

FOURTH  
1970

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# YUKON TERRITORIAL COUNCIL

FOURTH SESSION 1970

## Votes and Proceedings

VOLUME 1

(Sessional Papers)

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I N D E X

1970 (FOURTH SESSION)

Session Dates - Wednesday, November 4, 1970, to Friday, November 13, 1970

<u>SESSIONAL PAPERS</u>	<u>TABLED</u>	<u>DISCUSSED</u>
1. Appointments to Boards and Committees	8	
2. Executive Committee for the Yukon Territory	8	31-45 68-74 75-77 87-91
3. Appointment to Whitehorse Indian Village Steering Committee	8	
4. Yukon Territory Water Board	8	45-47 <i>sup. 87</i>
5. Use of Defoliant - Alaska Border	8	
6. Commissioner's Opening Address	2	
7. Question Re Tax Assessment	23	74-75
8. Tour of Herschel Island	23	
9. Question Re Arctic International Wildlife Range Conference	80	

<u>MOTIONS</u>	<u>MOVED</u>	<u>DISCUSSED</u>	<u>RESULTS</u>
1. Executive Committee			Dropped from Order Paper
2. Executive Committee			Dropped from Order Paper
3. Advisory Committee on Finance			Dropped from Order Paper
4. Deputy Speaker of House			Dropped from Order Paper
5. Rule No. 6 of Standing Orders	15	15-18	Carried
6. Sessional Papers No. 2 and 4	18		Carried
7. Teachers' Salary Negotiation Committee			Dropped from Order Paper
8. Whitehorse General Hospital Board			Dropped from Order Paper
9. Whitehorse Indian Village Steering Committee			Dropped from Order Paper
10. Municipal Ordinance	18	18-19	Carried
11. 1969/70 Department of Education Report	27		Carried
12. Executive Committee	55	55-61	Carried
13. Sessional Paper No. 7	61		Carried
14. Whitehorse General Hospital Board			Withdrawn
15. Change of Time in Dawson City	65	65-66	Carried
16. Financial Advisory Committee	66	66	Carried
17. Deputy Speaker of House	66		Carried
18. Whitehorse Indian Village Steering Committee	66		Carried
19. Teachers' Salary Negotiation Committee	66		Carried
20. Executive Committee			Ruled Out of Order
21. Financial Advisory Committee			Ruled Out of Order
22. Speaker of House			Ruled Out of Order
23. Deputy Speaker of House			Ruled Out of Order
24. Teachers' Salary Negotiation Committee			Ruled Out of Order
25. Whitehorse General Hospital Board			Ruled Out of Order
26. Indemnities	83	82-85	Carried
27. Indemnities	85	85	Carried

WRITTEN QUESTIONS

	<u>ASKED</u>	<u>ANSWERED</u>
1. International Arctic Wildlife Range Conference	11	S.P. 9
2. Mining Safety Regulations	28	Page 91
3. Territorial Employees' Housing Policy	29	
4. Grant for Territorial Experimental Ski Training	80	
5. Grant for Sidewalk Construction in Dawson City	80	
6. Amusement Tax	81	

ORAL QUESTIONS

	<u>ASKED</u>
1. Amendments to Municipal Ordinance	10, 11, 20
2. Knowledge of Notice of Motion	10
3. Takeover of Alaska Highway	11
4. Takeover of Justice and Fisheries	11
5. R.C.M.P. at Carcross	11, 12
6. Timber Harvesting Agreements	12
7. Workmen's Compensation	12
8. Holiday Pay for Kindergarten Teachers	19
9. Environmental Control Legislation	20
10. Whitehorse Tax Assessment	21
11. Territorial Tax Assessment	21
12. Fiscal Agreement	21
13. 1971/72 Fiscal Agreement	22
14. Yukon Representation at Northern Resources Conference	22
15. Copies of Speech for Councillors	22
16. Department of Local Government	28
17. Taxation Manual for Whitehorse	29
18. Medicare Legislation	29, 63
19. Sessional Paper No. 8	29, 30
20. Office Space	62
21. Ross River Water System	62
22. Dawson Time Zone Change	62
23. Land Committee	63
24. Ambulance for Carmacks	63, 64
25. Street Lighting	63
26. Education Policies	63, 64
27. Ministers	64
28. Grant to Territorial Experimental Ski Training	80
29. Sidewalk Construction in Dawson City	80
30. Executive Committee	80

MISCELLANEOUS

	<u>DISCUSSED</u>
1. Education Report	48-52

ERRATUM

Page 6, Paragraph 9, Line 2, should read "a three-ring circus".  
Page 81, Paragraph 12, Line 1, should read "on notice".



VOTES AND PROCEEDINGS  
OF THE  
COUNCIL OF THE YUKON TERRITORY

Page 1.  
Wednesday, November 4th, 1970.  
3:00 o'clock p.m.

The Fourth Session of the Council for the year 1970, being the First Session of the Twenty-Second Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 3:00 o'clock p.m. on Wednesday, November 4th, 1970.

The Members present were:

Mr. Norman S. Chamberlist, Whitehorse East  
Mr. J. Kenneth McKinnon, Whitehorse West  
Mr. Ronald A. Rivett, Mayo  
Mr. Michael G. Stutter, Dawson  
Mr. Clive Tanner, Whitehorse North  
Mr. Donald E. Taylor, Watson Lake  
Mrs. Hilda P. Watson, Carmacks-Kluane Lake

The Clerk read the Proclamation.

Mr. Taylor: Mr. Clerk, I would like to at this time propose a motion. I would like to move that Councillor Ron Rivett, of the Electoral District of Mayo, do take the Chair of this House as Speaker. *MOTION RE SPEAKER*

Mr. Stutter: I second the motion.

Mr. McKinnon: Mr. Clerk, speaking on the motion, I would like to say that I feel this House is going to be extremely important and what we do here is going to be extremely important to the future of the Yukon. In this respect, I would have very much liked to have seen Councillor Taylor in the Speaker's Chair for this Session of the Territorial Council.

Mr. Chamberlist: I would at this time comment that although I have every confidence in the Honourable Member for Mayo, it would have been well befitting if the Honourable Member from Watson Lake would have been chosen for this very important position.

Mr. Taylor: Question.

Mr. Clerk: Question has been called. All in favour?

Mr. McKinnon: Division.

Mr. Chamberlist: Division.

Mr. Clerk: Division has been called. The Member for Dawson?

Mr. Stutter: Yea.

Mr. Clerk: The Member from Whitehorse East?

Mr. Chamberlist: Nay.

Mr. Clerk: The Member from Whitehorse North?

Mr. Tanner: Yea.

Mr. Clerk: The Member from Carmacks-Kluane?

Mrs. Watson: Yea.

Mr. Clerk: The Member from Whitehorse West?

Mr. McKinnon: Nay.

Mr. Clerk: The Member from Mayo?

Mr. Rivett: I abstain.

Mr. Clerk: The Member from Watson Lake?

Mr. Taylor: Yea.

Mr. Clerk: The vote is four yea, two nay. I declare the Member from Mayo Speaker of this House.

*MOTION  
CARRIED*

MOTION CARRIED

The Speaker is escorted to the Speaker's Chair by Councillor Taylor and Councillor Stutter.

Mr. Speaker: I wish to thank some of the Members of the House for the great honour they have conferred upon me by choosing me to be their Speaker. The First Session of the Twenty-second Wholly Elective Council of the Yukon Territory will now come to order. Mr. Clerk, will you please advise the Commissioner that the Council is prepared to hear his Opening Address?

Mr. Clerk leaves the Chambers to advise Mr. Commissioner, and returns.

Mr. Clerk: Mr. Speaker, the Commissioner will deliver his address in the Territorial Court Room in ten minutes.

Mr. Speaker: The Council is now adjourned to the Territorial Court Room to hear the Commissioner's Opening Address.

Mr. Speaker, escorted by the Sergeant-at-Arms, was followed by the Councillors to the Territorial Court Room.

The Commissioner of the Yukon Territory, Mr. James Smith, was escorted into the Territorial Court Room by his Aide-de-Camp.

Mr. Speaker informed the Commissioner of his election as Speaker.

The Commissioner congratulated Mr. Speaker and gave his Opening Address. (Set out as Sessional Paper No. 6)

Mr. Speaker and the Councillors returned to the Council Chambers.

Mr. Speaker: The House will now come to order. I have a copy of the Commissioner's address which will be tabled.

*SESSIONAL  
PAPER #1*

Mr. Tanner: Mr. Speaker, I now move that the Commissioner's Opening Address be considered on a day following.

Mrs. Watson: Mr. Speaker, I second the motion.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Carmacks-Kluane, that the Commissioner's Opening Address be considered on a day following. Are you prepared for the question? Are you agreed? I declare that the motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

Mr. Chamberlist: Mr. Speaker, at this time I wish to rise on a point of privilege. Mr. Speaker, in the rules of this House, No. 1, it reads "In all cases not provided for hereafter or by sessional or other orders, the usages and customs of the House of Commons of Canada as in force at the time shall be followed so far as they may be applicable to this Council". Mr. Speaker, as there are no rules relating to the seating of this House, I would therefore ask Your Honour's attention be drawn to Rule 20, page 16 of Beauchesne's Parliamentary Rules and Form: "Every member is provided with a seat and desk to which is affixed a card with the name of the occupant to whom it has been allotted. The members of the Privy Council and those supporting the Administration of the day occupy places to the right of the Speaker as far as they can be accommodated, and the members of the Opposition to the left. The oldest members are generally given preference. The Leader of the Opposition sits directly opposite the Prime Minister. The members who do not support the Government and do not belong to the Opposition Party shall all be considered as Independents". Mr. Speaker, I trust you will take note of my point of privilege here and use your prerogative in the House to arrange for the seating accommodation to be made accordingly.

Mr. Taylor: Mr. Speaker, just in reply to the Honourable Member from Whitehorse East ...

Mr. Chamberlist: A point of order, Mr. Speaker, questions of privilege are not debatable.

Mr. Taylor: I would then raise a question of privilege, Mr. Speaker. I would like to say at this point in time that it's very unfortunate that we have to wind up in these types of debate at the start of this most important Session, and I hope that matters such as this can be resolved in Committee or in Committees of Council. It has generally been the usage and the routine of the Legislatures that I certainly have attended here that the desks and seating arrangements are by constituency and I for one see no reason to change it at this time. I do not see any majority or opposition type situation at this particular moment at least, and so I feel that the Member has no real question of privilege.

Mr. Chamberlist: I rise on a point of order, Mr. Speaker, and to help Mr. Speaker. The Honourable Member from Watson Lake certainly is aware that when a point of privilege is made, Mr. Speaker should rule on it prior to hearing another point of privilege raised, and I trust that the Honourable Speaker will rule on the supposition I have put forward in accordance with the rules of the House and section 20 of Beauchesne.

Mr. Speaker: Shouldn't the seating of the House be a responsibility of the Clerk of Council?

Mr. McKinnon: Mr. Speaker, to aid Mr. Speaker, it is the prerogative of the Speaker of the Council and of the Council of the House, as the Speaker is the servant of the House. I have often accused the Honourable Member for Whitehorse East of being dumb, but I have never accused him of being stupid, and I think his point is very well taken. If the Opposition sits on the left-hand side of the Speaker, Mr. Speaker, I'm glad to be in my right place at any rate. Besides that, Mr. Speaker, it is a Yukon tradition that the Honourable Member and myself have sat beside each other for very, very many years and I'm sure that you wouldn't deny an old Member of Council like myself a request to have him sitting for comfort beside me as was per usual before.

Mr. Speaker: I see no objection.

Mr. McKinnon: Thank you, Mr. Speaker.

Mr. Chamberlist: Thank you, Mr. Speaker.

Mr. Tanner: Mr. Speaker, I move that the Honourable Member from Watson Lake, Councillor Taylor, be appointed Deputy Speaker of this House.

Mr. Stutter: Mr. Speaker, I second that motion.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North, seconded by the Honourable Member for Dawson, that Councillor Taylor be appointed Deputy Speaker of this House.

Mr. McKinnon: Speaking on the motion, Mr. Speaker, I would just like to add that it is still my belief that the place for the Honourable Member for Watson Lake is in the Chair of this House at this time in the Yukon's history.

Mr. Chamberlist: I concur with my colleague, Mr. Speaker.

Mr. Speaker: Are you prepared for the question? Are you agreed?

Mr. McKinnon: Division.

Mr. Chamberlist: Division.

Mr. Clerk: The Member from Dawson City?

Mr. Stutter: Yea.

Mr. Clerk: The Member from Whitehorse East?

Mr. Chamberlist: Nay.

Mr. Clerk: The Member from Whitehorse North.

Mr. Tanner: Yea.

Mr. Clerk: The Member from Carmacks-Kluane?

Mrs. Watson: Yea.

Mr. Clerk: The Member from Whitehorse West?

Mr. McKinnon: Nay.

Mr. Clerk: The Member from Watson Lake?

Mr. Taylor: Abstain.

Mr. Clerk: Mr. Speaker, the vote is three yea, two nay.

Mr. Speaker: I declare that the motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

*MOTION RE  
DEPUTY  
CHAIRMAN*

Mrs. Watson: Mr. Speaker, I move that Councillor Stutter be appointed Deputy Chairman of Committees.

Mr. Taylor: I would second that motion, Mr. Speaker.

Mr. Chamberlist: Agreed.

Mr. McKinnon: Agreed.

Mr. Speaker: It has been moved by the Honourable Member for Carmacks-Kluane and seconded by the Honourable Member for Watson Lake that Councillor Stutter be appointed Deputy Chairman of Committees. Are you prepared for the question. Are you agreed? I declare the motion carried.

*MOTION  
CARRIED*

MOTION CARRIED

Mr. Taylor: Mr. Speaker, I would beg leave at this time to move Introduction to Bill No. 1, namely An Ordinance Respecting Oaths of Office.



Mr. Tanner: I'll second that motion, Mr. Speaker.

Mr. Chamberlist: Speaker on the motion, Mr. Speaker, I feel it would be most improper of this Council at this time to move a Bill before this House which has no substance but just a front page. I would ask, Mr. Speaker, that the proper proceedings of the House commence forthwith and that a Bill which is in effect a Bill should be properly presented, and that it is an affront to the Members of this House that a page only, with a name of An Ordinance Respecting Oaths of Office should be introduced. There is no Bill attached to it and I consider it most improper.

Mr. Taylor: Mr. Speaker, it is my prerogative as a Member of this House to move the Introduction of any Bill of this House, there being at this time no substance to the Bill ... this is merely the cover to the Bill. The substance will be produced when the Bill is asked for First Reading in this House. This is quite proper under the rules of parliament.

Mr. Speaker: It has been moved by the Honourable Member for Dawson, seconded by the Honourable Member for Carmacks-Kluane ... as you were ...

Mr. Chamberlist: I rise on a point of order, Mr. Speaker. I trust, Mr. Speaker, you will encourage all Members of the House to debate at any time and would ask if there is any further discussion on the matter before the motion is read.

Mr. Taylor: Question.

Mr. McKinnon: Question.

Mr. Speaker: I think we had better read this motion again. It has been moved by the Honourable Member for Watson Lake, seconded by the Honourable Member for Whitehorse North, that Introduction be given to Bill No. 1, namely An Ordinance Respecting Oaths of Office. Are you prepared for the question? Are you agreed? I declare the motion carried. *BILL #1  
INTRODUCED*

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Stutter: Mr. Speaker, I move that Council should adjourn until Friday at 10:00 a.m.

Mr. Taylor: I would second the motion, Mr. Speaker.

Mr. Chamberlist: A point of order, Mr. Speaker, we have already laid down the rules for the opening of this Council, and the rules read as follows: "That the Council adjourn at this time until the following day" ... so it's the following day ... "at 10:00 o'clock".

Mr. Taylor: A point of order, Mr. Speaker, a motion for adjournment is non-debatable.

Mr. Chamberlist: There's no question of a debate. I'm just bringing to the attention of Your Honour that there is a ruling already which has been presented to the House. It's for your help and guidance. If you wish to go contrary to that, that will be fine, but the Honourable Member doesn't appear to wish to help you.

Mr. Taylor: Question.

Mr. McKinnon: Just speaking out of curiosity, Mr. Speaker, could anyone tell me why we will not be going to work at 10:00 o'clock tomorrow morning? I am well prepared to go ahead with the business of the House.

Mr. Taylor: Mr. Speaker, in relation to the very sound question asked by the Honourable Member, I can only say that evidence today of this very brief opening Session would indicate that the newer Members of this group have got to sit down with the older Members of our Council in order to get their feet



Mr. Taylor continued:

on the ground, find out what an Order Paper is and indeed acquaint themselves with the usages and the routines of this Legislature. It is for this reason that the motion, which I have seconded, to stand over one day has been proposed, in order that we might have a breathing spell to all get our feet on the ground.

Mr. Chamberlist: With regard further to Councillor McKinnon's question in this matter, and I'm not debating the original motion of course, with respect, I just wish to point out Item 12 on the Council of the Yukon Territory's Opening Procedure: "Council is adjourned until 10:00 o'clock the following day". Are we now setting aside the rules? If so, perhaps the Honourable Member would move a motion to set aside the rules for that purpose.

Mr. Taylor: Mr. Speaker, the motion for adjournment that has been proposed by the Honourable Member for Whitehorse North is completely in order and is non-debatable.

Mr. Chamberlist: Notwithstanding, with respect, Mr. Speaker, it's a point of privilege now that I rise on it. I ask Your Worship to rule on this order which says "Council is adjourned until 10:00 a.m. the following day". Now, if it is the House's wish to change that, with respect, Mr. Speaker, it is necessary for a Member to move that Standing Orders be set aside for that particular purpose to alter this. If we hear that motion, perhaps we can deal with it in that way.

Mr. Speaker: Is this a Standing Order or is this just a tentative procedure, is it not?

Mr. Chamberlist: With respect, Mr. Speaker, these are the rules that have been given to us for the Opening Procedure and we haven't moved away from those rules. Are we to follow these rules or not? This is your prerogative, with respect.

Mr. Speaker: We're moving away from this rule then.

Mr. Chamberlist: Well, in that case, I'm sure the Honourable Member from Watson Lake is well aware that if we are moving away from the rules, a motion to move away from that rule is required.

Some Members: Question.

Mr. Chamberlist: With respect, Mr. Speaker, do the Honourable Members think they're going to turn this into a thieving circus or are we going to get an answer to the point of privilege that I raised for Your Honour to answer, and that is, if we are departing from the rules, and where there is a departure from the rules, there's a necessity for unanimous consent of this House if we depart from the rules.

Mr. McKinnon: Mr. Speaker, I would have no objection at all, having listened to the explanation of the Honourable Member for Watson Lake, to have the rules of the House suspended and a motion made so that the Honourable Members ... I'm not a wader, I'm a plunger. I think we may as well dive in and get wet all over right away rather than take a day's hiatus or a holiday to try to learn the rules. Otherwise, if that what the Members want, that's fine with me. If they want to not go by the rules of the House and suspend the rules and make a motion that the House will not sit again until Friday, then I would be more than happy to go along and concur with it, but I'd just advise Your Worship to listen to the advice that is being given because it would be wrong if we did not follow the rules of this House that we have set down up until now and just decide that the rules will be overridden in any way, shape or form at any time. Then I think we'd have real trouble in turning this House not into a debating, legislative, democratic forum, but something else.

Mr. Taylor: Mr. Speaker, in relation to what the Honourable Member has stated, the general usages of the House have been ... we've done this many times before, but for some strange, unapparent reason today it is not possible to do so, so,

if this is to be the course of action that must be followed, then I would suggest that the mover of the motion withdraw it if it would quiet down those opposing Members, and I would withdraw as seconder, and we would go the route that the Honourable Members stated. But, I say again that I would consider that the motion for adjournment is quite in order and is in keeping with the usages and practices of this House as it stands.

Mr. McKinnon: Mr. Speaker, if it did slip by, it slipped by me because I think if you will check my record in the House, I have always tried to follow the rules that this House has laid down as a body. When we did make an exception to the rules, we've suspended those rules and made a motion so that everything was in the Votes and Proceedings and everything was as our rules required it to be. I would be more than willing to go along with what the Honourable Member from Watson Lake has just discussing.

Mr. Tanner: Mr. Speaker, I move that the rules of the House be suspended for this one occasion ... well, we could withdraw the motion.

Mr. Taylor: Mr. Speaker, as seconder of the motion and I would at this time like to move a new motion. I would move that Standing Order No. 2 ... Rule No. 2, pardon me, of our rules, the rules of the House, be suspended and that Council do not sit again until 10:00 a.m. on Friday, the sixth of November.

Mr. McKinnon: Mr. Speaker, it gives me great pleasure to second the Honourable Member's motion.

Mr. Speaker: It has been moved by the Honourable Member from Watson Lake and seconded by the Honourable Member for Whitehorse West that Rule No. 2 of the Standing Orders be suspended and the House be adjourned until 10:00 a.m., Friday, November the sixth.

Mr. Chamberlist: Question.

Mr. Taylor: Question.

Mr. Speaker: Are you agreed? This House now stands adjourned until 10:00 a.m., Friday, the sixth of November.

Page 8.

Friday, November 6th, 1970.

10:00 o'clock a.m.

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

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order.

Mr. Chamberlist: Mr. Speaker, I wish to rise on a question of privilege at this time. Mr. Speaker, on page 6 of the Votes and Proceedings, the third paragraph from the bottom, it has quoted me as saying, "With respect, Mr. Speaker, do the Honourable Members think they're going to turn this into a thieving circus ...". I would suggest, Mr. Speaker, that the correct words that I did use were "a three-ring circus". I'm sure the staff were very pressed, that it was an error, but I would like to have the error recorded.

Mr. Speaker: Are there any documents or correspondence to be tabled?

Mr. Clerk: Mr. Speaker, I would like to table Sessional Papers No. 1 to 5; and pursuant to section 37 of the Interpretation Ordinance, those Regulations made since Council last sat; pursuant to section 6 of the Yukon Lands Ordinance, those land transactions made since Council last sat; and pursuant to section 6 of the Schools Ordinance, the 1969/70 Report of the Department of Education.

Mr. Speaker: Are there any further documents and correspondence to be tabled? Are there any Reports of Committees? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution?

Mr. Chamberlist: Mr. Speaker, I wish to give Notice of Motion at this time. The motion will be "That this Council recommends to the Commissioner of the Yukon Territory that Councillor Hilda Watson be appointed as the elected Member of Council to the position of Education Member on the Executive Committee, and that Councillor Norm Chamberlist be appointed the elected Member of Council to the position of Health and Welfare Member on the Executive Committee." MOTION #1

Mr. McKinnon: Mr. Speaker, may I ask whether the Honourable Member has a seconder for his motion?

Mr. Chamberlist: In accordance with Beauchesne's annotations on page 191 and 192, there is no necessity at this time for the seconder of the motion to be presented, that at the time of reading the motion, it will be on the Order Paper, if there is no seconder, then it will remain. That is the rule of the House.

Mr. McKinnon: Mr. Speaker, I'm just asking the Honourable Member a question as a gentleman and a scholar whether he has a seconder for his motion.

Mr. Chamberlist: Mr. Speaker, this matter should not be in debate. The Honourable Member from Whitehorse West is well aware that no Notice of Motion can be put into debate.

Mr. McKinnon: The Honourable Member well knows also, Mr. Speaker, that he can answer a question if he so desires.

Mr. Chamberlist: I'd like to remain with the rules of the House, Your Honour.

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



MOTION #2

Mr. Tanner: Mr. Speaker, I would like to give Notice of Motion that "It is the opinion of Council that Councillor Ken McKinnon and Councillor Don Taylor be appointed to represent the Council on the Executive Committee of the Government of the Yukon Territory to serve in the departments of Health, Welfare and Rehabilitation, and Education". This is moved by myself and seconded by Councillor Stutter.

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

MOTION #3

Mr. Stutter: Mr. Speaker, I would like to give Notice of Motion, moved by myself and seconded by Councillor Watson, "That Councillors McKinnon, Taylor and Tanner be appointed to the Financial Advisory Committee of Council".

MOTION #4

Mr. Taylor: Mr. Speaker, I would like to give Notice of Motion this morning, moved by myself and seconded by Councillor Rivett, "That Councillor Hilda Watson be appointed as Deputy Speaker of this House".

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

MOTION #5

Mrs. Watson: I'd like to give Notice of Motion, moved by myself and seconded by Councillor Stutter, "That Rule No. 6 of the Standing Orders and Rules of the Legislative Council of the Yukon Territory be amended by making the present rule 6(1) and adding thereto the following subsection: '(2) Notwithstanding subsection (1), a member is entitled to vote upon any question concerning the indemnities, expenses or salaries, of himself or any other member, payable by the Government of the Yukon Territory'".

MOTION #6

Mr. McKinnon: Mr. Speaker, I have a Notice of Motion. I would prefer to keep my seconder anonymous until Monday, although I would answer any questions as to who it was if I were asked. "That Sessional Papers No. 2 and 4 be discussed in Committee of the Whole".

Mr. Chamberlist: Mr. Speaker, that privilege should be allowed the Honourable Member.

MOTION #7

Mr. Stutter: Mr. Speaker, I would like to give Notice of Motion, moved by myself, seconded by Councillor Tanner, "That Councillor Hilda Watson be appointed to represent Council on the Teachers' Salary Negotiation Committee".

MOTION #8

Mrs. Watson: Mr. Speaker, I would like to give Notice of Motion, moved by myself, seconded by Councillor Taylor, "That Councillor Clive Tanner be appointed to represent Council on the Whitehorse General Hospital Board".

MOTION #9

Mr. McKinnon: Mr. Speaker, I would like to give Notice of Motion "That Councillor Clive Tanner be appointed to represent Council on the Whitehorse Indian Village Steering Committee".

Mr. Chamberlist: Mr. Speaker, I would like to give Notice of Motion that I will request the help of the Speaker to pull the knife out of my back.

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

MOTION #10

Mr. McKinnon: Mr. Speaker, I would like to give Notice of Motion, seconded by Councillor Tanner, "That amendments be brought to the Municipal Ordinance at this Session to allow for nineteen-year-olds to vote in the forthcoming City of Whitehorse municipal election."

Mr. Speaker: Are there any further Notices of Motion? Are there any Notices of Motion for the Production of Papers? Under Daily Routine, are there any Motions for the Production of Papers? There are no Motions. There is now the Question Period. Will the Council require the presence of the Commissioner? Mr. Clerk, will you ask the Commissioner to come to the Council Chambers? We will now have a recess.

RECESS

RECESS

Mr. Speaker: The House will now come to order. It is now the Question Period.

Mr. Chamberlist: Mr. Speaker, I wish to address a question to the Commissioner. Mr. Commissioner, the Administration of the City of Whitehorse has requested, because of the forthcoming election, that amendments be brought forward as quickly as possible in this Session for the legislative authority so that young people of the age of nineteen may be able to vote. Mr. Commissioner has indicated that there will be no legislation this Session. Could the Commissioner indicate whether the staff of the Administration is so overworked that it cannot bring forward a piece of legislation that is sorely needed by the people of the City of Whitehorse.

*QUESTION RE  
AMENDMENTS  
TO MUNICIPAL  
ORDINANCE*

Mr. Commissioner: Well, Mr. Speaker, I would feel very badly as to answering the first question at this Session if it hadn't been put by the Honourable Member from Whitehorse East, and for this I thank him very much. Now, to go on with answering his question, the answer is in the negative to the request that has been made to us for the reasons that we have stated to the City of Whitehorse, Mr. Speaker. We have a prior commitment that was made on the floor of this Council many times that before any further changes at any time would be proposed to the Municipal Ordinance by the Administration, there would be prior consultation with all municipalities which could conceivably be affected. There was no indication to us until yesterday, I believe, or possibly the day before, I could be corrected on this, that there would be a request for this. In anticipation of a very limited sitting of the Council at this time, there would be no opportunity for this prior consultation and further, we have committed ourselves to not bringing forward legislation of any kind. This commitment would also be in abeyance, and we are further under direction from the Legislature that they want legislation brought forward establishing nineteen years as the age of majority to apply to all legal matters. On that basis, our answer was in the negative to the City of Whitehorse.

Mr. Chamberlist: Supplementary, Mr. Speaker, is it the indication of the Commissioner now that it will continue that legislation requested by Members of this Legislature is only going to be at the whim of the Administration or is it the intent to harken to the needs of the Members of the Legislature? I understood from the answer to the question that it was another dance around the fireside. Would it not be right at this time for the Administration to present, as an advancement towards the eventual change -- amending completely of the Municipal Ordinance so that the City of Whitehorse at least can fulfill what it believes its obligation to the people here, an amendment to the Ordinance, and whether or not has the Commissioner consulted with other Members of the Legislature in this regard?

*QUESTION RE  
AMENDMENTS  
TO MUNICIPAL  
ORDINANCE*

Mr. Commissioner: Mr. Speaker, as the Honourable Member well knows, I can only answer on behalf of the Administration; I cannot answer on behalf of the Legislature. The question was put to me, is the Administration bringing forward the legislation. The answer is no. If the Legislature wants to make a request that the legislation be brought forward, this is another matter entirely.

Mr. McKinnon: Mr. Speaker, before the Commissioner puts his foot in his mouth any further, is he aware that a Notice of Motion was introduced this morning asking that legislation be brought forth at this Session to allow for nineteen-year-olds to vote in the forthcoming municipal election in the City of Whitehorse?

*QUESTION RE  
KNOWLEDGE  
OF NOTICE  
OF MOTION*

Mr. Commissioner: It's news to me, Mr. Speaker, I'm only telling you what happened prior to the Notice of Motion.

Mr. McKinnon: A further question, Mr. Speaker, if this motion is passed in the House, would the Administration then consider introducing legislation at this Session to allow for the Municipal Ordinance being changed in this regard?

*QUESTION RE  
AMENDMENTS  
TO MUNICIPAL  
ORDINANCE*



Mr. Commissioner: Mr. Speaker, this depends entirely on how long Council sits. If they want the legislation this afternoon, I'd say the answer is in the negative.

*QUESTION RE  
AMENDMENTS  
TO MUNICIPAL  
ORDINANCE*

Mr. Chamberlist: A further supplementary, Mr. Speaker, as it already shows what the range of strength the elected Members of Council may have with the administrative people of this government, I wonder if Mr. Commissioner could indicate in a definite yes or no to the Honourable Member's from Whitehorse West question, whether the request upon motion of the Members of the House for legislation to be brought forward in this Session without any conditions of how long this Council is going to sit or not, would be given consideration.

Mr. Commissioner: Mr. Speaker, if the Council wants to sit here long enough, we'll get it forward, I can assure you, but how long this is going to be, I'm sorry, I can't tell you.

*QUESTION RE  
TAKEOVER OF  
ALASKA  
HIGHWAY*

Mr. Taylor: Mr. Speaker, I have a question I would like to direct to Mr. Commissioner this morning, and it's one of prime concern to the Territory. I'm wondering if Mr. Commissioner could tell me this morning, Mr. Speaker, if there is any firm date yet established for the takeover of the Alaska Highway by the Territorial Government?

Mr. Commissioner: Mr. Speaker, the stacks of paper get higher and higher, the memorandums to the Cabinet become greater and greater, and all I can tell you is that we're working on it and the date is drawing nigh. You will know in plenty of time.

*QUESTION RE  
TAKEOVER OF  
JUSTICE AND  
FISHERIES*

Mr. Taylor: A supplementary question, Mr. Speaker, I'm wondering also if Mr. Commissioner would then be able to tell us if there is any date firmed up for the takeover of Justice and Fisheries by the Government of the Yukon Territory?

Mr. Commissioner: Mr. Speaker, as per the terms of the recent amendments to the Yukon Act, the Minister of Justice will have to consult with the Council prior to the takeover of Justice. The administrative mechanics of this are being proceeded with at this time and Council will have to be consulted prior to the actual takeover. We are hopeful that this will not be delayed beyond the start of the fiscal year. As far as Fisheries are concerned, I would suggest it's either a dead fish or a dead duck for the time being, whichever way you want to look at it.

*QUESTION #1*

Mr. Stutter: Mr. Speaker, I have a question I would like to ask the Commissioner. I would like to ask the Commissioner today, in view of the resolutions passed at the recent very successful conference to consider the establishment of an International Arctic Wildlife Range in the northern part of the Territory to preserve the beauties and ecological balance of the unique terrain, whether the Commissioner has yet received any presentation concerning the implementation of those resolutions? Mr. Speaker, I wonder if I could make this a written question?

*QUESTION RE  
R.C.M.P. AT  
CARCROSS*

Mr. Chamberlist: Mr. Speaker, a question to Mr. Commissioner. Mr. Commissioner, the people of Carcross are very concerned over the pending removal of the R.C.M.P. Officer from the detachment there. Can Mr. Commissioner give any assurance to the House that efforts will be made to maintain a police constable in the detachment at Carcross?

Mr. Commissioner: Mr. Speaker, the Honourable Member knows we have been through the hoops on this pretty thoroughly in the course of the last three years and unless we can justify or visibly show to the R.C.M.P.'s satisfaction that the requirement is necessary, I am afraid that the policy that prevails at the moment will have to persist. I would like to assure the Honourable Member that if he can bring forward anything which would assist me in substantiating conclusively the need for the retention of a constable in the Carcross Area, then I am prepared to put forth every effort that I can in this matter to make it possible, but I would have to depend upon the information and such justification that the Honourable Member could assist me to make in this matter.



Mr. Chamberlist: Supplementary, Mr. Speaker, I wonder if the Commissioner would be interested in justification of arranging for two or three murders and a couple of rapes? Is this the type of justification that the Commissioner is now seeking?

*QUESTION RE  
R.C.M.P. IN  
CARCROSS*

Mr. Commissioner: No, Mr. Speaker, this is not a frivolous matter, and the Honourable Member is talking about justification after the fact. I don't think we're interested in this. I think we're interested in justification prior to the fact. I think the Honourable Member knows that we have endeavoured and made serious and honest endeavours in the past to have this constable retained on a continuing basis in the Carcross Area, but we have simply never been able to justify it on the basis of the population and other matters that are required to do so. I am also sure that the Honourable Member would agree with me that the presence of a police constable is not necessarily always an assurance that there won't be any murders.

Mr. Chamberlist: Supplementary, Mr. Speaker, I think, with respect, Mr. Commissioner is taking this matter lightly himself. Mr. Commissioner, I want it definitely understood when putting this question to you that my concern is for the people of the Carcross Area who have requested, because they know on the spot the need of a representative of law and order to be stationed there. I know, Mr. Speaker, what has been in the past, but I would ask Mr. Commissioner that he take the necessary steps again to request from the new Officer Commanding of the R.C.M.P. Sub-division of the Yukon, who appears much more co-operative than his predecessor, to ask that there is a definite need -- to point out that there is a definite need and to ask that a member of the R.C.M.P. be stationed in the Carcross Area.

*QUESTION RE  
R.C.M.P. IN  
CARCROSS*

Mr. Commissioner: Mr. Speaker, if my answer inferred anything to the contrary, I'm sorry that it did. We are quite prepared but we need help in order to justify the case, and I am simply suggesting that I want my request to be supplemented with such information as the Honourable Member who represents the area and who asked the question, can give me so that we can make the best case possible to justify the request. Let's play the ball game to win, not to lose.

Mr. McKinnon: Mr. Speaker, in the Commissioner's Opening Address, one paragraph reads that "Timber harvesting operations under long term agreements are underway in the Pelly, Macmillan, Nisutlin and Liard River Regions in the Territory". Mr. Speaker, I would like to ask Mr. Commissioner whether the Nisutlin agreement is a new one or whether it has been in standing for some time, and also whether these agreements can be tabled before Council?

*QUESTION RE  
TIMBER  
HARVESTING  
AGREEMENTS*

Mr. Commissioner: Mr. Speaker, I would have to bring forward a written answer to this question. I do believe, to the best of my knowledge, that the Nisutlin agreement is one of long standing, but I would have to be sure of my information, Mr. Speaker. With the Honourable Member's concurrence, I will bring forward a written answer to this question.

Mr. Chamberlist: Mr. Speaker, I wonder if Mr. Commissioner could indicate why people employed by the Department of Indian Affairs and Northern Development who are injured are not subjected to the rules of the Yukon Workmen's Compensation Ordinance, but are subjected to the rules of the Alberta Compensation Ordinance?

*QUESTION RE  
WORKMEN'S  
COMPENSA-  
TION*

Mr. Commissioner: Mr. Speaker, the Federal policy in this matter, and I would assume this is handled under a Federal Act or Federal Regulation, is that provincial jurisdictions carry the workmen's compensation on behalf of Federal employees in the Territory, and I think that the question calls for more than just the verbal answer I can give at this time as I think there is quite a lot involved here. I wonder if the Member would be good enough to table a written question, questioning this in detail so that we can bring forth a written answer from the appropriate Federal authorities with regard to it. I think there's a very important matter involved in this situation.

Mr. Chamberlist: I'd be glad to do so, Mr. Speaker. Mr. Speaker, a further question to Mr. Commissioner. Mr. Commissioner, it was indicated in the last two years of the last Council that the Department of Public Works were going to install, or have installed, a lighting system along the Alaska Highway between the intersection on the Alaska Highway and the Two-Mile Hill and Hillcrest, a proper lighting system. Could the Commissioner indicate why this hasn't been done up to date and if and when it will be carried out.

Mr. Commissioner: Mr. Speaker, I would have to have time to answer that question. I don't have the answer at the moment.

Mr. Speaker: Are there any further questions? Are there any Private Bills or Orders? Are there any Public Bills or Orders?

Mr. Taylor: Mr. Speaker, now that we have reached the end of the Order Paper, and because of other duties I find it now impossible for me to serve as the Deputy Speaker of this House, consequently and regretfully, Mr. Speaker, I would offer today my resignation from that most important post.

Mr. Speaker: Does the House accept the Honourable Member's resignation?

Some Members: Agreed.

Mr. Speaker: Accepted.

Mr. McKinnon: Mr. Speaker, I wouldn't like to let this opportunity pass without being able to thank the Honourable Member from Watson Lake for the way that he has handled the very onerous duties of Deputy Speaker and Chairman of Committees over the years. I don't think there is a more difficult or more thankless task in all of the government of the Council of the Yukon Territory than the task that he undertook over the past three years. To say that he was excellent in the performance of his job would be an understatement, and anyone who saw his handling of Committee and his handling of the very difficult job of Deputy Speaker during the last three years could only say that this is true, because he did handle his duties very competently. I, for one, would like to go on record as being able to thank him very much for the way he handled his duties and all the ways in which he helped the House during those years. Mr. Speaker, since getting off the plane on Tuesday afternoon I have been in a steady round of meetings to the point where I don't even believe that I'm back in the Yukon but in some monastery shut up away from the world. We've been meeting night and day since the time of arrival and unfortunately, because of the very important and pressing matters at hand, we haven't really had any opportunity to acquaint all Members with the rules of the House. I understand from Mr. Clerk and Mr. Legal Adviser that because of some changes to the House of Commons Act and also with the advent of Members into the Administrative Branch of Government, there are some rules of the Legislative Council of the Yukon Territory that require change and some that need up-dating and some that have to be taken out of the rule schedule. Mr. Speaker, I think at this time I would request the House would adjourn so that all Members could go through the rules of the House and bring these rules up to date so that we will be able to meet on Monday and get down to the business of the House. Therefore, I would move that the House adjourn until 10:00 o'clock on Monday morning.

Mr. Speaker: Is there a seconder?

Mr. Taylor: I will second the motion.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse West, seconded by the Honourable Member for Watson Lake, that the House adjourn until 10:00 o'clock Monday morning, the ninth of November. Are you prepared for the question? Are you agreed? This House stands adjourned until 10:00 o'clock Monday morning.

Page 14.  
Monday, November 9th, 1970.  
10:00 o'clock a.m.

Mr. Speaker read the daily prayer. All Councillors except Councillor Tanner were present.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I now call the House to order. Are there any 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 Resolution?

Mr. Chamberlist: Mr. Speaker, I wish to give Notice of Motion at this time that the Department of Education's Report 1969/70 be passed into Committee of the Whole for discussion.

*MOTION #11*

Mr. Speaker: Are there any further Notices of Motion? Are there any Notices of Motion for the Production of Papers? Under Daily Routine, are there any Motions for the Production of Papers? We will now proceed to Motions. Is the Honourable Member for Whitehorse East prepared to proceed with his motion?

*MOTION #1*

Mr. Chamberlist: Mr. Speaker, I am not prepared to proceed at this time. I would ask that the motion remain on the Order Paper for a day following.

Mr. Speaker: As the Honourable Member for Whitehorse North is not here to move his motion, it will be carried over to tomorrow. Likewise, Motion No. 3 cannot be moved at this time.

*MOTION #2*

*MOTION #3*

Mr. Chamberlist: With respect, Mr. Speaker, the Honourable Member who has moved that motion, Councillor Stutter, is here. Perhaps he would indicate whether he wishes to proceed or otherwise.

Mr. McKinnon: Mr. Speaker, if I may rise at this time, the Honourable Member from Whitehorse North, as I understand it, is not in the House today; he is absent because of sickness. The ten motions that are on the Order Paper all follow, other than the motion on considering the change in the Municipal Ordinance, from Motion No. 1 -- pardon me, Mr. Speaker, from Motion No. 2. If Motion No. 2 is passed in its present form, then I think that one could speculate that probably the other motions concerning the makeup of committees and different appointments will stand. If Motion No. 2 changes, then there is a very real likelihood that there will be changes all the way along the Order Paper in the other eight motions. Mr. Speaker, I do not see how we can proceed with the business of this House without the mover of Motion No. 2 being able to proceed with the motion as before the House, and I would like Council's advice and the advice from other Members of Council on how this can be possible. To my way of thinking, these other motions would be impossible to be proceeded with as there would be so many changes and so many conflicts depending upon the passage of Motion No. 2, which of course is the motion which decides who will be sitting on the Executive Committee in Government. I think it would be a farce, that's the only word I can use, to continue through the other appointments until the all important motion is decided on. As Mr. Speaker well knows, this motion cannot be proceeded with unless the mover is in the House.

Mr. Chamberlist: Mr. Speaker, I don't wish to go into any extent with debate on the proposition which has been submitted by the Honourable Member for Whitehorse West, but I do not underestimate his knowledge either of proper parliamentary procedure. At least he is well aware that if Members of the House are here to present their motion and they say that they are unable to proceed, then the rule would be that they would remain on the Order Paper. I would suggest therefore that we follow the rules, and I



Mr. Chamberlist continued ...

have no objection of course to them remaining on the Order Paper as such, and this is the procedure that should be adopted.

Mr. Stutter: Mr. Speaker, as the mover of the third motion and since, as it has been pointed out by Councillor McKinnon, we cannot proceed or should not proceed until the mover for Motion No. 2 is here, I at this time would not like to proceed with Motion No. 3 and leave it on the Order Paper.

Mr. Taylor: Mr. Speaker, I agree wholeheartedly with the statements made by the Honourable Member from Whitehorse West in that it is very, very difficult to proceed with any further business of the House until this question has been put to the House. I would feel that the only thing we can do is adjourn at this point, or at some point following Orders of the Day, and adjourn until this Member can be present to deal with this motion.

