECOND SESSION

May 7, 1974.

Mr. Speaker

Members of Council

On Friday, May 3, 1974, Councillor Chamberlist asked the following question:

Detail the sections of the School Ordinance and the regulations giving authority to the Superintendent to hold a hearing in the manner in which he did in the matter pertaining to the dismissal of Mr. John Dunphy.

The answer to the question is:

A "hearing" was not held. The Superintendent was simply discharging his duties in accordance with the School Ordinance, section 6, subsection 1, paragraph (n):

"to investigate disputes arising between parents and a teacher or between children and a teacher"



Hilda P. Watson,
Executive Committee Member
in charge of Education.

May 10, 1974.

Mr. Speaker

Members of Council

On May 6, 1974, Councillor Stutter asked the following question:

Mr. Speaker, I would like to ask the Administrator if he could ascertain possibly from Forestry, Federal Government, just exactly what their plans are regarding some clearing that's going on on the Highway between Whitehorse and Carmacks at this time?

The answer is as follows:

The Yukon Lands and Forest Service has Lot 288 and a surrounding area at the junction of the Dawson/Mayo and Takhini Hot Springs roads reserved as a site for re-forestation tests and a forest nursery.

This spring the site was cleared of dead falls and brush under a F. L. I. P. project and an 8-acre portion is now being cleared for the planting of various tree species under a joint program with British Columbia and Alberta.

Preliminary plans for the further development of the site as a forest nursery have been prepared, but the funds required will not be allotted for this until detailed plans are completed.



F. B. Fingland,
Administrator.

May 9th, 1974.

LEGISLATIVE RETURN NO. 69 -- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

On Friday, May 3, 1974 Councillor Chamberlist asked the following questions:

1. Why did the administration refuse to supply materials requested by Mr. OBomsawin which he required in his duties as the person in charge of Native Curriculum?
2. Why was Mr. OBomsawin dismissed in view of the fact that he was efficiently carrying out the job for which he was hired?

The answers to the questions are:

1. During the period September 1973 and March 31, 1974 Mr. OBomsawin purchased materials totalling approximately \$3,372.00. The purchases included books, subscriptions, handicraft materials and Indian-made items such as a drum, a miniature fish-wheel, a bow and arrows, etc. It was the understanding of the Department of Education that these educational materials would be distributed to the various schools on a loan basis for use by the teachers in the Social Studies and Art programme throughout Yukon. Very few of the materials were used in this manner and the majority of the books, etc. are still in the office assigned to the Native Curriculum Supervisor in the basement of the Whitehorse Elementary School.

Only one major requisition, totalling approximately \$2,010.00, submitted by Mr. OBomsawin was not approved by the Department of Education. The requisition covered approximately 450 books which could best be described as library books and which should have been purchased by individual schools and/or the Regional Library for inclusion in the various school library collections. It was the view of the Department that some of these books should be part of our school libraries and therefore, an annotated bibliography containing many of the titles requested by Mr. OBomsawin has been distributed to all schools and it has been suggested to the principals that some of the books be requisitioned when library books are being ordered for the 1974-75 school year. It was felt that if the Department was to acquire 450 volumes, it would necessitate the establishment of a book distribution system which would be duplicating a very efficient service already provided by the Regional Library.

A number of other requisitions, amounting to approximately \$300.00, were also not approved. These particular requisitions were for various materials which the Department of Education felt were not essential or could be obtained by other means. As an example, approximately \$175.00 worth of research documents related to Natives and Education were requested. Since most of the documents requested were for reference purposes only, they were obtainable through the Regional Library's inter-library loan service. Other items, such as recordings of Seminole Indian music, were not approved because it was felt they were not essential.

Finally, it should be noted that an amount of \$2,000.00 was allocated to each Supervisor for the period September 1973 to March 31, 1974. Since Mr. OBomsawin had overspent his budgetary allocation, his requests were not approved during the latter part of the 1973-74 fiscal year but would have been considered for the 1974-75 fiscal year.

2. Mr. OBomsawin was dismissed while still on probation because he failed to meet the job requirements.



Hilda P. Watson,
Member,
Executive Committee.

May 22, 1974

LEGISLATIVE RETURN NO. 70 (1974 Second Session)

Mr. Speaker,

Members of Council

On Thursday, April 25, 1974 Councillor McKinnon asked the following question:

"A supplementary question, Mr. Speaker. I have it on extremely reliable authority, Mr. Speaker, the reason the NCPC withdrew their application to the Yukon Water Board to raise the level of Marsh Lake is that the design of the new Lewes River Dam will accomplish this without having to seek the permission of the Water Board to do so.

Mr. Speaker, this is a serious allegation and it is not frivolously made. I wonder if Mr. Administrator could assure Council that he will obtain the design plan plus a statement from NCPC on what the result of the new dam will be for the water level of Marsh Lake."

The answer is as follows:

