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YUKON TERRITORIAL COUNCIL

THIRD SESSION

Votes and Proceedings

*Third Session
1961*

VOTES AND PROCEEDINGS

Third Session 1961

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VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

1961 Third Session

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Wednesday, November 1st, 1961.
3:00 O'clock P.M.

The third session of the Council for the year 1961, being the first session of the Nineteenth Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 3:00 o'clock p.m. on Wednesday, November 1st, 1961, the Members having previously been sworn and taken the Oath of Allegiance.

The members present were:

Mr. John Livesey, Carmacks-Kluane
Mr. George O Shaw, Dawson
Mr. Raphael L McKamey, Mayo
Mr. Norman S. Chamberlist, Whitehorse East
Mr. John Watt, Whitehorse North
Mr. Donald Taylor, Watson Lake
Mr. Kenneth McKinnon, Whitehorse North

The members elected Mr. J.O. Livesey to be Speaker.

The Commissioner addressed the Council. His address is set forth in Sessional Paper No. 1.

The Speaker replied to the address of the Commissioner as follows:

"I would like to thank the Commissioner for his very welcome and informative address and trust that Council will give his address full and complete consideration."

Mr. McKamey moved, seconded by Mr. Chamberlist, that the Commissioner's address be taken into consideration on a subsequent day.
Motion Carried.

Mr. Chamberlist moved, seconded by Mr. McKamey that Mr. Shaw be nominated for the position of Chairman of the Committee as a Whole.

Motion Carried.

On motion Council adjourned until 10:00 o'clock a.m.
Thursday, November 2nd, 1961.

Thursday, November 2, 1961
10:00 O'clock A.M.

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

Mr. Speaker tabled several references for advise received from Commissioner Collins and set out in Sessional Papers as follows:

Sessional Paper No. 2 - Amendment to Medical Professiona Ordinance

Sessional Paper No. 3 - Amendment to Liquor Ordinance

Sessional Paper No. 4 - Amendment to Marriage Ordinance

Sessional Paper No. 5 - Amendment to Motor Vehicles Ordinance

Sessional Paper No. 6 - Dawson City Festival

Sessional Paper No. 7 - Safety Standards in Industry and Workmen's Compensation Ordinance.

Sessional Paper No. 8 - Territorial Assistance to Museums

Sessional Paper No. 9 - Civil Defence Plan

Sessional Paper No.10 - Proposed New Fire Prevention Ordinance for the Yukon Territory.

Mr. Speaker explained the various items which are to be listed on the Orders of the Day.

Mr. Chamberlist moved, seconded by Mr. Shaw that Mr. Speaker leave the Chair for the purpose of convening in Committee of the Whole to discuss the Rules of Council.

Motion Carried.

In Committee of the Whole:

Mr. McKamey moved, seconded by Mr. Livesey, that Council ask the Commissioner to contact Dr. Willis to have him attend Council on Tuesday at 3:00 O'clock P.M., the 7th of November 1961, to discuss the Yukon Health Services Plan.

Committee then considered the Rules of Council clause by clause.

Mr. Chamberlist moved, seconded by Mr. Livesey, that Subsection 3 of section 2 be altered to read four members of Council instead of three in order to make a quorum.

Motion Carried.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee resumed discussions on Rules of Council,

Rule Number 26, Address in reply to Commissioners Speech.

Mr. Chamberlist suggested that a time limit be set between the Commissioner's actual speech and the discussion of the speech, as some subjects should be discussed early such as reference to liquor advertising.

Mr. Livesey replied that it should be clear that we can discuss any point in the Commissioner's speech at any time and it is hardly necessary to discuss the Commissioner's speech in its entirety.

Mr. Shaw stated that in the past the matter was taken up by the individuals at the termination of the session, or close to it. Each member would give an address or answer to the Speech from the Throne which consisted of that person's personal views and it was not necessarily the unanimous voice of the Council. If there was a unanimous disagreement it should follow very soon after the Speech from the Throne and Council at this time should have a session behind them, so that they will know what to discuss at the end of the session.

Mr. McKinnon wished to leave this to discuss after the first session of Council.

Rule 29.