Mr. Chamberlist: Mr. Speaker, I am forced to reply again that I have no objection to an adjournment following the Orders of the Day, but with respect, Mr. Speaker, you are being played in an unenviable position by having a play being made right now. I would suggest, Mr. Speaker, that you follow Beauchesne's Rules for your guidance and allow the Members who cannot proceed to say that they cannot proceed, and the orders remain on the Paper. This is the proper procedure and there is no objection to proper procedure being carried out.

Some Members: Agreed.

MOTION #4

Mr. Speaker: We now come to Motion No. 4.

Mr. Taylor: Mr. Speaker, I would like this to stand on the Order Paper.

MOTION #5

Mr. Speaker: Motion No. 5.

Mrs. Watson: Mr. Speaker, I feel we can proceed with Motion No. 5.

Mr. Speaker: It was moved by the Honourable Member for Carmacks-Kluane, seconded by the Honourable Member for Dawson, "That Rule No. 6 of the Standing Orders and Rules of the Legislative Council of the Yukon Territory be amended by making the present rule 6(1) and adding thereto the following subsection: '(2) Notwithstanding subsection (1), a member is entitled to vote upon any question concerning the indemnities, expenses or salaries, of himself or any other member, payable by the Government of the Yukon Territory.'"

Mr. Chamberlist: Is the Honourable Member going to speak to the motion?

Mrs. Watson: Mr. Speaker, I feel that it is necessary to amend Rule No. 6 of the Standing Orders in order to give the Council the ability to set the indemnities and salaries of two of the Executive Members that will serve on the Executive Committee.

Mr. McKinnon: Mr. Speaker, I think the House is well aware that prior to changes in the Yukon Act, the indemnities of Council were set by the Federal Government. One of the changes that the previous Council was successful in obtaining from the Federal Government was the ability for the Members of this House to set their own indemnities, however, the changes in the Yukon Act were not in accordance with the rules of our House, which did not permit us to set our indemnities. So, this is bringing our rules in accordance with the changes of the Yukon Act and I think this is self-evident. I think that the question should be called, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, the Honourable Member from Whitehorse West seems to forget that there are other Members of this House who may wish to have some comments, and his suggestion that the question be called is a little bit premature because, Mr. Speaker, I intend to quote some of the Honourable Member's remarks when he appeared before the Standing Committee

Mr. Chamberlist continued ...

of Indian Affairs and Northern Development in relation to the indemnities *MOTION #5* that would have to be paid to Members of our Council. It is my submission, Mr. Speaker, that this rule at the moment is out of order -- this motion at the moment is out of order because the Council at this time hasn't the power to make any provisions for voting on any monies of any description. I would like to read into the records, Mr. Speaker, Councillor McKinnon's remarks in this particular area. On page 2215 of the Standing Committee minutes of Indian Affairs and Northern Development, No. 22 and dated the twenty-eighth of May, 1970, Councillor McKinnon said "Of course, section 24 disallows any Bill from coming before the Yukon Legislative Council except through the authority of the Commissioner. Certainly this could be changed to allow the Executive Committee that is going to be formed to bring the money Bill before the Council. If this happens and if this Executive Committee works as a normal process in the development of a Cabinet system, the members on the Committee who are chosen by their colleagues will have a majority of Council backing them and the confidence of the Legislature. In effect, you are having a Cabinet presenting their budget to the Legislative Council, but as section 24 now stands you see section is going to be changed to allow the Yukon Members to set their own indemnities, but really it does not because section 24 still disallows the Members to bring a money Bill before Council. We set our indemnities, then we have to go to the Commissioner, hat in hand, and say 'Would you please introduce a money Bill saying that these are our recommendations, our indemnities'." Now, I go on further, Councillor McKinnon goes on to say "...I am afraid I do not know, except if section 24 is changed to allow the Executive Committee which is now going to be formed, to bring the money Bill to the Council for its approval." Mr. Speaker, section 24 has not been changed so that the remarks of the Honourable Member now contradicts his remarks on that particular day. Section 24, which is quite clear, of the Yukon Act reads in part "...shall not be lawful for the Council to adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue of the Territory or of any tax or import to any purpose that has not been first recommended to Council by message of the Commissioner", so that we are placed in the position that we're trying to go ahead and do something, we're trying to get the back of the horse in front of the horse, swing the horse around and start again from the other end. I'm sure that the Honourable Member from Whitehorse West is well aware of the thoughts he put out at that time to the Standing Affairs Committee, on which I appeared with him, and I was in full agreement with him. I, however, am still in agreement, but for some reason he has changed. I wonder why.

Mr. McKinnon: Will the Honourable Member permit a question, Mr. Speaker?

Mr. Chamberlist: Mr. Speaker, I will allow the Honourable Member to have his turn after I have completed my time.

Mr. McKinnon: That could be forever.

Mr. Chamberlist: The Honourable Member, Mr. Speaker, is well aware that I have forty minutes, but I'm not going to take up that particular time. I'm making the point that at the moment we cannot act on this particular motion because the powers that are required are the powers of the Commissioner. This is the unfortunate situation that we are in. I raise this and I put it to you, and I trust the Members of Council will recognize that there is a problem in this particular thing as has been indicated by Councillor McKinnon when he made those comments. I agree with him on those comments and I trust that he will follow the same reasoning that he used at that time.

Mr. McKinnon: Mr. Speaker, I wonder if I could ask the Honourable Member a question? I still stand by the remarks I made. It would have been very much nicer for section 24 of the Yukon Act to be amended so that we could present a money Bill. Unfortunately, it wasn't, but isn't the Honourable

MOTION #5

Mr. McKinnon continued ...

Member aware that now that the only way that we can set our own indemnities is by a money resolution from the Commissioner still, that this rule has to be amended in our rules to allow us to vote on that money resolution that comes from the Commissioner's Office. This is the only way I can see that we can do it.

Mr. Chamberlist: In answering the question, Mr. Speaker, I would suggest that the Commissioner inform the Council that they may put a money rule in the rules. This is the procedure that should be requested, although it's a problem as to whether or not it can be done. But, surely, now that the Honourable Member has agreed with me, Mr. Speaker, that he stands by his comments, I would ask that the mover withdraw the motion with the consent of the whole House so that we can discuss the general area of it, which has not been done.

Mr. McKinnon: A supplementary question, Mr. Speaker, certainly the Honourable Member, with his legal knowledge and background that we're all aware of, knows that what he suggests would be completely ultra vires of the Yukon Act and would not stand up in any court of law in this land.

Mr. Chamberlist: And by the same token, Mr. Speaker, I'm sure the Honourable Member from Whitehorse West fully realizes that the amended rule would also be ultra vires of the Yukon Act.

Mr. Taylor: Mr. Speaker, I think that we're going around in circles at this point in time. It is an undeniable right of the Legislature to amend its own rules and look after its own membership. There is no one, the Commissioner, the Supreme Court of Canada, indeed the Parliament of Canada, Mr. Speaker, that has any right to amend or change or have anything whatsoever to do with the rules of this House. This is to amend Rule No. 6, which presently deals with matters of pecuniary interest, and the vote of any Member who has a pecuniary interest is disallowed. Now, the effect of this resolution would be to add a subsection (2) which would provide the Members with the vehicle whereby when the budget figures come up, and all these salaries will now come in budget form by virtue of the change in the Yukon Act, when they arise in Council, Members may vote on these salaries, shall we say, and indemnities and expenses. This is a matter for the House, has nothing to do with the Commissioner, has nothing to do with Ottawa, and I think that's pretty clear. It is our duty and responsibility to deal with this matter. This is why the motion is here and this is why the motion must stand.

Some Members: Question.

Mr. Speaker: Agreed?

Mr. Chamberlist: Division.

Mr. Clerk: The Member from Dawson?

Mr. Stutter: Yea.

Mr. Clerk: The Member from Whitehorse East?

Mr. Chamberlist: Nay.

Mr. Clerk: The Member from Carmacks-Kluane?

Mrs. Watson: Yea.

Mr. Clerk: The Member from Whitehorse West?

Mr. McKinnon: Yea.

Mr. Clerk: The Member from Watson Lake?

Mr. Taylor: Yea.



Mr. Clerk: Mr. Speaker, the vote is four yea, one nay.

*MOTION #5*

Mr. Speaker: The motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: Motion No. 6.

*MOTION #6*

Some Members: Question.

Mr. Speaker: Agreed? The motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: Motion No. 7. Does the mover of the motion wish to proceed?

*MOTION #7*

Mr. Chamberlist: Has Mr. Speaker called for Motion No. 7?

Mr. Speaker: Yes.

Mr. Stutter: Mr. Speaker, at this time I would like to leave that motion standing on the Order Paper for tomorrow.

Some Members: Agreed.

Mr. Speaker: Motion No. 8.

*MOTION #8*

Mrs. Watson: Mr. Speaker, at this time I would like to have Motion No. 8 stand on the Order Paper for tomorrow.

Mr. Speaker: Motion No. 9.

*MOTION #9*

Mr. McKinnon: Mr. Speaker, I would like to leave this motion on the Order Paper until tomorrow.

Mr. Speaker: Motion No. 10.

*MOTION #10*

Mr. McKinnon: Mr. Speaker, I would be prepared to proceed with this motion at this time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Whitehorse North, "That amendments be brought to the Municipal Ordinance at this Session to allow for nineteen-year-olds to vote in the forthcoming City of Whitehorse municipal election".

Mr. McKinnon: Mr. Speaker, speaking on the motion, there has been a letter received by the Whitehorse Members of the Territorial Council, and I think the Administration has also received a request from the City of Whitehorse that in line with the recent changes to the Territorial Elections Ordinance whereby this House allowed nineteen-year-olds the right to vote, the Municipal Council of the City of Whitehorse would also like to allow nineteen-year-olds to vote in the forthcoming municipal election this December. I think that if one would check the background of the majority of the Whitehorse Members, they have always given the City Council the powers to conduct their own business in their own way, and continuing on this tradition, Mr. Speaker, I am sure that no Member, particularly the Whitehorse Members of this Council, would object to the City Council of the City of Whitehorse being allowed the rights and privileges that the senior government has. Thank you, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, I appreciate the very prolific manner in which the Honourable Member from Whitehorse West has expressed himself, also as he expressed himself on my behalf. I certainly approve the function of the requirement for the motion and for the changing of the Municipal Ordinance. It's unfortunate that after many, many years, the Municipal Ordinance

*MOTION #10*

Mr. Chamberlist continued ... hasn't been completely revised. I support always the needs of the Administration of the City of Whitehorse Council, but only when they do not conflict with the rights of people in other areas. So, I am in favour with the motion itself.

Mr. Speaker: Are you prepared for the question?

Mr. McKinnon: Mr. Speaker, before the question is called, as mover of the motion, the last to speak, the reason that the Administration used that this couldn't be changed at this Session was that they had to get in contact with the people in the Municipality of Dawson. I would like to advise the Administration that the new era of administrative-legislative co-operation has arrived at the Territorial Council Chamber, and I would be more than happy to phone the Mayor of Dawson City because I think that this is all it takes, a simple phone call, to find out whether they are in agreement with the Municipal Ordinance changing as it respects Dawson so that nineteen-year-olds can vote there also. I think that we had an administrative red herring thrown at us yesterday, and I would like to do everything in my power to be able to bring this matter to a successful and early conclusion, Mr. Speaker.

Some Members: Question.

Mr. Speaker: Agreed? The motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

Mr. Speaker: We now come to the questions. Mr. Clerk, will you see if the Commissioner is available? We will adjourn for a few minutes.

*RECESS*

RECESS

Mr. Speaker: Council will now come to order.

Mr. Chamberlist: To help Mr. Speaker, I wonder if Mr. Speaker would indicate that this is the Question Period so it's on the record?

Mr. Speaker: This is the Question Period.

*QUESTION RE  
HOLIDAY PAY  
FOR KINDER-  
GARTEN  
TEACHERS*

Mr. Chamberlist: Mr. Speaker, I have a question for the Commissioner. Mr. Commissioner, can the Commissioner advise Council why the Territorial Government is breaching the Labour Provisions Ordinance by refusing to pay kindergarten instructors holiday pay?

Mr. Commissioner: Mr. Speaker, this matter has been the subject of considerable correspondence between members of the group referred to in the Honourable Member's question and the Administration of the Government, and I think under the circumstances the best answer that I could give would be to table the correspondence and then all Honourable Members can see exactly what stand has been taken. If this would be a satisfactory answer, I would be pleased to do so.

*QUESTION RE  
HOLIDAY PAY  
FOR KINDER-  
GARTEN  
TEACHERS*

Mr. Chamberlist: With respect, Mr. Speaker, I wonder if Mr. Commissioner could indicate whether or not kindergarten instructors are to be paid holiday pay in accordance with the Labour Provisions Ordinance, a simple question.

Mr. Commissioner: Mr. Speaker, unfortunately, it may be a simple question, but that doesn't mean to say that there's a simple answer to it, Mr. Speaker. I am not prepared to say anything other than what has been said in the correspondence. Now, I can get the correspondence and read it as an answer to the Honourable Member, or I would be happy to table it, Mr. Speaker.

Mr. Chamberlist: A further supplementary question, Mr. Speaker, I wonder if Mr. Commissioner will indicate that in tabling the correspondence he will give an answer to the question that I have put?

Mr. Commissioner: Mr. Speaker, could I put it this way, that if the Honourable Member is still in doubt about the answer to his question after the correspondence has been tabled, I would be happy to go into the matter at that time. Would that be satisfactory?

Mr. Chamberlist: I will be content with that answer temporarily.

Mr. Taylor: Mr. Speaker, I would like to direct a question to Mr. Commissioner this morning and ask whether, Mr. Speaker, the Commissioner could advise me if the Administration is contemplating bringing to this House any legislation at it's spring or January Session related to environmental control?

*QUESTION RE  
ENVIRONMENTAL  
CONTROL  
LEGISLATION*

Mr. Commissioner: Mr. Speaker, the routine of legislation and what will be brought forward at the spring Session will be done on the advice of the Executive Committee.

Mr. McKinnon: What Committee?

Mr. Chamberlist: Mr. Speaker, subsequent to a question I asked Mr. Commissioner on Friday, I would ask Mr. Commissioner at this time, now that the House has unanimously requested by motion that legislation for changes to the Municipal Ordinance to allow for the voting age of nineteen to be incorporated this Session, will the Commissioner be instructing his officers to prepare -- to bring forward to Council at this Session such legislation?

*QUESTION RE  
CHANGES TO  
MUNICIPAL  
ORDINANCE*

Mr. Commissioner: Mr. Speaker, things have changed since the question was asked on Friday, I believe, and the question is now one for the Legal Adviser to deal with, and I am sure that subject to what he comes up with, thus will be the course of action will be decided upon.

Mr. Chamberlist: Mr. Speaker, I wish to put a question to Mr. Legal Adviser at this time. Mr. Legal Adviser, can you indicate that there will be legislation brought forward to conform with the request of the Council in unanimity that there shall be legislation brought forward this Session for the purpose of lowering the voting age in the Municipality of the City of Whitehorse to that of nineteen.

*QUESTION RE  
CHANGES TO  
MUNICIPAL  
ORDINANCE*

Mr. Legal Adviser: Mr. Speaker, the Legal Adviser will do his best but the terms of the motion are very narrow and they force legislation to the Municipal Ordinance which governs the Township of Faro and the City of Dawson. In addition, there is no indication from Council as to what their wishes are with regard to the age at which a candidate can be a candidate, which is normally, of course, governed by the voting age. The result is that we have the inconsistency now that the candidates will be a different age than the voters and that the legislation may only have to apply to the City of Whitehorse. As a result, I find myself in some difficulty finding time to study these very difficult questions, and it may be the spring Session before the final result comes before the House.

Mr. Chamberlist: Supplementary, Mr. Speaker, but because I don't wish to dust off the shamrock too quickly, I would ask Mr. Legal Adviser whether he would be prepared to sit with some Members of this Council to straighten out in his mind exactly what is required so that legislation of this nature can be brought forward?

Mr. Legal Adviser: The correct two Members to sit with and consider this question will no doubt in due course be chosen by the Council, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, in due course, we're not concerned about. I'm sure all Members of Council will agree with me that there is a necessity now and I'm sure I am prepared to waive the requirement of getting Executive Committee Members that might take place in the future, but I'm quite prepared that any Members of this Council come forward for this particular subject. I think it would be most improper of the Administration to not listen to the requirements of the Territorial Council at this time.



Mr. McKinnon: Mr. Speaker, with respect, I think the confusion of the last few days has also been transmitted to the Honourable Legal Adviser because the motion was made generally so that it could either specifically apply to only the City of Whitehorse, or if the other municipalities in the Territory also want to lower the voting age at this time, it could apply generally. I think that this is why the motion was made this way and we're certainly under the direction of the Legal Adviser as to just what can be accomplished at this point. I don't think there's any difficulty at all in either making it general through several phone calls or making it specific to just where the request was received from the City of Whitehorse.

Mr. Chamberlist: Could we get further information, Mr. Speaker, from Mr. Legal Adviser re this matter?

Mr. Legal Adviser: Mr. Speaker, the Legal Adviser will do his best.

Mr. McKinnon: That's all we wanted to hear, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, I have a further question I wish to put to Mr. Commissioner at this time. Mr. Commissioner, I wonder if you could indicate to me whether the Assessment Manual used by the Tax Assessor for the City of Whitehorse was approved by you?

Mr. Commissioner: Mr. Speaker, I just cannot answer this with any kind of clarity at this time. Could I have the opportunity of time until tomorrow morning to answer this question?

*QUESTION RE  
WHITEHORSE  
TAX ASSESS-  
MENT*

Mr. Chamberlist: Mr. Speaker, at the same time, I wonder if Mr. Commissioner could also indicate whether -- if the Assessor for the City of Whitehorse departed from the method of the assessment set forth in that manual, if you have approved that manual, whether permission has been given by you for the departing from that procedure. For the help of Mr. Commissioner and Mr. Legal Adviser, Mr. Speaker, I would suggest they refer to section 136 of the Municipal Ordinance, the taxation section.

Mr. Commissioner: Mr. Speaker, can we answer both these questions tomorrow morning?

*QUESTION RE  
TERRITORIAL  
TAX ASSESS-  
MENT*

Mr. Chamberlist: Thank you, Mr. Speaker. Mr. Speaker, I have further questions of like nature which I will also give the opportunity of Mr. Commissioner to answer in writing, and this also deals with the same questions relating to the Territorial tax assessment. I wonder if Mr. Commissioner would indicate that he will also bring forward information on those particular instances too.

Mr. Commissioner: Mr. Speaker, the answer is in the affirmative. Do I take it then that both questions are to be answered as they relate to the City of Whitehorse assessment and the Territorial Government assessment?

Mr. Chamberlist: Right.

*QUESTION RE  
FISCAL  
AGREEMENT*

Mr. Taylor: I have a further question to direct to Mr. Commissioner this morning and I would like to know, Mr. Speaker, if it is the intention of the Administration prior to the end of this fiscal year to negotiate a new fiscal agreement, Federal-Territorial fiscal agreement, with the Federal Government, or is it intended that a further extension be given along the lines of our current agreement?

Mr. Commissioner: Mr. Speaker, it is not easy for me to say what you would term the format in which a future fiscal agreement will be; whether you might term it a negotiated new agreement or whether you might term it simply a proposed extension of what presently exists. I think if I answered the question in this way, Mr. Speaker, that at this time there is nothing firm for me to answer on, I think it would be the best explanation I could give to the Honourable Member's question. The necessity of a

Mr. Commissioner continued ...

fiscal agreement, as the Honourable Member knows, is an absolute necessity. This is how we will get our funds from the Federal Government for next year. As to the format it will take, this is something that has yet to be decided.

Mr. McKinnon: A supplementary question, Mr. Speaker, could Mr. Commissioner answer directly whether the grants available to the Yukon Territory for the fiscal year 1971-72 have been negotiated and finalized by this time with negotiations between the Territorial Government and the Federal Government? *QUESTION RE 1971-72 FISCAL AGREEMENT*

Mr. Commissioner: Mr. Speaker, the answer is that we have a suggestion to put forth to the Executive Committee and the Budget Programming Committee; finalization, no.

Mr. McKinnon: Thank you, Mr. Speaker. Mr. Speaker, I would like to ask Mr. Commissioner a question. Why was there no Yukon representation either from the elected Members or the administrative members of government at the Northern Resources Conference recently held in Edmonton? *QUESTION RE YUKON REPRESENTATION AT NORTHERN RESOURCES CONFERENCE*

Mr. Commissioner: Mr. Speaker, all I can speak on is on behalf of the appointed people of government and that is that we have a firm standing rule that none of the senior officers of government will absent themselves from Whitehorse while Council is in Session, and that is the reason there were none of us there. As far as the elected people are concerned, I can't answer on behalf of them, Mr. Speaker.

Mr. McKinnon: Mr. Speaker, is Mr. Commissioner aware of the speech given by the former Deputy Minister of Indian Affairs and Northern Development, the Honourable John A. MacDonald, at that conference, and would he obtain copies of that speech for all Members of Council? *QUESTION RE COPIES OF SPEECH FOR COUNCILLORS*

Mr. Commissioner: Mr. Speaker, I cannot claim any knowledge of the speech but if it is in existence, I'm sure that the Clerk can obtain copies of it.

Mr. Chamberlist: Mr. Speaker, supplementary, I wonder if Mr. Commissioner would agree that there was some laxity on his part in not obtaining some knowledge of that speech which was so detrimental in many ways to the Yukon Territory?

Mr. Speaker: Are there no further questions? I wish to thank Mr. Commissioner for his attendance.

Mr. McKinnon: Mr. Speaker, I move we call it five o'clock.

Mr. Taylor: I would second the motion.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Watson Lake, that we call it five o'clock. Are you agreed?

Some Members: Agreed.

Mr. Speaker: This House stands adjourned until tomorrow morning at ten a.m.

Tuesday, November 10th, 1970.  
10:00 o'clock a.m.

Mr. Speaker read the daily prayer. All Councillors, except Councillor Tanner, were present.

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will now come to order. Are there any documents or correspondence to be tabled?

Mr. Clerk: Mr. Speaker, there are Sessional Papers No. 7 and 8 for tabling this morning.

Mr. Speaker: Are there any reports of committees? Are there any Bills to be introduced? Are there any notices of motion or resolution?

Mr. Stutter: Mr. Speaker, I would like to give notice of motion, moved by myself, seconded by Councillor Taylor, "That this Council recommends to the Commissioner of the Yukon Territory that Councillor Ken McKinnon be appointed as the elected Member of Council to the position of Education Member on the Executive Committee, and that Councillor Don Taylor be appointed as the elected Member of Council to the position of Health and Welfare Member on the Executive Committee".

*MOTION #12*

Mr. Chamberlist: Mr. Speaker, I must rise on a point of order at this time. The notice of motion is out of order. There are already similar motions of that nature on the Order Paper and a similar motion cannot be placed on the Order Paper at this time.

Mr. Stutter: Mr. Speaker, I would like to point out that this motion will not appear on the Order Paper until tomorrow.

Mr. McKinnon: Speaking on the point of order, Mr. Speaker, the Honourable Member for Whitehorse East is well aware that if this was a motion at this time, and being substantially the same as motions that are on the Order Paper, Mr. Speaker would have no accordance but to rule it out of order, however, he is also well aware that any Member can give notice of motion on any subject matter at this time in the House. It does not matter at all whether this notice of motion is substantially or exactly the same as motions already on the Order Paper because it is nothing more than a notice of motion and does not become a motion until it is duly seconded and read from the Chair. So the argument that there is a motion of the same substance on the Order Paper is certainly invalid, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, because we have the right to debate a point of order at your discretion, I would indicate that the Honourable Member is wrong but, however, there is no point in arguing or debating or wasting Council's time. I'm interested in getting on with the business of the Yukon Territory, and not this nonsensical stuff that is going on at the moment.

Mr. McKinnon: Mr. Speaker, speaking further on the point of order, if the Honourable Member can show me through the House rules and through the rules of Parliament that we are in error in proposing this notice of motion, I think it would only be proper for the Member who has moved the motion and the seconder to withdraw the motion. If this can be shown to Mr. Speaker and shown through the rules of this House, then I think it is only proper that the rules of this House be followed and the House be conducted properly. However, I don't think the Honourable Member can come up with this annotation or come up with this rule because he fully well knows that a notice of motion may be made on any subject matter at this time in the House and when it becomes a motion, that is the time, if it is similar in substance, that the Speaker has to rule it out of order.

Mr. McKinnon continued ...

He knows full well that it is nothing more than a notice of motion at this time.

Mr. Chamberlist: Mr. Speaker, the Honourable Member is well aware that the notice of motion that has just been given now is notice of motion of a continuing subject. It is clear also to his knowledge that twenty-four hours must elapse between the notice of motion on a given subject and the subject matter once it is already on the Order Paper. This would of course give them the right to move a notice of motion, present a notice of motion tomorrow morning, but not today.

Mr. Taylor: Mr. Speaker, on the subject, I can only say the Honourable Member from Whitehorse West is quite correct, and the notice of motion given this morning must be, to be accepted, in the hands of the Clerk before five o'clock tonight, and it's quite in accordance with the proceedings of this House.

Mr. Chamberlist: I have already indicated Mr. Speaker, that you may take it as notice of motion, but the function itself won't be any good tomorrow morning.

Mr. Speaker: I'll allow it to stand. Are there any further notices of motion?

MOTION #13

Mr. Chamberlist: Yes, Mr. Speaker, I wish to continue with the business of the House and I therefore give notice of motion that Sessional Paper No. 7 be passed into Committee of the Whole for discussion.

Mr. Speaker: Are there any further notices of motion or resolution? Are there any notices of motion for the production of papers? We now come to Daily Routine. Are there any motions for the production of papers? Motions?

MOTION #1

Mr. Chamberlist: Mr. Speaker, as my motion is Motion No. 1, I would ask that the motion remain on the Order Paper and dropped tomorrow morning.

MOTION #2  
MOTION #3

Mr. Speaker: As the Councillor for Whitehorse North is not here, Motion No. 2 is deleted from the Order Paper. Motion No. 3, is the Honourable Member from Dawson prepared to proceed with the motion?

Some Members: Question.

Mr. Speaker: Are you agreed?

Mr. Chamberlist: Contrary, Mr. Speaker. The harried haste in which the Honourable Members want to interfere with the respect they have shown already to the Honourable Member from Whitehorse North, who is sick and unable to attend-- yesterday the Honourable Member from Whitehorse West very, very pathetically pointed out that these matters should not be dealt with until the Honourable Member from Whitehorse North arrives. I think that in view of the fact that he is sick, in view of that I think that the courtesy of this House should be given to him until he is able to take his seat in this House, that this is a courtesy that all Members should give to others at this particular time. I echo the words that the Honourable Member from Whitehorse West stated yesterday that the rest of the motions as a rule depend much upon the motion of Councillor Tanner. If he backs away from that stand that he took yesterday, I wonder if we can say what is to follow in this Council will not be a complete detriment to the operation of this Territorial Council during the next few years.

Mr. McKinnon: Mr. Speaker, the Honourable Member, when he first rose this morning, said that his prime intention was to get on with the business of the House. I think all of us feel exactly the same way. The deference that was given to the Honourable Member yesterday morning was because it was his motion that was proposed. There was no possible way that this House could go on with a motion that is proposed by a Member who is not



Mr. McKinnon continued ...

MOTION #:

here, to move his motion. The Honourable Member from Whitehorse East has been in this game long enough to fully well know that, he's been in it long enough to know that because a Member through illness cannot be at this House, that the whole business of the Territory cannot come to an abrupt halt. All that the Members are trying to do is, in the absence of one of the Members of the House, trying to put motions forward that will meet the approval of this House without that Member being present because he is incapacitated and cannot be here at this time. Mr. Speaker, if the Honourable Member from Whitehorse East is serious with what he said this morning, that he wants to get on with the business of the House, then he will not be throwing continual road blocks into getting the business of the House done, these motions passed and the Government of the Yukon Territory finally working.

Mr. Chamberlist: I must give extensive applause for those particular words. How these words come smoothly, like treacles dripping out of an overfilled cup. It's quite amazing. There is no doubt, Mr. Speaker, that I wish to get on with the business of the House. I am just echoing the words of the Honourable Member for Whitehorse West, who now has departed completely from his ...

Mr. McKinnon: I must rise on a point of privilege here because the Honourable Member fully well knows that when he has spoken once on a motion in debate in the House, that that is the extent of his debating technique. Now he could have stayed up for forty minutes and we all would have been very well prepared to listen to him speak for forty minutes because we know what a fine debater he is, his words would have been well chosen and we all would have liked to have listened to him. However, on this motion he has said his piece and unless he uses some other kind of technique, he is finished speaking and that's all there is to it.

Mr. Chamberlist: I rise on a point of privilege at this time. I sat down only because the Honourable Member has risen on a point of privilege. The rules of the House are that I must take my seat while the point of privilege is given. With respect, this is what occurred and as a result of that, I sat down so that my time is still in effect. If Mr. Speaker wishes to make the decision that my time is not in effect, then I am prepared to sit down. At this time I will sit down to allow the Speaker to make his decision, but not sitting down because I have completed by stand on this debate.

Mr. McKinnon: Mr. Speaker, speaking further on the point of privilege, if the Honourable Member will check the records he will find that it was only when he rose to speak the second time that I rose on the point of privilege. The first time, I just naturally thought he had concluded his debate and I rose to speak on the question. I think that if Mr. Speaker will call a recess and check from the records of the House, he will find that this is in fact the case and that the Honourable Member has spoken once on the question, I did not rise on a point of privilege until he spoke for the second time, and that the Honourable Member is completely out of order in speaking again on that motion.

Mr. Chamberlist: On that same point of privilege, Mr. Speaker, I am quite prepared to allow the tape to be heard so that the point will be seen that it was during the time that I was speaking that the Honourable Member did not give the courtesy to me to continue with what I had to say. I see which way the wind blows, I see the ploy that is taking place here and I allow Mr. Speaker to make the decision.

Mr. Speaker: We'll adjourn for a short recess.

RECESS

RECESS

Mr. Speaker: The House will now come to order.

Mr. Chamberlist: Mr. Speaker, I will withdraw my point of objection.

MOTION #3

Mr. McKinnon: Question.

Mrs. Watson: Mr. Speaker, I would also like to speak on this motion. I also feel that the Council would be in error if we proceeded with this motion until the Council has determined who the Members of the Executive Committee shall be, and they will automatically be sitting on the Financial Advisory Committee. We are putting the cart before the horse if we are voting on this motion today.

Mr. McKinnon: Mr. Speaker, as Members of Council are aware, if this motion is not proceeded with today, it drops from the Order Paper, if it is called twice from the Chair and not proceeded with. It means that it will cause ...

Mr. Chamberlist: I rise on a point of order at this time, please, Mr. Speaker. I rise on a point of order. The Honourable Member has already spoken in this discussion and he knows full well that he cannot speak for the second time.

Mr. McKinnon: Mr. Speaker, I'm sorry, I should have prefaced my remarks by saying that I was rising on a point of order.

Mr. Chamberlist: But he did not say so, with respect, Mr. Speaker, and is out of order.

Mr. McKinnon: Mr. Speaker, I fully agree with the Honourable Member for Whitehorse East, and I thank him for bringing this to my attention. Now, speaking on the point of order, Mr. Speaker, all these motions will drop from the Order Paper and will have to be presented again by Council. This is all I'm thinking of, the efficiency and the dispatch of this House in trying to get these things done. If it is the wish of the House and wish of the mover and seconder of this motion, that they do not want to proceed with these motions today, I am at their pleasure and the motions will not be proceeded with. I just think that the Speaker should bring to the attention of the Members of the House what the reasons for trying to put these motions before the House today are, because it will take a further notice of motion beginning tomorrow and also the motions to be called on successive days following. I think that all Members of Council are well aware that we've been holding up the business of the Territory for quite some time, Mr. Speaker.

Mr. Chamberlist: On a point of privilege, Mr. Speaker, would the House permit me to speak once more in exactly the same way that the House has permitted Councillor McKinnon to speak? Thank you. Mr. Speaker, as far as I am concerned, I wish to see an efficient Territorial Council working together for the benefit of the Yukon Territory. I am tired and sickened by the inplay that is going on amongst grown up, responsible people. But, at the same time, with all due deference to the Members who seem to be so concerned with positions in these Committees, I ask, Mr. Speaker, and I plead with the Honourable Members who have moved and seconded this motion, that in consideration of the Honourable Member from Whitehorse North, that they do not proceed. If you do that, you will lose the faith and confidence of one man who's away. This consideration should be given, Mr. Speaker.

Mr. Taylor: Mr. Speaker, there is much merit in what the Honourable Member has stated this morning. I note that the seconder of Motion No. 3, Councillor Watson, also would like this matter stood over and I think that I would certainly agree. In relation to Standing Order 48, which reads as follows, Mr. Speaker: "When a private member's notice of motion shall have been twice called from the Chair and not proceeded with, it shall be dropped". I put the emphasis on the word "shall", Mr. Speaker, "... provided that it may be placed at the foot of the list on the Order Paper upon motion made after due notice". I would suggest, Mr. Speaker, that there is much merit in what the honourable gentleman has stated and that Motions No. 1, 2, 3, 4, 7, 8 and 9, upon calling, fall from the Order Paper.

Mr. Chamberlist: If that was by way of a motion, I would second that.

Mr. Taylor: I don't believe, Mr. Speaker, that a motion is necessary because it is a rule of the House.

Mr. Speaker: Are we agreed?

Some Members: Agreed.

Mr. Speaker: We will proceed to Motion No. 8.

Mr. Taylor: Motion No. 4, Mr. Speaker.

Mr. Speaker: Motion No. 4, it has been moved by the Honourable Member from Watson Lake, seconded by the Honourable Member from Mayo, "That Councillor Hilda Watson be appointed as Deputy Speaker of this House". *MOTION #4*

Mr. Chamberlist: A point of order, Mr. Speaker, I understood that the Honourable Member from Watson Lake has indicated that these motions should be dropped and -- oh, I see, okay.

Mr. Taylor: Mr. Speaker, it is my intention to allow this matter to drop this morning.

Mr. Speaker: It has been moved by the Honourable Member from Dawson, seconded by the Honourable Member from Whitehorse North, "That Councillor Hilda Watson be appointed to represent Council on the Teachers' Salary Negotiation Committee". *MOTION #7*

Mr. Stutter: Mr. Speaker, I'm prepared to let this drop from the Order Paper.

Mr. Speaker: Motion No. 8, is the Honourable Member from Carmacks-Kluane prepared to proceed with this motion? *MOTION #8*

Mrs. Watson: I would rather see it dropped from the Order Paper today, Mr. Speaker.

Mr. Speaker: Likewise, Motion No. 9? *MOTION #9*

Mr. McKinnon: Mr. Speaker, I know what the feeling of the House is but I am prepared to proceed. However, I will let it drop because that is the feeling of the House.

Mr. Speaker: Motion No. 11. *MOTION #11*

Mr. Chamberlist: Mr. Speaker, unless somebody is prepared to second the very, very important motion, then I would have to have it dropped.

Mr. McKinnon: I'd be pleased to second the motion, Mr. Speaker.

Mr. Chamberlist: Thank you.

Some Members: Question.

Mr. Speaker: Are you prepared for the question? Agreed? It has been moved by the Honourable Member from Whitehorse East, seconded by the Honourable Member from Whitehorse West, "That the Department of Education Report 1969/70 be passed into Committee of the Whole for discussion".

Some Members: Question.

Mr. Speaker: Agreed? The motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: We now come to the Question Period. Will Mr. Clerk see if the Commissioner is available? We'll adjourn for a slight recess.

RECESS

RECESS

Mr. Speaker: The House will now come to order. It is now the Question Period.

QUESTION RE  
DEPT. OF  
LOCAL  
GOVERNMENT

Mr. Chamberlist: Mr. Speaker, I wish to ask the Commissioner a question. I have received correspondence from the Commissioner, and he makes reference to the Department of Local Government. I wonder if Mr. Commissioner can indicate to Council when this Department of Local Government was manufactured and whether any consultation had taken place with any or all of the Members of Council in this regard?

Mr. Commissioner: Mr. Speaker, alias the Department of Municipal Affairs, and I am not aware of any discussions or consultations that have taken place.

QUESTION RE  
DEPT. OF  
LOCAL  
GOVERNMENT

Mr. Chamberlist: Supplementary, Mr. Speaker, I understand, Mr. Commissioner, that the new look to this government was that Members of the elected people -- the elected legislature would be informed in all matters. I wonder if Mr. Commissioner could indicate why this hasn't taken place, and further could he indicate whether he is aware of any Members of Territorial Council who have key municipal officials in their own individual departments as has been indicated by the Director of Local Government in correspondence to both Councillor McKinnon and myself?

Mr. Commissioner: Mr. Speaker, I must plead ignorance on all counts.

QUESTION RE  
MINING  
SAFETY  
REGULATIONS

Mr. Chamberlist: Another question, Mr. Speaker, Mr. Commissioner, in view of the possibility of labour problems which may develop at the Anvil Mine as a result of the lack of safety regulations pertaining to open pit mining in particular, and the subsequent damage to the economy of the Yukon as a whole which may result, can the Administration give some assurance that appropriate safety regulations will be brought into effect as early as possible?

Mr. Commissioner: Mr. Speaker, subject to any information that could be supplied to me to the contrary, I believe the appropriate regulations are already in effect.

QUESTION #2

Mr. Chamberlist: Mr. Speaker, I'm pleased to inform the Commissioner that although there are safety regulations in effect, they do not and cannot be used in the purpose of open pit mining, and as a result of these matters, there has been proposed labour strikes in the Anvil Area. I take it that perhaps Mr. Commissioner would like this as a written question so that he may undertake an investigation into the matter?

Mr. Commissioner: This would be appreciated, Mr. Speaker.

QUESTION RE  
TAXATION  
MANUAL FOR  
WHITEHORSE

Mr. Chamberlist: To finish my questioning, Mr. Speaker, the Sessional Paper which will be discussed in Committee of the Whole, dealing with the tax assessment questions that I had asked Mr. Commissioner yesterday, did not give an answer. I wonder if Mr. Commissioner will at this time answer whether he has approved a manual for taxation in the City of Whitehorse or not?

Mr. Commissioner: Mr. Speaker, I would tend to feel that Sessional Paper No. 7 is the proper and justifiable stance for answers regarding the Honourable Member's question at this time. I think that after the current possible legal proceedings that are involved with regard to assessments, then I think it would be appropriate for further details to be answered, but I would tend to think that this is, at this time, the correct stance to take with regard to the question.



Mr. Chamberlist: Just one supplementary question, Mr. Speaker. Let me put it this way to Mr. Commissioner. Can the Commissioner say that he did not approve a manual?

*QUESTION RE  
TAXATION  
MANUAL FOR  
WHITEHORSE*

Mr. Commissioner: Mr. Speaker, I cannot answer in the affirmative, neither can I answer in the negative.

Mr. Taylor: Mr. Speaker, I have a written question I would request a written answer to. My question is, is the Administration currently considering a housing policy which would give some relief in housing accommodation costs to Territorial Government employees resident in remote and semi-remote areas of the Yukon?

*QUESTION #:*

Mr. Commissioner: Mr. Speaker, a written question - a written answer, is that the case?

Mr. Taylor: Yes. I have a further question. I haven't fully acquainted myself with the Commissioner's Opening Address yet, only appearing at the one occasion, and I'm wondering if Mr. Commissioner could advise me just as to what state the Medicare situation is at right now?

*QUESTION RE  
MEDICARE  
LEGISLATIO*

Mr. Commissioner: Mr. Speaker, this simply awaits the wishes of Council.

Mr. Taylor: A supplementary question then, Mr. Speaker, could the Commissioner indicate when he will be expecting a decision from Council and when he will be making the presentation to Council? Will it be at this Session or will it be the January Session?

*QUESTION RE  
MEDICARE  
LEGISLATIO*

Mr. Commissioner: Mr. Speaker, I think in all fairness, it is up to Council to say if they wish Medicare to be introduced in the Territory. Now, if they do, we have the various alternative means of financing it and the necessary -- I won't say all the necessary legislation, but at least the enabling legislation. We have this ready, Mr. Speaker, but we certainly do not feel, as we feel with all other legislation that is pending at the moment, that it is right that we should bring it forward prior to there being a decision by the Council that this is indeed what they do want brought forward. So, I would defer strictly to Council's wishes on the matter of Medicare.

Mr. McKinnon: Mr. Speaker, I wonder if I could question the Commissioner? One thing I have always agreed with is his administrative ability to stretch the taxpayers' dollar as far as possible. I'm rather surprised when I see Sessional Paper No. 8 that has been presented to Council where many of his senior officials took a junket up to Herschel Island. I see that one of them, from the Historical background, says that there is no one living on Herschel Island and the Fire Marshal's report naturally ends up that they don't need any fire protection because there is no one living there. Also, one of his Tourism officers went up and came back with the report that because of the island's location, tourism is, for all intents and purposes, nonexistent. Mr. Commissioner, was this trip necessary? I think that he could have told his staff that without the trip.

*QUESTION RE  
SESSIONAL  
PAPER #8*

Mr. Commissioner: Mr. Speaker, I don't agree. I feel that this was very necessary, a very educational trip. I'm constantly being told that we should be waving and establishing Yukon's identity and Yukon's flag in other parts of the country and I think that it's high time we planted it very firmly on what could conceivably be a very important part of Yukon. While I tend to agree that there may be a certain amount of amateurishness in composition with regard to the paper that has been given as an information source to Council, there is nothing amateurish or anything that we have to excuse ourselves for as far as determining just exactly what the position of Y.T.G. is administratively with regard to Herschel Island. I may say while I'm on my feet, Mr. Speaker, it is hardly an answer to the Honourable Member's question, that we are being literally speaking invaded from the Northwest Territories to the Herschel Island.

Mr. Commissioner continued ...

Oil companies and other exploration companies are making use of our Territory without even the courtesy of paying fuel taxes and other things that should be automatically accruing to the coffers of the Territory, and certainly it is not my intention to permit this to continue without doing something about it. This was the first effort along these lines. It looks as if, as indicated by the Honourable Member, it was an unnecessary junket, but I sure that he will agree with me in the not too distant future that it maybe wasn't such a stupid idea after all.

*QUESTION RE  
SESSIONAL  
PAPER #8*

Mr. McKinnon: A supplementary question, Mr. Speaker, generally when democratic nations want to show the flag, they send representatives of the people rather than bureaucrats. Is it the Commissioner's intention in the future that this type of representation will be followed?

Mr. Commissioner: Mr. Speaker, as being, should I say, rather of the democratic faith myself, I am firmly of the opinion that it should be elected people who take the stance on these things and I'm eagerly awaiting the naming of two of them who will become part and parcel of the operation so that they can be exposed to these things, make such reports and have to defend them here before the Council.

Mr. Speaker: Are there any further questions? I wish to thank the Commissioner for his attendance. We will now adjourn for a slight recess.