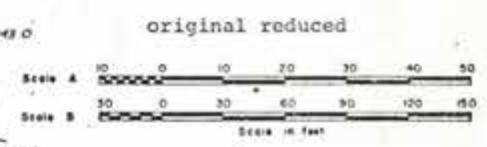
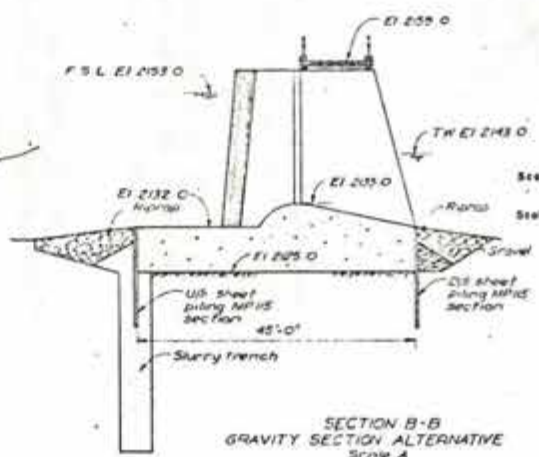
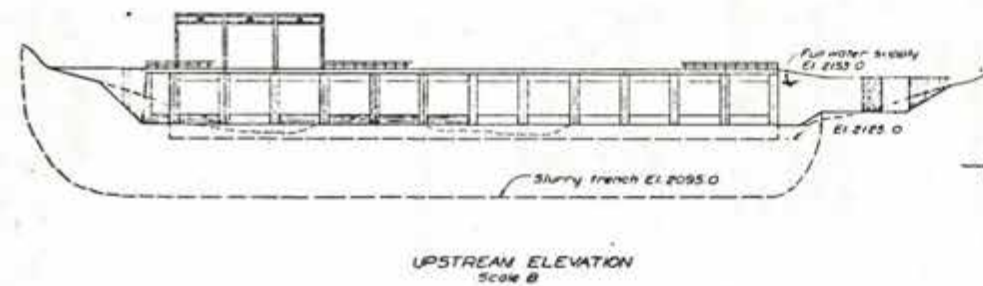
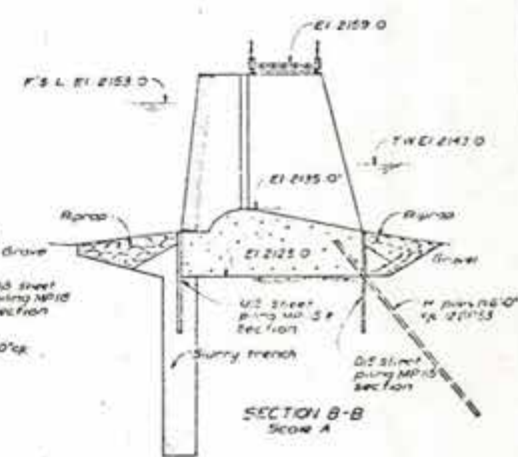
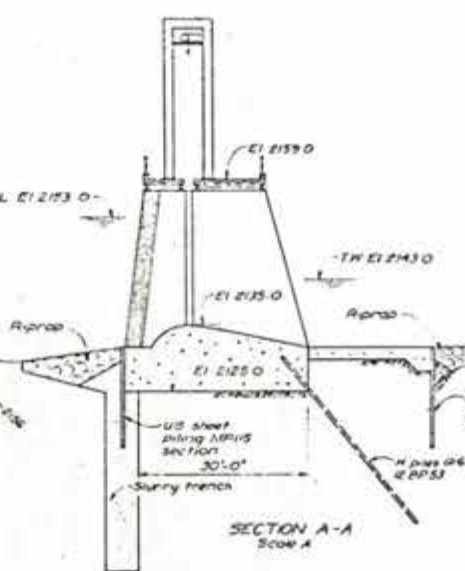
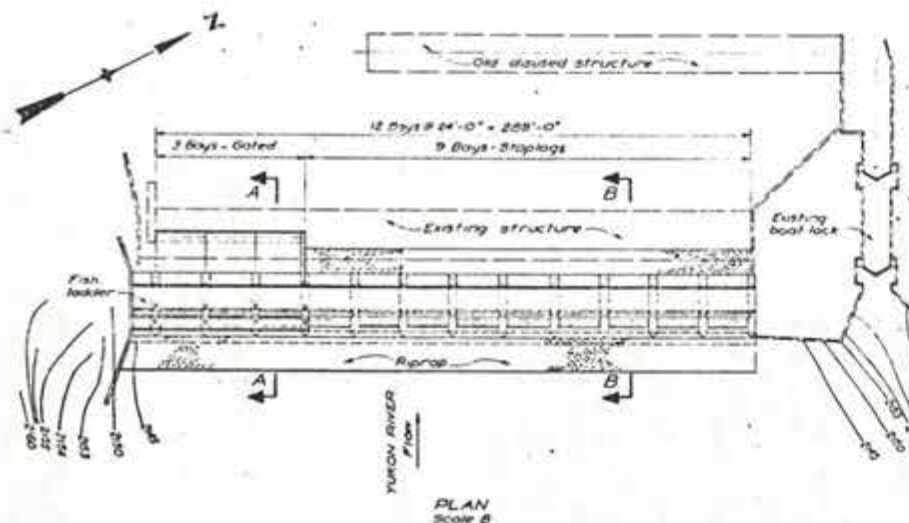
An application for the reconstruction of Marsh Lake Dam will be submitted to the Yukon Water Board in the very near future.

It should be noted that the Northern Canada Power Commission cannot vary the lake levels on Marsh Lake and Tagish Lake without the permission of the Water Board.

A drawing indicating the proposed new Marsh Lake Dam reconstruction is attached for Council's information..



J. Smith
Commissioner



NORTHERN CANADA POWER COMMISSION		
UPPER YUKON RIVER INVESTIGATION		
MARSH LAKE DAM RECONSTRUCTION		
GENERAL ARRANGEMENT		
MONTREAL ENGINEERING CO. LTD.		
DESIGNED	SCALE:	AS SHOWN
DRAWN	DATE:	
CHECKED	CONTRACT NO.:	1143
APPROVED	DRAWING NO.:	

May 20, 1974.