After a short discussion on rule 29 it was moved by Mr. Chamberlist, seconded Mr. McKamey that Rule 29 read Private Members Bills.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. McKamey that the words "or to private members bills" be inserted immediately following the words "order paper" where they appear in the fourth line.

Motion Carried with Mr. Chamberlist opposed.

Rule 35.

Mr. McKamey suggested that Subsection 3 could be made a little more flexible by changing it to read three notices of motion. He felt that this would help speed up business as these notices of motion are sometimes of a minor nature.

Mr. McKamey moved, seconded by Mr. Chamberlist that a member be allowed three notices of motion under Subsection 3, section 35.

Motion Carried.

Committee then discussed the Medical Profession Ordinance. (See Sessional Paper No. 2). Commissioner Collins was in attendance.

Commissioner Collins stated that the memorandum is self-explanatory in that all a person has to be to receive a permit to practice medicine in the Territory is to be registered in the Canadian Medical Register under provisions of the Canada Medical Act.

Mr. Shaw stated there is no one capable of considering the qualifications and it is unfair to place anyone in a position, without legal sanction, to refuse to issue a permit.

Mr. McKamey asked who would be qualified to determine whether a person is a psychopath.

Commissioner Collins stated that if a Doctor came from Edmonton, the Chief Medical Health Officer would write to the Medical Association at Edmonton and get the information on this man or woman.

Mr. Chamberlist felt that one of the conditions of employment would be membership in the Yukon Medical Association and then the Association could say whether the person is or is not unfit.

Mr. Livesey also felt that it could be turned over to the Medical Association. They have some obligation to their own members. A man may be qualified in some respects and not others and if he is allowed a licence, then surely, he is not going to be licenced if he is an alcoholic.

Mr. Chamberlist moved, seconded by Mr. Taylor that the Yukon Medical Association be approached and taken into discussion on this matter. The method in this regard being that the Commissioner approach the Medical Association and get their opinion. It was asked if there was a registered Medical Association in the Yukon and the Clerk of the Council verified that this was so.

Motion Carried.

Committee next discussed the Liquor Ordinance. (See Sessional Paper No. 3.)

Mr. Chamberlist stated that he felt that anything which would increase the revenue in the Yukon is a good thing and he had no objection to advertising it on T.V. or anywhere.

Mr. McKamey stated that he would not wish to force the public to pay for advertising on T.V. If commercials would cut the rate paid for T.V. perhaps it would help.

Mr. Livesey stated that it would appear that Mr. Chamberlist felt that the saturation point of liquor has not been reached, and that he approves of advertising liquor on this media. Liquor is a source of revenue, but it is a privilege which if not kept within reasonable bounds becomes a curse. The situation in Whitehorse could be looked upon as a curse and advertising should not be allowed. This is a media whereby any business tries to increase sales and Mr. Livesey felt that the sale of Liquor should not be increased.

Mr. Taylor remarked that he could not see where giving T.V. the privilege of advertising beer, wine and liquor was going to do any good for the Yukon Territory.

Mr. Watt suggested that by allowing this we may be letting ourselves in for a flood of liquor advertising on the highways and on signboards.

Mr. McKinnon asked where the line is to be drawn as we allow this type of advertising in the newspapers.

Mr. Livesey stated that we do not wish to add to the already existing media.

Mr. Livesey moved, seconded by Mr. McKamey that this matter be given further consideration and brought up again at the Spring Session.

Motion Carried With Mr. Chamberlist opposed.

Commissioner Collins was excused from Committee of the Whole.

Committee then returned to discussion of the Rules of Council.

Rule No. 39.

Mr. Watt questioned if this could be interpreted that the Chairman of Committee must be absent in order to appoint a Deputy Chairman.

Mr. McKinnon moved, seconded by Mr. McKamey that a new rule be added

~~to~~ Section 39 as subsection (5) "That Mr. Speaker may, with consent of Council, in forming a committee of the whole Council, and before leaving the Chair, appoint any member Chairman of the Committee."

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. Taylor that the Speaker now take the Chair and the Committee report to Council.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported that the Rules of Council had been studied clause by clause and the following changes submitted.