*RECESS*

RECESS

Page 31.

Tuesday, November 10th, 1970.  
11:00 o'clock a.m.

Mr. Speaker: Council will now come to order.

Mr. Taylor: Mr. Speaker, following Private Bills and Orders and Public Bills and Orders, I will be proposing a motion.

Mr. Speaker: Are there any Private Bills and Orders? Are there any Public Bills and Orders?

Mr. Taylor: Mr. Speaker, at this time I would like to move that the Speaker do now leave the Chair and that Council resolve itself into Committee of the Whole for the purpose of discussing Sessional Papers.

Mr. Speaker: Is there a seconder?

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

Mr. Speaker: Moved by the Honourable Member from Watson Lake, seconded by the Honourable Member from Whitehorse East, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Sessional Papers. Is the House prepared for the question? Agreed? I will declare the motion carried.

MOTION CARRIED

*MOTION  
CARRIED*

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

Mr. Taylor takes the Chair.

Mr. Chairman: At this time we will call Committee to order. The first item of business before us in Committee is Sessional Paper No. 2.

*SESSIONAL  
PAPER #2*

Mr. McKinnon: Mr. Chairman, I wonder if we should have the Commissioner present?

Mr. Chairman: Yes, would that be agreeable? I'll just declare a brief recess then.

RECESS

*RECESS*

Mr. Chairman: I will now call Committee to order. We have with us Mr. Commissioner to assist us in discussion relating to Sessional Paper No. 2. If we go to page 2 of the Sessional Paper we find under subsection (b) "Matters for Council Advice", and with your concurrence we will deal with these four items. Anything on Item 1?

Mr. Chamberlist: I would suggest, Mr. Chairman, that we answer Mr. Commissioner by indicating that we are in agreement with the continuity of the Executive Committee by agreeing that the Members chosen for the Executive Committee will remain with the Executive Committee even though an election has been called.

Mr. Chairman: Does Committee agree with Item 1? Item 2? I believe this pretty well follows. I think we're all in agreement with Item 2, are we not? Item 3?

Mr. Legal Adviser: Mr. Chairman, would they indicate that for the purpose of Votes and Proceedings? It's one thing to be in agreement but it's not expressed clearly in that paragraph when you say we're in agreement because we're saying (a) or (b).

Mr. Chairman: The Chair takes it that the Speaker and Deputy Speaker are not to be eligible for membership in the Executive Committee. This is the way I have it.

Mr. Legal Adviser: The Commissioner has indicated, I think, to the House, possibly not out loud, but he would like a formal motion. Would it be satisfactory if, following the discussion, I got together with the Members and drafted a compendious motion to reflect what the House wanted when they formally passed it at that time.

Mr. Chairman: Is the Committee agreed on this? No. 3. Did you wish to deal with that at this time?

Mr. McKinnon: Mr. Chairman, as far as I understand it, there is -- there will be debate on matters concerning indemnities for all Members of Council and as section 3 deals only with indemnities to the two Council Members on the Executive Committee, I would suggest that the matter of indemnities, as an all-encompassing thing, be taken up as a separate matter after we've been through the Paper. This also should be by motion and as a direction to the Administration that this is a decision of Council in this matter.

Mr. Commissioner: Might I mention what I had the opportunity of mentioning the other day, that we would like two separate motions as far as indemnities are concerned. In other words, one is a statutory requirement under the Yukon Act, and this is a separate one.

Mr. McKinnon: The same would follow with what Mr. Legal Adviser has said previously, that once the feelings of the House are known, the Members are to get together to draft the proper motion.

Mr. Chairman: Item 4, whether the Council wishes to review its rules and procedures, and I believe this has been done. The next item brought to the attention of the Chair is found on the top of page 3, first paragraph, under "Conflicting Interests".

Mr. Chamberlist: Mr. Chairman, I wonder if Mr. Legal Adviser would at this time define a conflict of interest?

Mr. Legal Adviser: Mr. Chairman, it is a very, very difficult thing to define in general terms what a conflict of interest is, but I think the Members know well that where there's public interest and the private interest of the Member, then when the Member is deciding on a matter of public interest, if he has any personal interest at all, a conflict automatically arises, even though their motives might both be the same, it becomes apparent or real.

Mr. Chamberlist: Well, I have nothing further on that point, except in that on page 4, Mr. Chairman, the point that I have raised that that area where the power is given to the Commissioner to dismiss a Member of the Executive Committee or to go to the -- or to seek the advice of the Council on the action he should take. It is my suggestion, Mr. Chairman, that under all circumstances he must seek the advice of Council for this dismissing of an Executive Member.

Mr. McKinnon: Mr. Chairman, I'll listen to the Commissioner's remarks on it but if this is not the case, the Council -- the Commissioner appoints the Members upon the advice of the Council, and this is of course as it should be, but certainly if that is giving the right to Council to appoint the Members, certainly it must be the right of Council also, for moving towards responsible government, to dismiss those Members in the House for breaches of conflict of interest or because they no longer hold the confidence of the House. To be able to appoint the Members and then the Commissioner be able to dismiss the Members with no consultation with Council whatsoever, is a complete negation of the direction in which we are moving. If the Commissioner were appointing the Members without the advice of the Council, then it would follow that the Commissioner should have the power to remove those Members and if this was the case, then we really aren't moving towards any kind of democratic or responsible institution whatsoever. We're exactly where we were except that we have moved two Members into the Administration, and that is simply that. Now, it has to follow that if we are given the power to appoint these Members, the power has to



Mr. McKinnon continued ...

be in our hands to be able to remove these Members, and if it isn't, you're giving with one hand and taking away with the other, and completely negating the area of then moving into the areas of democratic institutions and responsibilities. The easiest way to say it is that you're trying to have your cake and eat it too, and you can't. Democratic representation is tenuous at the best of times, it's even perhaps very dangerous, and one just has to rely on the sound judgment of the elected representatives, and on the same principle that you hold that your Administration is run by, the same principles of integrity that this Council feels that those Members have to conduct their affairs in, and anything else, accept this matter of trust in the working of this relationship, but it can't be that the whole agreement and the whole movement towards what we all want completely fails, and I don't see how it's possible to give the confidence of the House in appointments and taking away the confidence of the House in the dismissal because you may as well take the blinders off, you may as well not try to pull the wool over our eyes, you may as well say that you're keeping the exact power in both the appointment and dismissal of these Members because in essence you still have the power, you still have the right, and you do still control the Executive Committee, even the elected Members on it, and we haven't moved one step forward.

Mr. Legal Adviser: Mr. Chairman, I think that point arises on Sessional Paper No. 4, Appendix "A". It doesn't arise on page 3 or 4 as far as I can see, Mr. Chairman.

Mr. Chamberlist: It is on Page 4 of Sessional Paper No. 2, the second paragraph of page 4, and I'm absolutely in agreement with the principle that has been expounded. This is why I raised this matter, because to me it seems so improper, Mr. Chairman, that the Territorial Council should be placed in the position of being asked to appoint but not asked to remove. Now, we can't allow that to happen, and it's as simple as that.

Mr. McKinnon: Mr. Chairman, this is a new curve because Sessional Paper No. 33, 1970 (Third Session) outlined that "should Council, by formal motion, request a change in the appointment of one or both elected Members of the Committee, the Commissioner will comply". Nowhere does it say that the Commissioner, during the life of the Executive Council, was going to have the right to dismiss a Member and, Mr. Chairman, I would have objected strenuously then if it had been brought up in this paper. I wouldn't have agreed to the terms of the paper if it had been brought up. It's something new, it's something that's been brought in and I have to hear the reasons behind it, because it looks like it was a midnight move to try and keep the power of the Commissioner over the Council, no matter what. It's something that this Council would not accept over all the years of deliberation and over what we thought were going to be the rules of the Executive Committee. It's destroying a new term completely as it makes up others, something we haven't seen before, something that we would never have accepted at the beginning of it, and something that I don't think any Member, when he looks at it, could accept at this point in time either.

Mr. Chamberlist: I wonder, Mr. Chairman, as Mr. Commissioner appears reluctant or semi-reluctant to make any remarks on this, I wonder if he would make some remarks on this.

Mr. Commissioner: Mr. Chairman, there's not really many remarks that I can make with regard to it. The sentence in which this occurs, or the sentence prior to it, I think states the position in the case of the Executive Committee of the Yukon. However, there remains the fact that the Council Members will be responsible to the Commissioner

SSIONAL  
APER #2

who must remain in a position, because of his accountability to the Minister, to ensure the integrity of his Administration. Now this paper has been prepared with the concurrence and consultation with the Minister and this is not something that would just be put together by the administrative officers here. I mean, this has been put together with the concurrence of a Minister and I think that that is really what they are saying here, in the case of the Executive Committee of the Yukon. However, there remains the fact that the Members are responsible to the Commissioner who must remain in a position, because of his accountability to the Minister, to ensure the integrity of his Administration. Anyway, I can't pass very much comment on this.

Mr. McKinnon: With respect, Mr. Chairman, then if Mr. Commissioner can't pass on it then someone from the Minister's office is going to have to pass comment on it because, as I say, it's completely new and something that the last Council was not aware of, because everything that was presented to the last Council nowhere mentioned this in any way, shape or form, and this is going to be one of the conditions to be made of the Executive Committee. The Council Members who will serve on the Committee will be appointed by the Commissioner on the advice of Council. If the Council, by formal motion, requests a change in the appointment of one or both elected Members of the Committee, the Commissioner will comply. The establishment of the Executive Committee for the Yukon Territory can consist of the Commissioner, the two Assistant Commissioners and two Members of Council, the latter to be appointed by the Commissioner on the advice of Council, and to serve during pleasure, and, Mr. Chairman, with respect everybody knows that that means the pleasure of the Council. It's a complete negation of exactly the thing that we're moving towards, and the line, it has to read "Where there are breaches of integrity, it is the responsibility of the Commissioner to take action appropriate to the circumstances of the situation and seek the advice of the Council on the action that he should take". It is not the prerogative of the Commissioner because he did not appoint those Members. It is not his prerogative to dismiss them and if he does, the whole experiment is an abject failure and the whole of this paragraph, which so meaningfully changes the whole concept of the makeup of the Executive Committee, is there on purpose, Mr. Chairman, and it has been put in as a safeguard by the Federal Government to testify to the fact that they do not feel that we are ready to accept the raise in responsibility in any way, shape or form. Mr. Chairman knows that this is the fact of the matter and I think that Mr. Commissioner well knows that what I say is in fact the truth. I think that we're going to have to get together with the senior officials of the department of his Minister before we can accept the terms and conditions laid down in this paper, because I, for one, think I can tell you right now, if this paper is recommended, there is no possible way that I can, in conscience, serve on an Executive Committee under this type of a makeup.

Mr. Legal Adviser: Mr. Chairman, pleasure does not mean at the pleasure of the Council. Pleasure is defined--I was just going to look at it, the interpretation in the Act of Canada and the interpretation orders of the Yukon--and to serve at pleasure means subject to instant dismissal, and in fact, many, many offices are held at pleasure. But, it's not always possible, Mr. Chairman, to summon the Council in time before something happens, but I think the Council will realize that the Council would be summoned, a report made, and the person who was dismissed by the Commissioner would be subjected to be recommended again by the Council.

Mr. Chamberlist: Mr. Chairman, as far as I am concerned, the only people that will dismiss me are going to be the people that elected me. That's how I am dismissed, and with all due respect to Mr. Commissioner, I'm having no civil servant going to dismiss me, an elected representative of the people. This is the stand I take and this is the stand, in respect to Mr. Commissioner, I think he should take too, because he's been an

Mr. Chamberlist continued ...

elected person too, and this is where he should get on to the Federal Government and tell them of the objections to this particular area which has been shown. On this, Mr. Chairman, if we could indicate to the Commissioner by -- I don't think it is necessary by way of motion, but if the Commissioner gets the reaction of the Council, perhaps he can then contact his Minister and point out to his Minister that this is where objections are being made. I would like to hear the thoughts of other Members of Council on this very, very important point, and just the fact that Councillor McKinnon and myself have spoken on this particular point of principle, all Members of Council stood firm in the last Council -- so important. I would like to hear the other Members' comments.

SESSIONAL  
PAPER #2

Mr. Stutter: Mr. Chairman, after listening to the comments from both the Members from Whitehorse West and Whitehorse East, I would like to say that I feel that all the remarks probably that can be said on the subject have already been said, and I, for one, have to agree with the stand that they have taken.

Mr. McKinnon: I think the basic principle is that once the House lets itself be mastered by an external authority, it is no longer the master of its own house, and it is no longer a democratically elected legislative body. This is the one danger that all members of all kinds have to be constantly aware of, that they are here to represent the constituents who elected and put them here, and once they start listening to external groups and to external bodies who actively control the destiny of this House, this House, for all intents and purposes, ceases to function. Mr. Chairman, with respect to the Minister and all his staff, they well know the Council's feelings on this subject and I'm afraid, Mr. Chairman, that someone is trying to put something in at the last moment that was certainly never considered part of the agreement that was reached with the Federal Government on the makeup of the Executive Committee. No one could call themselves a Member of this House and allow themselves not to control the destiny of this House, and have free control of what is happening in this House. For the House to appoint the Members for the Commissioner to have the right to summarily dismiss the Members that this House appointed, completely negates our responsibility and gives control to an authority that we cannot give control to.

Mr. Chamberlist: Mr. Chairman, I will not go as far as the Honourable Member from Whitehorse West in reference to his remarks about control of the conduct of the House by outside authorities, because the Honourable Member is well aware that in all legislatures, the working members of the legislative body do take advice and consideration from groups of people in the democratic field politically and otherwise, therefore, I can't go along with his thinking on that. Certainly though, I agree on the basic philosophy that no civil servant should have the right and power to dismiss an elected person. That's one where the power has been given by the Minister to the Territorial Council to appoint to the Executive Committee two Members. Nobody else should take the power into their own hands to remove those people. It is simply the Minister saying, "I don't like the way you're doing things. What I have given you, I am going to take away". This is the danger that may be involved. I hear that there are objections from the Administration. "Oh no", they say. They're not worried about that. But it can happen, and therefore the principle must be carried, and it's a simple thing. There shouldn't be any objection by the Commissioner in this regard. If he wants to fire his Executive Assistants, his Commissioners, let him fire his Commissioners, because they are two civil servants under his employ, but I'm not going to support the right for him to fire people that have been elected in a proper democratic order. There's no way that I will support it. You might say that where the Council appoints, the Council should make the recommendation for the Commissioner to remove and no other way.

SESSIONAL  
PAPER #2

Mr. Legal Adviser: Mr. Chairman, the Sessional Paper that was approved by the House on June 20, 1970, contained two resolutions. One was that it approved the establishment of the Executive Committee for the Yukon Territory, to consist of the Commissioner, two Assistant Commissioners, and two Members of the Council, the latter to be appointed by the Commissioner on the advice of Council and to serve during pleasure, the pleasure of the person who appoints, and this was what passed. The Council could have expanded on what was meant at the time and I think the Council may very well have, or some Members may have understood that it was during pleasure. Now, the only time in the whole of these papers where it is mentioned that the Commissioner may take action, occurred for a breach of integrity of the Member concerned, not on a difference of policy, not on a difference of carrying it out, but it says, "Where there are beaches in this integrity, it is the responsibility of the Commissioner to take action appropriate to the circumstances of the situation and, if he considers it necessary, to dismiss a Member from the Executive Committee or ...", and this alternative is open to him, "... to seek the advice of the Council on the action he should take". I'm sure the House understands that if the Council is in Session, this would be the appropriate action. If the Council is not in Session, urgent action may in his opinion be necessary. It may not, and then he takes action and reports to the Council on the very first occasion, even if necessary, in a serious case, summoning the Council to meet the action which he has taken, because the Commissioner at all times is himself personally responsible for his Administration to his Minister and he cannot derogate from this responsibility. This is the only case in which this is mentioned. Now, it would be a serious breach of integrity for the Commissioner to take this action.

Mr. McKinnon: Mr. Chairman, with respect to the Legal Adviser, if he wants me to call out the speeches that were made on the formation of the Executive Committee and start reading into the record, again, what Council's concept of the Executive Committee was, you'll soon find out that if Council thought pleasure was the pleasure of the Commissioner and not the pleasure of the Council, then Council erred, because there was no wavering of the Council on the point that if the Council appoints the Members, the Council has the right to remove those people from that appointment. Mr. Legal Adviser says that the Commissioner is bound to report to the Council. Now, if Mr. Legal Adviser would read the point that is objectionable, "the Commissioner ... if he considers it necessary, dismiss a Member from the Executive Committee, or seek the advice of the Council on the action he should take". Well, I'm not familiar with the legal terminology whereas Mr. Legal Adviser is, and it seems to me that there is absolutely no compunction in that statement for the Commissioner to advise Council or to seek the advice of Council. He has the right and the prerogative to dismiss the Member, and if he feels that he wants to, he may consult the Council or he may not. It says "or", and as far as I can read it, that is right also. Mr. Chairman, Mr. Legal Adviser can sit and try and defend us to the Administration and to the Department of Indian Affairs and Northern Development, and if he is prepared to do that, then I am prepared to dig up the records of the House and read back into the records what all Honourable Members thought was meant on the appointment and dismissal of Members, and I'm sure that after a lengthy barrage like that, we will once again realize what the intent of the Council was on the formation of the Executive Committee. I think you know darn well now what the intent of the last Council was and what the intent of this Council is also.

Mr. Chairman: Councillor Stutter, would you take the Chair a moment, please?

Mr. Stutter takes the Chair.

Mr. Taylor: Mr. Chairman, in considering this matter, I see this problem clearly on both sides, but I do not concur with those who have spoken before. I must state that this is a power to be held only by the legislature itself. In the first instance, these appointments are within the Yukon Act and specifically prescribed thereto, so the Minister rules the roost. He can either say, "Alright, I'm not prepared to proceed with this experiment", and that is the beginning or the end of it. But I think that the Administration, if they are as they have always claimed to be, in favour of seeing democratic institutions brought to the Yukon Territory, should recognize the rights and prerogatives of the elected representatives of the people, as have somewhat been stated here this morning, Mr. Chairman. I would like to refer you for the moment to Beauchesne, as it affects the south, and in Beauchesne it states that the House rules its own affairs, but there's one section among many which apply here. It states here, "We use the words 'House of Commons' very often without pausing to reflect on what those words mean. The word 'Commons' means the people. This is the House of the people, sitting on both sides of this House and on both sides of the Speaker, who are representatives of every constituency of Canada." Collectively, those of us who meet in this Chamber represent all Canadians. That is our responsibility, that is our duty. Our rights are important only to the extent that those rights represent the rights of the people themselves. If the traditional rights of the Members of this House are released, limited or arbitrarily curtailed in any way, it is not our rights that are of any concern; what is vitally important is that the curtailment of rights--rather, in that curtailment of rights, there is a limitation of the rights of the people themselves, and I think that spells it out very clearly as far as Parliament is concerned when you apply those words to the debate that we are now engaged in. Now, the past Council, as it has been pointed out here, dealt with this matter and we further agreed by motion at the last Session of Council, the motion was moved by Councillor Shaw, and it was basically involved -- section 3 I'll refer to, "That the terms of paragraph (d) of the paper be amended to read as follows: Elected Members will serve full time and be reimbursed from the Yukon Consolidated Revenue Fund in an amount approved by Council through annual appropriations; that they be appointed and dismissed by the Commissioner upon motion by the Council from time to time; and that, while serving, elected and appointed Members together with the Commissioner, should be the effective executive organ of the Government of the Yukon Territory." So by firm motion at the last Session of the last Council, the last Wholly Elective Council spelt it out very, very clearly. So with those few remarks, Mr. Chairman, I must agree that the Administration must put a certain element of trust into the Council; I certainly feel that if this experiment gets off the ground at all, and if there is a breach of a Code of Ethics, which I'm sure that Council will be coming up with, and the Commissioner, during the period when Council is not sitting, notes that one or both of the Executive Members have breached this Code of Ethics, it seems to me no great problem for this is a very big, major matter, to summon the Members of Council to Whitehorse to discuss this matter, and to decide amongst themselves what course of action should be taken. In other words, the accused Member can't be kicked out of office just because in the opinion of one person, he has done wrong. He must be judged, and the only people that can judge him are the people that he represents, and in this case, it just has to be this Council, and it seems a little academic to me. If this cannot be done, we, indeed, gain nothing, we do not bring democratic institutions any further to the Yukon, and that's the way I see it, Mr. Chairman.

Mr. Chamberlist: Mr. Chairman, I don't wish to go into the whole content of the discussions on Sessional Paper 33, but just to read into the records of this debate two short questions, this is on page 120, 2nd of June, 1970: "Mr. Chamberlist: Mr. Chairman, I wonder if Mr. Commissioner could indicate whether this paper, this policy paper, is in fact a policy paper of the Minister's or is it something on a local level? Mr. Commissioner: Mr. Chairman, this paper has been worked up between myself and my Minister and our Advisers. This is not of local authorship, but certainly is a result of consultations of the whole matter, and bears my Minister's wishes with regard to the setting up of the Executive Committee."



SESSIONAL  
PAPER #2

Mr. Chamberlist continued ...

The point that I make here, Mr. Chairman, is that the Commissioner indicated that it is the result of consultation on the whole matter, but now we are faced with an additional concept that differs entirely from the Sessional Paper 33 of the last Session in Council, and it is just not possible that Members of this Council at this time can support a revocation of the principal that was clearly understood between the last Council and the Administration of the Yukon Territorial Government. Certainly there is no possible way I feel that any Member of this Council can condone that type of suggestion that is instituted in this Sessional Paper which would allow the Commissioner, under any circumstances, to dismiss an elected Member.

Mr. McKinnon: Mr. Chairman, I've always thought that the protection against any abuse of the Executive Committee, or protection against any Members breaching any Code of Ethics that the House brings on for itself, eventually lies in the Minister's hands, because just as he should have no right over the control of this House, there is no way that we could reach in and control the destiny of the other place. It was the Minister's prerogative and the Minister's instructions that brought about the formation of the Executive Committee, and it is his instruction and through his wishes and his desires that he could bring about the end of the Executive Committee in what would be a terrible day for the Yukon but what actually did transpire was that the Members of the Executive Committee were using their positions of power to breach the Code of Ethics that they had laid down for themselves, and I think that this is ample protection, this was the protection that was always evident in the formation of the Executive Committee and I can't understand for the life of me why this additional sentence was worked into a new paper that was presented to a new Council, and I don't see how it's possible that this matter can be resolved except through notification to the Minister, because as Mr. Commissioner has said, these are instructions from his Minister's Office. I would like to ask Mr. Commissioner if he is willing to be in touch with his Minister's Office as soon as possible, and see if we can come to some conclusion of the paragraph which appears to be objectionable to all Members of Council.

Mr. Commissioner: Mr. Chairman, I can automatically answer in the affirmative.

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

Mr. Taylor resumes the Chair.

Mr. Chairman: Is there anything further on this matter, or is it your intention to await a reply from Mr. Commissioner on the advice of the Minister? The next item of consideration then is the matter of a Code of Ethics, and I believe Members have been perusing Appendix "K" of this paper in relation to this. I might say that if it is the wish of Committee to adopt Appendix "K" with the exception -- I have a motion formed, if anybody so desires to peruse it or propose it, which takes in all the conditions outlined in Appendix "K" with the addition in section 6, of the words, "except where agreed upon by the Executive Committee".

Mr. Chamberlist: Perhaps, Mr. Chairman, it should be indicated why those words added in section 6 are suggested. It appears to me, Mr. Chairman, that it would be improper to restrict a Member of Territorial Council from acting on behalf of an indigent person who is unable to afford to go before a tribunal or incapable of explaining himself before a tribunal. This section would restrict a Member of the Committee of the Executive Committee from appearing before any board or acting by way of correspondent. Now, there's a responsibility on every Member of Council

Mr. Chamberlist continued ...

to look after the needs and requirements of his constituency, and in many areas we all have -- all Members of Council have people who require the help and advice of the Member for their constituency, so that there should be no conflict in relation to governmental matters in these additional words which have been suggested being entered, so that where there might be a conflict, the Members of the Executive Committee can then say, "Well, yes", or "No, you can't proceed with it". So these are the words which have been used. I think, Mr. Chairman, perhaps you can indicate the right words again after I sit down, that were used in that?

Mr. Chairman: Yes, the words are, "except where agreed upon by the Executive Committee".

Mr. McKinnon: Mr. Chairman, I would like to present an argument in a slightly different context, and after, I would like to listen to Mr. Commissioner's and Mr. Legal Adviser's objections to it. The way I see it is that on the Executive Committee, in the formation of government policy, in government solidarity the principle has to flow that if a person is against the government policy that is decided by the Executive Committee, he can't go out in the House and condemn the Executive Committee and say, "Those sons of guns wouldn't listen to me", because the whole system of Cabinet Government just fails then. The Member just has to be prepared, and it's a matter of principle that if he can't convince the majority of the Executive Committee to go his way on a serious matter which he considers to be a matter of principle, his only solution is to resign. I don't think there is any conflict in this context. The one word is that it is government policy to do something, it's government policy. Let's take an example: to broaden the city boundaries and try to incorporate the whole of the metropolitan area into the City of Whitehorse, and it happens that a Member of the Executive Committee is the most eloquent spokesman on behalf of the government to get this thing to happen. Why shouldn't the government allow this person, seeing as it is government policy, to appear before boards or commissions, or things of that nature, to be able to bring government policy to fruition. Then I can see the other -- of course, the first instance takes care of the place where the Member has objected to government policy, which naturally follows he can't speak against it. Let's take another example. Take the example of, if government policy was that they feel that the Indian Village should be moved to a certain place, and one of the Members on the Executive Committee, that Member who has done the most work in the moving of the Indian Village, wants to appear before a committee or before a board or before an inquiry on the moving of the Indian Village. Certainly if it's government policy, there should be no objection to that person presenting as good a government case as possible to allow that government policy to succeed, and I think that the words that were added, "except where agreed upon by the Executive Committee", would take care of it quite nicely, because if there were conflicts, the Executive Committee would refuse that Member or perhaps tell him that he would have to get off in order to present a view point that was different from the government's. If everything was in agreement with the government and with the policy, then that Member should not only have the right, he should have the responsibility. It should be incumbent upon his shoulders to take the responsibility of reading government policy to any different degree to ensure its passage successfully.

Mr. Commissioner: Mr. Chairman, with respect, the Item 6 is designed to put a limitation on what a Member of the Executive Committee would do on his own behalf, appear before a board, agency or committee of the Council of the Territorial Government on his own behalf, his own personal behalf, or on behalf of a member of the public, and in other words where he chooses the ultimate extreme, we have a Zoning Appeal Board. What we are saying here is that Council may well wish to prevent a Member of the

SESSIONAL  
PAPER #2

Mr. Commissioner continued ...

Executive Committee appearing before the Zoning Appeal Board on his own behalf, or on behalf of a member of the public, because after all, the Member of the Executive Committee has the power and the authority to accept or reject or overrule or even create the board, can dismiss the board, can create the rules under which it works, and in fact, has the authority to recommend to the Commissioner that the regulations under which the board is holding its hearing be made null and void and new ones be drawn up. We're talking about the individual, Mr. Chairman. Now, the aspect, the converse aspect, that the Honourable Member has raised here, we just couldn't operate any kind of a Cabinet unless we have this type of a thing and we aren't going to go out and, shall I say, be any type of a champion of our own cause and we have to do this you know. On the basis of individuals, we just can't operate. I think one must read the thing here that we are talking about, the personal integrity of the individual. We're not talking about the group situation here. I tend to agree very, very much with what the Honourable Member has said but I think, Mr. Chairman, that the Honourable Member would also agree that it would be a very difficult situation for a Member of the Executive Committee to place himself in to appear before a board which he has summoned the authority to constitute and the authority to make the rules for on his own personal behalf....

Mr. McKinnon: ....or on behalf of members of the public? That's the problem there.

Mr. Commissioner: Well, let's put the question this way, Mr. Chairman. We'll say we're right back at the Zoning Appeal Board. Maybe this isn't a good one to use, but for the moment, it immediately comes to mind. Would Council consider it the proper thing for a Member of the Executive Committee to appear before a Zoning Appeal Board by a Member of the Committee on the behalf of a member of the general public?

Mr. McKinnon: How about something like the Indian Steering Committee?

Mr. Commissioner: Mr. Chairman, could I ask the Honourable Member, could he conceive of himself appearing on his own behalf or on behalf of an individual member of the public before that board? Would he not be more inclined to appear before that board to expound government policy?

Mr. McKinnon: Mr. Chairman, I don't have a clear definition of what a member of the public means. Does this mean a single member, or does this mean a group? I don't think I know.

Mr. Legal Adviser: It means an individual, and this does not contemplate in any way appearing on behalf of government. Now it constantly happens that you have class action, then you have individuals who appear, so it's quite common when the Attorney-General intervenes in an action, using the name of a permanent member, a permanent person somewhere on the place, and the action then becomes entitled Regina ( ) versus the Territorial Government. In that case, you appear technically on the behalf of the member of the public but it's on behalf of the public you're doing it. In right-of-way actions, the Attorney-General will interfere, and the Territorial Government might in the proper case intervene to preserve certain rights, acting in the name of a person. The same thing could happen in a Zoning Appeal Board. You might intervene to preserve the rights of the people because they're citizens and have the right not to be infringed upon by somebody else. This is not contemplated at all in section 6; it's just to stop a person appearing on his own personal behalf or on the personal behalf of somebody else for their own benefit. Government benefit is not covered at all. It is not intended.

Mr. McKinnon: Is there any objections at all to the words which we have added?

Mr. Commissioner: I don't see where there could be any objection. Could I say a word while I'm on my feet, Mr. Chairman? Mr. Chairman, what

Mr. Commissioner continued ...

you have before you here is a possible code which could be termed a Yukon Code that Council would expect its Members to use as a basic guide for their actions, these are the items that are mentioned here. It would appear to me that the Executive Committee, if you are going to say here, "on behalf of a member of the public except as permitted by the Executive Committee", it's highly unlikely that a Member would even ask of his colleagues on the Committee to appear before any kind of a board or anything where he would appear to be protecting or propagating a situation which would have personal benefit to himself if it was resolved in his favour. So, certainly by adding the words that you suggest here, I see no harm of any kind nor can I see any particular good; I think it is quite innocuous in this situation.

Mr. Chairman: I think at this time, and in view of the time, I think we'll stand Committee in recess until 2:00 o'clock this afternoon.

RECESS

Page 42.

Tuesday, November 10th, 1970.  
2:00 o'clock p.m.

Mr. Chairman: I think at this time we will call Committee back to order. We will continue discussion of Sessional Paper No. 2, and we have with us Mr. Commissioner in this regard, and I believe before we rose for noon recess we were dealing with the matter of Code of Ethics. Would you care to continue at this time?

SESSIONAL  
PAPER NO. 2

Mr. Chamberlist: Mr. Chairman, I have an observation which I think has been overlooked perhaps by Mr. Commissioner. Mr. Commissioner, take as an example the Zoning Appeal Board and I draw his attention to the wording in No. 6 of this possible Yukon Code of Ethics and it says as it is punctuated as I read it, "appear before a board, agency or committee of the Council of the Territorial Government". Now Zoning Appeal Board is neither any one of those, the Zoning Appeal Board is not a board of the Territorial Council, it certainly is not an agency of the Territorial Council and it certainly is not a committee of the Territorial Council. It may be of the Territorial Government but not of the Council of the Territorial Government as has been indicated in this. Now, this is where there is a difference and in any event the words that have been added I feel would answer the problems that might develop in many areas and Mr. Commissioner has already indicated that he has no objections for them being in and if it is the wish of this Committee that those words do go in, because we have been asked for advice, I would suggest that they go in as indicated.

Mr. Chairman: What is your further pleasure in this regard?

Mr. Chamberlist: Mr. Chairman, all I can say is that the Administration take note of the request of this Committee and that the words be added to that....

Mr. Commissioner: Mr. Chairman, this is not quite correct, don't blow too loud. But, I really think myself that the Council in their wisdom, if this is the code, you know, that they wish to see adopted in so far as their, you know, as far as their nominees are concerned on this, that the basic tenet or principle that is involved in No. 6 here is that the individual will not use a prerogative that might be his as a member of the Executive Committee to appear before a board on his own behalf as to who constitutes that board, it being basically a government type board that we are talking to, or talking of. I think the Honourable Member from Whitehorse East has, no doubt, drawn out a particular point of it here, but I also think that he would agree with me that there are many boards or agencies that are by legislation which is passed by the Council, are really ultimately the responsibility of Council. In other words, that legislation passed by the Council that says that a board may be established, this is the kind of board that we are no doubt talking about here. I think that it is the individual and the manner in which he would use that particular prerogative that we are really after and I am quite prepared to accept, Mr. Chairman, that the Member from Whitehorse East has without doubt taken the example that I have used and indicated that it is not a direct creation of the Council of the Territory and this I entirely agree with.

Mr. Chamberlist: Mr. Chairman, I have one other thought that perhaps Mr. Commissioner or Mr. Legal Adviser can indicate a comment, can give a comment on. If it is suggested that a person cannot act on his own behalf, and a person has a piece of property which has been assessed, he would be deprived of the right of appearing on his own behalf before the Board of Revision or the Court of Revision. Now can either Mr. Commissioner or Mr. Legal Adviser, Mr. Chairman, justify the removal of what is a right already given to everybody to answer in an appeal



Mr. Chamberlist continued ...

under the Taxation Ordinance where any person may appear before a Court or Board of Revision. Now, I wonder if I can get an answer or comment on that. Then, perhaps, the reasoning behind the few extra words that we have added would make it even more crystal clear as to why it should be in so that where it doesn't interfere or conflict with any matter of the government nature. Then, it should be permissive for a person to appear.

Mr. Legal Adviser: Mr. Chairman, it's possible, it's just possible, I'm not suggesting that it is a fact that the matter might be clearer if we use the word "or" instead of "of" in the second line of item six of that, but apart from that, this is not the law of the Medes and the Persians. This possible Yukon Code is a suggestion put forward by the Administration in the paper for the acceptance of Council. All the Administration is basically asking is that there should be a basic code of rules which the Council, in their wisdom, should see fit to enact as a code of conduct for the Members they send forward to be Members of the Executive Committee. We are not saying they must be any particular form. We are just making suggestions and any reasonable form would be acceptable to the Administration in this regard provided that the Council actually do agree on it and are prepared to insist that the members they do send forward actually obey a code of rules and will be answerable primarily to this House for a breach of the rules and answerable also to their colleagues on the Committee when the Committee is actually working. This is the, basically -- we are not saying "Do this and do that", we are just suggesting from a research point of view having produced for your benefit as far as we can, the rules in operation in a variety of similar bodies that you can get an amalgam of these suitable for use in this Territory having regard to its own peculiar circumstances, but the Administration has no objection really to the addition of words provided that ethics are made reasonably clear because it's afterwards that the crunch comes when the discussion as to what a Member did or did not do, so clarity in this is all. To answer the particular question of what a Member appearing on his own behalf before a particular board, this is his right as a citizen. We are asking him to forego this particular right and to appear by Council so as not publicly...we are asking him to do this. We are not saying "You must do this", but we are suggesting that the House should ask its own members to accept this particular standard that the member will not personally in his arguments, be attaching a board which he is a party to, but there is no question if a member's own personal house has its rent raised in a very peculiar way. Then, I think he can appear by Council in the normal course of events. We are hoping that the member will not be in active business and will not come into the way of business in the same way as a federal Minister, one presumes, can actually query an assessment by the Minister of Finance. It has nothing to do with Cabinet. But, if it comes to an actual appearance before a Tax Appeal Board, I think the Cabinet will have a right to expect that the Minister would instruct counsel to appear on his behalf and make submission and not have the position where one Minister of the Crown was appearing before a Board of Adjudication of another Minister of the Crown personally.

Mr. Chamberlist: I go along with this, but I have the impression that the right of appeal was being removed in that case, and I'm quite content with the words that we have already added. I'm quite content. If the Administration is content then there's no further need for discussion.

Mr. Legal Adviser: The Administration is always content with what the House does.

Mr. Chamberlist: Ah, not always. Well, in that case....

Mr. McKinnon: Somebody, tie that guy down to his chair, will you.

Mr. Chairman: What is your further pleasure in relation to this matter? I will just declare a brief recess at this point.

Mr. Chairman: At this time I'll call Committee back to order.

SESSIONAL  
PAPER NO.

Mr. Chamberlist: Mr. Chairman, at this time I wish to move the following motion that the Code of Ethics for Members of the Executive Committee shall be as follows: "Executive Members shall not, 1. Buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price. Obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use; 2. Sell his own property to the Territorial Government or any of its agencies; 3. Administer or use the property of the Territorial Government or any of its agencies in such a way as to derive any profit or advantage for himself, his family, friends or associates; 4. Use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates; 5. Accept financial gifts or other inducements which could influence his judgement on any matter relating to his public responsibilities; and 6. Appear before a board, agency or committee of the Council, or the Territorial Government on his own behalf or on the behalf of a member of the public, except where agreed upon by the Executive Committee; and 7. The restriction on the use of information acquired as a result of membership on the Executive Committee should continue for a period after membership on the Committee ceases. A period of two years should be sufficient, but there may be cases where a longer period should apply".

Mr. McKinnon: I'll second the motion, Mr. Chairman.

Mr. Chairman: It has been moved by Councillor Chamberlist and seconded by Councillor McKinnon that the Code of Ethics for Members of the Executive Committee shall be as follows: "Executive Members shall not, 1. Buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price. Obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use; 2. Sell his own property to the Territorial Government or any of its agencies; 3. Administer or use the property of the Territorial Government or any of its agencies in such a way as to derive any profit or advantage for himself, his family, friends or associates; 4. Use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates; 5. Accept financial gifts or other inducements which could influence his judgment on any matter relating to his public responsibilities; and 6. Appear before a board, agency or committee of the Council, or the Territorial Government on his own behalf or on the behalf of a member of the public, except where agreed upon by the Executive Committee. The restriction on the use of information acquired as a result of membership on the Executive Committee should continue for a period after membership on the Committee ceases. A period of two years should be sufficient but there may be cases where a longer period should apply." Are you prepared, pardon me.

Mr. McKinnon: Mr. Chairman, speaking on the motion there obviously must be a typing error that the paragraph has included, "Obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use". I think No. 1 should read "buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price". The rest is obvious and shouldn't be....just doesn't sound proper in a Code of Ethics that you have the addendum which is just an explanatory note to the principle laid down, rather than part of the principle itself.

Mr. Chairman: Well, is it the wish of Committee that this sentence be excluded?

Mr. Chamberlist: Well the thing is this, I think, Mr. Chairman, that it should show that there are some exclusions. We know what is meant by it, I'm easy on leaving it out but perhaps this should be just in inverted brackets to show it as an example of what it is not intended to do. I agree with the....

*SESSIONAL  
PAPER NO. 2*

Mr. McKinnon: It just doesn't read properly, Mr. Chairman, in a Code of Ethics where you are laying down a programme and then putting in examples of buying a bottle of liquor which is so obvious to anybody and if any Member were trying to remove a Member from the Executive Committee because he went over to the Liquor Store and bought a bottle of booze it would just be ill.

Mr. Chamberlist: We wouldn't have any members.

Mr. McKinnon: So, you know, let's not put the obvious down in a Code of Ethics because it just reads bush is what I'm trying to say.

Mr. Chairman: Alright, would Committee agree then to the deletion of that sentence? The Chair so notes and the words "obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use" is deleted from the motion. Are you prepared for the question? Are you agreed?

All: Agreed.

Mr. Chairman: I will declare that the motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

Mr. Chairman. The next matter of business we have in relation to Sessional Paper No. 2, three matters, two of which require, well three require motions but the next item of consideration is indemnities.

Mr. McKinnon: I'm going to echo the words, Mr. Chairman, of the Honourable Member from Carmacks-Kluane this morning. She said we are sure putting the cart before the horse. Here we can't even decide at this point whether we can choose two members to sit on the Executive Committee and we're studying their indemnities at this time. Let's prove to the public that we can make a decision before we decide what we are going to pay the people if we ever finally come up with a decision on appoint them.

Mr. Chamberlist: I agree with that, Mr. Chairman, that we shouldn't proceed on that basis until the decision has been reached.

Mr. Chairman: Well, is it your wish then that further consideration of Sessional Paper No. 2 be deferred to another Committee meeting?

All: Agreed.

*SESSIONAL  
PAPER NO. 4*

Mr. Chairman: The next Sessional Paper is Sessional Paper No. 4. This is the Yukon Territory Water Board and Council is asked to nominate three persons to be appointed to the Yukon Territory Water Board. Mr. Commissioner, would you care to enlighten us in respect of this paper?

Mr. Commissioner: Excuse me, Mr. Chairman, the paper number again was?

Mr. Chairman: Four.

Mr. Commissioner: Mr. Chairman, I would think that Councillors, or at least some of the Members of Council are very aware of the history behind this request and it is my Minister's wish that Council's nominees be made known as soon as Council sees fit to do so, and, I believe that we have indicated on the attachment to the Sessional Paper the item in the Federal Act that is applicable in this instance. The item...

Mr. Chairman: There are no attachments, Mr. Commissioner. There is just the paper.

Mr. Commissioner: Oh, I'm sorry, there should be an attachment,  
Mr. Chairman, Northern Inland Waters Act....

SESSIONAL  
PAPER NO. 4

Mr. Chairman: Oh, I see, well mine is incomplete. Oh, by gosh yeah,  
I got another one. O.K.

Mr. Commissioner: Could I suggest that under Item 2, "the membership of each board shall include", and then under (b) of that item, "at least three persons named by the Commissioner-in-Council of the Yukon Territory in the case of the Yukon Territory Water Board and at least three persons named by the Commissioner-in-Council of the Northwest Territories in the case of the Northwest Territories Water Board", and then, I think, the final item there No. 4, the applicable item here, "the main office of the Yukon Territory Water Board shall be at the seat of government of the Territory," and, so on for the Northwest Territories. I would be most pleased to have your nominees so that I could convey their names to the Minister.

Mr. Chairman: Mr. Commissioner, from the Chair are there any guide lines as to from what area that we should select these people. From government, from where?

Mr. Commissioner: Well, Mr. Chairman, I don't think it is...there is anything....you have the basic problem in front of you here. It says that, "These boards will be given the responsibility to approve applications for use of water. In so doing, the board will play an important role in the equitable distribution or sharing of surface and ground water resources among persons and private and public corporations with legitimate, but often conflicting, claims to the use of water. Moreover, the board will be instrumental in controlling the pollution of our water resources by establishing, and maintaining in principle, that rights to the use of water for beneficial purposes are dependent on users accepting the responsibility for maintaining the quality of the water or restoring its quality, after use, to acceptable standards before discharging the water back to its natural environment." Now, I have no further basic information of what the Honourable Members have themselves but I think it would be a reasonable situation to exclude from Council's thinking any member of the Territorial Public Service.

Mr. McKinnon: Foregone conclusion.