LEGISLATIVE RETURN NO. 71 (1974 Second Session)

Mr. Speaker,

Members of Council

On Wednesday, May 8, 1974, Councillor Taylor asked the following question in the House concerning the problem of outside labour being given preference to jobs:

A further question to Mr. Administrator this morning, Mr. Speaker. It has to do with an Ordinance passed by this Council to which assent was refused, which would have given preference to the labour force in the Yukon on jobs in the Yukon over outside labour. As all members, I'm sure, will recall, Mr. Speaker, this Bill did not receive assent. I am wondering if the administration have been continuing to look into this problem as it is a real problem and as to whether they will be providing Council with any further information as to how we can resolve this problem?

The answer to this question is as follows:

Part VII of the Yukon Government Contract Regulations stipulates that priority of hiring in Yukon Territorial Government contracts be given to Yukon residents. However, local residents have to register at Canada Manpower Centre, Whitehorse, in order to receive preferential treatment in respect of Yukon Territorial Government construction and maintenance contracts. Canada Manpower is being advised ahead of the time that tenders are called and also endeavours to refer suitable local people for employment. This same arrangement is in effect with the Dempster Highway and the Carcross-Skagway Highway projects.

If members of Council know of qualified local residents who have been denied employment opportunities on either Federal or Territorial contracts, they should refer those cases to the Employment Liaison Officer for investigation. Copy of Part VII is attached for the members' information.



James Smith,
Commissioner.

PART VII

LOCAL EMPLOYMENT PROGRAM

43. In this part,

- (a) "Local Resident" for the purpose of employment will be any person living in the Territory prior to March 31st of any given contract year;
- (b) "Northern Resident" any person living in either the Yukon Territory or the Northwest Territories prior to March 31st of any contract year;
- (c) "Canadian Resident" for the purpose of employment on a Territorial Government Contract will be any person living in Canada prior to March 31st of any year and who by law is permitted to work in Canada or is a Canadian citizen;
- (d) "Local Employment Agent" for the purpose of implementation of this program is the Yukon Territorial Government Employment Liaison Officer.

44. Priority for hiring on Yukon Territorial Government construction and maintenance contracts is:

- (a) Local Residents
- (b) Northern Residents
- (c) Canadian Residents

45. Prior to posting invitations to tender on construction and maintenance contracts, the contracting authority through the responsible department head will supply the Local Employment Agent and the Canada Manpower Centre with a list estimating the number of workers required in each job classification.

46. Once a contract has been awarded the Local Employment Agent will arrange a meeting between the contractor, Canada Manpower Centre, any unions involved and himself.

47. The Local Employment Agent will establish and maintain a monitoring system to ensure that Yukon Residents are employed wherever possible on Territorial Government contracts.

48. The Canada Manpower Centre will act as a referral agency for the Territorial Government and will institute all facets of their training programs wherever possible.

49. Local Residents will register at the nearest Canada Manpower Centre in order to receive preferential treatment in respect of Yukon Territorial Government construction and maintenance contracts.

50. The Local Employment Agent will remain in close contact with unions to ensure that any problems which might arise are resolved before they are allowed to multiply.

May 22, 1974

LEGISLATIVE RETURN NO. 72 (1974 Second Session)

Mr. Speaker,

Members of Council

On Thursday, May 2, 1974, Councillor McKinnon asked the following question:

"Mr. Speaker, last night we watched a live television presentation by Anik to Frobisher and Resolute Bay. I would like to ask Mr. Administrator why the same facilities aren't available in Yukon for two-way transmission via Anik.

Also, I would like to ask Mr. Administrator whether the Government is doing anything with the Canadian Broadcasting Corporation to assure that the same technical advantages of using Anik on a two-way transmission basis are available to the Yukon as they are in the Northwest Territories.

I wonder, Mr. Speaker, whether Mr. Administrator could answer why all these improvements go to our sister Territory first?"

The answer is as follows:

The telecast "Inukshut" on May 1st, 1974 was a joint National Film Board/C.B.C. production, and was made by a special outside broadcast crew flown in together with all their equipment from Toronto. The Frobisher Bay television station, CFFB-TV, has no facilities such as cameras, nor any staff to produce programs. Nor do any of the other C.B.C. television stations in the Northwest Territories or the Yukon Territory.

The Telesat-Canada Earth Station at Frobisher Bay is equipped to transmit as well as receive because there are no landlines for telephone communications to and from Baffin Island. This is the only Earth station so equipped, and because of the lack of television production facilities in Frobisher Bay, is not normally used for broadcast service.

The Yukon Territory is not, therefore, any worse off at the present time in this respect than the Northwest Territories. It is the intention of the C.B.C. to instal television production equipment in all major Northern television stations as soon as possible. The first such stations will be Whitehorse and Yellowknife and at that time Telesat-Canada will be requested to equip the Earth stations with transmitting facilities to enable the television stations to send program material out via ANIK.



J. Smith
Commissioner

LEGISLATIVE RETURN NO. 73 (1974 SECOND SESSION)

30 May, 1974

Mr. Speaker
Members of Council

Mainsteele Lots

On 13 May, 1974 Councillor Chamberlist asked the following question:

"Mr. Commissioner, are you aware that public land whether it be federal, territorial or municipal, is available for public use when it is not used for any specific purpose. And would Mr. Commissioner instruct the Municipal Inspector to consult immediately with the Mayor of the City of Whitehorse, advising him that the obstructions to public land that he has now ordered put up is contrary to Municipal Law."

The answer to this question is as follows:

I am advised that the general rule in respect of land acquired by a municipality is that unless the land is subject to a trust or condition arising out of a statutory provision or annexed to the grant, the municipality may make, in the first instance or subsequently, any use of it which falls within the corporate powers of the municipality, although it may have been acquired for some other and inconsistent purpose. I am further advised that a tax payer has no status, as such, to control the use to which municipal property (other than highways) may be put by the municipality.