- ✓ (1) Subsection 1 of section 3 to read four rather than three members to form a quorum.
- ✓ (2) Rule 29 altered by deleting the words "Private Bills" in the fifth line and the words "Private Members Bills" be inserted in the fourth line immediately following the words "Order Paper".
- ✓ (3) Subsection 3, section 35 changed from two notices of motion to three notices.
- ✓ (4) Rule 39 was altered by adding subsection (5) to read as follows: "Mr. Speaker may, with consent of Council, in forming a committee of the whole Council, before leaving the Chair, appoint any member Chairman of the Committee."

Mr. Shaw also reported that Committee of the Whole had met with Commissioner Collins, who was asked by the Committee to talk to the Local Medical Association and outline the views mentioned in his letter. The Advertising of Wine, Beer and Liquor on T.V. was discussed and tabled till the Spring Session.

Council accepted the report of the Committee.

Following a fifteen minute discussion of the agenda, Council adjourned until 10:00 O'clock A.M. Friday, November 3rd, 1961.

Friday, November 3, 1961
10:00 O'clock A.M.

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

Mr. Speaker tabled two Memorandums and set out in Sessional Papers as follows:

Sessional Paper No. 11 - Visit of Mr. F.A.G. Carter.

Sessional Paper No. 12 - School Fees and Separate Schools.

Mr. Shaw moved, seconded by Mr. Taylor, for leave to introduce Bill No. 1, "An Ordinance for Granting to the Commissioner **Certain** Additional Sums of Money to Defray the Expenses of the Public Service of the Territory."

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. McKinnon, for leave to introduce at this Session, a Bill entitled "An Ordinance to Amend the Jury Ordinance".

Motion Carried.

Production
Of Papers
1.

Mr. Taylor gave notice of Motion for the Production of Papers relative to Vital Statistics.

Mr. Chamberlist moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair for discussion of Rules of Council in the Committee of the Whole.

Motion Carried.

In Committee of the Whole:

Rule 69:

Mr. Chamberlist questioned if Council could operate without its officers as this Council is without the services of a Law Officer and it is specified that a Law Clerk be here at all times. It was decided that this question would be discussed at the end of the discussion of Rules of Council.

Rule 72:

Mr. Chamberlist moved, seconded by Mr. McKamey that a Private Members Bill shall be a bill introduced by a Member of Council being other than a Private, Public or Government Bill.

Motion Carried.

At the end of discussion of Rules of Council, the question of a Legal Advisor was again discussed.

Mr. Chamberlist stated it appeared to be an insult to Council, especially in view of the fact that it is the first sitting of an enlarged Council, that the Department of Northern Affairs did not see fit to have a Legal Advisor here. Council should receive respect from the Senior Government, which now shows a disregard for Council while it is in Session. The dissatisfaction of the Committee ~~as a~~ **as a** Whole should be reported by the Chairman to Council. Mr. Chamberlist suggested that immediate steps should be taken for a Legal Advisor to come to Council.

Mr. Taylor suggested that we make provision in Rules of Council that Council not sit without the services of a Legal Advisor, and Ottawa be asked to get a Legal Advisor here.

Mr. Livesey stated that this is a problem they have always had and agreed that the Council needs Legal Guidance and stated that a Legal Advisor should be here for the entire Administration as well as for the Council.

Mr. McKinnon stated that new members of Council could not possibly present a bill to Council without the help of a Legal Advisor.

Mr. McKamey stated that the Council members had been told they were incompetent to interpret law without legal advice and in view of that statement, a Legal Advisor should certainly be provided. He felt that services of a Legal Advisor should be demanded.

Mr. Watt stated that he was under the impression that steps were being taken to get legal advice and the Commissioner should be consulted as to what steps had been taken in this regard.

Mr. McKamey suggested that if no legal advice is available Council should adjourn each day until they receive this assistance.

The Clerk of Council was asked to obtain services of the Commissioner for a short time to inform the Committee what action had been taken with regard to a Legal Advisor.