Mr. Commissioner: For other reasons that possibly the Honourable Member knows, I would say. Secondly, I think that it would be a reasonable situation for Council to consider as one of its nominees a person of technical qualifications who may be well versed in the needs of the mining industry, but possibly would be acting for the most part as an independent consultant, possibly someone who would be an independent man in that field. Secondly, I think that Council may well want to consider someone who is very much involved in local government, municipal type government who has a broad and general knowledge of the problems that the municipalities have with regard to protecting the portable water supply that is an absolutely vital necessity for the people that are involved in our community. Thirdly, it would be a consideration, I would feel, in Council's deliberations on this to try to seek someone who is not necessarily right here in the capitol city. In other words, that they may well wish to give consideration to someone of competence who would represent basically or be familiar with some of the remoter areas of the Territory. I also think that it would be, something that Council would consider, that they would not be wishing to put one of their own members forward. There's nothing to exclude this at all, but I don't think that Council would want to do this. I simply pass this on, Mr. Chairman, in answer to your question, if there is anything further that should be considered on this, I think that this board is very important and is going to assume a greater and greater role as time goes on and I would strongly suggest that Council do not make their nominees with any undue haste. I think that there should be a lot of consideration given as to who Council's nominees would be.

Mr. Chairman: Well then the Chair understands then that Members individually in writing can submit these to the office of the Commissioner at any given time, or do you want these approved through Council?

Mr. Commissioner: Mr. Chairman, I don't say right now because I think that Council would want to consider this, but I don't want to be placed in the position, and I don't think that Council would want to see this done either where there would be say five names submitted to me and it would be up to me to make the decision as to what three of these five are to be sent to my Minister. I don't think that is what should be done, I think there should be some means of getting the three people agreed to by Council in this respect. Mr. Chairman, I am constantly being reminded of the fact that I don't want to make decisions and I waffle and weasel around and quite frankly the longer I stay on this job and the more decisions I am called upon to make, the more adept I become sometimes at avoiding coming to grips with the issue and so will Honourable Members when they get on the Executive Committee. I will be quite interested in seeing how they will deal with some of the things.

Mr. Chamberlist: Not I.

Mr. McKinnon: I can't stand it. Get me a one way ticket to Japan.

Mr. Chairman: Well, at this time we'll declare a short recess.

*RECESS*

RECESS



Mr. Chairman: I call Committee back to order and we were discussing the Education Report as a result of Motion No. 11. Councillor Chamberlist.

*EDUCATION  
REPORT*

Mr. Chamberlist: Mr. Chairman, I will at this time, simply be discussing one phase of this Department of Education Report. This is the phase that deals with the salaries paid to kindergarten instructors. Mr. Chairman, on A-5, sheet 2, they've indicated that supplies and instructors' salaries--and I would ask you to take particular note of the word "salaries"--for that year was \$61,546, and with the help of Mr. Clerk, I have been able to break this down to salaries of \$43,953.43 and supplies, \$7,592.87. In those salaries, that amount of salaries that were paid to the kindergarten instructors, not one cent is included for holiday pay which they are entitled to have. The information that I have received as a result of various pieces of correspondence, and I would like to read into the record this letter dated July the fourteenth, 1970, sent to a Mrs. Laviolette and signed by R.G. Drummond, Administrative Officer, the following sections of the letter: "A search has now been completed on the question of holiday pay and a decision which is not to pay this allowance is based on the following: (a) Kindergarten instructors' terms and conditions of employment are spelled out in regulations made under the authority of the School Ordinance; (b) Instructors are treated in exactly the same manner as teachers and are afforded identical sick leave, special leave and substitute privileges; (c) The kindergarten year is comparable to the school year, salaries are based for both groups on the premise of roughly two hundred working days; (d) The regulations do not provide for payment of holiday pay to teachers, whether full-time, part-time or substitute or kindergarten instructors. Perhaps the reasons stated above will consolidate the Department's decision regarding payment of holiday pay to kindergarten instructors." Mr. Chairman, all that it says in there is that the Territorial Government refuses to pay employees who are not subject to the Yukon Teachers' Association, holiday pay which they are bound, by the Labour Standards Ordinance, of the Second Session, 1968, to bring into effect. Mr. Chairman, the interpretations section of that Ordinance, 2(d), reads "employee means a person employed to do skill or unskilled, manual, clerical, technical, operational or administrative work"; (m), which is wages, "wages includes every form of remuneration for work performed but does not include tips and other gratuities". And, if we refer to section 18 of the Labour Standards Ordinance, section 18 of the Labour Standards Ordinance reads "vacation pay shall, for all purposes, deemed to be wages". Very, very clear, to everybody. Mr. Chairman, I would suggest that a kindergarten instructor is an employee of the Territorial Government. A kindergarten instructor does not enter into any contract with the Territorial Government the same as a Yukon teacher which enters into a specific type of contract. The School Ordinance, and specifically Commissioner's Order 1968/174 -- this is the Regulation under the Schools Ordinance, this Commissioner's Order 1968/174 -- provides general regulations relating to governing kindergartens. There is no area wherever, in those regulations, that deprives the kindergarten instructor of being an employee of the Territorial Government, and therefore, should be subjected to the same dealings as any other employee of the Territorial Government. On July the twenty-second of 1970, a memo was sent out to all kindergarten instructors showing the payment of salaries for the school year effective September the first, 1970. It shows also that the kindergarten instructor would have Canada Pension Plan deducted from each cheque and insurance, amongst other thing which are not important to this question. The point is that there is a change being made in this. Whereas before there was a fixed sum on a basis of a ten-month period, now it is divided over a twelve-month period of a year. Even as a twelve-month period, it doesn't show or make any provisions for holiday pay based on the Labour Standards Ordinance. I would at this time, Mr. Chairman, ask Mr. Commissioner if he would indicate (1) whether the kindergarten instructor is a

Mr. Chamberlist continued ...

teacher within the meaning of the bargaining powers that the Yukon Teachers' Association has, or alternatively, whether a kindergarten teacher -- instructor, that is -- is a person who is employed by the Yukon Territorial Government outside the area of negotiation which takes place between that of the teachers under the Yukon Teachers' Association. I wonder if Mr. Commissioner could give me an answer to those two alternatives.

Mr. Commissioner: Mr. Chairman, I think if I answer the second part, I think I am answering the first part. Your question is, are these people outside of the contractual arrangement between the Yukon Teachers' Association and the Territorial Government?

Mr. Chamberlist: Yes, that is correct.

Mr. Commissioner: The answer is in the affirmative. They are outside that group, Mr. Chairman.

Mr. Chamberlist: Now, the second question is, are they, then, employees of the Territorial Government?

Mr. Commissioner: Mr. Chairman, we are getting involved here in legal definitions which I am not prepared to even attempt to enter into. All I can tell you is that we have been paying kindergarten instructors, effectively, on behalf of the kindergarten advisory committees that were set up by a paper that was put before this Council. I don't have a copy of that paper before me at the present time, Mr. Chairman, but, I do believe that that paper outlines the general conditions that were to prevail. Now, I am subject to correction on this and I am sorry that I am not fully prepared for this. I hope that I can be fully prepared to answer another question that the Honourable Member has on the Order Paper which we are to be tabling as correspondence. As I understand this situation, Mr. Chairman, and I am certainly subject to correction on this, the original intent was that where we were to have kindergarten advisory groups set up, the money would be provided to the kindergarten advisory group for the payment of supplies and locations for the kindergartens to be held and the necessary monies for the teachers. There would be certain payments received from the parents involved. This is all laid out in the paper that Council adopted. I believe that, for ease of dealing with this, the payments to the kindergarten teachers have been made directly to the individuals concerned through the Consolidated Revenue Fund of the Territory. I am entirely subject to correction on this, Mr. Chairman. I want to make this abundantly clear because I am speaking without benefit of total background here at this time. I do believe that that is, basically speaking, what is going on with regards to the payment to these teachers at this time.

Mr. Chamberlist: Mr. Chairman, it seems to me that here was a long answer that took the place of a very short "yes" or "no". Mr. Chairman, I would bring to Mr. Commissioner's attention that the paper that I referred to of July the twenty-second, 1970, is signed by the Commissioner and makes reference to the payments of salaries and wages. Now, when I ask whether or not kindergarten instructors were employees of the Territorial Government, there appears to be a reluctance to admit that they are Territorial Government employees -- notwithstanding that the Commissioner has already agreed that they are not teachers within the meaning of the negotiations that take place between the Yukon Teachers' Association and the Territorial Government. I would suggest, Mr. Chairman, that if the Commissioner would look at this particular paper, that is -- where his signature is affixed -- and specifically, page two and page three, items five, six, seven and eight, the reference reads as follows, and I will stress this, "final payment of employees who terminate service". It is obvious from what is written that the Commissioner has already indicated that these people are employees. Now, how can Mr. Commissioner do a dance around this one? He signed the paper. Alright, now, he goes on to say this. My question was, are they employees? There is an inability to answer a simple question. I know that Mr. Commissioner, with his long practice of being able to do this, might say that an employee is an employee

Mr. Chamberlist continued ...

when I sign a paper, but when you ask me a question, he is not an employee. *EDUCATION REPORT*  
 Now, it goes on in the other sections to indicate the various means of payment that these employees will receive, and to go on, it makes reference to advance pay cheques which are made available to the employee. It goes on to refer to the Payroll Section who deal with the cheques of the employees. I wonder if Mr. Commissioner can now indicate what he meant by employees, and employees of whom, that these people were at the time that he signed this paper.

Mr. Commissioner: Mr. Chairman, if we are going to get nailed and impaled--you know all the nails on the cross want to get clinched in on the other side--this is alright. This is okay. We are talking about the public funds of the Yukon Territory. This is what we are talking about. I have asked that the paper be brought forward in which Council instructed the Administration as to how kindergartens were to be set up. To the best of my knowledge, Mr. Chairman, the arrangements whereby the kindergarten committees were to do the hiring and the paying of the teachers did not prove, in that sense of the word, to be an entirely satisfactory situation, and the Yukon Territorial Government took over the payment of the people on behalf of these committees. I am prepared to be wrong. I have asked for this paper to be brought forward. There is no straight forward answer to the Honourable Member's question. He knows this because he has researched the matter particularly well, and for this I give him top marks and first rate credit. I also think that we have an obligation here as far as the Council is concerned as to where this practice emanated from and why it has been done in the manner in which it is.

Mr. Chamberlist: Mr. Chairman, with respect, it matters not, then, and I am prepared to give way. It matters not whether they are employees of the Territorial Government or employees of somebody else. The fact that they are employees entitles them, under our Ordinance, that they be paid holiday pay. Now, I don't think, for one moment, Mr. Chairman, that the Commissioner is now saying because we are paying these funds out for somebody else, these funds that were voted by Council, we have to chisel holiday pay from these people. If this is the suggestion that is being made, then I say that the Administration is in error for attempting to do what it would not be Council's intention to do. The Council's intention was to see that kindergarten instructors were paid in accordance with the law of the Yukon Territory. If as bailee of the funds of the kindergarten instructors, the Territorial Government has not administered these funds properly, they should say so, "We are in error. They are employees, and we will make good". Now, this is all I am asking. I don't think that what I have put forward is irrelevant to the whole overall subject because it is very relevant indeed. If the Territorial Government, in their wisdom, cannot support the legislation that they expect every free enterpriser to support, then, there is something radically wrong. I think that steps should be taken promptly to correct what obviously is an error. If there's any difference in what I say -- if the Administration can say, well these people are teachers -- then I will ask, why is it that the Yukon Teachers' Association will not accept them into their organization? Therefore, they are not teachers and have not signed any agreement or membership with the Yukon Teachers' Association. Surely, Mr. Chairman, the Commissioner has been caught out with an obvious error in the Administration. I would welcome, and I am sure, other Members of this Committee, would welcome the Commissioner and Mr. Legal Adviser, if he was involved in this error, standing up and saying "We are in error and are going to correct it". It's as simple as that. Certainly there's an error being made. Whatever is said by Mr. Commissioner, all you are doing, with respect, Mr. Chairman, the Commissioner is just getting his feet deeper and deeper into the mire. Just admit that there has been an error made and put an end to it, and I trust that the Administration will correct the error. Thank you, Mr. Chairman. Mr. Chairman, can I get somebody from the Administration to say whether they are in error or whether they're not in error.

Mr. Legal Adviser: Mr. Chairman, a lot of the argument depends on legal definitions and what have you. It's a political decision and not a legal one. The Government does not pay its employees in accordance with the

EDUCATION  
REPORT

Mr. Legal Adviser continued ...

Labour Standards Ordinance. It is not subject to the Labour Standards Ordinance. It's a matter for bargaining and decision and it is a political decision. It is not a matter for the Labour Standards Ordinance at all. It's not a question of error. It is a question the House and the Administration within the money available, deciding what they will do and it is as simple as that.

Mr. Chamberlist: Well, I would like to put a question, Mr. Chairman, to the Legal Adviser. Mr. Legal Adviser indicates that the employees of the Territorial Government are not paid in accordance with the Labour Standards Ordinance of the Territory. Is Mr. Legal Adviser indicating this, that what is in the legislation that we been asked to prepare -- that the Members of the last Council were asked to prepare -- does not apply to Territorial Government employees in any way?

Mr. Legal Adviser: I think the House is well aware that the Labour Standards Ordinance does not apply to the Government.

Mr. Chamberlist: Oh, well, I'm not well aware of that. I wonder if any other Member's well aware of that. If this is the case, Mr. Chairman, I think that this is a grave error because I think the very first people that should be concerned with the Labour Standards provisions, and any laws relating to the Territory, should be the Government itself. They should set an example to say "Now, we're the Government, but we want to comply with the legislation that has been put forward in the Legislative Assembly". But, let's come back to this question again of these kindergarten instructors because I don't want to be turned away from it. I want to know from the Administration whether they have made an error. If they say they have not made an error, then, in that case, they are saying in actual effect that the employees, on one hand are Territorial Government employees, so we don't have to comply, or, as the Commissioner has indicated, they are not Territorial Government employees because we are just paying out the money on behalf of the kindergarten operators so that they are employees of some description. Somebody has to pay them holiday pay. Perhaps Mr. Legal Adviser, Mr. Chairman, would indicate who pays them the holiday pay. Well, obviously .....

Mr. McKinnon: Well, Mr. Chairman, the only more difficult thing to get at than a bureaucrat to admit that he has made a mistake, is to get a politician admit that he has ever made a mistake. I think we could go on here forever trying to impale the Administration into the admission of guilt, if in fact, they are guilty. It's not going to prove anything if they do at any rate. As far as I can understand, the matter stands at this moment with the Administration preparing a paper to take in the complaint that has been raised as to whether kindergarten teachers should in effect be paid holiday pay or not. This paper is going to be brought before Committee, and then, it as a political decision has to be made whether we are going to supply funds out of the Consolidated Revenue Fund to pay kindergarten teachers holiday pay or not. I am well prepared to accept the paper when it will be proposed by the Administration and make a decision on its merits or otherwise.

Mr. Chamberlist: Surely, Mr. Chairman, this has already been done. The payments--we have already agreed that the payments should be made to them for their salaries and wages. There is indication already that they are being referred to as employees. There is reference made to their pay cheques, when they get them, how they're going to get paid. I am simply asking, Mr. Chairman, whether, included in their pay cheques, is holiday pay. It's a simple question. All they've got to say is "yes" or "no". Obviously, Mr. Chairman, here is a case where the Administration has fouled themselves up completely. Aha, I knew I would draw the fangs somehow. You see?

Mr. Commissioner: Mr. Chairman, there is no point for me becoming embroiled in an argument with the Honourable Member from Whitehorse East at this time, because his homework is done and mine isn't.

Mr. McKinnon: That's as close to an admission as you'll ever get. You should be happy.

*EDUCATION  
REPORT*

Mr. Commissioner: I am going to say this. If, indeed, we are going to pay kindergarten teachers on a basis other than what they are being paid now, we can deal with holiday pay in that context. If they are going to be paid on the package basis that they are paid now, certainly, holiday pay is another animal altogether. Now, we are talking about a basis on which these people are going to be recruited and paid. We are not talking about a separate item. We are talking about the basis on which they are paid. This is what we are talking about.

Mr. Chairman: Will there be anything further on this matter at this time?

Mr. Chamberlist: Just that we report progress, Mr. Chairman, on this report.

Mr. Chairman: I don't think progress is normally reported on Bills such as this, however, the matter still stands in Committee if anyone wishes to raise anything in relation to education at another time. We seem to have concluded all the work we have before us today in Committee. What is your further pleasure?

Mr. Chamberlist: Mr. Chairman, I move that Mr. Speaker do now resume the Chair.

Mr. Chairman: Is there a seconder?

Mr. Stutter: I will second that motion.

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 will declare the motion carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Rivett takes the Chair.

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

Mr. Taylor: Mr. Speaker, Committee convened at 11:00 a.m. to discuss sessional papers. Committee recessed at 12:00 noon and reconvened at 2:15 p.m. It was moved by Councillor Chamberlist, seconded by Councillor McKinnon that the code of ethics for the Executive Committee should be as follows: "Executive Members shall not (1) Buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price; (2) Sell his own property to the Territorial Government or any of its agencies; (3) Administer or use the property of the Territorial Government or any of its agencies in such a way as to derive any profit or advantage for himself, his family, friends or associates; (4) Use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates; (5) Accept financial gifts or other inducements which could influence his judgment on any matter relating to his public responsibilities; and (6) Appear before a board, agency or committee of the Council of the Territorial Government on his own behalf or on the behalf of a member of the public except where agreed upon by the Executive Committee. The restriction on the use of information acquired as a result of membership on the Executive Committee should continue for a period after membership on the Committee ceases. A period of two years should be sufficient, but there may be cases where a longer period should apply." This motion was carried. It was further 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 to accept this report? Can I have your further pleasure?



Mr. Taylor: Mr. Speaker, just before adjournment, we will be--we have in Committee at the present time sessional papers, and the result of one motion being the Education Report which is before us in our next sitting in Committee.

Mr. Speaker: Any further business?

Mr. Chamberlist: Mr. Speaker, I move that we call it 5:00 p.m.

Mr. Speaker: The House stands adjourned until 10:00 a.m., Thursday.

*ADJOURNED*

ADJOURNED

Thursday, November 12th, 1970.  
10:00 o'clock a.m.

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

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: The House will then come to order. Are there any documents or correspondence to be tabled? Any Reports of Committee? Any Bills to be introduced? Any Notices of Motion or Resolution?

Mr. Chamberlist: Mr. Speaker, I have a Notice of Motion. Moved by Councillor Chamberlist, seconded by Councillor Taylor that Councillor McKinnon be appointed to represent Council on the Whitehorse General Hospital Board.

*MOTION #14*

Mr. Stutter: Mr. Speaker, I have a Notice of Motion concerning the change of time in the City of Dawson to coincide with that of Whitehorse.

*MOTION #15*

Mr. Taylor: Mr. Speaker, I would like to give Notice of Motion respecting the Financial Advisory Committee of Council.

*MOTION #16*

Mrs. Watson: Mr. Speaker, I would like to give Notice of Motion, seconded by Councillor Rivett, that Councillor Don Taylor be appointed as Deputy Speaker of this House.

*MOTION #17*

Mr. Taylor: Mr. Speaker, I, again, would like to give Notice of Motion that Councillor Tanner be appointed to represent Council on the Whitehorse Indian Village Steering Committee.

*MOTION #18*

Mrs. Watson: Mr. Speaker, I would like to give Notice of Motion that Councillor Rivett be appointed to represent Council on the Teachers' Salary Negotiation Committee.

*MOTION #19*

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

Mr. McKinnon: Mr. Speaker, I have a series of Notices of Motion. I have no seconders for any of them. I would like to move that this Council recommend to the Commissioner of the Yukon Territory that Councillor Hilda Watson be appointed as the Elected Member of Council to the position of Education Member on the Executive Committee; that Councillor Ken McKinnon be appointed the Elected Member of Council to the position of Health and Welfare Member on the Executive Committee. Another Notice of Motion, Mr. Speaker, that Councillors Watson, McKinnon and Chamberlist be appointed to the Financial Advisory Committee of Council. Another Notice of Motion, Mr. Speaker, that Councillor Don Taylor be appointed as Speaker of this House. Another Notice of Motion, Mr. Speaker, that Councillor R.A. Rivett be appointed as Deputy Speaker of this House. Another Notice of Motion, Mr. Speaker, that Councillor N. Chamberlist be appointed to represent Council on the Teachers' Salary Negotiation Committee. Another Notice of Motion, Mr. Speaker, that Councillor Norm Chamberlist be appointed to represent Council on the Whitehorse General Hospital Board. I will be pleased, Mr. Speaker, to accept seconders for any or all of these motions. Thank you, Mr. Speaker.

*MOTION #20*

*MOTION #21*

*MOTION #22*

*MOTION #23*

*MOTION #24*

*MOTION #25*

Mr. Speaker: Are there any further Notices of Motion? Are there any Notices of Motion for the Production of Papers? We now come to the Daily Routine. Are there any Motions for the Production of Papers? We now come to Motions. Is the Honourable Member for Dawson prepared to proceed with Motion No. 12?

*MOTION #12*

Mr. Stutter: Yes, Mr. Speaker, I am.

*MOTION #12* Mr. Speaker: Motion No. 12 reads, moved by the Honourable Member from Dawson, seconded by the Honourable Member from Watson Lake "That this Council recommend to the Commissioner of the Yukon Territory that Councillor Ken McKinnon be appointed as the Elected Member of Council to the position of Education Member on the Executive Committee and that Councillor Don Taylor be appointed the Elected Member of Council to the position of Health and Welfare Member on the Executive Committee". Is there any discussion?

Mr. Chamberlist: Mr. Speaker, at this time, I wish to present an amendment to the motion. Mr. Speaker, I would move, by myself and seconded by Councillor Hilda Watson, that the motion be amended by deleting the names of Councillor McKinnon and Councillor Taylor and substituting the names of Councillor Hilda Watson and Councillor Norman Chamberlist.

Mr. Speaker: Is there a seconder to the motion?

Mrs. Watson: Mr. Speaker, I second the motion.

Mr. Speaker: The amendment reads, it has been moved by the Honourable Member from Whitehorse East, seconded by the Honourable Member from Carmacks-Kluane "That the motion be amended by deleting the names of Councillor McKinnon and Councillor Taylor, and substituting the names of Councillor Hilda Watson and Councillor Norman Chamberlist". Is there any discussion?

Mr. McKinnon: Mr. Speaker, I think it's about time that we put things out into the open and let the public know what has been happening, and also, I think, give this Council the opportunity to be very big at this time and put their discussion regarding the appointment of Members to various committees and to various positions in the House....

Mr. Chamberlist: Point of order, Mr. Speaker. Mr. Speaker, with respect, the Honourable Member can only speak on the amendment and not go beyond that, at this time.

Mr. McKinnon: Mr. Speaker, I don't know whether the Honourable Member is going to jump up and down like a jack-in-the-box for the whole of my thoughts on this motion, however, I am speaking directly concerning the motion and the amendment because the names involved in the motion are pertinent, and the names involved in both the amendment and the motion are exactly the things that I am going to discuss at this time. I don't know what could be more pertinent to Council's business at this time, than the names of who is going to be appointed to this membership on the Executive Committee. Now, Mr. Speaker, we've been in Session for almost a week up to this moment, and nothing has been decided up to this time. I don't think that this Council, beginning on the most important period in the Yukon's history, could look worse in the public eye or deserves to look worse in the public eye, than they do at this time. Mr. Speaker, every one of us was elected to represent the people of the Yukon. Not one of us was elected to represent any particular pressure group, any particular lobby, or any particular group or society. Mr. Speaker, I say with regret that it is my thinking that Councillors are being pressured into allowing external groups, outside of this House, to decide questions which should only be decided in this House on their merits. I have no objection to anybody listening to any advice or any consideration from any area they want to at any time. I do it all the time. But, decisions which are being made which are so important to every individual in the Yukon, and the future of the Yukon, deserve to be made in public by the people sitting around this table and standing up to be counted in this House. The series of motions that I have proposed will make these Elected Representatives do just that and show the people that they can stand on their feet, that they can debate an issue, and they can make a decision in public. Mr. Speaker, we have the responsibility here to put the best Members in the best positions for the best of the Yukon. That is the principle that

Mr. McKinnon continued ...

every one of us has to abide by. Acting on this type of principle, I think that it necessitates that there should be one experienced Member on the Executive Committee and there should be one new Member. I say this because you want the fresh input of new ideas at the Council table and you want the experience that a Member can show, who has been there before. I'll go further than that. I think you should have a Member from outside of Whitehorse, and I think you should have a Member from inside Whitehorse. Now, people will say perhaps this precludes having the two best Members on the Executive Committee. I don't care, Mr. Speaker. The problems facing the public outside of Whitehorse are so real and so different from those facing the metropolitan area of Whitehorse, that it is absolutely necessary that there be an input from amongst those Members who come from outside of Whitehorse. Let's bring it down even closer than this, Mr. Speaker. I think, personally, that the public want the Honourable Member from Whitehorse East in a position of opposition. Mr. Speaker, if he is not in that seat to be able to dot the "i's" and to cross the "t's", then much of the legislation that has gone forth from the Administration which he is now a part of is not going to be as effectively challenged as it was in the past. Mr. Speaker, I think the Honourable Member from Whitehorse East is elected by the people on his ability to be able to keep any executive and any administration and any government in line. I think that is the post that he should accept, the one which he has proved his ability at, and the one which he is best at. Mr. Speaker, I think it's so important that this House be run properly, that one of the Notices of Motion that I have is that Councillor Taylor take the position of the Speaker of this House. I cannot think of a man more capable and more knowledgeable and more learned in the rules of this House and the conduct of the business of this House than the Honourable Member for Watson Lake. It is incumbent upon this House to put people in the positions that can make this House run best and try to recover some of the ground -- and God knows, I hope we can recover it in the next few years -- that this Council has already lost up to this time and this moment. From my association with people over the last week, and this is the only way that we have to judge the record of the people in this House at this time, I have found the Honourable Member from Carmacks-Kluane to be a tough, competent and able member of government. She has also proven her ability as a housewife and a mother, and a teacher, to do things and go about doing things in a proper and a very right manner. Now, Mr. Speaker, the Honourable Member from Whitehorse East has also served the public extremely beneficially on the Whitehorse Hospital Advisory Board. I think it would be a shame for him to drop the very fine representation he has made on behalf of the public on the Whitehorse Advisory Board. I also propose that the Honourable Member from Whitehorse East be on the Financial Advisory Committee so that, Mr. Speaker, his knowledge of finances and his background in business can be of a very real asset to the people of the Yukon Territory. Mr. Speaker, I am prepared to go even further. What I have done in the past or what I may do in the future embarrasses Members of this House politically and they have to save face and don't know quite what to do with me. I am prepared to let my name drop from the appointment of any and all positions in this House. Mr. Speaker, I say this because my living outside this House is as a broadcaster, and I have to be in an area to be independent so that I can be objective when doing this. If you remove me from the Executive Committee and remove me from the area where I make my living, it is impossible for me to continue, either externally or internally. As I say, I just am so -- so sad at the turn of events that have happened in this House, and so disillusioned as to the future of the Yukon by the events of the last week, that I think the only way that this Council can now save face, and the only way that they can gain the public's confidence again is to put the best people in the best jobs for the benefit of all the Yukon and no individual group or no individual lobby. Mr. Speaker, if my motions are seconded, we can debate them. They can be amended. I have no seconder because I spoke to no one on them. They are put forward as an independent person's view of how the Yukon, for the next four years or until the confidence of this House is lacking, can best be governed. I think that they should be seconded. I think that they should be debated. I think that they should be amended, if they have to be. And, I think that the public should

*MOTION #12* Mr. McKinnon continued ...

finally see who stands where and who has the guts, Mr. Speaker, to stand on his feet and debate why this Member should be on this committee or why this Member should be in this position or why he shouldn't be. This series of Notices of Motion will allow all Members to do exactly this, Mr. Speaker. Thank you.

Mr. Chamberlist: Mr. Speaker, I am deeply grateful for the very kind remarks made by the Honourable Member. I would have been even more grateful if these remarks would have been made last week. These remarks are made now, I would suggest Mr. Speaker, because of the appearance that the Honourable Member no doubt has recognized of the amendment and the intent of the amendment to the motion. Mr. Speaker, when the Honourable Member suggested that he believes that there should be one Member from outside constituencies and one Member from inside the constituency, the amendment as it has been moved, gives that exact requirement that the Honourable Member has indicated. So, then I take it, that he is in agreement with that phase of the amendment. Mr. Speaker, the Honourable Member also went on to say that there should be one experienced Member and one new Member. Mr. Speaker, from the amendment itself, Members of Council can see that, again, this requirement has been met. Now, to me, there is an important factor in the growing up of any legislative body. The growing up in that legislative body is the parry and thrust of debate, the parry and thrust of movers--procedure movers--which has taken place. It is shown, Mr. Speaker, to all Members of this Council, that the Honourable Member, himself, is capable of parry and thrust. It has been shown that other Members are capable of that. The suggestion that pressure is being brought by outside groups may be and may not be the case. Also, one must understand that one of the groups may be amongst the friends of the Honourable Member. Now, this might be a pressure of a different nature. So, let us consider, Mr. Speaker, what the function of this Council is. The function of this Council is to choose, and they have chosen. The suggestion that it should be done openly also will come forward, because, as the Honourable Member knows, if he wishes, when the question is put, to call for division, there will be an indication by each Member as to how he is voting on the amendment. This is where the public becomes informed. Mr. Speaker, I am satisfied that the procedures that are being conducted are proper procedures. Mr. Speaker will note that there was no attempt by the Honourable Member to say that the procedure was not correct parliamentary procedure, and because I have spoken now for the second time, Mr. Speaker, this debate is now closed and perhaps, Mr. Speaker can put the question.

Mr. McKinnon: Disaster, Mr. Speaker, but that's alright.

Mr. Speaker: Are you prepared for the question? Are we agreed?

Mr. McKinnon: Disagree. Division, Mr. Speaker.

Mr. Clerk: Divison has been called. The Member from Dawson?

Mr. Stutter: Nay.

Mr. Clerk: The Member from Whitehorse East?

Mr. Chamberlist: Yea.

Mr. Clerk: The Member from Whitehorse North?

Mr. Tanner: Abstain.

Mr. Clerk: The Member from Carmacks-Kluane?

Mrs. Watson: Yea.

Mr. Clerk: The Member from Whitehorse West?

Mr. McKinnon: Nay.

Mr. Clerk: The Member from Watson Lake?

*MOTION #12*

Mr. Taylor: Yea.

Mr. McKinnon: Et tu, Brutus?

Mr. Clerk: The vote, Mr. Speaker, is three yea, two nay.

Mr. Speaker: The amendment is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. McKinnon: Mr. Speaker, rising on a question of privilege, I would ask that Honourable Members really do take into consideration my remarks of not being able to serve as an appointee at any period in this House, so they may as well take the bread out of my mouth as well as the knife out of my back.

Mr. Chamberlist: Mr. Speaker, may I speak on a point of privilege at this time? I rise on a point of privilege because it is my hope that the Honourable Member from Whitehorse West will reconsider his stand that he participate in the requirements of the House.

Mr. Speaker: We will adjourn for a slight recess.

RECESS

*RECESS*

Mr. Speaker: The House will now come to order. We will proceed with Motion No. 12 as amended, it is moved by the Honourable from Dawson, and seconded by the Honourable Member from Watson Lake "That this Council recommend to the Commissioner of the Yukon Territory that Councillor Hilda Watson be appointed as the Elected Member of Council to the position of Education Member on the Executive Committee and that Councillor Norman Chamberlist be appointed the Elected Member of Council to the position of Health and Welfare Member on the Executive Committee".

Some Members: Question.

Mr. Speaker: Are you prepared....

Mr. Stutter: Mr. Speaker, I rise on a point of order. In Beauchesne, annotation 193, it clearly states "a motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately". Further, again in Beauchesne, annotation number 200, subsection (4), "a motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately". It is my belief that this motion does contain two separate propositions and I would ask that it be divided.

Mr. Chamberlist: Mr. Speaker, speaking to the point of order, I draw to Mr. Speaker's attention that the motion itself is a motion that has been moved by the Honourable Member who now suggests that the motion should be divided. It seems to me that perhaps if he had had the knowledge, he might have been able to do that prior to the amendment to the motion as has been put by himself. I would suggest, Mr. Speaker, that in view of the fact that amendment of his motion as he had put it, without a division in the motion itself to two separate areas, this does now not apply and that the amended motion, as has been called by Your Honour, is the motion on which we must rule at this time.

Mr. Stutter: Mr. Speaker, I must rise again, now on a point of privilege. It is still my feeling that this motion or amended motion, definitely contains two distinct propositions. I might find, from a personal point of view, that having to vote on it as a unit, the two Members as proposed by the amendment, I may, in principle, be fully ready to support one of those appointees and not the other. I may find it so ob-



MOTION #12

Mr. Stutter continued ...

jectionable that I have to vote against the whole amended motion. Whereas I might be quite prepared to support one of those appointees if this motion or amended motion were to be split.

Mrs. Watson: Mr. Speaker, the House has already spoken by accepting this amendment. Surely Councillor Stutter does not want to delay any further the proceedings of this Council.

Mr. Stutter: Mr. Speaker, it hasn't been proved to me yet, to my satisfaction anyway, that I am, in this particular instance, out of order, and I would ask for a brief recess to check into this thing a little more thoroughly.

Mr. Chamberlist: I would rise on a point of order this time, Mr. Speaker. Mr. Speaker, the Honourable Member from Dawson has already spoken on the matter on two occasions. The debate, therefore, is closed.

Mr. McKinnon: Mr. Speaker, I would like to rise on a point of order. I think that we can only see in the direction that this House is going. To say that I couldn't be more sad or more upset would be the understatement of this or any other year. Mr. Speaker, the Honourable Member from Dawson, when he moved his motion, was in full agreement with the two Members who would go into the Executive Committee. Now, Mr. Speaker, the Honourable Member from Dawson, because of the amendment to the motion, does not agree with maybe one or the other clause in the amendment to his motion. It is even more so that his ideas should be followed as the mover of the motion that he now asks that the House split the motion which has two distinct propositions. There is no way around that. There is the proposition that Mrs. Hilda Watson be appointed Member on Education and that Councillor Chamberlist be appointed Member on Health, Welfare and Rehabilitation. I don't know what could be more distinct than those being two separate clauses. If Mr. Speaker will take time to call a recess and look at the history of the House of Commons of Canada, he will find always that the Speaker, when he is faced with such a motion where the House could be in a quandry because of the wording of the motion, he always goes to the point where the House will be perfectly clear on what it is voting for. The Honourable Member from Dawson is making this proposition to the House, so that everybody can be completely clear and specific on who they support for what position. I think if Mr. Speaker will check the records of the House and check the records of Parliament, he will find that, in fact, this is the case. Mr. Speaker, I could not agree more with the proposition put forward by the Honourable Member from Dawson, even more straight to his argument because he was the original mover, that he now ask for this motion to be divided into two clauses so that the public and the Members know exactly who, what and why they are voting for. Thank you, Mr. Speaker.

Mr. Chamberlist: Mr. Speaker, I rise on a point of order to reply to the .....

Mr. McKinnon: Mr. Speaker, I rise on a point of privilege, because the Honourable Member just shut up the Honourable Member from Dawson. As he well knows the rules of the House, when a point of privilege is raised, he sits down on his butt. Now, Mr. Speaker, speaking on a point of privilege, he has already cut the Honourable Member from Dawson down for speaking twice to the point of order, now he's making the rules of the House to his own benefit and stands up to speak as many times as he feels he wants to speak on the point of order.

Mr. Chamberlist: I am surprised, Mr. Speaker, at the lack of knowledge of the Honourable Member from Whitehorse West in Beauchesne's Procedures. I think--all the more reason why there is a need for him to get some more experience in the rules of the House. Point of order, Mr. Speaker, means the debate is at your discretion. There is no set rule as to whether....

Mr. McKinnon: If you are speaking on a point of privilege, the Honourable Member knows full well that according to the rules of this House, he cannot make any allegations as to a Member's competence in this House. I was completely correct, and I would ask the Honourable Member to withdraw his remarks concerning my lack of knowledge of the rules, Mr. Speaker. I would ask you to make a decision on this question of privilege at this time.

Mr. Chamberlist: Well, Mr. Speaker, before the Honourable Member convinces you of some error that has been made, he knows full well that the complaint that he is making is that in debate his view--it's been suggested that he hasn't sufficient experience to recognize if he has made a mistake. This is a fair comment and, if the Honourable Member is aware of what takes place in the House -- after all, he has had some training in his education background of political in-fighting -- he knows full well that I may be able to carry on in this manner, at your discretion, Mr. Speaker. The point that I stress again is that if the Honourable Member from Dawson had, at the time of the moving of the amendment, asked that that amendment be split, then, the House can be justified in saying yes. But, at this time, when the House has spoken, that the amendment was accepted, the amended motion is satisfactory, Mr. Speaker, and I suggest that you not be forced into a position by the Honourable Member of Whitehorse West of going away from a procedure that he knows is well recognized. His attempt now is to do the very thing that he complained about -- that the Council should get on with the business. Now, I suggest, Mr. Speaker, that he bow to the fact that the Council should get on with the business, and Mr. Speaker rule in the matter.

Mr. Speaker: The amended motion stands.

Mr. Taylor: Mr. Speaker, I think the time has come to put an end to this. I think it's about time we started calling a spade a spade. If we, at this table, as the elected representatives of the people, continue to wrangle and bind ourselves into procedural blockades, and .....

Mr. McKinnon: Who's done it?

Mr. Taylor: We have done it, we have done it all, Mr. Speaker. We are all to blame, equally. I think the time has come, and should have come some time ago when we started thinking about the people who elected us to this Council Chamber. They're the people who are important, Mr. Speaker. It would appear, from the amendment, that a decision has been made. Whether you split the motion, take it apart, put it together again--whatever you do with it, it appears that a majority are in support of that amendment and when the new motion is called, the splitting of it, the tearing apart of it is not going to make one whit of difference except tie up this Council and further complicate what is already an overly complicated issue, Mr. Speaker. We have embarked, in the Yukon Territory, on an experiment. There is no government I think, in the world, that can parallel the Government of the Yukon Territory. We don't have Liberals on one side and Conservatives on the other, and N.D.P in that corner and Independents over in that corner.....

Mr. McKinnon: They're all over the place--they're everywhere.....

Mr. Taylor: Order, please, Mr. Speaker. We don't have a provincial style legislature, let me put it that way. We are seven individuals who are elected by the people of the Yukon to come up here and do a job. Those people have been forgotten by, at least, some Members, anyway, while people procedurally wrangle for these positions. I take as much blame as anybody else, because I fought pretty hard for one of those positions myself. Alright, it is the wish and the decision of this Council that I don't fill one of those positions. My duty is to be here to serve in any way I can, the people of the Yukon whom I have served for nine years and hope to serve for the next four. So, you take your licking. You go and lick your

*MOTION #12* Mr. Taylor continued ...

wounds and you get on with the job. Mr. Speaker, I say, and I plead with all Members, forget the procedural wrangle. Get on with the question and do the job. Let's get down to work for the people of the Yukon Territory.

Mr. Speaker: Are you prepared for the question? Agreed?

Some Members: Agreed.

Some Members: Division.

Mr. Clerk: The Member from Dawson?

Mr. Stutter: Nay.

Mr. Clerk: The Member from Whitehorse East?

Mr. Chamberlist: Yea.

Mr. Clerk: The Member from Whitehorse North?

Mr. Tanner: Abstain.

Mr. Clerk: The Member from Carmacks-Kluane?

Mrs. Watson: Yea.

Mr. Clerk: The Member from Whitehorse West?

Mr. McKinnon: Nay.

Mr. Clerk: The Member from Watson Lake?

Mr. Taylor: Yea.

Mr. Clerk: The vote, Mr. Speaker, is three yea, two nay.

Mr. Speaker: The motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

*MOTION #13* Mr. Speaker: Motion No. 13. Is the Honourable Member from Whitehorse East prepared to proceed with the motion?

Mr. McKinnon: Can the motion be read, Mr. Speaker?

Mr. Chamberlist: It is seconded by Councillor Taylor, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse East, and seconded by the Honourable Member from Watson Lake that Sessional Paper No. 7 be moved into Committee of the Whole for discussion. Are you prepared for the question? Agreed? The motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

Mr. Speaker: We now come to the question period. Will Mr. Clerk see if the Commissioner is available? We will now adjourn for a slight recess.

*RECESS*

RECESS

Thursday, November 12th, 1970.  
11:00 o'clock a.m.

Mr. Speaker: Council will now come to order.

Mr. McKinnon: Mr. Speaker, I would like to ask Mr. Commissioner if it is at all possible that an office be provided for the Members of the Council that are not going to be Executive Members so that they can make a private phone call, do some private work, have access to their papers. The way it is now we're ten times worse off than we were before as far as having a place to work, a place to be private, a place to be interviewed, and I think it's just an impossible situation for Members, any Member, to find himself without an office of his own because he is not on the Executive Committee.

*QUESTION RE  
OFFICE  
SPACE*

Mr. Commissioner: Mr. Speaker, I'm very aware of this, and the question that is raised by the Honourable Member is a proper and valid point, and I fully support not only the idea of having one office that can be used for this, but it is my honest desire to try to make office space available for all Members of Council whether or not they happen to hold an Executive position. Now this is a secondary consideration. However, I do know that the Honourable Member who asked this question is just as aware as I am that every inch of usable space on this floor of the building is being put to use at this time. Hopefully when we have access to the second floor of the building we are hopeful that there will be some office space that can be diverted to other uses at that time. We are inquiring of the Federal Department of Public Works but at the moment you see we cannot secure other space from them in this building, and as soon as it is possible and at all practical the question that is raised by the Honourable Member which I'm sure is the wish of all Members of Council will certainly be instituted. It isn't because we do not want to do it Mr. Speaker, that it hasn't been done, it is simply a matter that the space is not available to us to permit it yet.

Mr. Taylor: Mr. Speaker, I have a question I would like to direct to Mr. Commissioner this morning respecting the Ross River Water System. I've been informed this morning and apparently the people of Ross River have been informed that by necessity due to the expansion of government facilities in the community, further connections to the water system will not be considered. My question is this, Mr. Speaker. In view of the fact that Mr. Commissioner was speaking at Ross River some time ago, in stating that he recognized the fact that the provision of water services in that community was the most essential item, I'm wondering if Mr. Commissioner could tell me why future extensions and services to the people of Ross River and this water system have not been looked after.

*QUESTION RE  
ROSS RIVER  
WATER  
SYSTEM*

Mr. Commissioner: Mr. Speaker, I would want the opportunity of getting a more definitive answer to the Member, but I can say this, that I do believe the question at the moment is the lack of volume of water in the stores that we are presently using, and if I could have the opportunity of bringing forward a more detailed answer I will be very pleased to do so.

Mr. Stutter: Mr. Speaker, I have a question for Mr. Commissioner. What steps, if any, has the Commissioner taken to implement the resolution passed in Dawson by the City Council that the time in that City be changed to coincide with the time in Whitehorse?