J. Smith
Commissioner

LEGISLATIVE RETURN NO. 74 (1974 SECOND SESSION)

31 May, 1974

Mr. Speaker

Members of Council

On May 1, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, I have a question I would direct to Mr. Administrator if I might, this afternoon. It bears reference to the White Pass and Yukon Route's President's statement last night that they have not applied for any rail reserve and it bears out also the fact that the Administration in answering this question on many, many, many occasions over many Sessions, said that they have not. In light of the Sessional Paper brought down on the matter pointing out that D.I.A.N.D. in fact have a reservation, I am wondering if Mr. Administrator can tell me whether the administration is taking steps to make available recreation lands at Fox Lake and other recreation areas along that route, as early as possible for those people applying for same."

The answer to this question is as follows:

The Lands Branch of the Department of Indian Affairs and Northern Development have informed us that applications for Recreational Land at Fox Lake have been processed and permitted in the normal manner. In some cases refusal of Summer Residential Use application has resulted where there is insufficient space between the road right-of-way and the proposed cottage lot site for an access road, or where excessive grades would not permit a normal access to the lot applied for. The land reserve is therefore not restricting Summer Residential Use applications.



J. Smith
Commissioner

LEGISLATIVE RETURN NO. 75 (1974 Second Session)

June 4, 1974

Mr. Speaker,
Members of Council

On May 9, 1974, Councillor Taylor asked the following question:

"I have asked that all Members of Council be provided with copies of these maps in order that we can have them available to our constituents to look at and review."

The answer is as follows:

"Attached are copies of maps that are available concerning the land disposition question."



J. Smith,
Commissioner.

10 June, 1974.

LEGISLATIVE RETURN NO. 75 (1974 SECOND SESSION)

Mr. Speaker,

Members of Council

On Friday, May 3, 1974, Councillor Chamberlist asked the following question:

Would Mr. Administrator attempt to ascertain why the Yukon Electrical Company Limited has, for many, many years, and in some cases for almost sixty years, held deposits for meters without paying interest on the deposits and without people, who have moved from the Territory, having been refunded with interest on the deposits that have been held. Taking a rough, round figure, I would say that the Yukon Electrical Company Limited has benefitted over the years by some \$240,000.00.

The question was forwarded to The Yukon Electrical Company Limited, by the Territorial Secretary, and following is a quote from their reply, dated May 16, 1974:

Further to the question raised by Councillor Norman Chamberlist, the franchise agreements held by The Yukon Electrical Company Limited state that a security deposit will be required from each customer applying for service but it does not state that interest shall be paid on this deposit. We have not paid interest on our meter deposits and it could be argued that any interest paid to our customers or former customers is ultimately a charge which those same customers must bear, and it is therefore self-defeating. In addition, the administrative costs of maintaining such accounts would be considerable, particularly in light of the very mobile population which has existed in the Yukon Territory.

Most utilities throughout North America within the last year or so have refunded security deposits and it is our intention to do so at the time that we re-negotiate our franchise with the City of Whitehorse and at the same time replace it with a service connect fee so that customers who are always moving, pay for the administrative costs involved and they do not impose a burden on our customers as a whole.

In some jurisdictions, simple interest is paid on security deposits but nowhere, to our knowledge, is the interest compounded.



James Smith,
Commissioner.

19 June, 1974

Mr. Speaker

Members of Council

On June 19, 1974, Councillor Taylor asked the following question:

"Mr. Speaker, it has been the policy in the past of the Government of the Yukon Territory to oil from or immediately prior to or following the entrances to highway lodges just as one means of returning a little capital revenue from the Government back to these tax-paying people. I am wondering if this is going to be done out of this year's budget."

The answer is as follows:

We are no longer using oil on our Highways, however, the Highway Dust Control Program does provide the same quality of control to Highway Lodges.



M. E. Miller,
Assistant Commissioner.

LEGISLATIVE RETURN NO. 78 (1974 SECOND SESSION)

19 June, 1974

Mr. Speaker
Members of Council

On June 17, 1974 Councillor Taylor asked the following question:

"Mr. Speaker, I have a question I would direct to Mr. Commissioner this morning. I would like to ask him if as yet he has received any reply to the Motion of Council requesting funds from the Department of Indian Affairs and Northern Development for the purpose of providing Timberline Television to the communities described in the Motion."

The answer to this question is as follows:

The reply received from the Department of Indian Affairs and Northern Development was negative in that all Federal Departments are required to refer all communication needs to either C.B.C. or C.N.T. Department officials have referred this proposal to C.B.C.

C.B.C. have reviewed the proposal from Total North Communications and have sent an engineer to the Yukon to review the quality of the Ross River system. We are now awaiting the results of the engineering report.

In a conversation with C.B.C. officials this morning, they have assured us that they will attempt to get us an answer within the next few days. As soon as a reply is received from C.B.C. I will advise you further.



J. Smith
Commissioner

LEGISLATIVE RETURN NO. 79 (1974 SECOND SESSION)

19 June, 1974

Mr. Speaker

Members of Council

On June 19, 1974, the Commissioner undertook to table information concerning the actual distribution of the numbers of people within the Yukon Territory that come under the R.C.M.P.

Attached is a copy of the information requested.



J. Smith,
Commissioner.

ESTABLISHMENT OF R.C.M.P. IN YUKON - June 20, 1974.