Mr. McKamey moved, seconded by Mr. McKinnon that the Commissioner be requested to phone Ottawa expressing Council's dissatisfaction. The following message was forwarded to Commissioner Collins from Council:

"That Council demand from Ottawa the services of a legal advisor, from the appropriate department, not in local practice; forthwith, and without delay to serve full time duty and assist Council during its deliberations. Council feels that The Department has been exceedingly lax and derelict in its duty and agree that we shall of necessity need to take drastic steps after Tuesday, November 7th, if such legal advisor has not been posted to duty in the service of the Council.
Signed Mr. Speaker."

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee resumed discussion with Commissioner Collins present.

The message from the Commissioner concerning the Marriage Ordinance was discussed briefly. (See Sessional Paper No. 4)

It was agreed by all members that the Commissioner take proper steps to have legislation drafted covering this amendment.

The message from the Commissioner concerning the Motor Vehicles Ordinance was then discussed. (See Sessional Paper No. 5.)

Commissioner Collins explained that this would not give any power in respect to cancelling Motor Licences, but merely regularizes the definition of Commissioner. There are no legal problems involved.

Mr. Chamberlist suggested that no P.S.V. licence be issued without inspection of vehicle for safety if the vehicle is to be used for transportation of passengers. Mr. Chamberlist also questioned the transfer of ownership of a P.S.V. Licence and was informed that this could be done for a fee of \$2.00

It was explained that the job of checking on the safety and roadworthiness of vehicles was left to the police. The Insurance Companies will not insure if vehicle is not roadworthy and it is necessary to have insurance in order to obtain a licence.

Mr. McKinnon stated that School buses and taxis should have a safety check and such check up filed with the Registrar before issuing of licence, yearly at least.

It was explained that the Sessional Paper merely recommended a change in the wording of the ordinance which appears to be necessary and Mr. Livesey agreed that this necessary change should be made.

The amendment requested in the Sessional Paper was agreed to by all members.

Discussion followed on Dawson City Festival submission. (See Sessional Paper No. 6) Commissioner Collins was present.

Mr. Livesey believed that this amendment could prevent the general public from purchasing the most desirable property up for tax sale.

Commissioner Collins agreed that this would be so.

Mr. Livesey further stated that we need money in the Territory and public purchase of these lots brings taxation, whereas City owned property is not taxed.

Mr. Chamberlist stated we would be giving the right of seizure to Municipalities and he agreed with Mr. Livesey.

Mr. Shaw outlined the situation in Dawson where aliens could buy up the best property and take valuable historical items out of the Country, which is a terrible loss to the Territory, and this amendment could solve this problem.

Mr. Livesey stated that Historical Properties should be protected without interfering with free enterprise and further discussion should be had.

It was agreed by all members that Dawson City Festival be left for further study.

Discussion followed on Workmen's Compensation Safety Regulations. (See Sessional Paper No. 7.) Commissioner Collins was present.

Mr. Collins stated we should have proper safety inspection of Sawmills and Heavy Equipment etc.

Mr. Chamberlist suggested that a Workmen's Compensation Board should be in Whitehorse and they could then inspect safety in all industries.

Mr. Livesey stated that it was found during a previous session of Council that a Workmen's Compensation Board in Whitehorse would be too costly and the idea was given up.

Mr. McKinnon on asking who would be responsible for enforcement of safety regulations was informed by the Commissioner that the Inspector would inspect and inform employers what had to be done and give them a deadline for accomplishing these safety features. If the safety regulations were not carried out, then the employer could be taken to court. Mr. McKinnon was also informed that the Mining Inspector was too busy and there must be other inspectors to inspect safety regulations in other industries.

Mr. Chamberlist asked if the Territorial Government should employ a person to carry out these inspections.

Mr. Collins replied that the Territory should have an industrial inspector.

Mr. McKinnon moved, seconded by Mr. Chamberlist that the Memorandum from Commissioner Collins be accepted and that regulations be submitted to Council at the next session.

Motion Carried.

After a short recess the submission re financial assistance to Museums (See Sessional Paper No. 8) was discussed with Commissioner Collins present.

Mr. Chamberlist stated that this memorandum is good for the future of the Territory and is in agreement with it.