*QUESTION RE  
DAWSON  
TIME ZONE  
CHANGE*

Mr. Commissioner: Mr. Speaker, this, until I was given a clear-cut understanding from the Member from Dawson here a few days ago, that these were indeed the wishes of the community, nothing has been done at all. Since that time I have requested that action be taken to bring this change about. I think we will have to be questioning as to the border of the time zone as to what the limitations are to be, and we will be speaking to the two Members that are involved, the Member from Carmacks-Kluane and the Member from Dawson, but now that these wishes have been expressly indicated to us, implementation will be done promptly.

Mr. Stutter: Mr. Speaker, I have a supplementary question. Would the Commissioner like this in the form of a motion from this House?

Mr. Commissioner: That's strictly the option of the Members, Mr. Speaker.

QUESTION RE  
LAND COM-  
MITTEE

Mr. Taylor: Mr. Speaker, I have a further question I would direct to the Administration. I would like to ask if Mr. Commissioner could enlighten me this morning as to whether it is the intention of involving the outside Members of the Council on that Land Committee, in order that we might establish a land policy along the lines that the former Council did, for districts outside of Whitehorse?

Mr. Commissioner: Mr. Speaker, the Administration has been waiting to hear from the outside Members for three and a half long years. We will be happy to hear from them.

Mr. Taylor: Just supplementary, I would like to ask a further question of Mr. Commissioner. Is the Commissioner not aware of the last meeting held by Council on this subject?

Mr. Commissioner: There have been so many meetings, Mr. Speaker, on this subject, and nothing has ever happened. Another one having been held is of no consequence, Mr. Speaker. As soon as I see something in front of me that I can sign that says this is something the Council wants in the way of a Land Distribution Policy outside of the Whitehorse Metropolitan Area, why this is first-rate, fine.

Mr. Taylor: I would be more than pleased to provide Mr. Commissioner with a copy of that document because I have a copy which I received from Mr. Commissioner, or his Administration.

QUESTION RE  
AMBULANCE

Mrs. Watson: Mr. Speaker, does Mr. Commissioner have any information indicating when the Territorial Ambulance shall be placed in Carmacks?

Mr. Commissioner: Mr. Speaker, I think that we can supply this information. As a matter of fact, the contract was called on this, and I think it's a matter of delivery, but we can't supply this information Mr. Speaker.

QUESTION RE  
STREET  
LIGHTING

Mr. Tanner: Mr. Speaker, I have a question for the Commissioner. What steps has the Administration taken to provide lighting for children walking to school, now that the bus service in certain areas of the community has been discontinued?

Mr. Commissioner: Mr. Speaker, I'm afraid that I am without knowledge on this. If the Honourable Member would give me time on this, I'll be very pleased to bring forth an answer on this, but I am just not aware of the situation at this time.

Mr. Speaker: Are there any further questions?

QUESTION RE  
MEDICARE

Mr. McKinnon: Mr. Speaker, it gives me great pleasure to rise at this time and ask the first question of the Honourable Minister of Health, Welfare and Rehabilitation. Mr. Speaker, I would like to know if the Minister would present before the House at the earliest possible opportunity, a Paper outlining the arguments, both pro and con in favour and against the Medicare System being introduced in the Yukon Territory.

Mr. Chamberlist: Mr. Speaker, the question put by the Honourable Member will be given consideration.

QUESTION RE  
EDUCATIONAL  
POLICIES

Mr. McKinnon: Mr. Speaker, may I rise? I would now like to rise to ask the first question of the Honourable Minister of Education whether or not she would be prepared to present a Position Paper on educational policies

Mr. McKinnon continued ...

for the future of the Yukon before Council at the earliest opportunity, Mr. Speaker?

Mrs. Watson: Mr. Speaker, that will also be given my full consideration.

Mr. McKinnon: Mr. Speaker, may I ask the same question of the Commissioner. At least we can get some inkling of an answer. QUESTION  
RE EDU-  
CATION

Mr. Commissioner: Mr. Speaker, this is exactly the point I wanted arrived at.

Mr. Speaker: Is there any further questions for consideration?

Mr. Taylor: Mr. Speaker, I have one further question at this time. I am a little curious as to what happened to the ambulance for Carmacks. QUESTION  
RE AMBU-  
LANCE

Mr. McKinnon: Ask the Minister, he's yours!

Mr. Speaker: Order, Mr. McKinnon.

Mr. Taylor: Oh, it was asked, I'm sorry, I missed it.

Mr. McKinnon: Mr. Speaker, I would like to ask the Commissioner a question. Will it be his policy on matters referring to Health, Welfare and Rehabilitation and to Education to refer such questions to these Ministers representing these portfolios, or is it his desire to give the public some information to be able to answer the questions themselves? QUESTION  
RE MINIS-  
TERS

Mr. Commissioner: Mr. Speaker, I think that in parliamentary tradition it is the individuals who represent the portfolios that the questions that are referred to that are required to answer those questions and I would certainly feel that it would be most inappropriate if the practice that has been here on the floor for Council for the Commissioner to answer all questions at this time was certainly not very clearly delineated. Those questions that apply to specific departments for which elected Members are going to have line responsibilities are going to be able to answer on the floor. I would be very disappointed, Mr. Speaker, if this was not to become the practice.

Mr. Speaker: Are there any further questions? I thank the Commissioner for his attendance. Are there any Private Bills and Orders? Are there any Public Bills and Orders?

Mr. Taylor: Mr. Speaker, at this time I would like to move that Standing Order No. 41 be suspended and that we revert to Orders of the Day in order to further process motions.

Mr. Chamberlist: I'll second the motion.

Mr. Speaker: It has been moved by the Honourable Member from Watson Lake and seconded by the Honourable Member from Whitehorse East that Standing Order No. 41 be suspended, and that we will revert to Orders of the Day in order to further process motions.

Some Members: Question.

Mr. Speaker: Are you prepared for the question? Are we agreed? Are there any contrary? Motion is carried unanimously.

MOTION CARRIED

MOTION  
CARRIED

Mr. Speaker: First motion is Motion No. 14. It has been moved by the Honourable Member from Whitehorse East and seconded by the Honourable Member from Watson Lake that Councillor Ken McKinnon be appointed to represent Council on the Whitehorse General Hospital Board. MOTION  
#14



*MOTION #14* Mr. McKinnon: Mr. Speaker, for reasons already indicated, and in fact they are much further than this and much more personal, I would ask the Honourable Members not to proceed with the motion, and if proceeded with I would have to decline the position at any rate.

*MOTION #15* Mr. Speaker: The Councillor's request will be granted. Motion No. 15. Moved by the Honourable Member from Dawson and seconded by the Honourable Member from Whitehorse North that the time of the City of Dawson be changed to coincide with that of Whitehorse.

Some Members: Question.

Mr. Speaker: Are you prepared for the question?

Mr. McKinnon: I was just pointing out to the Honourable Member from Dawson what the people in Dawson City do in fact want. If I could be given this assurance and have it on record in the Votes and Proceedings, then, Mr. Speaker, he's the one who's going to have to live with it.

Mr. Stutter: I can give the House my assurance as a Member of the Dawson City Council that this is the wish of the people of Dawson and the wish of the Dawson Council.

Some Members: Question.

Mr. Speaker: One moment. Let us have some discussion from the Member from Carmacks-Kluane. As I understand it, it is in the same area, is it not?

Mrs. Watson: Mr. Speaker, we are also affected by this time zoning in Carmacks-Kluane. However, at this time I don't feel that I could speak on behalf of the people in this area; I would have to go to the people and find out what their wishes are.

Mr. Stutter: Mr. Speaker, if I may just make a point here. This is the wish of the people of Dawson and I should hope that their wishes will not be held up because other areas in the Yukon are also involved. We as a Community of Dawson request that this time be changed in our area. It doesn't necessary follow that this time has to be changed all across the Territory.

Mr. Speaker: I did realize that, but I just wondered what the ramifications would be.

Mr. Stutter: Mr. Speaker, we have ...

Mr. Chamberlist: Mr. Speaker, I rise on a point of order. I'm trying to help the Honourable Member rising at this time, but he has already spoken twice and the debate is closed. Perhaps the Honourable Member will be guided again that he shouldn't do this. Thank you.

Mr. Speaker: Are you prepared for the question?

Mr. McKinnon: Mr. Speaker, I wonder if the House would allow me to ask a question. I'd like to ask Mr. Legal Adviser why isn't it in the Municipal Ordinance at this time that municipalities can change the time to what they want to be at? I don't think that it's a thing that should take up the time of this House, whether municipalities want to be in one time zone or another.

Mr. Legal Adviser: All I can say, Mr. Speaker, is that this particular question has taken an inordinate amount of time, especially from the former Speaker of this House over a period of three years, and we have never resolved how legally we can implement a time change, but my research into the subject should come up with something which I trust will be acceptable to the House in making the time change.

Mr. McKinnon: Question.

*MOTION #15*

Mr. Speaker: Are you prepared for the question?

All: Agreed.

Mr. Speaker: Motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: Motion No. 16. Moved by the Honourable Member from Watson Lake and seconded by the Honourable Member from Mayo that Councillors Chamberlist, Taylor and Watson be appointed to the Financial Advisory Committee of Council.

*MOTION #16*

Some Members: Question.

Mr. Speaker: Are you prepared for the question?

Mr. McKinnon: Mr. Speaker, I disagree with the motion. I would like my "Nay" recorded in the Proceedings of this House.

Mr. Speaker: It shall be recorded. Motion carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: It has been moved by the Honourable Member from Carmacks-Kluane and seconded by the Honourable Member from Mayo that Councillor Don Taylor be appointed as Deputy Speaker of this House. Are you prepared for the question? Agreed? Motion carried.

*MOTION #17*

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: Motion No. 18. It has been moved by the Honourable Member from Watson Lake and seconded by the Honourable Member from Whitehorse East that Councillor Clive Tanner be appointed to represent Council on the Whitehorse Indian Village Steering Committee.

*MOTION #18*

Some Members: Question.

Mr. Speaker: Are you prepared for the question? Agreed? Motion carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Speaker: Motion No. 19. It has been moved by the Honourable Member from Carmacks-Kluane and seconded by the Honourable Member from Watson Lake that Councillor Ron Rivett be appointed to represent Council on the Teachers' Salary Negotiation Committee. Are you prepared for the question?

*MOTION #19*

Some Members: Question.

Mr. Speaker: Agreed? Motion carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Taylor: Mr. Speaker, I would move at this time that Mr. Speaker do now leave the Chair and Council resolve itself to Committee of the Whole for the purpose of discussing Sessional Papers.

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

Mr. Speaker: It has been moved by the Honourable Member from Watson Lake and seconded by the Honourable Member from Whitehorse East that Mr. Speaker do now leave the Chair for the purpose of convening the Committee of the Whole to discuss Bills, Sessional Papers and Motions. Are you

67.

Mr. Speaker continued ...  
prepared for the question? Agreed? The motion is carried.

*MOTION  
CARRIED*

MOTION CARRIED

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

Mr. Taylor takes the Chair.

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

The House adjourned until 2:00 o'clock p.m.

Thursday, November 12th, 1970.  
2:00 o'clock P.M.

Mr. Chairman: At this time we will call Committee to order. We have for our consideration this afternoon Sessional Paper No. 2. We have a matter to resolve in relation to the tenure of office of the Council, pardon me, Council Members on the Executive Committee, and we also have the matter of the Speaker and Deputy Speaker. What is your pleasure in this regard?

*SESSIONAL  
PAPER #2*

Mr. Chamberlist: Mr. Chairman, seeing that we are dealing with Sessional Paper No. 2, I would move at this time and seconded by Councillor Rivett, "1. That the tenure of office of members of the Executive Committee chosen from amongst the members of Council, should continue after the dissolution of Council until, in the case of members who are re-elected, a replacement is designated by the new Council at its first session and in the case of members who are not re-elected, until the date of the publication of the official results of the election as required by law. 2. That the Speaker and Deputy Speaker be not eligible for membership of the Executive Committee."

Mr. Chairman: The motion from the Chair is that the, it has been moved by Councillor Chamberlist, seconded by Councillor Rivett, "That the tenure of office of members of the Executive Committee chosen from amongst the members of Council, should continue after the dissolution of Council until, in the case of members who are re-elected, a replacement is designated by the new Council at its first session and in the case of members who are not re-elected, until the date of the publication of the official results of the election as required by law. 2. That the Speaker and Deputy Speaker be not eligible for membership of the Executive Committee." Is there any discussion on this motion?

Mr. Stutter: Mr. Chairman, I notice the one word in the motion "until" which implies that the members should be replaced. I don't think that's the intention of the motion at all, is it? It states here that "should continue after the dissolution of Council until, in the case of members who are re-elected, a replacement is designated". Surely that word "until" indicates that the replacement is almost required.

Mr. Chamberlist: I don't see anything wrong with that, it's until a member is chosen and until certain publications are made.

Mr. Legal Adviser: I haven't got the specific motion before me, Mr. Chairman. There is a slight implication I think, that there is going to be a replacement. I think that might be a move by instead of using the word "replacement", say, "until, in the case of members who are re-elected, a member is designated". It may be the same member, it could be a different member. Would that meet the Honourable Member's point?

Mr. Chairman: The motion then should read on line four, "members who are re-elected, a member is designated by the new Council". Is that agreed by all Members of Committee? In line four, the word "replacement", would be replaced by the name "member".

Mr. McKinnon: Shouldn't that be in plural, "member"?

Mr. Chamberlist: Well it would apply to each one, you see.

Mr. Legal Adviser: It applies to each one. I think we are trying to do it in the singular, I think.

Mr. Chairman: Are you prepared for the question? Are you agreed? I will declare that the motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

SESSIONAL  
PAPER #2

Mr. Chairman: Also, in relation to Sessional Paper No. 2, we have the matter of indemnities. I will just declare a short recess at this time.

RECESS

RECESS

Mr. Chairman: We'll call Committee back to order. We have before us at this moment the matter of indemnities. What is your pleasure in relation to indemnities?

Mr. McKinnon: Mr. Chairman, I have a paper in front of me and I imagine that it outlines what are the wishes of Committee or a position to begin discussions with on the matter of indemnities, and also a motion. I was wondering, Mr. Chairman, now that this matter is before Committee and before the public, whether or not the press has copies of these, of the concept of what we are discussing, and also a draft copy of the motion, if these can be made available for them at this time if they don't have them?

Mr. Chairman: Well, this is at the direction of Committee, whether proposals you have in front of you or a motion which states in essence the terminology of what appears on your little sheet that you have indicated that you have --whether the press receive these at this time is strictly a matter for Committee to decide.

Mr. McKinnon: I think, Mr. Chairman, that the matter is public now, the motion is before Council, or a draft motion, and that the press should be given copies of this draft motion at this time.

Mr. Chamberlist: Mr. Chairman, I don't know if it's before Council because the motion has not been made yet. We have the draft copies, but, I think that perhaps the motion should be placed before Council first before it is released to the press. If we do it this afternoon then it could be released. I see no objection.....

Mr. McKinnon: Well, Mr. Chairman, it's almost always been by--it's always been the custom, as far as I can relate in this House, that when a matter comes before the Committee, and is being discussed before the Committee, it is then public. And, Mr. Chairman, I think that this tradition should be followed and that members of the press gallery should be provided with copies of the motion, or the draft motion now that it is public and before Committee, and we are going to discuss it in Committee so that they can follow what we are talking about in Committee. I'm not as surprised to hear any objections, I'm particularly surprised to hear objections to this from the Honourable Member from Whitehorse East who has been a champion in making sure that things in discussion before Committee have always in the past been public.

Mr. Chairman: The Chair ... order please. The Chair must rule that when documents are tabled in the House officially that they become available to the press. Under discussion right now is the matter of indemnities and the documents that all Members of Committee find on their tables are private documents at this point in time. I'm quite sure that the press will be very enlightened as to what Councillors feel in relation to any debate they may have on this question upon the Member speaking, and so copies of these documents not being tabled in the House will not be given to the press at this time. Will you proceed.

Mr. McKinnon: Very interesting. Mr. Chairman, I'm just going to rise, and I'm not going to waste the time of the House, but I think your ruling is wrong, I think you have made a direct mistake and I would like to say, so I have this appear in the Votes and Proceedings, that I do not go along with your decision, I think it is a bad error,

Mr. McKinnon continued ...

and I think that it comes at the wrong time. I think that you will be sorry in the future that such a decision has been made from the Chair. I have admired your impartiality and your freedom in the past, and I'll be sorry if this doesn't continue in the future and I find myself bucking the Chair on decisions of this nature, because I think that we have been too secretive all the way along in a matter of such importance and of such -- in the public, the main issue of these decisions certainly shouldn't be hidden in any way, shape or form at this time.

Mr. Chairman: Order, please. The Chair thanks the Honourable Member for his opinion and certainly respects it however, the Chair unfortunately is not permitted to give to the press any documents which have not been tabled in this House, and any documents which appear on the tables of Members are strictly for Member's information. If any Member wishes to take one of these documents and give them to the press, that is his own prerogative, but the Chair is bound by the rules of this House and unless a document is tabled in the House, it is not available to the press. I must make that ruling, and that ruling is subject to a challenge in the House itself.

Mr. McKinnon: Mr. Chairman, perhaps I may rise to speak on the matters before the House at this time? Well, the matters that I have before the House at this time, I have a draft motion which appears and I'd like to read the motion as it appears and then be able to discuss it further. The motion that I have reads, "The following indemnities, salaries and allowances shall be paid to Members of Council: 1. an indemnity of \$8,000 per annum to all Members; 2. in addition, a basic expense allowance of \$2,000 per annum to those Members representing the constituencies of Carmacks-Kluane Lake, Dawson, Mayo and Watson Lake, and a basic expense allowance of \$1,000 per annum to those Members representing the constituencies of Whitehorse East, Whitehorse North and Whitehorse West; 3. in addition, a salary of \$1,500 per annum to the Speaker, \$1,000 per annum to the Deputy Speaker, and \$1,000 per annum to the members of the Advisory Committee on Finance; 4. for all Members attending meetings held outside the Territory, actual travel expenses plus \$35 per day; and 5. for those Members who are absent from their normal place of residence during Council Sessions and committee meetings within the Territory, \$.17 per mile travel allowance to and from Sessions and meetings plus \$25 per day living allowance." Mr. Chairman, as one of those few Members of Council who seeks the advice and is witness to the advice of all members of the public no matter where they can be found over the noon hour, the general reaction I had to the proceedings this morning was that November 11th be declared a national day of mourning as it is now Remembrance, and November 12th be declared as the Yukon day of mourning. Mr. Chairman, it was a suggestion also of many people I talked to that perhaps a complete reversal of the motion should be that everyone knowing, Mr. Chairman, of the financial independence of the Honourable Member from Whitehorse East, perhaps he would be prepared to serve the Council of the Yukon Territory for a nominal sum of \$1 a year and members of the Opposition, who are going to have to be on their toes so much and do so much work to keep the government in line, should be paid the \$20,000 a year so that they can do a proper job of opposing the government. In all seriousness, Mr. Chairman, what I would like to see more than anything is for Members who are forming the government at this time, to take into consideration a point that I made this morning, and the Honourable Member from Whitehorse East has said this in the House often, that when you have good government, that's when you have good opposition. Mr. Chairman, I find it is going to be very, very difficult to serve the public in the way that I would like to without having the availability of any area whatsoever in this Federal Building to be able to conduct



SESSIONAL  
PAPER #2

Mr. McKinnon continued...

my business. If Honourable Members will check, they will find out that I was one who used the offices of the Federal Building often and long to be able to do my homework, to be able to have a place where there was peace and quiet, to be able to look into the background of serving the public and this has completely been taken away from us. I think that it is extremely dangerous that the only place that we have to work is in this chamber and I know that this will be used often for Members to be in Legislative Programming Committee, because often when I came to work here this was the case and there will not be any areas as there were prior to it for a member to come and work and, of course, the only place is at my desk here and this is not going to be available to me outside of Council Sessions because Mr. Clerk can tell you how often these chambers are being used, which is almost every day of the week for some meeting or another, and I think that it is incumbent upon those Members who have formed the government to make sure that those other Members do have a place and an opportunity to be able to work and be able to do what they feel is in the best interest of this House. And, other than that, Mr. Chairman, I'm not going to in any way, shape or form hold up the business of the House by a long discussion on salaries. It was one point that I wanted to make, I thought that the--with the formation of the Executive Committee that probably there would be less work involved upon Members as you know, Mr. Chairman, Members of Council were almost sitting continuously in trying to resolve the issue of how best democratic institutions could come to the Yukon. Now that there is some movement towards this part, I thought that perhaps other Members of Council, other than the Executive Members, would not have to spend quite as much time on constituent duties and on meetings that they were continuously being called upon, and I thought if you could make a basis for the real expenses of those Members on Council's duties, could be somehow incorporated into an indemnity ruling that we are making that perhaps the \$5,000 could have remained as was. But, talking with Members and with Members of the Administration, it seems that this is a difficult thing to delineate the actual expenses that a person incurs in pursuing his Council duties, so perhaps I'm ready to be swayed by Members saying that it would work out probably to about the same expenditure by the time that the expenses were added up and were put into Treasury to be paid. Other than these comments, Mr. Chairman, I don't think that I have any other comments to make at this time.

Mr. Chamberlist: Mr. Chairman, I am going to be brief at this time because I agree with the Honourable Member that there is a requirement for those Members who have been deprived of office space in this building to get that office space. Mr. Commissioner indicated this morning that there may be, in the very near future, an area up here once the second floor is being used, I would assume for the Department of Justice takeover, there would be space available here. I support the Honourable Member in that particular light that the space is in need, I think that all Members of Council recognize this. However, I do feel that I should remark that if the position had been reversed and the Honourable Member from Whitehorse West had one of those Executive Committee jobs, would he take the job for \$1.00 a year on the same basis.

Mr. McKinnon: I've never admitted that I'm financially independent like the Honourable Member has.

Mr. Chairman: Order, please, order.

Mr. Chamberlist: Again, I'm at Council's pleasure at that, and

Mr. Chamberlist continued...

if Council thought that I should do it, I would not hesitate not to do it. I'm quite content, Mr. Chairman, with the suggestion in this draft motion and once again I think that we should all support the matter of obtaining suitable accommodations for those people to carry on with their work of opposition.

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

Mr. Taylor: Mr. Chairman, I'd like to say a word or two on the indemnities. This is something that, for the first time in the Yukon Territory, by virtue of the Yukon Act, we have been permitted to establish what we feel is a reasonable salary indemnity or expense allowance. It is difficult, you know, to, and I'm sure for all Members to sit down and say, well this figure is the figure we should be paid or that figure is the figure that we should be paid, and I think that it should be known to the people of the Yukon that in coming up with a proposal such as we have before us at the time, we have considered all the provincial legislative salaries and indemnities, we have copies of what a Member gets, of what a Prime Minister gets, what a Speaker gets and so forth. Now, I think it must be also understood that in doing the duties of a Territorial Councillor in the Yukon Territory, that we're not talking in 1898, we're talking about 1970, and everybody seems to have problems and I'm sure that the older Members, and I'm sure that the newer Members will agree as well, that the telephone rings--just as busy at night time as it is in the day-time. To be a Territorial Councillor is a 24 hour a day, 365 days a year job. We, in the past, have been working on a basic salary of \$5,000 of which \$1,000 is tax free. Out of this we have had to pay our own expenses, and it is meant to many of us, especially in the outlying districts, that we have had to subsidize our work in Council and it has also meant that we have not been able to get around our constituencies in the outlying districts as often as we would have wished to get around because of the financial consideration. I don't think in my own mind, and I'm sure there must be others who would agree, that a basic indemnity of \$8,000 per Councillor is too much to ask or to present because of the duties that one must do. You must remember we have a great responsibility in these Chambers, and we have this responsibility on behalf of the people and I feel I don't have to go any further into the areas of the amount of work that is done by Councillors. It is also recognized in order for Councillors in the outlying districts in this proposal, to get around their constituencies a little more often, that a basic expense allowance should be granted, and as you will note it is \$2,000 per annum to those in the outlying district, and \$1,000 per annum for those in the Whitehorse area. One thing that maybe a lot of people overlook in this business of being a Councillor and representing people is that there is a great communication cost and when you consider the difference between the \$2,000 to those in the outlying district and the \$1,000 to those people in Whitehorse, they are going to spend just about \$1,000 in telephone communications during the course of a year, if they are doing their job because there has got to be much dialogue and much communication between Members of this Council in relation to this new experiment. We've added here a salary of \$1,500 per annum to the Speaker of the House. In some provinces it's \$4,500, no that's Deputy Speaker, pardon me. The Speaker \$9,500 in the case of British Columbia. Deputy Speaker is \$4,500, and so it goes. We say \$1,500. This is only right and reasonable because the Speaker also has additional duties other than sitting in the Chair, Mr. Chairman. He guides the business of the House, directs the Officers of the House, and indeed he has many additional expenses over his constituency representation and indeed the Deputy Speaker has problems as well in that area. This is to attempt to compensate somewhat for this. We've talked about travel allowances here, actual travel expense, plus \$35.00

SESSIONAL  
PAPER #2

Mr. Taylor continued..

a day and I can tell you quite quickly why this makes sense, because when we leave here to go to Ottawa, the government books us a room in the Chateau Laurier or wherever in Ottawa when we go down to do government business on behalf of the Territory, that room costs you \$25.00 a night. So it leaves you \$10.00 to eat on. You always come home out-of-pocket about \$200 or \$300, by the time you have done your duty or whatever, so \$35.00 a day is arrived at on that basis that it costs you that. It costs you more than that, but--within the Territory we've suggested that a \$25.00 per day living allowance be given for Committee meetings and Council Sessions, to help offset the high cost of leaving your home and coming here to and from this place to hold Council Sessions. So this is the basis of the suggestion before you, I for myself think it's reasonable, the people, I think, would agree that it's only reasonable and the only other thing that I have to add is that we must determine among us, no matter what we buy, whatever the Committee agrees upon we must determine then on what periods this will be paid. Will it be every two weeks, will it be every month, or will it be quarterly as it is at the time, or what? But, under the Yukon Act at the moment, Councillors can't really be paid anything until they decide what their salaries are going to be and this is why the matter is before us. Thank you, Mr. Chairman. I will resume the Chair.

Mr. McKinnon: Mr. Chairman, the only thing I wish the Honourable Member had not mentioned was that he looked at the different provinces to arrive at a decision. Rather, I wish he had said that he looked at the Yukon and arrived at a decision because when I look at the provincial legislature I see that an Alberta member gets \$4,800, British Columbia member \$5,000, Manitoba \$7,200, New Brunswick \$5,000, New Foundland \$5,666.67, Nova Scotia \$6,000, Prince Edward Island \$2,666.67, so I don't see what relationship the provincial legislatures pay has in relation to what is being proposed here because seven out of those ten provinces do not receive the indemnity that we are talking about in our own relationship. Mr. Chairman, with respect, the Honourable Member can read into the record anything he darn well pleases, when I'm through. I'm just saying that seven out of the ten provinces do not receive the indemnities that are being proposed for us. If they had of been decided upon a Yukon relationship to expenses and prices, rather than trying to make the excuses based on provincial decisions, I think it would have been perhaps a little closer to the truth, Mr. Chairman.

Mr. Chairman: Well, just in relation to the -- just from the Chair I might say that in Ontario a member makes \$12,000, in Quebec he makes \$12,000, and in Saskatchewan he makes \$9,500, just to bring the thing up completely. Northwest Territories, \$7,500, plus, plus, plus. Any further discussion in this matter?

Mr. Tanner: Mr. Chairman, I think there is one area that I would like to see covered that isn't covered here is that the -- maybe not at this time, but I think it is something the House should consider and very soon in the future, and that's the matter of a pension. I'm a little bit appalled that a Member who sat for Dawson for three sessions or four sessions, should leave here and his only recognition was something his fellow members gave to him as a gift of their appreciation for what he has done, and now that he is out of this House, there is nothing to show in the form of appreciation at all and I think it is something that we should consider in the future, maybe not now, but I think it is something we should look at.

Mr. McKinnon: Mr. Chairman, I wonder if I can ask the Honourable Minister of Health, Welfare and Rehabilitation if he will look into the aspect of putting an old politician out to pasture on some type of a pension after he's a burnt out case and served his constituency after

Mr. McKinnon continued...  
a certain number of sessions of the House.

SESSIONAL  
PAPER #2

Mr. Chamberlist: Mr. Chairman, I will be pleased to place the suggestions made by both Honourable Members before the Executive Committee.

Mr. McKinnon: Mr. Chairman, I'm sorry I have difficulty in seeing how it is an Executive Committee decision and not a House decision in this instance, and I'm sure the Honourable Member would allow the opposition Members the curtsey of this being debated before the House, Mr. Chairman.

Mr. Chamberlist: By all means. I was asked a question, Mr. Chairman, and I just answered it and I'll be prepared to do that, to put it before the Executive Committee for their advice on that and then ask for the Council to decide on that. Mr. Chairman, I think that the suggestion that has been made by the Member from Whitehorse North is indeed a very meritorious one. I have felt very badly about the fact that people with long terms in the service of the government have been without pensions. Certainly the Honourable Member well knows, the Honourable Member from Whitehorse West, well knows that the reason behind it is the fact that we didn't have the power to deal in matters of money. We have the power now and I'm sure the results that come from it will benefit everybody.

Mr. Chairman: Well, is the House agreed or disagreed generally with the proposals as outlined?

Some Members agreed.

Mr. Chairman: The next question, of course, would be at what rate do the Members feel that these monies should be allotted. Should it be on a monthly basis, or a two week basis, or in relation to the Territorial salary system, or what?

Mr. Chamberlist: Mr. Chairman, might I suggest that salaries and indemnities be paid at the time and in the manner of salaries in the Public Service.

Mr. Chairman: Is that agreeable?

Mr. Tanner: One other point here, Mr. Chairman, we haven't mentioned when it is to start.

Mr. McKinnon: Do we come under the Public Service Ordinance?

Mr. Chamberlist: Mr. Chairman, I wish the Honourable Member from Whitehorse West who asks continuously for the House to get on with its business, would not treat this matter as leisurely as a simple question has been asked and, I think, we have to answer it how it should be paid. The suggestion I have made, if the Honourable Member wishes to disagree with it he should stand up and say why he disagrees with it.

Mr. Chairman: I believe a motion will have to be prepared in relation to this matter and possibly Committee may wish to defer this until we can sit down and prepare a proper motion in regard to this thing. We have in Committee another matter related to Sessional Paper No. 7.  
Councillor Chamberlist.

SESSIONAL  
PAPER #7

Mr. Chamberlist: Mr. Chairman, I have not been sworn in as a Member of the Executive Committee yet, and because of the fact that I would like to get some of the public interest in this question, and I would like to get an answer to the questions to tax assessment, I wonder whether Mr. Commissioner, or perhaps Mr. Legal Adviser can indicate now whether or not the matter of an assessment manual has been approved by the Commissioner, and whether any departure has been made from that assessment manual if the Commissioner did, in fact, approve it.

SESSIONAL  
PAPER #7

Mr. Legal Adviser: Well without guaranteeing to give a definitive answer, Mr. Chairman, I can say this, that looking through the relevant laws, there does not appear to be any requirement to approve a taxation manual in respect of Territorial taxation under the Taxation Ordinance. So there is no answer to that question because the question does not arise. In relation to approving a manual for use under the Municipal Ordinance by the various municipal bodies who impose taxation, this is a matter for their decision as to what they do, whether they seek approval, or get approval or what they do. It's not within our power to give answers to this question, it's a matter for them. So, in any event there are 110 appeals against the assessor's decision in Whitehorse and these have not yet come before the Court of Revision, but they are standing before the Court of Revision for hearing. After that there is the possibility of further appeals coming from the Court of Revision to the Territorial Court. So, I would request the Honourable Member not to press this too far because I think it would be improper for answers from this House to be used to influence legislation one way or another. I beg your pardon, court cases one way or another.

Mr. Chamberlist: Mr. Chairman, notwithstanding the remark Mr. Legal Adviser just made, I wish to read into the record at this time section 136 of the Municipal Ordinance. Section 136 reads as follows: "(1) Improvements to lands shall be assessed in accordance with an assessment manual approved by the Commissioner. (2) The assessor may, with the approval of the Commissioner, depart from the method of assessment set forth in the manual described in subsection (1) where the disadvantages of location or other circumstances affecting property value justify him so doing." It is because of the--so important the question as to whether in fact the Commissioner did or did not approve a manual, and whether he did or did not give permission for the assessor to depart from the manual is important to all the people who live in municipalities in the Yukon. I'm therefore leaving it at this stage at that so that it is written in the record that the question has been raised.

Mr. Chairman: Well, the Chair must concur with the comments from Mr. Legal Adviser in this matter in that it is in the courts, I think it would not be proper for Committee to discuss the item until some decision has been made in the courts. You have at this point in time completed everything before you in Committee of the Whole.

SESSIONAL  
PAPER #2

Mr. Legal Adviser: Mr. Chairman, I'm not sure that there was any views given on the salaries of the Executive Officers. You dealt with a number of salaries dealing with the Speaker, Deputy Speaker, Member of Financial Committee, and such things, but the Executive Officer seems to have been ignored. Maybe he's only getting a dollar.

Mr. Tanner: Mr. Chairman, there was one piece of advice given on this.

Mr. Chairman: Yes, I'm sorry, these are two separate matters. One is, of course, the matter we have dealt with is our prerogative by virtue of the Yukon Act and now we must discuss the salaries of the Members of the Executive Committee which is another matter. Would someone care to proceed in this regard.

Mr. Chamberlist: Mr. Chairman, I would like to hear the discussion commence from a Member other than a Member of the Executive Committee.

Mr. McKinnon: Mr. Chairman, I'd like the complete reversal, I'd like to see them justify their 20 grand a year. If they can I'm willing to go along with it, but until I hear what they are going accomplish for the Yukon and what they are going to do for \$20,000 a year, I'm not prepared to vote them that amount of salary per year. If the Honourable Minister for Health, Welfare and Rehabilitation and the Minister of Education can prove to me before this House in Committee

Mr. McKinnon continued...

that they are worth that kind of money to the taxpayer, then, Mr. Chairman, far be it for me not to allow the indemnity which is suggested for them in the \$21,000 range to go ahead. But, I can tell them right now, Mr. Chairman, it's going to take one heck of a lot of convincing.

Mr. Chamberlist: Mr. Chairman, I will rise to the bait...

Mr. McKinnon: I knew you would.

Mr. Chamberlist: Mr. Chairman, I take it that it is obvious from what has gone on in this House that the Honourable Member certainly was in agreement that the Honourable Member from Carmacks-Kluane was worth any amount of salary--indemnity that would be set by the House for the simple reason he took the trouble to nominate her for one of those positions, so obviously there is no doubt then about that particular matter and I concur with him in that regard. Now, let me deal with myself. I must say why I should be on the basis of the senior civil servant. I would say exactly the same if the Honourable Member from Whitehorse West had been chosen to an Executive position. The function of an elected person is really more difficult than that of one who is an appointed administrator. Of course, he only has to answer to the Administration, whereas the elected person, he also has to answer to the electors as well. I'm sure the Honourable Member realizes that this becomes a much tougher job than being sure of the situation. I am quite prepared to allow the Honourable Member from Whitehorse West to say that I am worth \$1.00 or \$2.00. I'm leaving it entirely to him...

Mr. McKinnon: Twenty-five cents.

Mr. Chamberlist: And let him convince the rest of Council. I feel that the scale should be on the same basis as that of the other Executive Members of the Executive Committee. No more and perhaps a little less until such time as the whole matching of the Executive Committee takes place. What I mean by that is that there are a number of scales, I think there has been a scale recommended and Mr. Chairman may have the details with him. I'm quite prepared to go on that basis, the basis being that we should be on an equal footing as the Executive Committee Members, that we are appointed Members, rather than we are Members of the Public Service because we must all be treated in like manner, and certainly the Honourable Member would support me in the fact that there is a necessity to show that the elected people have just as much responsibility, if not a little more, than the Administration.

Mr. McKinnon: I've always thought the Civil Service were overpaid.

Mr. Chairman: Will there be anything further at this time on the Executive salaries?

Mr. McKinnon: Mr. Chairman, I can only state that the onus is still on the Honourable Member to prove his worth, and I'm not convinced.

Mr. Tanner: Mr. Chairman, I think that you did have sometime during the past week on a pay scale which we did consider. I don't remember the exact figure, but I believe wasn't it \$20,900 or something? Could you enlighten us on that Mr. Chairman?

Mr. Chairman: Well, I think in other discussions on this subject, speaking from the Chair, that it was felt by all Members that the salary should be the lowest part of the Territorial salary scale for the Administrative position of this nature and rather than pick middle ground they said, "well, we'll start off with the lowest of the pay scale", and we, I believe, included the \$1,000 which is paid to Members of the Financial Advisory Committee to that figure and



SESSIONAL  
PAPER #2

Mr. Chairman continued....  
arrived at a figure, I believe it came to \$20,920 per annum, and it was felt by all concerned at that time that that was quite a reasonable suggestion.

Mr. Chamberlist: Well, I wonder, Mr. Chairman, if Members would indicate whether they are in agreement with this suggestion, or otherwise.

Mr. Chairman: Well, without the placing of a formal motion at this time, I think that some discussion should take place between Members of Committee and the Administration just to make sure, prior to the placing of motion, some discussion should ensue. We should maybe consult Treasury and find out what their problems might be in relation to this so that whenever a motion is made, it's worded properly and the "i's" are dotted and this type of thing. If we are in general agreement, fine, we'll proceed. Are we in general agreement in this area?

Some Members agreed.

Mr. Legal Adviser: Mr. Chairman, I would take it then that from the draft motion, plus discussion in the House, it's incumbent upon me to produce an actual, specific motion properly researched this evening or tomorrow morning, which will meet the wish of the House in this matter and then there can be formal voting at that point, if that is the wish of the House?

Mr. Chamberlist: I'd like to hear Councillor McKinnon's indication of agreement of the general idea.....

Mr. McKinnon: I'll speak to the motion, Mr. Chairman, when it's presented by the Honourable Member. I've made my point clear, I've said that I am not convinced that the Members of the Executive Committee should be in the \$20,000 a year bracket, I'm prepared to see the motion and be convinced by the eloquence of the Member's arguments when the motion is presented to the House, Mr. Chairman.

Mr. Chairman: Well, is it your wish then that this matter be stood over until next we sit in Committee of the Whole?

All Members agreed.

Mr. Chairman: Gentlemen, you have now concluded the business before you in Committee of the Whole at this time. What is your further pleasure?

Mr. Chamberlist: Mr. Chairman, I wonder if we could say at this time whether or not we would be prorogating at some time tomorrow so that Members who have not before understood what takes place at prorogation can have an opportunity of preparing their answers for the reply to the Commissioner's Address.

Mr. Chairman: With the concurrence of Committee, I would be most pleased to take this up with the Administration and find out if they anticipate any further Sessional Papers, Bills or anything of this nature and advise Committee when I've learned this information if that's agreeable with all. What is your further pleasure?

Mr. Chamberlist: Mr. Chairman, I move that Mr. Speaker do now resume the Chair.

Mr. Stutter: I'll second that motion, Mr. Chairman.

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 will declare the motion as carried.

MOTION  
CARRIED.

MOTION CARRIED

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

Mr. Chairman: Mr. Speaker, Committee convened at 11:30 A.M. to discuss Sessional Papers. Committee recessed at 12:00 noon and reconvened at 2:15 P.M. It was moved by Councillor Chamberlist, seconded by Councillor Rivett, "That the tenure of office of members of the Executive Committee chosen from amongst the members of Council, should continue after the dissolution of Council until, in the case of members who are re-elected, a member is designated by the new Council at its first session and in the case of members who are not re-elected, until the date of the publication of the official results of the election as required by law. 2. That the Speaker and Deputy Speaker be not eligible for membership of the Executive Committee," and this motion carried, Mr. Speaker. It was then 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 Committees. Will somebody please move a motion that we accept the report?

Mr. Taylor: I think, Mr. Speaker, if it may be of assistance to the Chair, I think general agreement would be sufficient without a formal motion.

Mr. Speaker: In that case are we agreed to accept the report?

All Councillors: Agreed.

Mr. Speaker: What is your further pleasure?

Mr. Taylor: Mr. Speaker, in respect of the agenda for tomorrow, there are very few matters left to deal with in Committee of the Whole, and I would suggest that it is possible that these could be dealt with tomorrow, and also Committee has asked if the Chairman of Committees could find out what the Administration's plans are in respect of further work or further matters of consideration and I would suggest that we sit tomorrow to discuss Sessional Papers.

Mr. McKinnon: Mr. Speaker, I think that we can't have completed the business of this House unless the paragraph in Sessional Paper No. 2, that we all took very great exception to, is resolved before this House rises, and Mr. Speaker, if it would be the concurrence of this House, I would like to be able to revert to Orders of the Day to give notice of motion respecting that paragraph that all Members are having great problems with, and I'm positive that all of us would like to see this resolved prior to an Executive Committee being able to work for the betterment of the public of the Yukon Territory, Mr. Speaker.

Mr. Taylor: Mr. Speaker, in light of the Honourable Member's remarks, I might just suggest that this is a matter that can be dealt with in Committee of the Whole without giving formal motion in the House.

Mr. McKinnon: That's fine, Mr. Speaker, as long as we know that it's alive and we are able to deal with it prior to Council's prorogation because I think it would be--well, I personally don't see with the strong objections, and rightfully so, the extremely strong objections that all Members have raised to the Commissioner's ability to dismiss a Member, how, in heaven's name any type of Executive Committee can work unless this very real difficulty is not resolved and settled prior to Council's prorogation.

Mr. Taylor: Yes, well, Sessional Paper No. 2 is quite alive in Committee.

Mr. Speaker: Is there any further business?

Mr. Chamberlist: Mr. Speaker, I move that we call it 5:00 o'clock.

Mr. Stutter: I'll second that motion, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse East and seconded by the Honourable Member from Dawson, that we now call it 5:00 o'clock. Are you prepared for the question? Agreed? This House stands adjourned until 10:00 A.M. Friday, the 13th of November.

ADJOURNED

Page 80.

Friday, November 13th, 1970.  
10:00 o'clock a.m.

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

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

Mr. Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call the House to order. Are there any Documents or Correspondence to be tabled?

Mr. Clerk: Mr. Speaker, I would like to table Sessional Paper No. 9 this morning.

Mr. Speaker: Are there any Reports of Committee? Are there any Bills to be introduced? Are there any Notices of Motion or Resolution? Are there any Notices of Motion for the Production of Papers? We now come to the Daily Routine. Motions 20 to 25 are ruled out of order; see Beauchesne, annotation 200.

MOTIONS #20,  
#21, #22,  
#23, #24, #25

Mr. McKinnon: I certainly will.

Mr. Speaker: We now come to the Question Period. Will the Clerk see if the Commissioner is available? We will now have a short recess.

RECESS

RECESS

Mr. Speaker: The Council will now come to order. It is the Question Period.