<u>Headquarters:</u>	<u>Administration:</u>	6 Regulars
		3 Civilians
	<u>Telecommunication:</u>	1 Regular
		4 Civilians
	<u>Identification:</u>	2 Regulars
	<u>Air Detachment:</u>	3 Regulars
	<u>Major Crimes:</u>	3 Regulars
	<u>Customs & Excise:</u>	1 Regular
	<u>Drug Squad:</u>	2 Regulars
<u>Watson Lake:</u>		7 Regulars
		1 Civilian
<u>Dawson City:</u>		3 Regulars
<u>Carmacks:</u>		2 Regulars
<u>Haines Junction:</u>		2 Regulars
<u>Teslin:</u>		2 Regulars
<u>Old Crow:</u>	3) all year)	2 Regulars plus 1 in July (Herschel Island)
<u>Mayo:</u>		2 Regulars
<u>Faro:</u>		2 Regulars
<u>Ross River:</u>		1 Regular
<u>Beaver Creek:</u>		1 Regular
<u>Carcross:</u>		1 Regular (April to November)
<u>Highway Patrol:</u>		4 Regulars
<u>Airport Detachment, Whitehorse:</u>		7 Regulars
<u>Whitehorse:</u>		19 Regulars 5 Civilians

- NOTE:
- (1) 2 men from Whitehorse strength supply the manpower at Beaver Creek and Carcross.
 - (2) with Division status on 1 July, 1974 the following addition will be at Whitehorse

Admin personnel	3 Regulars
	1 Civilian

June 20, 1974

Mr. Speaker

Members of Council

On June 17, 1974 Councillor McKinnon asked the following question:

"Well, supplementary question, Mr. Speaker. In 17 years in the Yukon, this is by far the worst, even after the DDT was eliminated, we all understand there was some chemical compound that was controlling mosquitoes in the Yukon because it was bearable to go outside in the summer. That isn't the case this year."

"I wonder, Mr. Speaker, if Mr. Commissioner would be prepared to present a paper from the experts in this field outlining why the control is such a failure in 1974. Also, would Mr. Commissioner find out whether there actually was spraying done at the Marsh/Tagish area this summer because if there was, I can assure him, it's been the most absolute waste of the tax-payers money that can be found to waste it and I know the Government finds a lot of ways to misuse the tax-payers money. If just hasn't been effective in any way, shape or form."

"I wonder if Mr. Commissioner can present a paper to Council on what areas were sprayed and why there has been no effective mosquito control in the Yukon at this time."

The answer is as follows:

This year as in past programmes of Mosquito Control there were scheduled two (2) aerial sprays - the first using Abate against the young mosquito larvae and the second using Malathion against flying adults.

We commenced the first spray application using chemicals in stock having been informed that the rest of the chemicals needed were shipped. Constant contact with suppliers assured us that these were en route. Half way through our larvaciding program we were forced to stop spraying when the chemical in stock ran out, our investigation revealed that the pesticides had not even been shipped from the East. A factory had burned down and the supplying company neglected to inform customers that the chemicals were being doled out on quota or not sent. A survey of alternate sources revealed a general shortage of chemicals throughout Canada and the U.S.A.

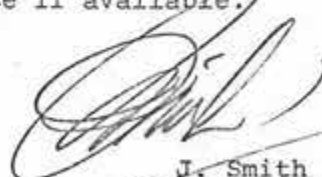
We looked into using alternate chemicals registered in Canada for mosquito control use such as Dursban, Baytex, Dibrom, and Methoxychlor, but these were not approved by Environment Canada. We chose not to use any of these substitutes because they are either harmful to non-target organisms or too dangerous to use near people.

The communities sprayed with Larvacide were Ross River, Faro, Mayo, Elsa, Keno, Dawson City, Clinton Creek, Pelly Crossing, Carmacks and parts of the Whitehorse region. From these towns favourable reports on the effectiveness of mosquito control were received. Places not sprayed included the outer regions of Whitehorse, Marsh Lake - Tagish, Carcross, Haines Junction, Destruction Bay, Beaver Creek, Teslin, Swift River, and Watson Lake airport. To these latter communities we gave Abate capsules. The capsules were not adequate because the people on foot could not cover sufficient acreage in time to control the mosquitoes in the larval stage.

We did manage with great difficulty to obtain sufficient chemical to do a complete second aerial spray in all communities, which is in progress. Whitehorse will be using supplementary ground fogging using equipment and chemicals supplied by the Department

There was a question raised as to whether the chemicals used have any effect on mosquitoes. Regarding Abate, sloughs checked after the first aerial spray showed mosquito larva killed in about five (5) days. To check the effectiveness of the Malathion application we have light traps which give relative population densities of flying mosquitoes. It is too soon to know this year, but last year for example at Carmacks the light trap at Forestry showed an immediate drop-off in mosquitoes after spraying, then a gradual increase in numbers during the summer.

In order to make our program more effective next year, we want to put more emphasis on killing the mosquito at the young larval stage. Any successful program has to be directed mainly against the larvae because they are easier to kill and they are concentrated in small areas which makes it more economic. Depending on weather conditions, this would mean beginning the first aerial spray about two (2) weeks sooner and using a cold water formulation of Abate if available.



J. Smith

Commissioner.

LEGISLATIVE RETURN NO. 81 (SECOND SESSION) 1974

June 20, 1974

Mr. Speaker

Members of Council

On June 17, 1974 Councillor Chamberlist asked the following question:

"Supplementary, I understand, Mr. Speaker, that there has been a circular sent out by the Department of Information. I received a copy this morning in the mail that there is to be further spraying on June 20th. Now, if this is correct, will the administration see that a more deadly to the mosquitoes type of juice is used during the spraying of areas."

The answer is as follows:

It is impossible to use stronger pesticides against mosquitoes since the spray chemicals used must be approved by the Federal Department of Environment. Approval for chemicals toxic to birds, fish, animals, and people is not obtainable.



J. Smith

Commissioner

20 June, 1974

Mr. Speaker
Members of Council

On June 19, 1974 Councillor McKinnon asked the following questions:

1. "Can changes be made to the Territorial Elections Ordinance that will allow for a Territorial Election with twelve members, September 9th?
2. If not, why not?
3. If changes can be made to the Territorial Elections Ordinance to allow for that, will the Government bring in such legislation."