Commissioner Collins pointed out that the paper stated that grants would only be made when Societies contributed an equal amount and in order to get a good sized building the community would have to raise large sums of money. He suggested that this be altered and the matching requirement be deleted.

The Committee went on record as approving the Commissioner's submission with the exception that the first sentence in the sixth paragraph be deleted, plus the word "further" in the sentence immediately following.

Committee proceeded to discuss the matter of a Health Services Plan. Copies of which were forwarded to all members.

Mr. Livesey would prefer to see Dr. Willis with regard to the many things to be discussed.

Mr. McKamey suggested that the Interdepartmental Report should be studied before this is given any consideration. He also wished to see Dr. Willis.

All members agreed that it would be best if Dr. Willis could be persuaded to attend Council to go over this paper.

Mr. Taylor suggested that perhaps a later date would work in better with Dr. Willis's plans.

Mr. Shaw, Chairman, asked Commissioner Collins to find out if Dr. Willis could appear at a later date. This was agreed upon by all members.

Discussion followed on School Fees and Separate Schools. (See Sessional Paper No. 12) Commissioner Collins was present.

Mr. Chamberlist questioned why children in British Columbia were moved to the Yukon and did the obligation to educate these children revert to the Yukon.

Commissioner Collins answered that equal numbers of children were being sent from the Yukon to British Columbia.

Mr. McKinnon moved, seconded by Mr. McKamey, that the sum of \$8,430.36 be granted to the school.

Motion Carried.

Visit of Mr. F.A.G. Carter regarding Interdepartmental report was discussed. (See Sessional Paper No. 11) Commissioner Collins was present.

Mr. McKinnon moved, seconded by Mr. Taylor, that Council be prepared for a visit from Mr. Carter on November 9th and 10th, regarding Interdepartmental Report.

Motion Carried.

Commissioner Collins reported that he had phoned Ottawa regarding a Legal Advisor and would have the answer on Monday Morning, November the 6th.

Commissioner Collins was excused from the Committee meeting.

Safety Regulations with respect to P.S.V. Licences were further discussed by the Committee as a Whole.

Mr. Chamberlist suggested that it is desirable that provision be made in the Motor Vehicles Ordinance that Safety Inspection be made twice annually, to find out if there is sufficiently qualified people driving public service vehicles, especially School Buses. Mr. Chamberlist asked for two points:

- (1) Examination before P.S.V. Licence is issued.
- (2) Drivers be properly examined and cleared before being licenced to drive passenger transportation vehicles.

Mr. McKamey asked if there were requirements for school bus drivers to have a medical examination before being issued a Chauffeur's licence. He was answered that there is no provision in the ordinance for this.

Mr. McKinnon advised that in British Columbia, Class A.B. & C. chauffeurs licences are issued and school bus drivers require a class A licence. He suggested that this method be adopted in the Yukon Territory.

Mr. Livesey stated that there is no equipment here to test various types of drivers and various types of equipment. We could, however, make drivers of vehicles carrying passengers pass a higher standard test for the benefit of the general public.

Mr. Watt stated that cost of safety check would have to be determined before we could employ safety inspectors.

Mr. Taylor agreed with Mr. Chamberlist that a safety examination is a necessity and he felt that employment of an A.B.C. system of licencing for chauffeurs could be carried out.

Mr. Chamberlist moved, seconded by Mr. McKamey that amendments to the Motor Vehicles Ordinance be brought forward.

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. McKamey that the Speaker resume the Chair.

Motion Carried.

When Mr. Speaker resumed the Chair at approximately 4:45 P.M., Mr. Shaw, Chairman of the Committee reported as follows:

All Rules of Council completed with the following amendments:

- (1) Rule 75 be added as follows: "A private members bill shall be

a bill introduced by a member of Council being other than a Private, Public or Government Bill.

A discussion of some length followed on lack of Legal Advisor for Council. Committee's feelings were that they deplore and condemn the Government's lack of such a member on the Council and a letter was sent to the Commissioner to that effect, which the clerk filed. The Commissioner was asked to appear to discuss this matter.