Mr. Stutter: Mr. Speaker, I have a question for the Commissioner. From information given to me, the Department of Fitness and Amateur Sport in Ottawa gave the Yukon Branch of T.E.S.T. (Territorial Experimental Ski Training) verbal assurance at a meeting in Saskatchewan, that both the Yukon and Northwest Territories Branches of T.E.S.T. would be receiving a sizeable grant for the continuance of this very valuable programme. The Inuvik Branch has since received a grant of \$21,000, while the Yukon grant for some reason has been cancelled, thus endangering the continuance of the Yukon programme. Is the Administration now preparing to contact the Minister regarding this matter; if not, are you prepared to do so? May I have a written report on this?

QUESTION RE  
GRANT TO  
T.E.S.T.

Mr. McKinnon: That's the Minister of Health?

Mr. Stutter: I was meaning the Minister in Ottawa, in this particular case.

Mr. McKinnon: He wanted an answer.

Mr. Stutter: Mr. Speaker, I have a further question for the Commissioner. At a meeting held with the City Council in Dawson, we were informed that fifty percent of material costs for construction of new sidewalks would be covered by a grant. The Budget was prepared accordingly; however, the grant is now being questioned. May we have an explanation of this in writing, as it affects the City Work Programme this winter?

QUESTION RE  
SIDEWALK  
CONSTRUCTION  
IN DAWSON

Mr. McKinnon: Conflict of interests, Mr. Speaker.

Mr. Taylor: Mr. Speaker, I have a question I would direct to Mr. Commissioner this morning. I ask if he might enlighten me as to whether he has received a reply from the Minister with regard to the dismissal of Executive Members.

QUESTION RE  
EXECUTIVE  
COMMITTEE

Mr. Commissioner: Mr. Speaker, I would be prepared to discuss this question at a later time today. I would prefer not to answer this question one way or the other at this time.

QUESTION RE  
AMUSEMENT  
TAX

Mr. Stutter: Mr. Speaker, I have one more question for the Commissioner. I have a question concerning amusement tax. I was given assurance several years ago that this tax was being deleted. However, it still exists. As the Yukon now carries the highest tax, on a par at least, on amusement in Canada, and indeed, as the Yukon is one of the few remaining areas where this tax is imposed, will the Commissioner please look into this matter and let me know the results in writing.

Mr. Commissioner: Mr. Speaker, there is no problem--I don't have to look into it. I can give you the answer right now. All we need is money, so if we're going to kick out the amusement tax, all we need is something to take its place. That's all.

Mr. Stutter: I would still like to have that answer in writing, if at all possible.

Mr. Commissioner: Mr. Speaker, I will gladly supply the answer in writing, but that is the answer.

Mr. Speaker: Any further questions?

QUESTION RE  
EXECUTIVE  
COMMITTEE

Mr. McKinnon: Mr. Speaker, I would like to ask the Commissioner whether he has made the Honourable Minister of Indian Affairs and Northern Development aware of the choice of this Council on the Executive Committee and what was the Minister's reaction?

Mr. Commissioner: Mr. Speaker, the Honourable Member who asked the question knows the answer to the first part of it before he asked it....

Mr. McKinnon: I know the answer to the second part, too....

Mr. Commissioner: The second part was not conveyed to me by my Minister because I have not been in conversation with him.

Mr. Chamberlist: Mr. Speaker, I rise on a question. I wonder if the Honourable Member from Whitehorse West can indicate to the Council the knowledge that he has about the answer to the second part of this question.

Mr. McKinnon: I will take that question unnoticed, Mr. Speaker.

Mr. Speaker: Are there any further questions?

Mr. Commissioner: Mr. Speaker, I was asked yesterday when will ambulance service be provided in Carmacks. I have the details of this now, Mr. Speaker. Tenders for the supply of the ambulance closed on May the nineteenth, 1970. On June fifth, a purchase order was issued to Territorial Supply Company Limited with a delivery date of August the fifteenth, 1970. This company was unable to supply the unit on the specified date, and we have now been advised that the earliest date of delivery will be December first, 1970.

Mr. Speaker: Are there any further questions? I wish to thank the Commissioner for his attendance. Are there any Private Bills and Orders? Are there any Public Bills and Orders?

Mr. Taylor: Mr. Speaker, I would move that Mr. Speaker do now leave the Chair, and Council resolve in Committee of the Whole for the purpose of discussing Sessional Papers and Motions.

Mr. Chamberlist: I'll second the motion.



Mr. Speaker: It has been moved by the Honourable Member from Watson Lake, seconded by the Honourable Member from Whitehorse East, that Mr. Speaker do now leave the Chair for the purpose of convening in Committee of the Whole to discuss Bills, Sessional Papers and Motions. Are you prepared for the question? Agreed? The motion is carried.

MOTION CARRIED

MOTION  
CARRIED

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

Mr. Taylor leaves the Chair.

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

RECESS

RECESS

Mr. Chairman: I call Committee back to order. The first item of business we have is back to the matter of indemnities. Mr. Legal Adviser.

MOTION #26

Mr. Legal Adviser: Mr. Chairman, in light of the discussion which took place yesterday, I have put up a draft which I've attempted to make reflect the wishes of the Members of the House.

Mr. Chairman: Yes, I believe that all Members have a copy of this proposed draft. Any discussion on this proposal? Councillor Stutter.

Mr. Stutter: Mr. Chairman, in paragraph 5, it states that --- well, maybe I should read it out, "...meetings of committees of Council or meetings which they attend at the request of Council within the Territory to be paid from the day of departure from normal residence until the day of return..."; don't we need to be a little more specific. To me, it is....

Mr. Legal Adviser: Mr. Chairman, what I'm trying to operate is if a Member attends from a distant point, it would take a day to come, a day to be here at the meeting, and a day to go back to his place. Although he is actually attending for one day, he has been absent for three days. He incurs three days expenses.

Mr. Chairman: What is your further pleasure?

Mr. Chamberlist: Mr. Chairman, I would suggest that we adopt this draft motion and move them in the House for acceptance. Mr. Chairman, I would move that the draft motion presented to us today be passed out unamended.

Mr. Chairman: It would be necessary for a Member to move each one as a motion.

Mr. Chamberlist: For adoption of each one, yes. Well, they're not numbered, Mr. Chairman.

Mr. Legal Adviser: Ask the Clerk to assign a number.

Mr. Chamberlist: Well if the Clerk would assign a number I could proceed.

Mr. McKinnon: Mr. Chairman, could I ask the House's intention in whether they are going to vote on these in Committee or in the House.

Mr. Chairman: These will be dealt with in Committee at this time.

Mr. Chamberlist: Mr. Chairman, I would move that Motion No. 26 be accepted without amendment.

Mr. Chairman: The Chair is having difficulty there because there is really no Motion No. 26 until a motion has been stated from the Chair. This would have to read--it would have to be proposed as a motion in order



MOTION #26

Mr. Chairman continued ...  
to receive a motion number.

Mr. Chamberlist: Mr. Chairman, I would move that the draft document, Motion No. 26, be accepted by the Committee as a Motion No. 26.

Mr. Tanner: I second that.

Mr. Chamberlist: Does Mr. Legal Adviser find any difficulty with that?

Mr. Legal Adviser: I don't find any difficulty with this. I think it's just the Member attempting to prevent -- it's a very long motion, it's a page and a half of foolscap -- to see that it's actually read only once rather than read twice or three times unnecessarily.

Mr. Chairman: Does Committee concur? It is moved by Councillor Chamberlist, seconded by Councillor Tanner, that draft motion -- that the draft Motion No. 26 be accepted by the House, made by this Committee? Have we any discussion?

Mr. Legal Adviser: I see the slight nodding of a head. The motion has to be read, Mr. Chairman.

Mr. Chairman: This has always been my understanding. Unless the House is going to change the rules ....

Mr. Legal Adviser: It must be read at least ....

Mr. Chamberlist: With respect, Mr. Chairman, the motion is that this document be accepted. This is the motion that has been made. Now, if Mr. Chairman will read the motion that I have made, then, it is dealt with there. This motion would then pass to the House for reading as a motion. This is the way I see it.

Mr. Chairman: Well, my better judgment would tell me that the motion is out of order. As earlier stated, the normal procedure is to read a motion and someone move it and someone second it. This is a highly irregular way of dealing with such an important matter, in my opinion-- unless the House should agree that they wish to do it this way.

Mr. Chamberlist: Mr. Chairman, I would move that the draft Motion No. 26, and seconded by Councillor Tanner, be as follows: "That the indemnities, salaries, allowances and expenses to be paid to members of Council shall be as follows: 1. An indemnity of \$8,000 per annum to all members; 2. An additional allowance in respect of duty expenses of \$2,000 per annum to be paid to the members representing the constituencies of Carmacks-Kluane, Dawson, Mayo and Watson Lake and an allowance in respect of duty expenses of \$1,000 per annum to the members representing the constituencies of Whitehorse East, Whitehorse North, and Whitehorse West; 3. A salary to be payable to the Speaker of \$1,500 per annum, to the Deputy Speaker of \$1,000 per annum, to each member of the Advisory Committee on Finance of \$1,000 per annum; 4. That the indemnities, salaries and expense allowances referred to in paragraphs 1, 2 and 3 be payable every fourteen days; 5. An allowance in respect of living expenses of \$25.00 per day to members who are absent from their normal place of residence attending sessions of the Council, meetings of committees of Council or meetings which they attend at the request of Council within the Territory to be paid from the day of departure from normal residence until the day of return and in addition a travel allowance not exceeding the equivalent of 17¢ per mile; 6. Where a meeting mentioned in paragraph 5 is held outside the Territory the member shall be paid his actual travel expenses plus \$35.00 per day living expenses from the day of arrival in the place where the meeting is to be held until the day of departure from that place; 7. An indemnity of \$25.00 per day to a member who attends meetings of committees of the Council or meetings which he attends at the request of Council other than sessions of Council or meetings of the Advisory Committee on Finance;

Mr. Chamberlist continued ...

8. That a member of Council who is also a member of the Executive Committee shall be paid living allowance and travel expenses as mentioned in paragraph 5 or 6 when travelling or attending on the business of Council but when travelling on official government business and not on the business of Council shall be paid at the rate payable to members of the public service and vouched accordingly; 9. Payment of living allowances and actual travelling expenses will be on presentation of satisfactory accounts; 10. That payment of the annual emoluments listed in this motion commence on the day of election or appointment and continue until a member vacates his seat or office which in the case of a general election, shall be deemed to be the day immediately preceding election day, and should a member be re-elected, or re-appointed, he shall be deemed to have served continuously; 11. That legislation be implemented to provide a pension scheme for members; 12. That the necessary steps be taken to provide insurance for members injured while on duty."

MOTION #26

Mr. Chairman: I have taken this opportunity in the Chair to straighten out this little procedural problem we had earlier in getting the motion framed in a proper form. It has been moved by Councillor Chamberlist, seconded by Councillor Tanner, "That the indemnities, salaries, allowances and expenses to be paid to members of Council shall be as follows: 1. An indemnity of \$8,000 per annum to all members; 2. An additional allowance in respect of duty expenses of \$2,000 per annum to be paid to the members representing the constituencies of Carmacks-Kluane, Dawson, Mayo and Watson Lake and an allowance in respect of duty expenses of \$1,000 per annum to the members representing the constituencies of Whitehorse East, Whitehorse North and Whitehorse West; 3. A salary to be payable to the Speaker of \$1,500 per annum, to the Deputy Speaker of \$1,000 per annum, to each member of the Advisory Committee on Finance of \$1,000 per annum; 4. That the indemnities, salaries and expense allowances referred to in paragraphs 1, 2 and 3 be payable every fourteen days; 5. An allowance in respect of living expenses of \$25.00 per day to members who are absent from their normal place of residence attending sessions of the Council, meetings of committees of Council or meetings which they attend at the request of Council within the Territory to be paid from the day of departure from normal residence until the day of return and in addition a travel allowance not exceeding the equivalent of 17¢ per mile; 6. Where a meeting mentioned in paragraph 5 is held outside the Territory the member shall be paid his actual travel expenses plus \$35.00 per day living expenses from the day of arrival in the place where the meeting is to be held until the day of departure from that place; 7. An indemnity of \$25.00 per day to a member who attends meetings of committees of the Council or meetings which he attends at the request of Council other than sessions of Council or meetings of the Advisory Committee on Finance; 8. That a member of Council who is also a member of the Executive Committee shall be paid living allowance and travel expenses as mentioned in paragraph 5 or 6 when travelling or attending on the business of Council but when travelling on official government business and not on the business of Council shall be paid at the rate payable to members of the public service and vouched accordingly; 9. Payment of living allowances and actual travelling expenses will be on presentation of satisfactory accounts; 10. That payment of the annual emoluments listed in this motion commence on the day of election or appointment and continue until a member vacates his seat or office which in the case of a general election, shall be deemed to be the day immediately preceding election day, and should a member be re-elected, or re-appointed, he shall be deemed to have served continuously; 11. That legislation be implemented to provide a pension scheme for members; 12. That the necessary steps be taken to provide insurance for members injured while on duty". Is there any further discussion on this motion?

Mrs. Watson: Mr. Chairman, there is just a slight clerical error in number 5.-- travel allowances, seventeen hundredths of a cent.

*MOTION #26* Mr. Legal Adviser: I have the original, Mr. Chairman; it's .17 and "c" with an oblique stroke--oh....

Mr. Chamberlist: Yes, take the point out.

Mr. Chairman: So note, Mr. Clerk. Is there any further discussion on this motion? Are you prepared for the question? Are you agreed?

Mr. McKinnon: Disagree, Mr. Chairman. I'd like my contrary vote recorded in the journals of the House.

Mr. Chairman: Does Committee agree that this be done? I will declare the motion carried.

*MOTION  
CARRIED*

MOTION CARRIED

*MOTION #27* Mr. Stutter: Mr. Chairman, I would like to move Motion No. 27, "1. That members of Council appointed to the Executive Committee be paid a salary of \$20,920 per annum, including indemnities, salaries and duty expenses; 2. That such member be paid living allowance and travelling expenses as mentioned in paragraphs 5 or 6 of Motion No. 26 when travelling or attending on the business of Council but when travelling on official government business or performing his duties on the Executive Committee and not on the business of Council shall be paid living allowance and travelling expenses at the rate currently payable to members of the public service and vouched accordingly".

Mr. Tanner: I'll second that motion.

Mr. Chairman: It has been moved by Councillor Stutter, seconded by Councillor Tanner "1. That members of Council appointed to the Executive Committee be paid a salary of \$20,920 per annum, including indemnities, salaries and duty expenses; 2. That such member be paid living allowance and travelling expenses as mentioned in paragraphs 5 or 6 of Motion No. 26 when travelling or attending on the business of Council but when travelling on official government business or performing his duties on the Executive Committee and not on the business of Council shall be paid living allowance and travelling expenses at the rate currently payable to members of the public service and vouched accordingly". Is there any discussion?

Mr. Tanner: Mr. Chairman, I think I would like to see that read, as a suggestion that Members of Council appointed to the Executive Committee be paid a maximum salary--putting maximum salary there--of \$20,920 per annum, which includes--putting in two other words here, which includes--all indemnities, salaries and expenses. Mr. Chairman, I'm not suggesting this as an amendment but as a suggestion that somebody else might like to make as an amendment.

Mr. Chairman: Doesn't that really say that here? "...including indemnities, salaries and duty expenses..." Is there any further discussion? Question has been called. Are you agreed with the motion?

Mr. McKinnon: Disagree, Mr. Chairman. I would like my contrary vote recorded in the journals of the House.

Mr. Chairman: Is it the wish of Committee that we so do? I might point out that, normally, votes are not recorded in Committee of the Whole. I will declare the motion carried.

*MOTION  
CARRIED*

MOTION CARRIED

Mr. Chairman: We will declare a recess at this time.

*RECESS*

RECESS

Page 86.

Friday, November 13th, 1970.

11:00 o'clock a.m.

Mr. Chairman: Council will now come to order. We now have to have a discussion with the Commissioner on the matter of dismissal of the Executive Members, and we also have the Water Board to appoint, and we have the Hospital Board to appoint.

Mr. Chamberlist: Mr. Chairman, at this time I would move that Councillor Tanner be appointed to represent Council on the Whitehorse Hospital Board.

Mr. Stutter: Mr. Chairman, I'll second that motion.

Mr. Tanner: Mr. Chairman, while I'm flattered by the confidence of the House on this matter, I do feel that Councillor from Whitehorse West, Councillor McKinnon, is probably well versed in this particular field, and I know that he wants to participate in democracies, he's been telling us for the last two or three days, I just wondered whether we could have his comments, and perhaps he would, if I was prepared to resign, whether he would be prepared to, should I get this appointment, whether he would be prepared to look after that particular commission?

Mr. McKinnon: Mr. Chairman, I intend to ask the Council's Member on the Hospital Advisory Board some very hard questions in my other career as a broadcaster in the future.

Mr. Chairman: Any further discussion on the motion? Are you prepared for the question? Are you agreed? I declare the motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Chairman: In light of the time, I believe we are awaiting some answers from the Administration, and there's nothing we can do at this time. Is it your wish to be recessed until 2:00 o'clock this afternoon?

Mr. Chamberlist: Yes, Mr. Chairman, perhaps Mr. Chairman can indicate whether or not we will be proroguing all our business of the Council Committee this afternoon?

Mr. Chairman: Well, at this time it would appear to the Chair that we should be able to prorogue this afternoon if these other two items of business have been cleared. Well, Committee will now stand in recess until 2:00 o'clock this afternoon.

RECESS

*RECESS*

Mr. Chairman: At this time we'll call Committee back to order. We have prior to leaving Committee two matters before us. One is the matter of the Water Board appointments and the other is the matter related to the dismissal of the executive position. I wonder if Councillor Stutter will take the Chair a moment.

Mr. Taylor: Mr. Chairman, in relation to the Water Board and in consultation with some Members, we have come up with three possible appointees if the Committee should concur, and I would like to propose a motion at this time, moved by myself, seconded by Councillor Chamberlist, that in the opinion of Council that Mr. A. Wright, Mr. H.E. Boyd and Mr. J.O. Livesey be appointed to the Yukon Water Board upon acceptance of such nomination. Just before resuming my seat and taking back the Chair, I might say that from these men we bring technical and practical experience from within and entirely throughout the Yukon Territory, and I really feel that these men could contribute much to this most important Board. Thank you, Mr. Chairman. I will resume the Chair.

Mr. Taylor resumes the Chair.

Mr. McKinnon: Mr. Chairman, could I ask the Honourable Member whether any of these people have been contacted up to this time to serve on this Board?

Mr. Chairman: Yes, I can say in the affirmative they have all been contacted and all agreed to serve. The motion to be read from the Chair is moved by Councillor Taylor, seconded by Councillor Chamberlist, that in the opinion of Council, Mr. A. Wright, Mr. H.E. Boyd and Mr. J.O. Livesey be appointed to the Yukon Territory Water Board upon acceptance of such nomination. Are you prepared for the question? Are you agreed? I'll declare the motion carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Chairman: The next matter, and final matter, is the matter of dismissal of the Administration post, Ministers or whatever.

Mr. Chamberlist: Mr. Chairman, on page 4 of Sessional Paper No. 2, the latter part of the second paragraph, it reads, "Where there are breaches in this integrity, it is the responsibility of the Commissioner to take action appropriate to the circumstances of the situation and, if he considers it necessary, to dismiss a Member from the Executive Committee or seek the advice of the Council on the action he should take." Members of this Council, including myself, made objection to this because it is the opinion that the Commissioner should not be placed in the position of having to all being able to dismiss an elected person to that particular office. Although I maintain that stand it is necessary, I recognize as well, that there remain in the hands of the Head of the Executive Committee the power to dismiss when there is not a possibility of going direct to the Council. For instance, the area where, between the dissolving of Council and the calling of another election, there may be four months or so elapse, it would mean that nobody would have the right to dismiss an Executive Member of that Committee during that time, for cause. And, I recognize that the power must be given to somebody, and that the power must be used, of course, properly, and not abusively. In view of this remark, I would move the following motion, that this Council request the Commissioner to amend Sessional Paper No. 2, by deleting the last phrase in paragraph No. 2, on page 4, from the words, "and, if", and insert therein in their place

*SESSIONAL  
PAPER NO. 2*

SESSIONAL  
PAPER NO. 2

Mr. Chamberlist continued....

the following, "and in the case of an elected Member, either seek the advice of the Council on the action to be taken or dismiss the Member, in which case he shall report his action to the Council as soon as practicable and possible."

Mrs. Watson: Mr. Chairman, I second that motion.

Mr. Chairman: Yes, could I have a copy of the motion, please? It has been moved by Councillor Chamberlist, seconded by Councillor Watson, that this Council request the Commissioner to amend Sessional Paper No. 2, by deleting the last phrase in paragraph No. 2 on page 4, from the words, "and, if" and insert therein and replace the following, "and in the case of an elected Member, either seek the advice of the Council on the action to be taken or dismiss the Member, in which case he shall report his action to the Council as soon as practicable and possible." Any discussion on this motion?

Mr. McKinnon: Mr. Chairman, the amendment, with respect, doesn't mean a thing. There is no possible way I can ever accept the concept of Council making the appointments on this Committee, and the Commissioner having the ability to remove those Members from Council or from the Executive Committee. I can't belabour the point, and I can't hold up the business of this House by just telling all Members that they have completely negated the very concept that this Council, not this Council but prior Councils worked so hard to put this Council in the position to be able to do something about the appointing of elected Members into the executive branch of government. Things change, people change because of the change of happenings and this is one case in point. I'll just be against the amendment in toto.

Mr. Chamberlist: Mr. Chairman, I would like to ask a question of the Honourable Member, if he will permit me? I would ask the Honourable Member what he would suggest in the circumstances that I gave in introducing this motion, where Council has dissolved and there is no Council for the Commissioner to go to to seek advice?

Mr. McKinnon: Mr. Chairman, one of the reasons why I disagreed with the Honourable Member from Whitehorse East before the Standing Committee on Indian Affairs and Northern Development, when we were talking about constitutionally intrenching the makeup of the Executive Committee, was a reason that I didn't state at that time. My argument before the Standing Committee was because a Member, or it could come about faster, the real evolution of responsible government, but was not constitutionally intrenched in the Yukon Act, and that changes could come about by direction of the Minister rather than through constitutional amendment which the Honourable Member knows, takes a long time. The other argument which was abused, Mr. Chairman, but was always present in my mind, is that, that was the safeguard, that it wasn't constitutionally intrenched for the Minister if the Executive Committee did not work, and if it turned out to be an absolute botch. That the Minister had the responsibility, and still has the absolute authority to dissolve the Executive Committee at any time he sees fit, with or without the Commissioner's approval. So, Mr. Chairman, knowing what actually is, in fact, the power in the Federal framework and the Federal Administration, with this not being in this Sessional Paper that the Commissioner has this power, the Federal Minister has this power at any rate. So all we're doing is, where we can't control events, where we can't say to the Federal Government, "we don't think you should have this power, and we think that this power should be taken away from you", it's ultravires of this House and we can't do it. But, we are allowing the Commissioner the appointment of the Minister to be able to do it. I think that we can control this decision and I think it's one that we are just giving up any responsibility that we have attained in the past in trying to fight for these amendments to the Yukon Act.



Mr. Chamberlist: Mr. Chairman, in closing I had hoped that the Honourable Member would answer the question I had put to him by coming up with an alternative to what has been given, which I would very very readily have been prepared, and I'm sure all Members of the House would have been prepared to listen to, and act upon it. It was an alternative that could have been dealt with. But, I'm sure, Mr. Chairman, that the Honourable Member would agree with me when I say that notwithstanding the words of, that the Commissioner can, of course, he must recognize, and he does recognize, I'm sure, that it is the Minister speaking that the Sessional Paper, in fact, and the contents of it, is a ministerial Sessional Paper. So, we have no alternative in that particular regard and under the difficulties that we have to face, is we are trying to deal with it in the best possible way. I myself must admit, Mr. Chairman, that I am not at all happy when the Commissioner has any powers at all in the Yukon Legislative Assembly. I say it now, quite clearly, that I look forward to the day when the Office of Commissioner doesn't exist. But, we must face facts and deal with the situation as it is today. And, I feel, Mr. Chairman, this is the best thing we can do under the circumstances, and I hope the House will pass the motion.

SESSIONAL  
PAPER NO. 2

Mr. McKinnon: Of course, Mr. Chairman, the obvious way....

Mr. Chamberlist: A point of order, the debate is closed. I have spoken the second time. You are aware of this, but it's up to Mr. Chairman. Mr. Chairman, that's O.K., go ahead.

Mr. Chairman: With all due regard for what the Member says, there is still lots of latitude and freedom in debate of Committee of the Whole. Proceed, Councillor McKinnon.

Mr. McKinnon: Mr. Chairman, the obvious way is to amend the Sessional Paper which we do at all times in this Committee so that the Minister and the Commissioner is well aware of Council's intentions. And, if the words that, "he considers it necessary to dismiss a Member from the Executive Committee or", were deleted from the last sentence of the second paragraph on page 4 of Sessional Paper No. 2, the sentence will read, "Where there are breaches in this integrity, it is the responsibility of the Commissioner to take action appropriate to the circumstances of the situation and seek the advice of the Council on the action that he should take". This necessarily puts the action right in the hands of the Minister of Indian Affairs and Northern Development where it appropriately belongs, and not in the Commissioner's hands.

Mr. Chamberlist: Mr. Chairman, I agree with the concept, but I have raised the question of where the Council is dissolved, where in four years' time, when it's ready for another election and the Council is dissolved, so that there is no Council, but there are the two Executive Members. Now, if during the time of dissolving the Council, and the election of the new Council, something occurs that the Commissioner feels that he has a responsibility to his Minister to insist that one person, that person being either advised to resign or that he has to dismiss him, how can he first go before a Council that is not in existence? Now, this is the point I would like the Honourable Member to consider. In all other areas I would agree with the Honourable Member, but if he can consider that point, and show where that can be overcome, because surely, Mr. Chairman, the Honourable Member must recognize that there may be a need of dismissal of those two Members for some reason, and this is the area I found myself lost in to figure out a way that you can overcome it, and by this particular motion, it places upon the onus of the Commissioner if this happens during the four years, as soon as practicable and possible, to call Council into Session because it might be, that if at the end of, let's say a January Session, in the middle of February, let's say the middle of February, the Session completes and another Session doesn't start until September, you cannot leave an Executive without one of its Members so that he would be duty bound to call Council together and report to Council and say, "either give me a new nomination

Mr. Chamberlist continued....

or, if you want to, if you disagree with the decision that I've made, renominate the man or the woman you feel should be put in", and this is the thing. But, after that, when the Council has dissolved, this is where I'm seeking an alternative. If the Honourable Member from Whitehorse West can come up with an alternative, I'm prepared to listen to him. I'm sure all Members of Council would do so.

Mr. McKinnon: Mr. Chairman, when the Council is not in Session, the Minister, or the Commissioner says to the Minister, under whose sponsorship this whole business is set up, not the Commissioner's and not the Council's, that there is a Member on that Executive Committee who because of this reason and that reason cannot perform the duties of Executive Committee and it is the onus and responsibility of the Minister who set up the Committee, to remove that person from office. This is always at the Minister's discretion and it is the Minister's responsibility, and the Minister's onus, and the Minister's prerogative to be able to do this. And, the Honourable Member shakes his head, but he full well knows that it was the Federal Government and the Minister of Indian Affairs and Northern Development who set up this Executive Committee, not the Commissioner and not the Council, and the Minister has the responsibility and has the authority to be able to dissolve that Committee, to remove Members at any time that he sees fit. Those are the facts of the matter.

Mr. Chairman: Is there any further discussion on this motion?

Mr. Stutter: Mr. Chairman, I may be a little confused on this issue, but, it's my understanding that a Councillor is a Councillor from the day that he is elected right to the day of the next election, and regardless of whether the Council may have been dissolved or not, I should hope that if a crisis arises where one of these Executive Members was subject to dismissal by the Commissioner, that it would be an important enough occasion to call the Members back again to rule on this decision. I find that the motion as put forward now, in actual fact the only difference I can find between that motion and the phrase that's on page 4 is that now we're just stating that the Commissioner is bound to inform Council of his decision. It still doesn't state that the decision must come from Council.

Mr. Chairman: Anything further on this point?

Mr. Chamberlist: Well, I would just like to rebuff this last question. There is an impossibility and I'm sure the Honourable Member from Dawson will learn that once Council is dissolved, it is dissolved. There is no power that the Commissioner has under the Act to call Council together. Sure, I've already agreed that there are some areas that make me unhappy about it, but under the circumstances this is the only thing we can do, it's because it's the only thing we can do, I'm speaking in a practical manner and I hope Council recognizes it.

Mr. Chairman: Have you anything further on this? Are you prepared for the question? Are you agreed? Will those in agreement kindly signify.

Most Members agreed.

Mr. Chairman: Those in disagreement kindly signify.

Councill McKinnon and Councillor Stutter disagreed.

Mr. Chairman: I must declare that the motion is carried.

Mr. Chairman: This now concludes all the work before Committee of the Whole. What is your further pleasure? Is it your wish that we revert to Council?

*SESSIONAL  
PAPER NO. 2*

Mr. Chamberlist: Mr. Chairman, I move that Mr. Speaker do now resume the Chair.

Mr. Chairman: Is there a seconder?

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

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 will declare that the motion is carried.

MOTION CARRIED

*MOTION  
CARRIED*

Mr. Commissioner: Mr. Speaker, I have answers to some of the questions that are presently outstanding and if it is your desire I could give them at this time. The reply to Councillor Chamberlist's question pertaining to Safety Regulations for Open Pit Mines, I have been advised by the Mining Inspector that the Mining Inspection Section is at present reviewing the Mining Safety Rules for both underground and open pit operations and it is our intent to introduce into the new rules the best safety features that now apply in the various provinces. We are discussing the changes with the industry and are requesting their comments and suggestions. A tentative final draft is now under review and it is hoped the revised Mining Safety Rules will be completed for presentation to the Commissioner in the spring of 1971. It should be noted that, if in the opinion of the Inspector there are not adequate regulations to assure safe conditions at a mine, he is empowered to and does apply the Mining Safety Ordinance section 5, subparagraph 1, section C which states, "An Inspector shall exercise such other powers as he may deem necessary for ensuring the health and safety of persons employed in or about a mine". In answer to the question of Councillor Tanner, "What has been done or is going to be done re the provision of lighting for children walking to school now that school bus service has been either discontinued or curtailed"? The answer is that arrangements are underway with the Yukon Electrical Company to relocate a portion of the proposed street lighting in Porter Creek Subdivision to school walkways. We anticipate that a minimal system will be installed this year and improved in subsequent years. An answer to a question asked by Councillor Taylor, "Will there not be future extensions and connections to the Ross River Water System"? The answer is a separately operated water system will have to be designed and installed for private users in Ross River. The existing system was not designed to service more than the school and territorial buildings. Technical operation problems now threaten the service that this installation was designed to provide, and for this reason future extensions cannot be permitted. A question asked by Councillor Chamberlist, "It was indicated in the two years of the last Council that the Department of Public Works were going to install, or have installed a lighting system along the Alaska Highway between the intersection on the Alaska Highway and the Two-Mile Hill. Could the Commissioner indicate why this hasn't been done up to date, and if, and when it will be carried out". Discussions have been held with the Federal Department of Public Works regarding lighting to Hillcrest and we are informed that they have no plans to provide any more lighting than is now available. These are all the answers that I have at the present time, Mr. Speaker, and for those questions which remain unanswered, either verbal questions or on the order paper, answers will be sent by mail as quickly as they are available to all Members of Council.

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

Mr. Chairman: Mr. Speaker, Committee convened at 10:35 A.M. to discuss Sessional Papers and Motions. It was moved by Councillor Chamberlist, seconded by Councillor Tanner, that the indemnities, salaries, allowances and expenses to be paid to Members of Council should be as follows: 1. An indemnity of \$8,000 per annum to all Members. 2. In addition, an additional allowance in respect of duty expenses of \$2,000 per annum to be paid to Members representing the constituencies of Carmacks-Kluane, Dawson, Mayo and Watson Lake, and an allowance in respect of duty expenses of \$1,000 per annum to the Members representing constituencies of Whitehorse East, Whitehorse North and Whitehorse West. 3. A salary to be payable to the Speaker of \$1,500 per annum, the Deputy Speaker of \$1,000 per annum, and to each Member of the Advisory Committee on Finance, \$1,000 per annum. 4. That the indemnities, salaries and expense allowances referred to in paragraphs 1, 2 and 3, be payable every fourteen days. 5. An allowance in respect of living expenses of \$25.00 per day to Members who are absent from their normal place of residence attending sessions of the Council, meetings of Committees of Council, or meetings which they attend at the request of Council within the Territory to be paid from the day of departure from normal residence until the day of return and in addition a travel allowance not exceeding the equivalent of 17¢ a mile. 6. Where a meeting mentioned in paragraph 5 is held outside the Territory, the Member shall be paid his actual travel expenses plus \$35.00 per day living expenses, from the day of arrival in the place the meeting is to be held, until the day of departure from that place. 7. An indemnity of \$25.00 per day to a Member who attends meetings of Committee of the Council, or meetings which he attends at the request of Council, other than sessions of Council or meetings of the Advisory Committee on Finance. 8. That a Member of Council, who is also a Member of the Executive Committee shall be paid living allowance and travel expenses as mentioned in paragraphs 5 or 6 when travelling or attending on the business of Council, but when travelling on official government business, and not on the business of Council, shall be paid at the rate payable to Members of the Public Service and vouched accordingly. 9. Payment of living allowances and actual travelling expenses will be on presentation of satisfactory accounts. 10. That payment of the annual emoluments listed in this motion commence on the day of election or appointment and continue until a Member vacates his seat or office which in the case of a general election shall be deemed to be the day immediately preceeding election day, and should a Member be re-elected or re-appointed, he shall be deemed to have served continuously. 11. That legislation be implemented to provide a pension scheme for Members. 12. That necessary steps be taken to provide insurance for Members injured while on duty. This motion carried, Mr. Speaker. It was then moved by Councillor Stutter, seconded by Councillor Taylor, that the Members of Council appointed to the Executive Committee be paid a salary \$20,920 per annum including indemnities, salaries and duty expenses. 2. That such Member be paid a living allowance and travelling expenses as mentioned in paragraphs 5 or 6 or Motion No. 26 when travelling or attending on the business of Council, or when travelling on official government business, or performing his duties on the Executive Committee, and not on the business of Council, shall be paid living allowance and travel expenses at the rate currently payable to Members of the Public Service and vouched accordingly. This motion carried. It was moved by Councillor Chamberlist, seconded by Councillor Stutter, that Councillor Tanner be appointed to represent Council on the Whitehorse General Hospital Board. This motion carried. Committee recessed at 11:20 and reconvened at 2:30 P.M. this afternoon. It was moved by Councillor Taylor, seconded by Councillor Chamberlist that in the opinion of Council that Mr. A. Wright, Mr. H.E. Boyd and Mr. J.O. Livesey be appointed to the Yukon Territory Water Board upon acceptance of such nomination, and this motion carried. It was then moved by Councillor Chamberlist, seconded by Councillor Watson, that this Council request the Commissioner to amend Sessional Paper No. 2 by deleting the last phrase in paragraph No. 2 on page 4 from the words,

Mr. Chairman continued...

"and, if", and insert therein in their place the following, "and in the case of an elected Member, either seek the advice of the Council on the action to be taken, or dismiss the Member, in which case he shall report his action to the Council as soon as practicable and possible". This motion carried. It was then moved by Councillor Chamberlist, seconded by Councillor Stutter that Mr. Speaker do now resume the Chair, and this motion carried. Thank you, Mr. Speaker.

Mr. Speaker: You have heard the report of the Chairman of Committees. Are we agreed to accept this report?

Mr. McKinnon: Mr. Speaker, I asked the Honourable Deputy Speaker to record my negative votes on the indemnity motions and I did not hear those reported to the Chair.

Mr. Chairman: Yes, Mr. Speaker, I apologize to the Honourable Member. I have it noted in my report, although it is not normal in Committee of the Whole according to our rules to have votes recorded in such a manner, I do rise to point out that Councillor McKinnon opposed Motion No. 2 and Councillor McKinnon went on record also as opposing Motion No. 1.

Mr. McKinnon: Thank you, Mr. Speaker.

Mr. Speaker: You have heard the report of the Chairman of Committees. Are we agreed now to accept this report as amended? What is your further pleasure?

Mr. Taylor: Mr. Speaker, in respect of the agenda I can report that Committee have now dealt with all matters before it at this time, and I would suggest that we would now be prepared to proceed with the closing addresses.

Mr. Speaker: All agreed? I will call a fifteen minute recess in order that things may be arranged for Committee's Addresses.

RECESS

*RECESS*

Mr. Speaker: I will now call the House to order. At this time we will hear the replies to the Commissioner's Opening Address, beginning with the Honourable Member from Whitehorse North.

Mr. Tanner: Mr. Speaker, fellow Councillors. The order of speaking, as personified by the Member for Whitehorse North speaking first in this House, on this occasion, in reply to the Commissioner's Opening Address, is one that I respect. As in the case of the seating arrangements within this House there is a formality which all Members respect. These two are indications of a tradition and an accepted practice, a maturity within the Yukon Legislature. It might be thought by some that, from the time of the Commissioner's Opening Address to the newly elected Council and the arrival to the present point in time, there has been a departure from tradition. I would suggest that supposition is incorrect. All Members of this House realize that, throughout the past week, a process of growing maturity and the establishment of another fine tradition has, in fact, taken place. The past Council, and in particular the present three Members who sit on this Council from the last, worked diligently towards some measure of self-government for the people of the Yukon. The decision arrived at during the past few days is the logical extension of their efforts. We have moved, perhaps rather rapidly, towards the only acceptable type of democratic government in this country. The Commissioner, in his Address to this House last November 4th, enumerated some of the many developments which have taken place during the past year, and I believe the deliberations which have taken place in this House since his Address will enhance the advancement of those development. Thank you.

Mr. Speaker: The Honourable Member from Whitehorse East.

Mr. Chamberlist: Mr. Speaker, Members of Council. I think the most important thing that has occurred during this past Session is the coming to fruition of a request for more responsible government. Certainly I am not content, Mr. Speaker, that we have the ultimate in what is responsible government, but I am satisfied that the experiment on which we are about to engage is the beginning of a new era for the Yukon and its people. I am satisfied, Mr. Speaker, that each and every Member of this Council look forward to the time when we in the Yukon can take our place in Canada as equals, both from the standpoint of citizens and from the standpoint of a sovereign government within the meaning of the British North America Act. During the last week or so, there has been much comment from the public as to the apparent, nonsensical manner, or so they thought, as to how we were attempting to choose two very important positions for the Territorial Government. But, Mr. Speaker, I feel sure, that each and every Member of this Council recognizes that what was done in the last week was work showing that we had in fact become to come of age, whereas we were able to show that the quality of debate and the knowledge shown by new Members and old Members who joined in that debate was and is the basis on which the future of the Yukon will be able to be enhanced. Mr. Speaker, I am going to do what I feel is my duty during the next four years in serving the people of the Yukon and the Territorial Council, and I'm sure that my colleague, Councillor Watson, who was chosen with me to the Executive Committee, will likewise do her duty, and I hope that we will experience during the next four years the capabilities that we know can be shown by the Honourable Member from Whitehorse West, Councillor McKinnon, in supplying a very cogent opposition in this House. It is only through good opposition can the results for the Yukon ultimately benefit. Mr. Speaker, in finality, I want to say to all Members of Council that we have a responsibility to the people of the Yukon. We have a responsibility also to show the Federal Government in Ottawa that we are capable of taking our place within Confederation as a responsible group of people, and I hope that the time will come very, very soon when we can say to the Federal Government, "Now that we have shown you that we are responsible, help us to maintain that full responsibility that we all are so badly seeking". Thank you, Mr. Speaker.



Mr. Speaker: The Honourable Member from Dawson.

Mr. Stutter: Mr. Speaker and fellow Members of Council. I do not intend to dwell on the happenings of Council over the past ten days as they have been adequately reported in the press and other media. However, now that we have come to the end of this first brief Session of this 22nd Wholly Elective Council, I, as a new Member, feel much more enlightened as to the procedures and general workings of Council. Apart from the very important decisions regarding the executive positions, I am particularly glad to see that a move has been made towards implementation of a pension scheme for Councillors. It is most unfortunate that my predecessor, Mr. George Shaw, served the Territory faithfully for 12 years without benefit of even a meagre pension. Mr. Shaw not only served the Territory faithfully but also the area of Dawson City, which I am now particularly proud to represent, as I feel that it is perhaps one of the most important areas in the Yukon. The immediate future of the Territory depends firstly upon our extractive resources, and, secondly, upon our renewable natural resources, with particular regard to Tourism. The very growth of the Yukon was started when gold was discovered in the Klondike over 70 years ago. For a number of years Dawson enjoyed a fairly stable economy, brought about by the various mining activities in the area. Until 1952 it was the Capitol of the Yukon, but, as reserves of gold were gradually depleted, the population began declining to its present level, and the Capitol was moved to the more centrally located Whitehorse. The very fact that the Klondike gold assured the continuing growth of the Yukon has not only left us with some of Canada's most colourful history, but has given us the prospects of yet another stable industry, in that now we will once again become the Capitol of the Yukon, this time the tourist Capitol. The Department of Historic Sites and Monuments have embarked upon a rebuilding and face-lifting plan for many of the historic sites in the Klondike. No doubt their active participation in the area will spur the local people into greater efforts to establish a truly great tourist industry there. During the next four years I shall strive to impress the importance of tourism, to the Yukon and to the Klondike in particular, so that, as our mineral resources are depleted, we will be preparing for a more stable form of economy based on our renewable resources, with particular emphasis on tourism, hydro development, exportation of our relatively pure water, and the setting aside of recreational parks within the Territory. It would be a sad mistake for us to concentrate only on our mineral wealth, thus leaving ourselves vulnerable. I would like to quote from a brief presented by Mr. J. H. Gordon to the 3rd. Northern Resources Conference in Whitehorse, and I quote: "It has been demonstrated that an economic raw resource region is often impoverished in the process of having its resources extracted. The former resource-rich regions in the United States are now amongst the poorest in the nation. The Appalachian region from Pennsylvania to Alabama, for example, produced \$500 billion of raw wealth for the markets of the world. In Cape Breton, the once vast coal fields that produced much of the early wealth of Nova Scotia have been economically worked out, leaving a depressed region that is only now beginning to recover from economic depression. I could point to Dawson as another example. I do not want to be misunderstood, as it is no part of my purpose to decry or belittle the development and utilization of the vast sub-surface resources of the Yukon, but at the same time we must make long range plans to ensure the continued economic growth of the Yukon". I am sure that Dawson and area will have much to contribute to that growth, through the ever increasing tourist trade. During the next four years I shall be striving to have the Dawson airstrip extended or relocated to permit the landing of larger passenger aircraft. I shall strive to have tourist accommodations increased and improved to encourage tourists to stay in the Yukon longer. I shall strive to have our historic buildings preserved or rebuilt. In short, I shall strive for the good of the Yukon, through the promotion of the Klondike, and you have my assurance that I shall do everything within my power to see that this 22nd Wholly Elected Council will be productive. I trust that after a two month break we will return to these Chambers with the knowledge that the Executive Committee is operating to the fullest expectations, and that the experiment is indeed assured of success. Thank you.