The answers to these questions are as follows:

1. No.
2. The Canada Elections Act provides that changes in electoral district boundaries do not apply in a Territorial Election within six months of the coming into force of such a change unless the Chief Electoral Officer has published in the Canada Gazette a notice that the necessary preparations have been made for bringing that change into operation. The Chief Electoral Officer has informed the Territorial Government that the necessary preparation cannot be completed in time for an election before December 9, 1974.
3. See answer to question No. 1.


J. Smith
Commissioner

LEGISLATIVE RETURN NO. 83 (1974 SECOND SESSION)

20 June, 1974

Mr. Speaker

Members of Council

On June 17, 1974, Councillor McKinnon asked the following question:

"Further, Mr. Speaker, I wonder if Mr. Commissioner could advise whether there are any engineering plans in the near future for the replacement of the Bridge at Tagish. As I understand it has a life expectancy of perhaps two more years."

The answer to this question is as follows:

At this time planning is underway with respect to the replacement of the Tagish Bridge in fiscal year 1977/78.



J. Smith
Commissioner

June 20th, 1974.

LEGISLATIVE RETURN NO. 84 -- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

On Monday, June 17th, 1974 Councillor Chamberlist asked the following question:

"It has been brought to my attention that the curriculum at the F. H. Collins School is going to be changed considerably next year so that the music classes are going to be restricted to something of a part-time nature during the year.

Would the Honourable Member comment as to whether or not we are going to maintain the same quality of music in the school or are we going to reduce it to a secondary position?"

The answer to this question is as follows:

The music programme for students at the F. H. Collins Senior Secondary School for the school year 1974-75 will be similar in structure to that presently offered. Any curtailment of the programme will be as a result of too few students selecting the programme to make it possible to operate.

As of this date, the courses planned for F. H. Collins for 1974-75 are:

Band 10.....Selected by 20 students
Band 11.....Selected by 18 students
Band 12.....Selected by 15 students
Instrumental Survey 12.....Selected by 9 students
Music 10 (Guitar).....Selected by 25 students
Stage Band 12.....Selected by 20 students

These courses will be offered and will be included in the programme and will continue as long as students still elect the courses as they have presently indicated.

This year, 1973-74, the music offerings were as follows:

Music 11, 12 combined..... 9 students registered
Band 11.....18 students registered
Band 12.....21 students registered

Second Semester

Band 11.....15 students registered .

Band 12.....12 students registered

It should be noted that if all the courses as listed become a reality because of the continued interest of the students who have selected them, then the music position at F. H. Collins will be a full-time one for this coming year.



Hilda P. Watson,
Member,
Executive Committee.

21 June, 1974

Mr. Speaker

Members of Council

On June 21, 1974, Councillor Chamberlist asked the following supplementary question:

"Mr. Speaker, could Mr. Commissioner indicate how many units are going to be built on that particular site?"

The answer is as follows:

There are ten senior citizens' units and a recreation hall to be built on this particular site.



J. Smith
Commissioner

LEGISLATIVE RETURN NO. 86 (1974 SECOND SESSION)

June 21, 1974

Mr. Speaker

Members of Council

On June 21, 1974, Councillor Chamberlist asked the following question:

"Has the contract been signed yet for the construction of the Wolf Creek Training Home?"

The answer is as follows:

"The contract for the construction of the Wolf Creek Training Home has been let."



J. Smith,
Commissioner.

June 25th, 1974

Mr. Speaker,
Members of Council

On June 21st, 1974, Councillor Taylor asked the following question:

" Mr. Speaker, I have another question I would like to direct to Mr. Commissioner this morning referring to the sale of town-site lots in Watson Lake. It is my understanding that the sale of these lots, these are residential lots in the new subdivision, that they are being withheld pending the purchase of the arrival of sewer and water materials such as pipe and this type of thing. In view of the wasting away shall we say of the summer building season, I am wondering if the Administration would consider the devising of an agreement for sale to these people for sale to these people so that people may purchase these lots, select their lots and get their building construction started during this building season."

The answer is as follows:

The Territorial Government does not have the legal right to sell residential lots in Watson Lake's new subdivision until an Order in Council is passed transferring disposition of this property to the Commissioner.

The Provisional Plans for the subdivision were received in Ottawa on May 23rd, 1974, and we expect transfer of said land momentarily.


J. Smith
Commissioner.

LEGISLATIVE RETURN NO. 88 (SECOND SESSION)

25 June, 1974

Mr. Speaker
Members of Council

Tenders called for Construction of Homes

On June 24, 1974, Councillor Taylor asked the following question:

"Mr. Speaker, apparently recently there were tenders called for the construction of homes throughout the Territory as indicated in our budget and I'm wondering now if the Administration have received from the Housing Corporation information which they could give the Council as to whether or not these houses, apartments and so forth, whether contracts will be awarded and where and to whom."

The answer is as follows:

In its regular monthly meeting on June 21, 1974, the Board of Directors of the Yukon Housing Corporation received the tenders submitted for 61 housing units which represents the first phase of 1974-75 building program.

From the four tenders submitted, two tenders were declared invalid. The Board awarded a contract for 30 housing units comprising 20 Rental/Purchase and 10 staff at Watson Lake to Altan Construction Ltd. of Edmonton. The total contract was \$1,100,000. All other tenders were rejected because prices were far in excess of estimated project costs.

With respect to the balance of 1974-75 construction program, the Yukon Housing Corporation is inviting all interested builders and/or suppliers of manufactured homes to submit designs and costs for modest housing units. It is hoped that the remainder of the construction program will be completed within budget estimates through this invitational tender process.