Mr. Speaker: The Honourable Member from Carmacks-Kluane.

Mrs. Watson: Mr. Speaker, and fellow Councillors. Today the first Session of the 22nd Wholly Elective Council of the Yukon Territory progresses. To Members of this Council the difficulties involved in assuming added responsibilities became very real indeed. Seven Councillors, four of them new Members and some of them virtually strangers to each other, had to choose two of their Members to work on their behalf at the Administrative level. This was a difficult decision, and could not be resolved without much deliberation. Naturally, I am very honoured to be chosen to act for the people of the Yukon Territory in this first step to truly responsible government. I am sure it will be a trying and arduous task, but I am fully prepared to make all the personal sacrifices necessary to work in harmony with the Territorial Council and the Administration, in order that the efforts of the previous Council have not been in vain. The results of our efforts must be such that there will be no doubt in our Minister's mind that we in the Yukon can assume even more of the responsibility of administering the affairs of our Territory. At this time it would be folly for me to commit myself to any specific policy in the area of Education. However, in closing, I would like to say I will dedicate myself to provide the best educational opportunities possible for all children of the Yukon. Thank you.

Mr. Speaker: The Honourable Member from Whitehorse West.

Mr. McKinnon: Mr. Speaker, Members of Council. What could be more fitting a day than Friday 13th to put an end to this Session. At the close of last Session I made some remarks that I would like to repeat from and for the record. I said at that time, "It is almost amusing at this point in time to watch the political machinations and the aspiring politicians crawling out of the woodwork, stumbling over one another in the rush to consolidate what political power is available for the first time in the Yukon, due to our efforts". I suppose one could be granted one cynical aside, and ask, "where were they, when?". After two terms of office, Mr. Speaker, I am even more convinced than ever that Yukoners are a breed apart. They are willing to accept and enjoy fresh, exciting and unique concepts of government that politicians tied down to the discipline and all the manoeuvring of party rule do not have the courage nor the ability to propose or pass in other areas of the country. What was then merely amusing, Mr. Speaker, has turned into real tragedy. The politicians have crawled out of the woodwork, the political machinations have been brutal, and the Yukon is the loser. I think there are some questions all Members will have to wrestle with, and attempt to satisfy their consciences on, in the ensuing months. Are they proud of their performances of the past week? Do they feel that the closed door decisions they arrived at is the way that the business of this House will be decided on in the future? Was it honest, Mr. Speaker, to dupe the public to vote for independent candidates who then formed a majority as soon as Council sat? Do they feel that the Yukon now has those people in positions of power that can give the Yukon the best government possible and the government that the people of the Yukon deserve? Does the pursuit of power allow pressures to be used on people that completely overrides humane consideration? Is it any worse to have a Bench in this House controlled by a Federal puppet-master than by external local forces pulling the strings? Do Councillors really feel that they are justified in almost doubling their indemnities after showing their inability to arrive at decisions during the past week? Do they realize that this increase will cost the taxpayers in the neighbourhood of \$350,000.00 over our four year term? Are our Honourable Members really so politically naive that they do not realize that allowing the Commissioner to remove Members from the Executive Committee negates most of the work that prior Councils have done in the area of responsible government to this time? What would any Member honestly feel his chances were for not losing his deposit if Council were dissolved today, if he had to face his constituents and answer for what has transpired in this House? Mr. Speaker, all during my career in government, and continuing all through the last election, my willingness to be ready to work with anyone regardless of their Federal, political affiliations, for the betterment of the Yukon, has been self evident.

Mr. McKinnon continued ...

I'm sorry, Mr. Speaker, that this House has refused me the opportunity to continue on this course. How tragic it is, Mr. Speaker, to come back from a crowded, polluted country, bereft of natural resources, to our beautiful, bountiful Yukon and be bound to attend at the death of a dream. Thank you, Mr. Speaker, Members of Council.

Mr. Speaker: The Honourable Member from Watson Lake.

Mr. Taylor: Mr. Speaker, Honourable Members. It had not been my intention to speak on this occasion, due to a bit of a cold. However, I would like to say a word or two. It was just pointed out, Mr. Speaker, by one of the Honourable Members that a real tragedy has occurred here, and that things aren't going very well in the House, and I don't think anything could be further from the truth, because, in my opinion, we have achieved some sort of a good result out of this difficult chore. I don't think that the people of the Yukon are going to unduly suffer over what has been done at this Session. I think some very important decisions were arrived at, hopefully these will be beneficial to the Yukon. At least we're trying to do the very best we possibly can, and any suggestion that we go back and answer to the people would be welcome by myself at any time because I'm not afraid to face the people because I go to the people with the truth. I would, Mr. Speaker, like to congratulate the new Ministers on their new positions to which they will shortly be appointed in the administrative area of government. I sincerely hope that these Councillors will adjust to their new duties with as little difficulty as possible, and will pursue them with great determination and effort. To the new Members, I would most sincerely like to extend my personal greetings to this form of debate. I appreciate fully the problems and pressures that you all must be experiencing at this time, but after a few months and maybe a full Session of Council next year I'm sure you'll have a much more comfortable time of it and will have gained a better understanding of the rigours of being a public representative in this House. In closing, Mr. Speaker, I'd like to thank you all for your confidence in the re-appointment of myself to the duties of Deputy Speaker and Chairman of Committees, and indeed on the Financial Advisory Committee. I will make every effort to discharge these responsibilities to the satisfaction of everybody, Mr. Speaker, and may I wish all Members of Council and the Administration alike, my very best wishes for the approaching festive season, and I will look forward to meeting you all once again at the January Session.

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

Mr. Taylor takes the Chair.

Mr. Speaker: The Honourable Member from Mayo.

Mr. Rivett: Mr. Speaker and fellow Councillors. After the popularity contest was decided, the sad moment of truth struck home. The actual workings of the political forum are still very new to many of us. It is to be hoped that experience will overcome our shortcomings. The economic backbone of the Yukon is mining. It was with great interest that we noted in the Commissioner's Opening Address that another new mine will soon be coming into production in the Carmacks-Kluane area. It was also noted that new timber operations in the Pelly-MacMillan River area are in the process of going into production, and that there is a new planing mill operation under construction on the Whitehorse-Mayo Highway. The extension of the Pacific Great Eastern Railway lies wholly in the Province of British Columbia. It is to be hoped that in the foreseeable future there will be an extension of rail facilities within the Yukon Territory. Further, it is imperative that the problem of pollution and environmental control can be properly assessed so that the future development of our economic resources will be to the mutual satisfaction of all concerned. The new concept of more responsible government for the Yukon is now being tested, and hopefully will be a great stride

Mr. Rivett continued ...

forward to eventual provincial status. Patience and co-operation are required from all to make this exercise succeed. Thank you, Mr. Speaker.

Mr. Rivett resumes the Chair.

Mr. Speaker: Mr. Clerk, will you escort the Commissioner to the Council Chambers for his Closing Address? The House will now be adjourned to hear the Commissioner's Closing Address.

ADJOURNED

Mr. Speaker: The House will now come to order.

Mr. Commissioner: Mr. Speaker, and Members of the 22nd Wholly Elective Council of the Yukon Territory, you have advised me through the Clerk that your deliberations are over with for this Session, and for the first time in the years that I have been Commissioner at the end of the Council Session there is no legislation or bills to give assent to. I am sure that you are aware of the reasons for this, and I think to summarize and put it in a nutshell we have the start of this so-called new ball game, the fun and games are over with and now we have to get down to doing some hard work. The input of elected people into the Administrative Affairs on a day-to-day basis of government, which has been long awaited, is now upon us, and I think that it is not only going to put to the test the elected people who will be joining the appointed Members on the Executive Committee, but also is going to put to the test the whole theory on which we have based our argumentation for this type of a change to bring elected people into that fold of government. The others who sit with you on the Executive Committee are going to have to learn to do things a little differently from what they have been used to, likewise you will have to adapt your ways to fit into patterns which are unavoidable as far as government is concerned. You are going to find, as the rest of us do, that when you are in private business as long as what you do makes a profit and is within the laws of the land in which you are operating it is perfectly permissible to do so. It is just a little bit different in government -- you not only have to obey the laws of the land and the framework within which those laws are constructed, but you can only do things that are ultimately going to have political acceptability or acceptability to the general public. The business that is at hand for the Executive Committee at the present time is very great, most of it of long standing, and will require to be cleared up before we embark on any new courses of action of any kind. In order to have these matters of long standing cleared up a Council Session will be a requirement, and I'm very hopeful that this will be held no later than the latter part of January. Every effort will be made to have the legislation and other appropriate papers in the Councillors' hands well prior to the Session so that all Members of Council will have adequate opportunity to be prepared for the discussions which, in many instances, will be of considerable length because the import of the questions that will be put to you are of considerable long-range importance as far as the Yukon is concerned. It is not always easy to predict how matters of this import are going to be dealt with; some of them will no doubt have to be dealt with in Sessional Papers to find out what Council's wishes are before legislation is prepared. For the most part, I am very hopeful that with an Executive Committee type of operation now that does have elected people on it that we will be able to go directly to legislation in most instances for Council's consideration. Mr. Speaker, to you and all Members of Council, I would like to express my thanks at this time for the courtesy that you've shown to me during this short but important Session. I look forward, along with my officers, to working along with those of your number who you have nominated to be part of our Executive Committee group, and to all others who are Members of this Council I can assure you that we will extend a continuing co-operation to you that we are fortunate to have in return from you. Thank you, Mr. Speaker, and as there are no bills to give assent to I will simply conclude

Mr. Commissioner continued ...  
my remarks to say that those of you who are journeying home a safe journey home, and for those of you who are staying here to take up the tasks of government. I sincerely trust that you will not find them to be any more onerous than what my direst predictions to you have been.

Mr. Speaker: Council will now come to order. I wish to thank the Commissioner for his Closing Address.

Mr. Chairman: It is the Commissioner's will and pleasure that this Council be now prorogued, and this Council is accordingly prorogued.

October 14th, 1970.

SESSIONAL PAPER NO. 1 - 1970 (FOURTH SESSION)

EXECUTIVE COMMITTEE FOR THE YUKON TERRITORY

Mr. Speaker  
Members of Council

Appointments to Boards and Committees

I, as Commissioner of the Yukon Territory, am required to make certain appointments to boards and committees upon recommendation of Council.

So that I can properly fulfill my duties, I would request your co-operation in making the following recommendations to me:

1. pursuant to Section 12 of the Yukon Act, recommend three Members to be appointed to the Advisory Committee on Finance;
2. as outlined in Sessional Paper No. 33 - 1970 (Third Session), recommend two Members of the Advisory Committee on Finance to be appointed to the Executive Committee of the Yukon Territory; and
3. pursuant to Section 97(3) of the Schools Ordinance, recommend one Member to be appointed to the Teachers' Salary Advisory Committee.

Pursuant to the Constitution of the Whitehorse General Hospital Advisory Board, I am required to advise them of the name of the Member of Council elected to act on this board.

Your advice on these matters is required at this Session.

J. Smith,  
Commissioner.



October 28th, 1970.

SESSIONAL PAPER NO. 2 - 1970 (FOURTH SESSION)

Mr. Speaker  
Members of Council

EXECUTIVE COMMITTEE FOR THE YUKON TERRITORY

-- At its last Session, the Council considered Sessional Paper No. 33 - 1970  
-- (Third Session). A copy is attached as Appendix "A". Following the Council's  
discussion, a number of changes were recommended. A copy of the Council's  
motion is attached as Appendix "B". The points in the motion have been con-  
sidered in the preparation of this paper.

This paper is divided into two main parts:

- I How the Executive Committee should function as part of the structure of the Territorial Government; and
- II How the members of the Executive Committee should avoid conflicts of interest.

These parts are further subdivided into two categories:

- (a) Matters on which there is already legislation or explicit federal direction pursuant to the Yukon Act; and
- (b) Matters on which the Administration would appreciate the advice of the Council.

I Mechanics of Committee Operation

(a) Existing Legislation and Direction

The Yukon Act provides for the Government of the Territory. In the Act the Minister or the Governor in Council is given the authority to direct the Commissioner, from time to time, in the way the Territory is to be governed. It is in accordance with this authority that the Commissioner has been asked to establish an Executive Committee consisting of the Commissioner as Chairman, the two Assistant Commissioners, and two Members of the Council designated by the Council and appointed by the Commissioner to serve during pleasure.

The Yukon Act and the Minister's instructions to the Commissioner for the establishment and operation of an Executive Committee responsible to the Commissioner require that the new Executive Committee conduct itself according to the following requirements:

1. The Assistant Commissioners will become Members of the Executive Committee by virtue of their appointment to these positions. The Assistant Commissioner (Executive), who is the Administrator of the Territory, will become Chairman of the Executive Committee when he is acting in his capacity as Administrator.
2. The Executive Committee is to be consulted by the Commissioner in the exercise of his responsibilities and the advice of the Committee will be given full consideration in determining the course of action to be followed in any given situation.
3. The Commissioner will revoke the appointment of one or both of the Council Members on the Executive Committee when requested to do so by formal motion of the Council.
4. The Commissioner will appoint the two Members of the Council chosen to be Members of the Executive Committee to positions with line responsibility for one or more departments of the Territorial Government. The choice of departments is to be at the discretion of the

of the Commissioner. Initially it is proposed that the two departments should be Education, and Health, Welfare and Rehabilitation.

5. Council Members appointed to the Executive Committee will be required to take an Oath of Allegiance, Oath of Office and Oath of Secrecy.
6. Council Members will serve as full-time Members of the Committee and will be paid from the Consolidated Revenue Fund of the Yukon out of annual appropriations passed by the Council. Their salaries plus their sessional indemnities are not to exceed the maximum of the salary scale applicable to either of the Assistant Commissioners.
7. The matter of signing authorities for correspondence, contracts and other documents on behalf of the Territorial Government will follow established procedures as determined by the Commissioner.

(b) Matters for Council Advice

There are a number of matters involved in the operation of the new Executive Committee on which the advice of the Council would be appreciated. These are:

1. Whether the tenure of office of Council Members on the Executive Committee should extend beyond the date on which a Council is dissolved or its life legally expires, or whether their appointments should terminate automatically upon dissolution. To ensure continuity of the conduct of Government, provincial executives remain in office after dissolution of the legislature and do not vacate office until their successors are ready to take over. If it should be decided that elected Members are to remain on the Committee following dissolution or expiry of the Council's legal life, each new Council, at its first Session following an election, must confirm the incumbents on the Executive Committee or designate replacements. The failure of a Council Member to win re-election would make it necessary for the Council to designate a replacement.
2. Whether the Speaker and Deputy Speaker are to be eligible for membership on the Executive Committee. The practice in other legislatures in Canada is to keep the role of Speaker and Deputy Speaker separate from that of the Executive on the grounds that membership in the Executive makes it difficult, if not impossible, to preside objectively and impartially during debate in the House.
3. What level of remuneration should be paid over and above sessional indemnities to the two Council Members on the Executive Committee.
4. Whether the Council will wish to review its Rules of Procedure in the light of the existence of the new Executive Committee. Section 6 and perhaps other sections in the Rules may have to be changed to permit the Council Members on the Executive Committee to vote on appropriations which include their salaries.

II Conflict of Interest

(a) Existing Legislation and Direction

As a part of the arrangements for the new Executive Committee, it is desirable that terms of reference concerning outside financial interests be clearly established at the outset. The Sessional Paper considered by the Council in July stated:

"Councillors appointed to the Executive Committee will be expected to divest themselves of their current employment and business interests in order to obviate any possible charges of a conflict of interest."

This is in keeping with the high standards of integrity expected by the public and these standards are generally adhered to as a matter of principle. The Elections Ordinance prescribes certain rules which cannot be infringed without incurring penalties. The appropriate sections of this Ordinance are attached as Appendix "C". There are also certain standards set out in the Criminal Code which apply to the conduct of holders of public office in Canada, and a summary of the relevant sections is attached as Appendix "D".

(b) Matters for Council Advice

It is a generally accepted principle that holders of public office must so order their affairs that no serious conflict arises, or appears to arise, between their private interests and their public responsibilities. Conflict of interest occurs when a public official's decision, judgment or advice is governed or influenced by the possibility of personal gain or reward by virtue of his business connections or financial involvement outside the public service, or where there are circumstances which have the appearance of so doing.

Conflicts of interest are infinitely various, and it is reasonable to limit the breadth of the term to immediate pecuniary interests of a person or his family, friends or associates. While it is desirable to maintain maximum economic freedom for individuals holding public office, experience has shown that such freedom must be curtailed if certain abuses, actual or imagined, are to be avoided. It is a principle of democratic government that a public official should not use his office for private gain and the public has the right to know that its interests will be protected.

Levels or degrees of conflict of interest may be classified in the following way:

1. Matters which pose no problem for public policy because the possibility of private gain involved is so small or so insignificant that it is not likely to influence the formulation of public policy, e.g., deciding on liquor prices or lot prices where the person involved is not engaged in the business of dispensing liquor or in the buying and selling of real estate as part of his normal business activities.
2. Where the possibility of private gain is slightly more important but is not sufficiently large to interfere with the ability of the public officer to advise or render decisions in the public interest, e.g., negotiations with a national or international corporation in which the public officer is a minor shareholder. In such cases, the course of action to be followed is a matter to be decided by the public officer in accordance with his conscience, keeping in mind that the public will be the final judge of whether or not the public officer has made the right choice.
3. Circumstances in which there is no doubt that a public officer's private advantage could conflict with his public responsibility, e.g., a contract with a company in which he is a major shareholder or a director. In view of the possibility of conflicts of this nature, it is probably essential that the public officer divest himself of his private interests in companies which could contract or subcontract with the Government.

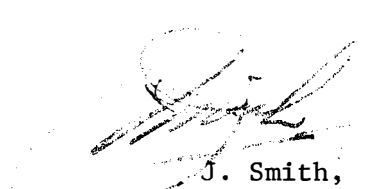
Technically, a conflict of interest may arise if a public officer takes an active part in any undertaking even if the organization is philanthropic in character and the officer has no financial interest. It is to be noted, however, that the common law does not prohibit an elected representative from having an interest in a contract where the contract is intended to carry out some function or purpose of a private organization. Accordingly, if there are to be prohibitions against activities of this kind, they must be found in a Federal Statute or a Territorial Ordinance, e.g., the Elections Ordinance.

The usual practice in the Federal Government is that Cabinet Ministers resign any directorship which they may hold, whether in public or private companies, and whether the directorship carries remuneration or is honorary. A conflict arises in cases of this kind between responsibility to the public and responsibility to the shareholders. The only exception to this rule is that directorships in private companies established for the maintenance of private family estates which are only incidentally concerned in business transactions, may be retained. There is one qualification to this exception, however, and that occurs where the public officer feels that conflict is likely to arise between his private interests and his public duty, and in this situation it is always advisable to divest himself of his directorship. Directorships or offices held in connection with philanthropic undertakings should also be resigned if there is any risk of conflict arising between the interests of the undertaking and the Government.

With regard to the holding of company or corporate shares, public officers cannot be expected on assuming office, to dispose of all their investments any more than they can be reasonably expected to divest themselves of all personal property. Nevertheless, if such public officers hold a sufficient number of shares to constitute a controlling interest in any company, there are complications not unlike those in connection with the holding of directorships. As in the case of directorships, therefore, if there is any danger of conflict of interest, the proper course is for the officer concerned to divest himself of his shares. There may also be exceptional cases where, even though no controlling interest is involved, the actual holding of particular shares could bring him into conflict with his responsibilities as a public officer because of the related nature of the work of his department. Where this occurs the public officer should divest himself of his holdings. Normally it is a safe practice for any senior officer in government to avoid speculative investments in securities about which they have, or may be thought to have, early or confidential information likely to affect the value of these securities.

For anyone holding public office by election, the most powerful sanction against taking personal advantage of his position is the fact that the officer must eventually face the electorate and give an accounting of himself. In the case of the Executive Committee in the Yukon, however, there remains the fact that the Council Members will be responsible to the Commissioner who must remain in a position, because of his accountability to the Minister, to ensure the integrity of his Administration. Where there are breaches in this integrity, it is the responsibility of the Commissioner to take action appropriate to the circumstances of the situation and, if he considers it necessary, to dismiss a Member from the Executive Committee or seek the advice of the Council on the action he should take.

-- The Council should indicate its views at this Session on the points raised in I(b) and II(b). It will also be necessary to indicate whether one of the existing codes of conduct set out in Appendices "E", "F", "G", "H", "I" or "J" should be adopted as the rules to apply to Council Members on the Executive Committee, or whether -- there should be a separate code along the lines of Appendix "K", which is a combination of a number of the essential points in the existing code.



J. Smith,  
Commissioner.

June 20th, 1970.

SESSIONAL PAPER NO. 33 - 1970 (THIRD SESSION)

Mr. Speaker  
Members of Council

EXECUTIVE COMMITTEE FOR THE YUKON TERRITORY

In his speech to the Council on November 12, 1969, the Minister of Indian Affairs and Northern Development announced his intention to constitute formally an Executive Committee to be composed of the Commissioner, the two Assistant Commissioners and a member of the Council. Subsequent consultation with the Council resulted in a decision to increase the number of Councillors on the Committee to two.

The purpose of this paper is to outline the arrangements and procedures for the appointment of two members of the Council to the Executive Committee.

The Executive Committee is a new and important development in the constitutional development of the Yukon and there is a need to have a clear understanding about the procedures for its operation. The following sets out in more detail the method of appointment, tenure and removal of elected members to the Executive Committee:

- a) The Executive Committee of the Yukon Territory will consist of the Commissioner as chairman, the two Assistant Commissioners, and two members of Council.
- b) The Assistant Commissioner (Executive) will be vice-chairman of the Committee and act for the chairman in his absence.
- c) The Council members who are to serve on the Committee will be appointed by the Commissioner on the advice of the Council.
- d) The elected members of the Committee will serve full time during pleasure under the direction of the Commissioner and be reimbursed from the Yukon Consolidated Revenue Fund, approved by Council through annual appropriations.
- e) Should Council, by formal motion, request a change in the appointment of one or both elected members of the Committee, the Commissioner will comply.
- f) The elected members of the Committee will serve beyond the life of a Council to permit the Committee to function until a new Council had been elected.
- g) Each new Council will decide by formal motion at its first Session after an election whether the serving Councillors should continue on the Committee or be replaced.
- h) The failure of a Councillor to be re-elected will automatically result in the termination of his appointment as of the date of the publishing of the official results of the election as required by law.

- i) Each Councillor on the Committee will be given administrative responsibility for overseeing the activities of a major department of the Territorial Administration. These departments in the first instance will be Education and Health, Welfare and Rehabilitation.

There are a number of other factors involved in the organization and operation of the Executive Committee which the Council should be aware of:

- a) The salary of the elected members on the Executive Committee should, including their sessional indemnities, be high enough to enable the Councillors to devote their full time to their new duties, and is not to exceed the remuneration paid to the other appointed members of the Executive Committee.
- b) Councillors appointed to the Executive Committee will be expected to divest themselves of their current employment and business interests in order to obviate any possible charges of a conflict of interest.
- c) The two Council members on the Committee are to be also members of the Advisory Committee on Finance and the Budget Programming Committee. The third member for the Advisory Committee on Finance is to be chosen from the Council in the usual manner. Council members on the Executive Committee will also sit on the Legislative Programming Committee and other internal committees.
- d) In other legislatures it is the normal practice to keep the role of the Speaker separate from the Executive. In this regard, Council should consider whether or not the Speaker should be eligible to sit on the Executive Committee.

As far as routines of the operation of the Executive Committee is concerned, a flexible approach will be taken in the development of the actual methods by which the Executive Committee will conduct its business. In this context it will be left to the Committee to develop sound routines and procedures based on the experience and views of its members. Elected members will also be expected to take the Oath of Secrecy associated with public office.

In order to permit the appointment of two Councillors to the Executive Committee, it will be necessary to make appropriate amendments to existing legislation. These will be introduced at the first Session of the new Council this fall.

Council is requested by motion to approve:

- a) the establishment of the Executive Committee for the Yukon Territory to consist of the Commissioner, two Assistant Commissioners and two members of Council, the latter to be appointed by the Commissioner on the advice of Council and to serve during pleasure; and
- b) the principles of the operation of the Executive Committee as outlined in this paper.

J. Smith,  
Commissioner.



COUNCIL MOTION

THIRD SESSION 1970

Motion by Councillor George Shaw

Be it moved that the Council approve the general outline of the proposal concerning terms for appointing two Members of Council to assist the Commissioner in the executive government of the Territory outlined in Sessional Paper No. 33, but request that prior to the issue of formal instructions by the Minister to the Commissioner, the following changes be made:

1. That the name of the group be the Executive Council of the Yukon Territory.
2. That no formal Vice-Chairman be appointed and this office left to the decision of the Executive in due course.
3. That the terms of paragraph (d) of the paper be amended to read as follows:  
"The elected members will serve full time and be reimbursed from the Yukon Consolidated Revenue Fund an amount approved by Council through annual appropriations; that they be appointed and dismissed by the Commissioner on motion by the Council from time to time; that while serving, both elected and appointed members together with the Commissioner should be the effective executive organ of the Government of the Territory."
4. That the extent of the Council's duty to avoid conflict of interest follow approved cabinet practice in Canada and that further guidance on questions of detail be made available as soon as possible.
5. That the title of the elected members be "Minister" in relation to their executive duties.
6. That an addendum be added to the instructions to make it clear that insofar as it is practicable to do so the conduct, practice and operation of the Executive Council should follow as closely as possible approved cabinet practice on the Canadian and British models.

Seconded by Councillor John Dumas

ELECTIONS ORDINANCE

9. (1) Subject to subsection (2), the following persons are not eligible to be nominated or elected as members of the Council:
- (a) every person who, directly or indirectly, alone or with any other person, by himself or by the interposition of any trustee or third party, is holding, enjoying, undertaking or executing any contract or agreement, express or implied, with or for the Territory or with or for any of the officers of the Territory, for which any public money of the Territory is to be paid during the time he is so holding, enjoying, undertaking or executing;
  - (b) every person who is
    - (i) a member of the House of Commons of Canada,
    - (ii) a member of the legislature of any province, or
    - (iii) a member of the Council of the Northwest Territories,during the time he is such a member; and
  - (c) every person accepting or holding any office, commission or employment, permanent or temporary, in the service of the Government of Canada or the Territory, at the nomination of the Crown or at the nomination of any of the officers of the Government of Canada or the Territory, to which any salary, fee wages, allowance, emolument or profit of any kind is attached during the time he is so holding any such office, commission or employment.
- (2) Subsection (1) does not render the following person ineligible to be nominated or elected as members of the Council:
- (a) a member of Her Majesty's Forces who is on active service as a consequence of war;
  - (b) a shareholder in any incorporated company having a contract or agreement with the Territory, except any company which undertakes a contract for the building of any public work;
  - (c) a person on whom the completion of any contract or agreement, express or implied, devolves by descent or limitation, or by marriage, or as devisee, legatee, executor or administrator, until twelve months after it has so devolved upon him;
  - (d) a contractor for a loan of money or of securities for the payment of money to the Government of the Territory under the authority of the Commissioner in Council, after public competition, or respecting the purchase or payment of the public stock or debentures of the Territory on terms common to all persons;
  - (e) a member of the reserve forces of the Canadian Forces who is not on full-time service other than active service as a consequence of war;
  - (f) a justice of the peace, judge of the juvenile court or a person having an appointment made by the Commissioner by reason of which such person is entitled to charge and retain a fee; or
  - (g) a member of the Council appointed by the Commissioner to assist him in the administration of the government of the Territory.
10. No person who is ineligible to be a candidate at an election is eligible to be elected or to be or sit as a member of the Council.

THE CANADIAN CRIMINAL CODE

Sections applicable to officials and/or public officers relating to  
Conflicts of Interest.

<u>Section</u>	<u>Application</u>	<u>Punishment</u>
2(35)	defines a "public officer" as any officer of Customs and Excise, the Canadian Forces, the R.C.M.P., or any officer enforcing the laws of Canada relating to revenue, customs, excise, trade, or navigation.	
99(d)	defines "Office" as including i) an office or appointment under the government. ii) a civil or military commission. iii) a post or employment in a public department.	
99(e)	defines an "official" as a person who: i) holds an office, or ii) is appointed to discharge a public duty.	
101	corruption of or by a public officer (includes a justice, police commissioner, office of a juvenile court, or person employed in administration or criminal law).	14 years imprisonment
102	persons bribing officials or officials demanding, offering or agreeing to take a loan, reward, advantage or benefit of any kind...(i.e., asking to be bribed).	5 years imprisonment
413(2)	permits every superior court to have jurisdiction to try anyone in criminal law.	
5 A	places any person employed under the Public Service Employment Act, if outside Canada, under the Canadian Criminal Code.	
103	officials committing fraud or a breach of trust	5 years imprisonment
104	municipal corruption	2 years imprisonment
105	selling or purchasing office	5 years imprisonment
106	influencing appointment	5 years imprisonment
107	willfully contravening an Act of Parliament	2 years imprisonment
108	disobeying an order of a court	2 years imprisonment
283	refusal to deliver documents to authorized persons	14 years imprisonment

<u>Section</u>	<u>Application</u>	<u>Punishment</u>
46(e)	disclosing or obtaining military or scientific secrets to or for an alien: i) in time of war ii) in time of peace	death or life imprisonment 14 years imprisonment
654	disabilities following office 1) if sentenced to over 5 years imprisonment, office becomes vacant at once, and 2) person convicted cannot hold office until he is pardoned or has served his sentence, 3) nobody convicted under sections 102, 105, or 361 can hold office or have dealings with the government.	
342	false returns by officials	5 years imprisonment
282	breach of trust by a public officer	14 years imprisonment
359 363	Public Stores	
359	permits Governor in Council to set marks for Public Stores.	
360	receiving knowingly public stores with marks effaced	2 years imprisonment
360	willfully or knowingly removing marks on public stores	2 years imprisonment
361	selling, delivering or committing fraud knowingly with public stores	14 years imprisonment
25	protects office of peace officers lawfully performing duties	
689	protects office of judges, etc., lawfully performing duties.	

CANADA, BRITAIN AND UNITED STATESControls in Canada

No general rules have been established to govern conflicts of interest in the Public Service or in federal politics, with the following exceptions:

- (a) Cabinet Ministers are expected to divest themselves of company directorships, and other outside financial interests.
- (b) Members of Ministerial staffs are expected to give up any financial interests in the field covered by their departments.
- (c) Full time members appointed by Order-in-Council to certain sensitive boards and commissions are usually prohibited, by the statute establishing the board or commission, from having financial interests in the area with which the board or commission is concerned.
- (d) Under the old Civil Service Act, public servants were not allowed to hold outside employment which might cause conflicts of interest. While this provision is not contained in the Public Service Employment Act, public servants are still requested to discuss possible conflicts of interest in outside employment with their superiors, and if necessary, refer the problem to the Personnel Policy Branch of the Treasury Board.
- (e) Under the new policy of "operational auditing" the President of the Treasury Board has stated that auditors would be interested in a key employee's interests outside his regular employment, and whether there might be a conflict of interest. Implementation of this policy, however, depends upon the existence of departmental regulations to cover such situations.
- (f) A few departments have established regulations covering certain areas of possible conflict of interest. For example, the Department of Defence Production has established machinery to return or otherwise dispose of gifts sent to departmental employees by contractors or prospective contractors, and had advised all employees and contractors that such gifts are not allowed. In addition, all members of the Contracts Approval Board of the Department of Defence Production are required to complete a declaration stating that they are not holding or enjoying any interest or investment in any company, firm, partnership or other organization with which the department does or may directly do business.

Controls in the United Kingdom

In the United Kingdom and the United States, somewhat varying approaches are taken to the conflict of interest problem. In the British Parliament, as in the United States Congress, there is no ban upon the outside business interests of a Member. British Cabinet Members must adhere strictly to the code of conduct outlined in a formal directive issued by Sir Winston Churchill in 1951, which states that Cabinet Members must resign any directorships in corporations and get rid of any stock in companies doing business with the government; in all cases even of real estate holdings the Cabinet Member must notify his colleagues of his holdings and refrain from taking part in any government action that may affect his property; and there is an explicit ban against making speculative investments that might be influenced by inside information about government action.

The British Civil Service is governed by a Code on Establishment Matters, which establishes the following general principles which departments are advised to incorporate in their own staff rules and instructions:

- (a) The first duty of a civil servant is to give his undivided allegiance to the State at all times and on all occasions when the State has a claim on his services.

Controls in the United Kingdom (cont'd)

- (b) A civil servant must not subordinate his duty to his private interest, neither is he to put himself in a position where his duty and his private interests conflict and he must not make use of his official position to further those interests.
- (c) Though the State is in general not concerned with its servants' private activities, they must not be such as might bring discredit on the Service - for example, heavy gambling and speculation are to be avoided, particularly in departments which have access to information which could be turned to private gain.
- (d) The high standard which the service sets itself goes beyond the normal standards of personal honesty and integrity - the civil servant must not only be honest in fact, but also he must not lay himself open to suspicion of dishonesty.
- (e) Civil servants who advise Ministers and carry out Ministers' policies.....should not normally take an active part in any matter which is, or could be, one of public and political controversy.

In respect to outside employment, the Code establishes the following principles:

- (a) No officer may at any time engage in any activity which would in any way tend to impair his usefulness as a public servant.
- (b) No officer may engage in any occupation or undertaking which might in any way conflict with the interests of his department or be inconsistent with his position as a public servant.

The Code also lays down some more detailed instructions concerning the handling of government contracts.

Controls in the United States

In the United States, ethical conduct of Executive Branch personnel is governed by the President's Executive Order #11222 of May, 1965. The Order prohibits employees accepting anything of monetary value from any person or organization which

- (a) has, or is seeking to obtain, contractual, or other business, or financial relationships with his agency;
- (b) conducts operations or activities which are regulated by his agency; or
- (c) has interests which may be substantially affected by the performance or non-performance of his official duty.

Employees are instructed to avoid "any action which might result in, or create the appearance of

- (1) using public office for private gain;
- (2) giving preferential treatment to any organization or person;
- (3) impeding government efficiency or economy;
- (4) losing complete independence or impartiality of action;
- (5) making a government decision outside official channels; or
- (6) affecting adversely the confidence of the public in the integrity of the government."

It also provides that "an employee shall not engage in any outside employment... which might result in a conflict, or an apparent conflict, between the private interests of the employee and his official government duties and responsibilities."

Controls in the United States (cont'd)

Employees are forbidden to "have direct or indirect financial interests that conflict substantially, or appear to conflict substantially, with their responsibilities and duties as federal employees" or "engage in, directly or indirectly, financial transactions as a result of, or primarily relying upon, information obtained through their employment". Another section forbids employees to "make use of, or permit others to make use of, for the purpose of furthering a private interest, official information not made available to the general public".

The Executive Order also lays down standards of conduct for consultants, advisers and other temporary government employees. All Presidential appointees and other officers determined by the Civil Service Commission are required to report to the Commission all their financial interests and property holdings except their personal residences, including all interests of members of their immediate household, and to report changes in their interests on a quarterly basis.

The Civil Service is directed to issue appropriate regulations implementing the order and to review agency regulations for conformance with the order.



BRITISH PRIME MINISTER'S CODE OF  
ETHICS FOR MEMBERS OF THE GOVERNMENT, 1952

1. It is a principle of public life that Ministers must so order their affairs that no conflict arises, or appears to arise, between their private interests and their public duties.
2. Such a conflict may arise if a Minister takes an active part in any undertaking which may have contractual or other relations with a government department, more particularly with his own department. It may arise, not only if the Minister has a financial interest in such an undertaking, but also if he is actively associated with any body, even of a philanthropic character, which might have negotiations or other dealings with the government or be involved in disputes with it. Furthermore, Ministers should be free to give full attention to their official duties, and they should not engage in other activities which might be thought to distract their attention from those duties.
3. Each Minister must decide for himself how these principles apply to him. Over much of the field, as is shown below, there are established precedents; but in any case of doubt the Prime Minister of the day must be the final judge, and Ministers should submit any such case to him for his direction.
4. Where it is proper for a Minister to retain any private interest, it is the rule that he should declare that interest to his colleagues if they have to discuss public business in any way affecting it, and that he should entirely detach himself from the consideration of that business.
5. Ministers include all members of the government except unpaid assistant Government Whips.

Directorships

6. Ministers must on assuming office resign any directorships which they may hold, whether in public or in private companies and whether the directorship carries remuneration or is honorary. The only exception to this rule is that directorships in private companies established for the maintenance of private family estates, and only incidentally concerned in trading, may be retained subject to this reservation — that if at any time the Minister feels that conflict is likely to arise between this private interest and his public duty, he should even in those cases divest himself of his directorship. Directorships or offices held in connection with philanthropic undertakings should also be resigned if there is any risk of conflict arising between the interests of the undertakings and the government.

Shareholdings

7. Ministers cannot be expected, on assuming office, to dispose of all their investments. But, if a Minister holds a controlling interest in any company considerations arise which are not unlike those governing the holding of directorships and, if there is any danger of a conflict of interest, the right course is for the Minister to divest himself of his controlling interest in the company. There may also be exceptional cases where, even though no controlling interest is involved, the actual holding of particular shares in concerns closely associated with a Minister's own department may create the danger of a conflict of interest. Where a Minister considers this to be the case, he should divest himself of the holding.
8. Ministers should scrupulously avoid speculative investments in securities about which they have, or may be thought to have, early or confidential information likely to affect the price of those securities.

BRITISH CIVIL SERVICE CODE ON  
ESTABLISHMENT MATTERS (ESTACODE)

1. The first duty of a civil servant is to give his undivided allegiance to the State at all times and on all occasions when the State has a claim on his services.
2. A civil servant must not subordinate his duty to his private interest, neither is he to put himself in a position where his duty and his private interests conflict and he must not make use of his official position to further those interests.
3. Though the State is in general not concerned with its servants' private activities, they must not be such as might bring discredit on the Service - for example, heavy gambling and speculation are to be avoided, particularly in departments which have access to information which could be turned to private gain.
4. The high standard which the Service sets itself goes beyond the normal standards of personal honesty and integrity - the civil servant must not only be honest in fact, but also he must not lay himself open to suspicion of dishonesty.
5. Civil servants who advise Ministers and carry out Ministers' policies ... should not normally take an active part in any matter which is, or could be, one of public and political controversy.

In respect to outside employment, the Code establishes the following principles:

1. No officer may at any time engage in any activity which would in any way tend to impair his usefulness as a public servant.
2. No officer may engage in any occupation or undertaking which might in any way conflict with the interests of his department or be inconsistent with his position as a public servant.

The Code also lays down some more detailed instructions concerning the handling of government contracts.

BRITISH INSTITUTE OF PUBLIC RELATIONS  
"CODE OF PROFESSIONAL CONDUCT"

1. A member shall conduct his professional activities with respect for the public interest.
2. A member shall at all times deal fairly and honestly with his client or employers past and present, with his fellow members and with the general public.
3. A member shall not intentionally disseminate false or misleading information, and shall use proper care to avoid doing so. He has a positive duty to maintain truth, accuracy and good taste.
4. A member shall not engage in any practice which tends to corrupt the integrity of channels of public communication.
5. A member shall not create or make use of any organization purporting to serve some announced cause but actually promoting a special or private interest of a member of his client or his employer which is not apparent.
6. A member shall safeguard the confidences of both present and former clients or employers. He shall not disclose except upon the order of a court of competent jurisdiction any confidential information which he may have obtained in his official capacity without securing and making known the consent of the said client or employer.
7. A member shall not represent conflicting or competing interests without the express consent of those concerned given after full disclosure of the facts.
8. A member in performing services for a client or employer shall not accept fees, commissions or any other valuable consideration in connection with those services from any one other than his client or employer unless such practice is acceptable to the client or employer.
9. A member shall not cause or allow to be done anything for the purpose of touting or advertising calculated to attract business unfairly.
10. A member shall not propose to a prospective client or employer that his fee or other compensation be contingent on the achievement of certain results; nor shall he enter into any fee agreement to the same effect.
11. A member shall not intentionally injure the professional reputation or practice of another member, but if such a member has evidence that another member has been guilty of unethical, illegal or unfair practices it shall be his duty to inform the Institute in accordance with the Memorandum and Articles.
12. A member shall not engage in or be connected with any occupation or business which, in the opinion of the Council, is not consistent with membership of the Institute.
13. A member shall not seek to supplant another member with his employer or client, nor shall he encroach upon the professional employment of another member unless both parties are assured that there is no conflict of interest involved, and are kept advised of the negotiations.
14. A member shall co-operate with fellow members in upholding and enforcing this Code.

U.S. CODE OF ETHICS FOR GOVERNMENT SERVICE, 1958  
(H. Con. Res. 175)

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
2. Uphold the Constitution, laws and legal regulations of the United States and of all governments therein, and never be a party to their evasion.
3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
6. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.
7. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
8. Never use any information coming to him confidentially in the performance of his governmental duties as a means of making private profit.
9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

NEW YORK CITY CODE OF ETHICS

1. No politician or civic employee may have a financial or private interest, direct or indirect, conflicting with the proper discharge of his official duties.
2. Nor may they represent private interests before a municipal agency, particularly one they work for. (Exceptions are made for politicians helping out a constituent without compensation.)
3. Neither politician nor employee may appear in litigation in which the city is engaged.
4. A councilman must disclose the extent and nature of any financial interest he might have in proposed legislation.
5. The same applies to any official called on for advice on matters where he has a personal interest.
6. Neither councilman nor employee may take a gift of value -- a thing, service, loan, promise, or even a Christmas bottle of liquor, from anyone he knows is having business dealings with the city.
7. No councilman or employee may disclose any confidential information picked up on the job, nor use it to advance his own financial private interests, or those of his friends.
8. No councilman or employee may invest in any type of transaction which creates a conflict with his official duties.
9. Similarly, they may not take any job or render any services incompatible with proper discharge of their duties.
10. And finally a city employee or official is prohibited from discussing future employment with a private concern that has business before his agency. Politicians and employees may not appear before public agencies -- as counsel or in any other capacity -- for two years after they leave office, on matters they handled or knew about when they were in the public service.

APPENDIX "K"

POSSIBLE YUKON CODE

The following items drawn from existing codes, although by no means a complete list, and already covered to some extent by the Elections Ordinance, might be useful as a guide for Members of the Executive Committee. If adopted Committee Members would be expected not to:

1. Buy property or an interest therein for business purposes from the Territorial Government even though he himself does not set the price. Obviously this must exclude such common transactions as buying a bottle of liquor or a piece of property on which to build a house for one's own use;
2. Sell his own property to the Territorial Government or any of its agencies;
3. Administer or use the property of the Territorial Government or any of its agencies in such a way as to derive any profit or advantage for himself, his family, friends or associates;
4. Use information privy to the Administration in such a way as to make a profit for himself or his family, friends or associates;
5. Accept financial gifts or other inducements which could influence his judgment on any matter relating to his public responsibilities; and
6. Appear before a board, agency or committee of the Council of the Territorial Government on his own behalf or on the behalf of a member of the public.