J. Smith
Commissioner

26 June, 1974

Mr. Speaker

Members of Council

Capital Projects Delayed

On June 25, 1974 Councillor McKinnon asked the following question:

"Supplementary question, Mr. Speaker. With the cost of Capital Projects, the bids coming in anywhere from 50 to 75% higher, upon motion of this Council would the Commissioner be prepared to inquire as of his Minister whether those Capital Projects could be delayed for a year or more, several of them. Those monies be transferred because of the emergency situation from the Capital side of the Budget to O & M to provide subsidies and relief to Yukon residents against the increased cost of gasoline, heating fuel and probably electricity in this fiscal year?"

The answer is as follows:

Our Financial Agreement with Ottawa does not contain provisions for the transfer of funds from Capital to Operation and Maintenance. Our experience with acquiring Capital monies has consistently been a problem and we are only allowed to provide for Capital projects once. If we were to divert these funds for other purposes our chances of ever proceeding with the Capital projects planned would become very limited.



J. Smith
Commissioner

Mr. Speaker,

Members of Council

On June 21st, 1974, Councillor Chamberlist asked the following question:

Mr. Speaker, I have a number of questions to ask the Commissioner. The first question is this and prior to the question I would like to give Mr. Commissioner and the House some information. Hearing questions that were raised with reference of orders issued for the taking down of signs, this Council was given some false information relating to the position of signs. It has now been brought to my attention and I have the documents here that in one particular instance an application was made on June 19th, 1972 for the erection of four signs.

The permit was issued on June 19th, and a receipt for the money for the signs was made out by the Territorial Government on July 4th. An order was issued under the signature of the Administrator to have the signs removed and subsequently the Government removed the signs, sent the owner of the motel two bills in the total amount of \$21.00 for removing the signs. The signs have disappeared and the signs were first erected under the authorization of the Territorial Government. The signs were located on the instructions of the foreman of the Highway Division.

Would the Commissioner indicate why this Council is being given false information by the Administrator and would he see to it that this type of information will not be given to the Council again. Will he take the steps to correct the injustice that has been done here and arrange for the funds because of the loss of the sign to be repaid to the owners.

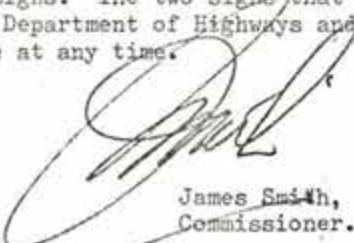
The answer to this question is as follows:

As stated by Mr. Chamberlist, a permit was issued to Mrs. Edith Grave for the erection of four highway signs for Bert-Lyn Enterprises.

The signs were to be located at Mile 899.5, 901.5, 903.5 and the fourth one immediately in front of the premises at 904.5. When the signs were erected it was noted that all four had been put up south of the entrance to the trailer court. This, therefore, put the installation of the signs in violation of Section 10 of the Regulations. When our Inspectors checked on the situation it was also noted that yet another sign had been erected south of the premises which made a total of five signs erected south of the premises.

In April, 1973, Bert-Lyn trailer court were notified that these signs were in violation of Section 10 of the Regulations, pointing out that there had been five signs erected south of the trailer court and informing the proprietors of the requirements of Section 10 of the Regulations which allowed for only 3 signs to be erected in each direction from the premises. In May, 1973 one of our Inspectors spoke to Mr. Austin Grave, one of the owners of the Bert-Lyn trailer court, and discussed the sign problems with him, and during the conversation Mr. Grave advised our Inspector that the excess signs south of the place of business would be removed. This was not done and in September of 1973, an Order was served upon Edith Grave calling for the removal of two of the five signs located south of the Bert-Lyn trailer court.

Subsequent to the above, and having received no reply or compliance with the removal order, in December of 1973 we requested the Public Works Department to remove two of the signs. The two signs that were removed are presently in the care of the Department of Highways and Public Works and may be reclaimed by Mr. Grave at any time.



James Smith,
Commissioner.

June 26th, 1974.

LEGISLATIVE RETURN NO. 91 -- 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

On Tuesday, June 25th, 1974 Councillor Chamberlist asked the following questions:

"Would the Member indicate how many teachers have notified the Department that they are leaving the Territory or have resigned or will not be back teaching next year?

I have from very reliable sources that in the region of 25% of the teachers are in that category. Would the Honourable Member agree or disagree with this supposition?"


The answers to these questions are as follows:

Total resignations.....57

-- Before May 1st.....39

-- After May 1st.....16

These resignations amount to 23.1% of the teaching staff, which is approximately the same percentage as occurred in 1973. The resignation rate in the Yukon is generally lower than in other areas.


Hilda P. Watson,
Member,
Executive Committee.

26 June, 1974

Mr. Speaker

Members of Council

Motion passed to have Dawson Mentioned
on Turn-off Sign on Alaska Highway.

On June 25, 1974 Councillor Stutter asked the following question:

"Mr. Speaker, I have a question for Mr. Commissioner. Mr. Commissioner last Monday, Monday June 17th, during the Question Period I had asked for some information regarding a Motion that had been passed by this Council to have Dawson mentioned on the turn-off sign on the Alaska Highway. At that time during your answer you did say that you will bring forward a paper on this particular matter explaining these details to the Honourable Members. I wonder, Mr. Commissioner, are you prepared to put forth this information at this Session, please?"

The answer to this question is as follows:

1. The Department of Highways and Public Works have been attempting over the past few years to provide destination signing in accordance with the manual "Uniform Traffic Control Devices for Canada". This manual sets out criteria which is followed throughout Canada in order that travellers will be familiar with highway signing in spite of the fact that they may be passing through several provincial jurisdictions.

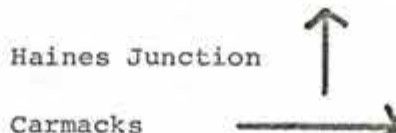
The manual states:

"In order to convey information quickly and clearly, lines of copy on destination signs could be minimized by naming only those municipalities which have a prescribed population. The prescribed population would depend on the province concerned. Lines of copy on destination signs should be restricted to a maximum of three to convey information quickly. An ideal policy is to allow a maximum of three destination signs on the approaches to a junction of numbered routes. Not more than one destination along each highway may be shown. This place name can be the nearest important village or town.

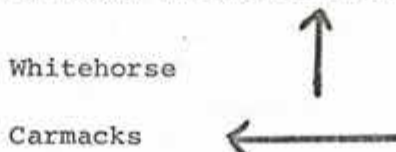
Destination shall be shown in this order:

- i) Straight ahead destination;
- ii) Left turn destination;
- iii) Right turn destination."

2. At the junction of the Alaska Highway and the Klondike Highway as a traveller proceeds towards the Alaska border and in advance of the junction he should see a sign as follows:



3. When south bound he should see:



4. If more information is shown on the destination sign it will be impossible for drivers to read all the message because of traffic speeds.

It must be assumed that drivers have a general idea of the route they wish to follow to arrive at their destinations. With the information illustrated above a driver should have no difficulty in arriving at his destination. Therefore it is felt that further identification is not necessary.


J. Smith
Commissioner

LEGISLATIVE RETURN NO. 93 - 1974 (SECOND SESSION)

Mr. Speaker,

Members of Council

Motion No. 35, moved by Councillor Taylor, seconded by Councillor McKinnon, June 20, 1974 - Consumer Protection Ordinance.

That it is the opinion of Council, that the Administration bring forward to Council, information indicating what legislative changes and financial provision would be required in providing for enforcement of the Consumer Protection Ordinance.

The answer to this question is as follows:

If the Consumer Protection Ordinance is to be administered and enforced through the Government Inspection Services the following legislative changes and financial provisions would be required:

Legislative Changes

An amending Ordinance would be required to provide for administration of the Consumers Protection Ordinance and enforcement of penalties, similar to the provisions included in comparable provincial statutes. The Ordinance, as presently constituted, does not include these provisions.

Financial

From information available to us, through discussions with Provincial authorities and Yukon residents, it is apparent that the existing Inspection Service staff would not be able to administer and enforce this Ordinance in addition to the legislation for which they are presently responsible. We would, therefore, require expansion of this Section with estimated annual costs as follows:

Staff

3 Field Inspectors	@ \$12,700	-	\$38,000
1 Clerk Typist II	@ 6,725	-	6,725
Fringe Benefits	@ 7%	-	3,140

Office Space

500 square feet	@ \$6.00	-	3,000
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Travel Expense

3 Inspectors @ 60 days	@ \$35.00	-	6,300
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Auto operating expense

18,000 miles @ .25	-	4,500	
			\$61,765

Office furniture & equipment

- 5,500

Additional auto for pool

- 4,200

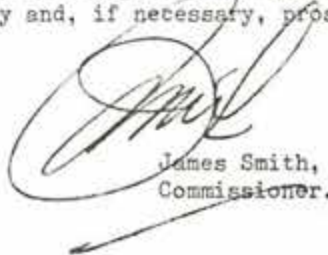
Total Capital

\$ 9,700

TOTAL

- \$71,465

It must be noted that these costs are to provide personnel for the investigation of complaints only and, if necessary, prosecutions arising from these investigations.



James Smith,
Commissioner.

June 27, 1974.

LEGISLATIVE RETURN NO. 94 - 1974 (SECOND SESSION)

Mr. Speaker

Members of Council

Haines Junction L. I. D. Expansion

On June 25, 1974 Councillor McKinnon and Councillor Chamberlist asked a series of questions related to the Haines Junction Local Improvement District proposed expansion.

Following are the answers related thereto:

1. On November 28, 1973 a petition was received from local residents to establish a new Local Improvement District at Haines Junction with extended boundaries.
2. On January 4, 1974 advertising commenced concerning the new Haines Junction L. I. D.
3. On January 25, 1974 an appeal against the establishment of the new district was received from a number of local residents.
4. On February 20, 1974 Mr. T. Cole conducted a public meeting in Haines Junction regarding the establishment of the new Haines Junction Local Improvement District.
5. Mr. Cole submitted his report dated March 11, 1974 which recommended that the extension proceed as requested but that the Indian Village not be included within the Local Improvement District.
6. During this same period the Yukon Native Brotherhood approached the Minister concerning the need for land around Haines Junction for the use of the Indian people. The Minister requested that the new L. I. D. boundaries not proceed until such time as the Y. N. B. request had been resolved. We have now reached agreement with the Minister concerning the area to be included in the new Local Improvement District. This is based on the clear understanding that the final boundaries of the Indian village are still under negotiation as part of the native land claims and the L. I. D. boundaries may be subject to further change for this area.
7. In order to bring the new Local Improvement District into being I intend to dissolve the present Haines Junction Local Improvement District as set out in Commissioner's Order 1968/231 on the recommendation of the Inspector of Local Improvement Districts. I further intend to create a new Haines Junction Local Improvement District which will

include those lands as agreed upon between myself and the Minister, and to appoint the existing Trustees for their remaining elected terms. The new Local Improvement District will acquire all properties, assets and liabilities of the present Local Improvement District.

A handwritten signature in dark ink, appearing to be 'J. Smith', is written over a faint, circular official stamp or seal.

J. Smith,
Commissioner.