The restriction on the use of information acquired as a result of membership on the Executive Committee should continue for a period after membership on the Committee ceases. A period of two years should be sufficient, but there may be cases where a longer period should apply.

October 28th, 1970.

SESSIONAL PAPER NO. 3 - 1970 (FOURTH SESSION)

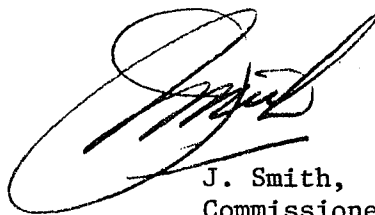
Mr. Speaker  
Members of Council

Appointment to Whitehorse Indian Village Steering Committee

At a meeting held on October 23rd, 1970, in the Elks Hall, Whitehorse, between the Minister of Indian Affairs and Northern Development, the Yukon Native Brotherhood, the Whitehorse Band Council, the Yukon Indian Agency and the Government of the Yukon Territory, a proposal was adopted that a Steering Committee be established to consider a new site for the Whitehorse Indian Village or, alternately, to consider upgrading the present village.

It was agreed that the Steering Committee should consist of three members of the Whitehorse Band Council, two members of the Yukon Native Brotherhood, a member of the Council of the Yukon Territory, a member appointed by the Commissioner and a member appointed by the Department of Indian Affairs and Northern Development.

In order that the establishment of this Committee is not delayed any longer than necessary, I would appreciate your co-operation in naming, at this Session, a member to represent the Council of the Yukon Territory on the Steering Committee.



J. Smith,  
Commissioner.



October 28th, 1970.

SESSIONAL PAPER NO. 4 - 1970 (FOURTH SESSION)

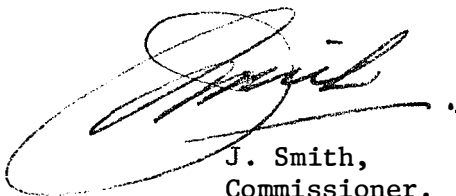
Mr. Speaker  
Members of Council

Yukon Territory Water Board

The Northern Inland Waters Act provides for its regional administration by Territorial water boards. These boards will be given the responsibility to approve applications for use of water. In so doing, the board will play an important role in the equitable distribution or sharing of surface and ground water resources among persons and private and public corporations with legitimate, but often conflicting, claims to the use of water. Moreover, the board will be instrumental in controlling the pollution of our water resources by establishing, and maintaining in principle, that rights to the use of water for beneficial purposes are dependent on users accepting the responsibility for maintaining the quality of the water or restoring its quality, after use, to acceptable standards before discharging the water back to its natural environment.

The Yukon Territory Water Board members will be appointed by the Minister of Indian Affairs and Northern Development from among nominees of Federal Government departments which have water management responsibilities in the Yukon and from nominees named by the Commissioner-in-Council. An extract from the Act (Section 7) is attached which outlines the method for establishing the board.

Council is asked to nominate three persons to be appointed to the Yukon Territory Water Board.



J. Smith,  
Commissioner.

NORTHERN INLAND WATERS ACT

Section 7 - Establishment of Water Boards

7. (1) There shall be two boards to be known as the Yukon Territory Water Board and the Northwest Territories Water Board, each consisting of not less than three and not more than nine members appointed by the Minister.
- (2) The membership of each board shall include
- (a) at least one nominee of each of the departments of the Government of Canada that in the opinion of the Governor in Council, are most directly concerned with the management of water resources of the Territory and the Territories; and
- (b) at least three persons named by the Commissioner-in-Council of the Yukon Territory in the case of the Yukon Territory Water Board and at least three persons named by the Commissioner-in-Council of the Northwest Territories in the case of the Northwest Territories Water Board.
- (3) The Minister shall designate two of the members of each of the boards to be chairman and vice-chairman respectively of the board of which the persons so designated are members.
- (4) The main office of the Yukon Territory Water Board shall be at the seat of government of the Territory, and the main office of the Northwest Territories Water Board shall be at the seat of government of the Territories.

October 22, 1970.

SESSIONAL PAPER NO. 5 - 1970 (FOURTH SESSION)

Mr. Speaker

Members of Council

Use of Defoliant - Alaska Border

At the 1970 (3rd Session) of the Territorial Council, Councillor Livesey asked that the use of defoliant by the Alaskan Government on the Alaska-Yukon border and the United States Army 8 inch petroleum products pipeline in the Yukon be investigated.

We have been able to learn that a defoliant has been used to clear the Yukon-Alaska border. The material used was Tordon 101, a mixture of pichloram and 2, 4-D and it was last used in 1967. It was applied by helicopter between the Yukon River and the White River.

A defoliant has also been used on the United States Army 8 inch petroleum products pipeline and the last application was during this past summer. Application was again done by helicopter, and the U.S. Army, Alaska Support Command, called for tenders for use of the defoliant from Milepost 42.5 through to Milepost 337.5. The defoliant used on this particular contract was a mixture of the same chemicals - that is, pichloran and 2, 4-D. The specifications drawn up by the U.S. Army were tightly drawn in order to minimize side effects or plant damage outside the right-of-way. The contract stipulated that aerial spraying would be limited to those areas within the 50 ft. right-of-way and not closer than 500 ft. from any building site, stream, lake, cleared area surrounding settlements, homesteads or pumping stations. Moreover, no spraying was to be done when wind speeds exceeded 5 miles per hour. In addition, the contractor was to make every effort to spray during calm periods when wind velocities were below the maximum allowable in order to prevent drift of the defoliant. Finally, the spraying helicopter was not to fly at an altitude exceeding 2 ft. above the canopy of the trees on either side of the pipeline right-of-way.



J. Smith,  
Commissioner.

NOVEMBER 4, 1970.

SESSIONAL PAPER NO. 6 - 1970 (FOURTH SESSION) .

MR. SPEAKER,

MEMBERS OF THE TWENTY-SECOND WHOLLY-ELECTED COUNCIL OF  
THE YUKON TERRITORY

I HAVE THE HONOUR TO WELCOME YOU TO-DAY AS THE NEWLY-ELECTED LEGISLATURE OF THE YUKON TERRITORY, AND IN DOING SO, LET ME TAKE THIS OPPORTUNITY TO CONGRATULATE YOU ON YOUR RECENT ELECTORAL SUCCESS. LET ME ASSURE YOU OF EVERY CO-OPERATION FROM MY OFFICERS AND MYSELF IN THE WORK WHICH IS NOW BEFORE YOU AND IN YOUR DUTIES AS THE ELECTED REPRESENTATIVE OF THE PEOPLE THROUGHOUT YOUR TERM OF OFFICE. I CONGRATULATE YOU, MR. SPEAKER, ON BEING CHOSEN BY YOUR COLLEAGUES FOR THIS POSITION OF RECOGNITION IN THE LEGISLATURE.

A SUMMING UP OF THIS INCREDIBLE YEAR INDICATES THAT YUKON MOVED INTO THE 1970'S ON THE CREST OF A WAVE OF RESOURCE, ECONOMIC, SOCIAL AND POLITICAL DEVELOPMENT THAT HAS BEEN BUILDING UP OVER THE LAST DECADE.

BEFORE PROCEEDING TO OUTLINE THESE DEVELOPMENTS, I SHOULD LIKE TO CALL TO YOUR MINDS A FEW EVENTS OF THIS YEAR WHICH HAVE BEEN OF SPECIAL SIGNIFICANCE TO YUKONERS.

IT HAS BEEN AN EXCITING YEAR FOR YUKON IN THE NATIONAL SPOTLIGHT. DURING THE YEAR WE WERE PLEASED TO PLAY HOST TO HIS EXCELLENCY, THE GOVERNOR GENERAL AND MRS. MICHENER, THE PRIME MINISTER AND SIX MEMBERS OF THE FEDERAL CABINET - HONOURABLE JEAN CHRETIEN, HONOURABLE ARTHUR LAING, HONOURABLE JEAN-LUC PEPIN, HONOURABLE DONALD JAMIESON, HONOURABLE DONALD MACDONALD AND THE HONOURABLE LEO CADIEUX. THE TERRITORY WAS ALSO VISITED BY A GROUP OF DIPLOMATIC

REPRESENTATIVES OF OTHER COUNTRIES ACCREDITED TO OUR GOVERNMENT IN OTTAWA AND THE SCIENCE COUNCIL OF CANADA.

YUKON WAS INCLUDED IN THE FIRST SERIES OF PUBLIC HEARINGS OUTSIDE OTTAWA BY THE JOINT SENATE - HOUSE OF COMMONS COMMITTEE ON THE CANADIAN CONSTITUTION. WE ALSO HAD THE SENATE COMMITTEE ON POVERTY AND MORE RECENTLY THE ARCTIC INTERNATIONAL WILDLIFE RANGE CONFERENCE.

THE OFFICIAL OPENING OF THE GIANT ANVIL BASE METALS MINE ON JANUARY 27TH SYMBOLIZED OUR CROSSING THE THRESHOLD INTO THE NEW DECADE WITH A RUNNING START. IN SEPTEMBER, VENUS MINES SHIPPED ITS FIRST LOAD OF CONCENTRATES TO BECOME YUKON'S NEWEST PRODUCING MINE. BUT THIS DISTINCTION WILL BELONG TO VENUS FOR ONLY A FEW MONTHS, AS THE QUILL CREEK PROPERTY OF HUDSON BAY MINING WILL NOT BE TOO LONG BEFORE IT TAKES OVER THE HONOUR OF BEING THE NEWEST PRODUCER.

THE TERRITORY BECAME RICHER AND YUKONERS WILL GAIN GREATLY FROM THE IMPETUS OF THESE MINES. INTENSE EXPLORATION ACTIVITY, CENTERED AROUND THE CASINO-CANADIAN CREEKS AREA, CONTINUED DURING THE YEAR. ALL THESE DEVELOPMENTS HAVE CONTRIBUTED TO A JUMP IN THE TERRITORY'S MINERAL PRODUCTION FROM AN ESTIMATED \$29 MILLION IN 1969 TO AN ESTIMATED \$60 MILLION FOR THE CURRENT YEAR.

THE GOVERNMENT, IN PROVIDING FUNDS TO ASSIST IN RESOURCE DEVELOPMENT AND TRANSPORTATION SERVICES, INCREASED ITS EXPENDITURE CONSIDERABLY IN THESE AREAS. THE CONSTRUCTION DURING THIS YEAR OF A 4400 FOOT LONG GRAVEL-SURFACED AIRPORT AT OLD CROW, ORIGINALLY PLANNED FOR CONSTRUCTION IN 1973, NOT ONLY SHATTERED THE MYTH THAT PLANES COULD BE BUILT FASTER THAN AIRPORTS COULD BE CONSTRUCTED TO HANDLE THE TRAFFIC, BUT ALSO THAT OUR NATIVE PEOPLE CANNOT COPE

WITH 20TH CENTURY TECHNOLOGY. IT IS TO THE EVERLASTING CREDIT OF THE CITIZENS OF OLD CROW THAT, IN CO-OPERATION WITH OUR ENGINEERING AND EDUCATION DEPARTMENTS, THEY BUILT THEIR OWN AIRFIELD, USING THE MOST MODERN EQUIPMENT AVAILABLE.

A 425 FOOT LONG BRIDGE ACROSS NARES LAKE WAS BUILT IN TIME FOR THE MOVEMENT OF VENUS CONCENTRATES TO THE RAIL HEAD AT CARCROSS AND PLANS ARE UNDERWAY TO MAINTAIN DURING THIS WINTER, THE 123 COMPLETED MILES OF THE DEMPSTER HIGHWAY TO FACILITATE ACCELTRATED OIL EXPLORATION IN THE AREA.

GOVERNMENT'S OPERATIONS IN THE FIELD OF TOURISM DEVELOPMENT FOUND EXPRESSION IN THE OPENING OF "YUKON HOUSE" IN VANCOUVER. IN 1970 FOR THE FIRST TIME, THE DEPARTMENT OF TRAVEL AND INFORMATION EMBARKED ON AN ORGANIZED TOURIST PROMOTION CAMPAIGN USING THE SERVICES OF A PROFESSIONAL ADVERTISING AGENCY. THE 1970 TOURIST SEASON SHOWED A GENERAL INCREASE IN THE NUMBER OF PEOPLE CAMPING IN THE TERRITORY AND INFORMATION CENTRES WERE USED TO A MUCH GREATER EXTENT THAN IN PREVIOUS YEARS. HIGHWAY TRAFFIC WAS GENERALLY GOOD, BUT THE RAIL STRIKE, A REDUCTION IN TOUR GROUPS VISITING YUKON AND THE GENERAL ECONOMIC SITUATION THROUGHOUT NORTH AMERICA, COMBINED TO REDUCE THE TOTAL NUMBER OF COUNTABLE VISITORS.

TIMBER HARVESTING OPERATIONS UNDER LONG TERM AGREEMENTS ARE UNDERWAY IN THE PELLY, MACMILLAN, NISUTLIN AND LIARD RIVER REGIONS IN THE TERRITORY. STUDIES RECENTLY CONDUCTED BY THE FEDERAL GOVERNMENT REFLECT THE CONSIDERABLE INTEREST BEING SHOWN BY INDUSTRY IN THE FOREST RESOURCES OF THE TERRITORY.

RESOURCE AND ECONOMIC DEVELOPMENT INCREASED THE INFLUX

OF PERMANENT RESIDENTS INTO THE TERRITORY - AND SECTORS OF THE ECONOMY SUCH AS CONSTRUCTION, TRANSPORTATION, RETAIL TRADE AND SERVICE INDUSTRIES, HAVE EXPANDED TO MEET THE NEEDS OF THIS GROWING POPULATION. TO ASSIST SMALL BUSINESSES ENGAGED IN SUCH OPERATIONS, A SMALL BUSINESS LOANS PROGRAM WAS INTRODUCED IN JUNE AND IS ADMINISTERED BY THE DEPARTMENT OF TRAVEL AND INFORMATION. MORE THAN THIRTY APPLICATIONS FOR LOANS HAVE BEEN CONSIDERED BY THE CREDIT COMMITTEE SET UP UNDER THIS PROGRAM AND IT SEEMS QUITE APPARENT THAT LOANS WILL BE ALLOCATED TO THE FULL EXTENT OF THE THREE HUNDRED THOUSAND DOLLARS AVAILABLE FOR THIS FISCAL YEAR.

WHILE WE ARE EXCITED BY THE RESOURCE AND ECONOMIC DEVELOPMENT, WE ARE ALSO VERY MUCH AWARE OF THE RESPONSIBILITY OF GOVERNMENT IN PRESERVING THE DELICATE ECOLOGICAL BALANCE IN THE TERRITORY. WE ARE CONSCIOUS AS NEVER BEFORE OF OUR THREATENED ENVIRONMENT, AND PRESERVING IT MAY WELL BECOME THE GREATEST ISSUE OF THE FUTURE. THAT WE HAVE THE WEALTH AND THE POWER TO PRESERVE OUR ECOSYSTEM IS SURE. THAT WE WILL HAVE THE WISDOM AND THE CHARITY TO DO SO REMAINS - AND MUST ALWAYS REMAIN - UNCERTAIN.

MEMBERS OF COUNCIL WILL RECOLLECT MY PAST INTIMATIONS THAT DEVELOPMENTS IN AREAS SURROUNDING YUKON HAVE A GREAT BEARING ON OUR OWN ECONOMY. PLANS FOR OUR DEVELOPMENT THAT DEAL WITH YUKON IN ISOLATION FROM THE REGIONS AROUND US ARE SIMPLY NO LONGER POSSIBLE OR PRACTICAL. AT THE PRESENT TIME, MANY IMPORTANT THINGS ARE HAPPENING CLOSE TO, BUT OUTSIDE OUR BOUNDARIES, WHICH ARE GOING TO HAVE LASTING EFFECT ON OUR ECONOMY.

A RECENT DECISION BY THE FEDERAL GOVERNMENT TO ALLOW INCREASED NATURAL GAS EXPORTS HAS SET IN MOTION A WHOLE SERIES OF EVENTS IN NORTHERN BRITISH COLUMBIA OF MUCH IMPORT



TO YUKON. INCREASED NEEDS FOR GAS WILL REQUIRE TAPPING THE PROVEN RESERVES FROM THE BEAVER RIVER AREA. THE PROCESSING OF THIS GAS AT FORT NELSON WILL REQUIRE EXTRA PLANT CAPACITY AND THE INCREASED PRODUCTION OF BY-PRODUCTS SUCH AS SULPHUR WILL MAKE EXTENSION OF THE PACIFIC GREAT EASTERN RAILWAY TO THIS AREA ECONOMICALLY FEASIBLE. IN TURN, THIS PROPOSED RAILWAY EXTENSION TO FORT NELSON DURING 1971 AND TO THE DEASE LAKE AREA IN 1974, ARE GOING TO CHANGE THE ECONOMICS THAT FOR PAST YEARS HAVE PREVAILED IN THE MOVEMENT OF THE ASBESTOS FIBRE FROM CASSIAR TO VANCOUVER THROUGH WHITEHORSE. THE CONTRIBUTION THAT THE MOVEMENT OF THIS FIBRE HAS MADE TO THE ECONOMY OF YUKON IS POSSIBLY BEST ILLUSTRATED BY THE FACT THAT THE CAPACITY OF ONE OF THE REGULARLY SCHEDULED SHIPS SOUTHBOUND IS FULLY COMMITTED TO ITS MOVEMENT. THE RE-ROUTING OF THIS CARGO SOUTHBOUND MIGHT HAVE A GREAT IMPACT ON OUR MAIN TRANSPORTATION SYSTEM AND HOPEFULLY BETWEEN NOW AND THE TIME THE ACTUAL CHANGE OF ROUTING COULD TAKE PLACE, OTHER PRODUCTS WILL HAVE SUPPLEMENTED THE VACUUM POSSIBLY CREATED.

FURTHER IN NORTHERN BRITISH COLUMBIA AND CLOSE TO OUR BOUNDARIES IN THE ATLIN AREA, CONSIDERABLE INTEREST IS BEING SHOWN IN A MOLYBDENUM COPPER PROPERTY WHICH, IF BROUGHT INTO PRODUCTION, WILL NO DOUBT SPREAD MUCH ECONOMIC BENEFIT NORTH OF THE 60TH PARALLEL INTO YUKON. IF THIS DEVELOPMENT PROCEEDS, UPGRADING OF ROAD SYSTEMS AND OTHER MUNICIPAL-TYPE SERVICE REQUIREMENTS WILL NOT ONLY SERVE THE MINE DEVELOPMENT BUT ENHANCE THE TOURIST POTENTIAL IN THE ATLIN-TAGISH-MARSH LAKE AREA. AND OF COURSE, TIMBER HARVESTING IS STILL VERY REAL IN THE SAME REGION. OUR INFORMATION IS THAT THE BRITISH COLUMBIA GOVERNMENT IS PREPARED TO GIVE A TIMBER HARVESTING PERMIT TO AN INTERESTED ENTREPRENEUR WITH PERMISSION TO PROCESS THE TIMBER IN YUKON.

ON OUR NORTH-EASTERN BOUNDARY IN THE MACKENZIE DELTA, THE

IMPACT OF OIL EXPLORATION AND THE POSSIBILITY OF A SUITABLY-ACCEPTABLE PIPELINE ROUTE BEING FOUND ACROSS THE NORTHERN PORTIONS OF OUR TERRITORY, IS SPURRING THE FEDERAL GOVERNMENT TO CONSIDER CONSTRUCTION OF THE DEMPSTER HIGHWAY AT A MUCH MORE RAPID PACE THAN ORIGINALLY ANTICIPATED. NO DOUBT, WHEN THIS ROAD IS COMPLETED, PROVIDING AN ALL-WEATHER OVERLAND ROUTE TO THIS POTENTIALLY RICH AREA WITH ITS EVER-GROWING POPULATION, THE ECONOMIC BENEFITS THAT WILL ACCRUE TO YUKON WILL BE CONSIDERABLE.

IN THE STATE OF ALASKA WHERE AN ELECTION WAS HELD JUST YESTERDAY, AND WHERE IT WOULD APPEAR THERE IS A NEW GOVERNOR-ELECT, A GREAT BURST OF ECONOMIC ACITIVITY CAN BE ANTICIPATED WITH THE BUILDING OF THE PROPOSED, BUT LONG DELAYED, PIPELINE FROM PRUDHOE BAY TO VALDEZ. YUKON CANNOT HELP BUT BENEFIT FROM THE PROSPERITY THIS WILL BRING TO OUR NEIGHBOUR. ALSO, IT WOULD STAND TO REASON THAT AS THE MILITARY PRESENCE OF THE UNITED STATES IS DILUTED IN WHAT ARE LOOKED UPON AS THE FAR-EASTERN REGIONS OF THE PACIFIC, THAT ALASKA COULD BECOME MORE IMPORTANT AS A MILITARY BASE FOR THE UNITED STATES AND IF THIS IMPORTANCE IS BROUGHT TO FRUITION, THE ECONOMIC BENEFITS, AS THEY HAVE IN THE PAST, WILL SPILL OVER INTO YUKON.

I COME NOW TO THE QUESTION OF THE FISCAL OUTLOOK FOR 1970-71, AS REVISED ON THE BASIS OF THE MOST RECENT INFORMATION. IN LOOKING AHEAD LAST MARCH, I FELT IT WISE TO BE PARTICULARLY CAUTIOUS IN BUDGET FORECASTING. RECEIPTS WERE PUT AT \$24,693,956.00, AND EXPENDITURES AT \$24,896,451.00 FOR A NOMINAL DEFICIT OF \$202,495.00.

PROJECTIONS BASED ON OPERATIONS DURING THE FIRST HALF OF THE FISCAL YEAR INDICATE THAT THE OUTLOOK IS FOR A SUBSTANTIALLY HIGHER DEFICIT THAN ORIGINALLY ANTICIPATED. EXPENDITURES ON CERTAIN STATUTORY PROGRAMS WHICH WE SHARE

WITH THE FEDERAL GOVERNMENT AND OVER WHOSE MAGNITUDES WE DO NOT HAVE MUCH CONTROL, HAVE PROVED TO BE GREATLY IN EXCESS OF THE INITIAL FORECAST. THE INCREASES HAVE OCCURRED PRIMARILY IN THE FIELD OF SERVICES PROVIDED BY THE TERRITORY TO INDIVIDUALS AND FAMILIES, OR PAID FOR BY THE TERRITORY ON THEIR BEHALF, TO ENSURE THEIR HEALTH AND SOCIAL WELFARE.

WHILE RECOGNIZING TO THE FULL THE IMPORTANCE OF THESE PROGRAMS, REFLECTING AS THEY DO A LIBERAL SOCIAL CONSCIENCE AND THE VALUE OF INVESTMENT IN HUMAN RESOURCES, WE CANNOT BUT BE TROUBLED BY THE EXTREMELY RAPID GROWTH OF THE EXPENDITURES INVOLVED. THE PROSPECTS FOR IMMEDIATE AND SIGNIFICANT CONTROL OVER RISING COSTS ON HEALTH AND WELFARE PROGRAMS ARE NOT SEEN AS VERY PROMISING. WITHOUT DETRACTING IN ANY WAY FROM THE VALUE OF THESE PROGRAMS, IT APPEARS ESSENTIAL TO IMPROVE THEIR OVERALL COST-EFFECTIVENESS AND TO CURTAIL EXCESSIVE INCREASES IN THEIR UNIT COSTS. DETAILS OF THESE INCREASES WILL BE OUTLINED IN SUPPLEMENTARY ESTIMATES TO BE PRESENTED AT A FUTURE SESSION OF COUNCIL.

IMPRESSIVE ADVANCES IN THE RESOURCE AND ECONOMIC FIELDS, AS OUTLINED EARLIER, REPRESENT A TURNING POINT IN THE HISTORICAL DEVELOPMENT OF OUR TERRITORY. DEVELOPMENT, HOWEVER, IS CONCERNED WITH NOT ONLY PEOPLE'S MATERIAL NEEDS, BUT ALSO WITH THEIR BROAD HUMAN ASPIRATIONS. THESE ASPIRATIONS FOUND EXPRESSION IN THESE CHAMBERS MANY A TIME DURING THE LAST FEW YEARS. THE RESPONSE FROM MY MINISTER WHICH CAME IN THE FORM OF CONSTITUTIONAL REFORMS REPRESENT, MR. SPEAKER, THE MOST SIGNIFICANT DEVELOPMENT OF THIS INCREDIBLE YEAR 1970, AS FAR AS YUKONERS ARE CONCERNED.

UNDER THESE REFORMS, THE LIFE OF THE TERRITORIAL COUNCIL WAS EXTENDED FROM THREE TO FOUR YEARS IN CONFORMITY WITH THE PRACTICE OF PROVINCIAL ASSEMBLIES. AMENDMENTS TO THE

YUKON ACT THIS YEAR DEALING WITH SESSIONAL INDEMNITIES FOR THE MEMBERS OF THE TERRITORIAL COUNCIL AND THE REDUCTION OF THE PERIOD OF DISALLOWANCE OF TERRITORIAL LEGISLATION WILL BRING CONSTITUTIONAL PRACTICE CLOSER INTO LINE WITH THAT OF THE PROVINCES.

TO PROMOTE A GREATER MEASURE OF SELF-GOVERNMENT AND TO BRING THE EXECUTIVE AND LEGISLATIVE FUNCTIONS OF THE GOVERNMENT INTO CLOSER HARMONY, MY MINISTER HAS FURTHER PROPOSED THE CONSTITUTION OF AN EXECUTIVE COMMITTEE COMPOSED OF THE TWO ASSISTANT COMMISSIONERS AND TWO ELECTED MEMBERS OF THE TERRITORIAL COUNCIL UNDER THE CHAIRMANSHIP OF THE COMMISSIONER. THIS PROPOSAL, MR. SPEAKER, REPRESENTS A MILESTONE IN THE CONSTITUTIONAL HISTORY OF YUKON IN THE 72 YEARS OF ITS EXISTENCE.

THE DECADE OF THE SEVENTIES PROMISES TO BE AN EXCITING ONE FOR THE TERRITORY AND ITS PEOPLE. THE MOMENTUM OF CHANGE IS ALREADY SO OVERWHELMING THAT WE CANNOT AND MUST NOT, GIVE UP THE IDEA THAT YUKONERS CAN CONTROL THEIR POLITICAL AND ECONOMIC POLICIES. 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 TEN YEARS FROM NOW.

IF WE HAVE NO SENSE OF DIRECTION, THEN WE SHALL HAVE NO SENSE OF MASTERY, AND IF WE HAVE NO SENSE OF MASTERY, I DOUBT VERY MUCH WHETHER WE SHALL BE ABLE TO CONTROL THE ENORMOUS FORCES OF CHANGE THAT SWEEP DOWN UPON US.

IF ONE THING IS TRUE ABOUT THE WORLD WE LIVE IN, IT IS THAT THESE FORCES OF CHANGE ARE NOW IN SUCH A STATE THAT THE PHYSICAL BACKGROUND OF OUR TERRITORY TEN YEARS HENCE WILL BE ALMOST COMPLETELY DIFFERENT FROM WHAT WE SEE TODAY.

AS WE MOVE INTO THIS AGE OF CHANGE, YOU ARE INVITED TO

JOIN, INDIVIDUALLY AS THE ELECTED REPRESENTATIVES OF THE PEOPLE AND THROUGH THE MEMBERS OF THE EXECUTIVE COMMITTEE YOU ELECT, IN THIS GREAT ENTERPRISE; TO SHARE THE EXCITEMENT, TO FACE THE CHALLENGE AND TO CHARTER THE DIRECTION IN WHICH THE TERRITORY WILL MOVE.

THE MEMBERS OF THE EXECUTIVE COMMITTEE YOU ELECT WILL BE IN A POSITION TO BRING THE VIEWS AND ASPIRATIONS OF THE COUNCIL INTO DAY-TO-DAY ADMINISTRATION OF THE TERRITORY.

FOR EVERY AREA OF TERRITORIAL RESPONSIBILITY WHERE THERE HAS BEEN SOME PROGRESS IN RECENT TIMES, THERE ARE JUST AS MANY AREAS IN WHICH PROGRESS HAS EITHER BEEN AGONIZINGLY SLOW OR DISTINGUISHED BY NO PROGRESS AT ALL. THE BACKLOG OF LEGISLATION, NOW NUMBERING SOME FORTY ODD ITEMS, WILL CALL FOR THE CONCERTED EFFORTS OF ALL CONCERNED TO GET OUR LEGISLATIVE PROGRAM BACK INTO SOME KIND OF PROPER SCHEDULE.

IN OTHER AREAS, ONGOING REQUIREMENTS OF BUDGET PREPARATION, NEGOTIATIONS WITH THE TEACHING STAFF FOR THEIR NEXT YEAR'S CONTRACT, AND THE NEWLY-ACQUIRED RIGHT OF OUR PUBLIC SERVICE STAFF TO COLLECTIVE BARGAINING, ARE ALL ITEMS OF PRIORITY AND URGENCY WHICH, WHILE THEY ARE BEING DEALT WITH ON AN ON-GOING BASIS AT THE PRESENT TIME, SORELY NEED POLITICAL INPUT SO THAT THE DECISIONS FINALLY ARRIVED AT WILL HAVE ACCEPTABILITY IN THE POLITICAL ARENA.

SINCE IT IS THE INTENTION OF THE ADMINISTRATION TO SEEK THE ASSISTANCE OF THE ELECTED MEMBERS IN THE EXECUTIVE COMMITTEE TO DETERMINE LEGISLATIVE AND BUDGET PRIORITIES, LEGISLATION AND OTHER MATTERS FOR CONSIDERATION BY THIS SESSION OF THE COUNCIL WILL BE FEW IN NUMBER. I AM MOST ANXIOUS TO HAVE YOUR NOMINEES APPOINTED TO THE EXECUTIVE COMMITTEE SOONEST AND HAVE THIS SESSION OF THE COUNCIL

PROROGUE AS EARLY AS POSSIBLE SO WORK CAN START IMMEDIATELY ON THE LEGISLATIVE PROGRAM TO BE PRESENTED AT AN EARLY SESSION OF COUNCIL, HOPEFULLY TO BE CALLED IN LATE JANUARY.

MR. SPEAKER, MEMBERS OF THE COUNCIL, THE FOLLOWING PAPERS WILL BE PLACED BEFORE YOU:

- SESSIONAL PAPER NO. 1 APPOINTMENT TO BOARDS AND COMMITTEES  
2 EXECUTIVE COMMITTEE FOR THE YUKON TERRITORY  
3 APPOINTMENT TO WHITEHORSE INDIAN VILLAGE STEERING COMMITTEE  
4 YUKON TERRITORY WATER BOARD  
5 USE OF DEFOLIANT - ALASKA BORDER

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.



J. Smith,  
Commissioner.

9th November, 1970.

SESSIONAL PAPER NO. 7 - 1970 (FOURTH SESSION)

Mr. Speaker

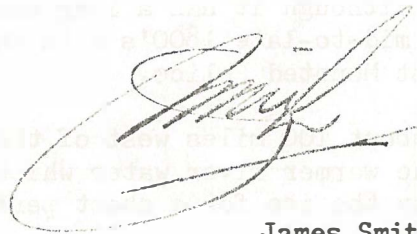
Members of Council

QUESTION RE: TAX ASSESSMENT

Reference is made to the oral questions asked by Councillor Chamberlist on the 9th of November, 1970 respecting tax assessment.

I am informed that there are presently 110 appeals against the assessed value of property in the City of Whitehorse. It would therefore be improper for me to discuss any legal matters in connection with these appeals at this time.

There is one appeal presently before the courts against the Territorial tax assessment and the time has not yet expired for service of notice of appeal in other cases. I regret, therefore, that it is also impossible for me to discuss legal matters in connection with Territorial assessment matters.



James Smith,  
Commissioner



November 5, 1970

SESSIONAL PAPER NO. 8 - 1970 (FOURTH SESSION)

Mr. Speaker

Members of Council

Tour of Herschel Island

In August of 1970 a group of federal and territorial employees paid a one-day visit to Herschel Island, off the northern coast of Yukon.

The Territorial Government sent representatives from the Tourism and Information Branch; Game Branch; and Territorial Fire Marshal's Office. The Federal Government sent representatives from the Department of Indian Affairs and Northern Development, Regional Resources Offices and from the Department of Fisheries and Forestry.

Representatives were: Brian R. Martin, Tourism and Information Branch; W. C. Sinclair and A. J. Squirechuk, Game Branch; Territorial Fire Marshal, Thomas Nairn; Department of Indian Affairs and Northern Development, Regional Resources Offices, T. A. Retallack; Department of Fisheries and Forestry, John Summers.

This information paper, then is a summary of the reports submitted by the representatives upon their return to Whitehorse. For purposes of clarity it will be broken down department by department and will include a brief historical summary of Herschel Island as well as a summary of recommendations submitted by the various departments.

Historical Summary. Nobody lives permanently on Herschel Island now, although it has a long and colourful history dating back to the mid-to-late 1800's with the coming of the whalers and the Northwest Mounted Police.

It is about 100 miles west of the mouth of the Mackenzie River and the warmer river water which flows past the island helps to clear away the ice for a short period (approximately six weeks) every summer.

It was whaling that put Herschel Island on the map and in 1892-1893 alone, more than 300,000 pounds of whale bone came from the waters off Herschel. Before the arrival of the whalers, the Eskimos of the delta hunted the nearby British Mountains for caribou and the ice and water for seal, whale and fish. Whaling ended on Herschel in 1906. This was followed by a trapping industry until 1921.

The Northwest Mounted Police first came to Herschel in 1895 and, on their arrival, found six storehouses owned by the Pacific Whaling Co., and the Esquimault Mission. The RCM Police used Herschel as a dog training centre until the police, too, left the island in the late 1960's.

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Indian Affairs and Northern Development Regional Resources Office: Herschel Island has an area of 45 square miles, consisting mainly of what appears to be a heavy covering of silt over gravel-based permafrost.

The island does not have any growth other than tundra grasses, a sprinkling of Arctic flowers, such as Arctic cotton -- a very stunted buck brush which grows only about six to eight inches with crooked matted branches. The terrain is very rough due to the general characteristics of the ground being wet, mossy and broken into small nigger head-like types of growth. There are no streams on the island other than a few shallow gullies down which the spring and fall run-offs head for the sea.

Pauline Cove, the only sheltered bay and where the old RCM Police post was situated and where all present buildings are erected, measures about 1,200 feet. The bay is from 18 to 25 feet deep. Simpsons Point, on the eastern side of the cove, is the exact location of the buildings.

The ground level on Simpsons Point is only about three to four feet above water level. The shore consists of a fairly fine quality gravel and extends from the water's edge inland for about 25 feet. A fine covering of moss and slough grasses spread over the area on which all the buildings were erected. The structures are laid on heavy timbers on the surface of the ground which generally is damp.

The land most suitable for docks, landing facilities, storage tanks, buildings, etc., would begin about 600 feet from the last native house and on towards the base of the hill. The land, the department representative reported, "had the appearance of being of a permafrost basis, and anyone building on the island would have to be familiar with such conditions".

Tourism and Information Branch: From this branch's standpoint Herschel Island is interesting both for its historical significance and for its value, or potential value, to the tourist industry.

Present State of Historical Buildings: The branch's representative reports he found the whaling warehouses and RCM Police buildings still standing and in a very good state of repair. The police buildings were being lived in at the time of the visit by a group of young men who were doing soil surveys for the Federal Government. The whaling warehouses were being used, as were a number of smaller dwellings, by Eskimo people from Aklavik, visiting Herschel for the sealing season.

The branch reports all buildings remaining on the island are in excellent condition and their maintenance would involve very little, if any restoration.

The branch was informed by the Federal Lands Office in Whitehorse that the whaling company buildings are simply abandoned.

The RCM Police buildings were declared surplus and, in July of 1968, were turned over to the Department of Energy, Mines and Resources.

Herschel Island was recently placed in reserve by the Federal Government and no sales or leases are being allowed currently.

Herschel Island is also proposed to be included in an International Arctic Wildlife Range being proposed by a group of American and Canadian conservationists.



Tourism: Because of the island's location, tourism is for all intents and purposes, non-existent.

There is, however, reported the Tourism and Information Branch, great potential on Herschel for the development of a tourist industry catering to the more affluent class of Yukon visitor.

The branch feels an industry similar to the one at Point Barrow, Alaska, could be developed.

In Alaska a commercial airline operates daily flights from Fairbanks to Point Barrow during the busy tourist season. Visitors are given an opportunity to view the "Far North", Arctic Coast, etc. and see Eskimo people and an Eskimo village.

With the proper backing and promotion the branch believes something along these lines could be developed on Herschel.

There is also the potential for a large sports fishing industry centred at Herschel Island.

Game Branch: The Game Branch had conversation with four white men stationed at Herschel for the summer: Mr. Michael Bouchard working for the Geological Survey of Canada soil testing and gathering silt samples from the entire island and Messrs. David Anderson and Raymond Jurys (plus one other on night shift) employed by Decca, which is under contract for the Polar Research Project carrying out radio transmission testing.

From Mr. Bouchard the branch gathered the impression that if there is to be a seaport on the Arctic Coast the mouth of the Babbage River would probably be the most feasible due to the flushing action of the river in the bay. On the other hand, Thetis Bay, on Herschel Island, would require a great deal of dredging.

A total of 13 Eskimos from Aklavik were camped at Herschel fishing Arctic char and hunting seal.

One group of Eskimos had taken one white whale and were rendering the oil down and had whale meat hung drying outside. Because these people travel in small boats one whale is all they could transport back to Aklavik.

From conversation with members of the NWT Game Management Service the branch learned that that service spent about \$2,500 this spring flying across Yukon up to the Alaskan border searching for the calving grounds on the caribou herd without results.

The game management officer from Aklavik stated he had heard more muskox were spotted in the vicinity of Herschel Island.

A caribou hunt was being planned for the following week around the Whitefish station area of the coast for the Fort McPherson people. Presumably only NWT natives were to participate.

Apparently, the bear problem has been similar across the entire North due to the lack of ripened berries and as many as 22 bears were destroyed at one mining camp in the NWT and some of the unmanned topographic stations have been experimenting with electric fences to deter bears.

Messrs. Nairn, Retallack and Sinclair visited the Experimental Pipeline Research station at Inuvik and were given a tour of the facilities.

Office Of The Fire Marshal: As occupancy of the buildings on Herschel Island is of a seasonal nature, the provision of permanent fire extinguishers and related fire extinguishing equipment cannot at this time be contemplated, due to the lack of supervision and maintenance of same, T. Nairn, fire marshal reports.

One evening was spent by the fire marshal inspecting the Mackenzie Valley Pipeline Research Station at Inuvik, which provided extremely valuable background knowledge on the proposed methods to be employed for conveying oil deposits from Prudhoe Bay, Northern Yukon and Mackenzie Delta area.

Mr. Nairn states, "It would appear to me there is a great deal of misconception about this project due to lack of factual information being available to the general public. This problem was discussed with Mr. K. Hall, operation manager of Trans-Mountain Oil Line Company and I suggested, in an unofficial capacity, that possibly his company could arrange to provide a series of lectures to heads of the various Yukon Government Agencies at a time and place convenient to the Yukon Territorial Government".

Mr. Nairn states he spent a great deal of time examining fire protection systems in Inuvik and "it is obvious they have much to offer in the design of fire protection installations should the day come that communities are developed in the most northern parts of our country".

Department of Fisheries and Forestry: This department states the natives on Herschel Island during the time of the government visit reported char abound in the whole area, with the heaviest concentrations off the mouths of the larger rivers -- the Firth River, Babbage River and the Blow River. The char from the Babbage River are reported to be very large, up to 20 pounds, while the others run about two to six pounds.

Herring are also abundant in these waters, according to the department, and are much larger than the Pacific herring. Samples taken weighed two pounds each.

About 500 to 1,000 pounds of char are taken to Inuvik each year and sold at sixty cents per pound. The herring caught are generally eaten on the site.

The Menzies Fish Co., of Edmonton, according to the Department of Fisheries, moved into the Herschel area in 1968 and the Eskimos reported they did the fishing for that company and many 60-pound boxes of char were taken to Edmonton. A number of their fish boxes are still stored on Herschel Island, together with handtrucks, dollies, etc.

The Eskimos estimated between 80 and 100 seals per family are taken each year. They utilize the blubber and the meat and the skins are stretched and dried and sold to a buyer in Aklavik. The fishermen realize from \$10 to \$60 per skin, depending on size, and generally average about \$25 per skin.

The bulk of the fishing takes place in Thetis Bay as the seals follow the char and herring into the shallow water. Smaller numbers are shot along the coast off the mouths of the streams.

White whales are fairly plentiful in the area and the group visiting Herschel sighted one school of 13 just east of the island.



From the information gathered on this survey the department deems it possible a fairly extensive fishery for Arctic char and herring could be established in this area employing native fishermen and creating a steady market for catches through one or more of the large distributors of fish products.

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Recommendations:

1. Indian Affairs and Northern Development Regional Resources Office:

Conclusions are that the present buildings, root cellars and graves should be properly reserved and protected. The Indian - Eskimo Department should set aside a certain area for these people who come back every summer and fall to the island to fish for the Arctic char and hunt the seals.

These reserves should be set aside and marked out before any land should be leased or sold on the island.

2. Department of Fisheries and Forestry:

It is recommended that a two-man research staff be stationed on Herschel Island during the months of July and August, 1971, to carry out further studies of the marketable fish populations in that area. There is minimum accommodation for such personnel in the abandoned RCM Police buildings.

3. Office of the Fire Marshal:


It is recommended that should the Yukon Territorial Government visualize occupying this island during the summer period, it would be well to consider a quota of fire extinguishers, in the form of ABC Dry Chemical be provided for use during occupancy. These to be withdrawn on return of personnel to the mainland.

4. Tourism and Information Branch:

The buildings on Herschel Island should, as soon as possible, be placed under strict government protection. To this end representation should be made to the National and Historic Parks Branch to determine that body's interest in Herschel.

Appropriate authorities should take steps immediately to have discarded oil and gasoline drums, of which there are many on Herschel, removed.

The Federal Government, TravelArctic (the Northwest Territories' promotional department) and Great Northern Airways should be approached to determine their reactions to promoting one-day excursion flights from Inuvik to Herschel Island during the summer.



James Smith  
Commissioner

November 10, 1970.

SESSIONAL PAPER NO. 9 - 1970 (FOURTH SESSION)

Mr. Speaker

Members of Council

Question re: Arctic International  
Wildlife Range Conference

The following question was asked by Councillor Stutter:

"Has the Commissioner or Mr. Fitzgerald received any presentation concerning implementation of resolutions that were passed at that meeting".

The answer is as follows:

There has been no presentation made concerning implementation of resolutions that were passed at the Arctic International Wildlife Range Conference held in Whitehorse on October 21st and 22nd.



James Smith,  
Commissioner.