Committee met with the Commissioner at 2:00 O'clock to discuss the various memoranda before committee, as follows:

- (1) Marriage Ordinance which was agreed to.
- (2) Motor Vehicles Ordinance with relation to interpretation, which was agreed to.
- (3) Dawson City Festival. This matter in abeyance for future study.
- (4) Safety Regulations agreed to.
- (5) Financial Assistance to Museums was accepted with the deletion of the first sentence in paragraph six and also the word "further".
- (6) Yukon Health Services Plan. The Commissioner was asked to find out if Dr. Willis could come at a later date.
- (7) School fees and Separate Schools. The Committee agreed to approve school fee of \$8,430.36
- (8) Mr. F.A.G.Carter, Interdepartmental Report. It was agreed to discuss this report with him on November 9th and 10th.

The Committee has asked that regulations be submitted to Council in relation to providing that P.S.V's carrying passengers have safety examinations before issuance of licence, and that the drivers of such vehicles have a medical and safety test to show their qualifications to drive these vehicles.

Council accepted the Report of Committee.

Following a ten minute discussion of the agenda, Council adjourned until 10:00 O'clock A.M. Saturday, November 4th, 1961.

Saturday, November 4, 1961.
10:00 O'clock A.M.

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

Mr. Speaker read a letter to Council from the Board of Trade, inviting the Council Members to lunch on Wednesday, November 8th, at 12:15 O'clock P.M.

Mr. Speaker brought to the attention of Council that as they are a new Council they no longer have a member on the Advisory Board of the Whitehorse General Hospital.

Production
of Papers
1.

Mr. Taylor moved, seconded by Mr. McKamey the following motion for the Production of Papers:

- (1) the Administration be respectfully requested to produce for the benefit of Council, Vital Statistics relative to the number of patients attended, both white and native by nurses at the Watson Lake and Haines Junction nursing stations, plus the number of house calls per month for the period January 1st through October 31st, 1961;
- (2) the mortality rate of both white and native children 6 weeks of age to 6 years of age by actual figures and percentage relative to the total number of children in the Watson Lake area, for the period January 1st, 1959 to October 31st, 1961;
- (3) the 1961 census figures for the Teslin area, the Watson Lake and Upper Liard Area.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Watt, that the Speaker leave the Chair and Council resolve itself into Committee of the Whole to discuss the Federal Territorial Financial Relations Agreement for 1962/67.

Motion Carried.

In Committee of the Whole:

Mr. Livesey asked that Commissioner Collins give a rough outline of the content, in order that Council may better understand the draft of the Federal Territorial Financial Relations Agreement.

Mr. Collins explained that the main difference between the 1957 report and the present one is in greater capital investment with consequent expenditures and construction of new roads by the Government which demand maintenance. Basically the principles remain the same. On page five of the draft Commissioner Collins corrected the statement concerning Vocational School. It was not to be administered as a Territorial Public School.

Mr. McKinnon asked what authority the Vocational School should come under and was answered that it would come under separate Territorial authority.

Mr. Chamberlist asked why vocational education should not come under the Department of Education.

Commissioner Collins answered that vocational training is being carried out in high schools and therefore was included in the Department of Education. He further explained that the New Vocational School is a school to train children over 16 years of age who are considered in need of trades training and will be taught basic trades of the Territory. The idea behind it is to get children out of the high schools where they are learning nothing and teach them a trade so that they will be equipped to find work.

Mr. Watt asked if there is a subsidy for children of federal employees who attend this vocational school. Commissioner Collins replied that the federal contribution is 50%.

Mr. Livesey questioned the second paragraph on page eight with regard to liquor tax being included in the consolidated revenue fund. It was his opinion that the only revenue of which Council is in full control is now going to be eliminated.

Mr. Chamberlist stated that at the time this tax was put on, the purpose was that it go towards community projects and this was the only method through which Council Members could give direct help to their community projects. He felt that the present method was satisfactory and should be maintained.

Commissioner Collins explained that Council will still have control. It will be necessary for Council Members to insure that the necessary funds for community projects have estimates which come in to Administration. These amounts would then be included in the annual estimates and be reviewed by the Financial Committee, then to Council for approval and the ability of Councillors to assist community projects will remain without impairment.

Mr. Shaw also stated that he felt that Council should keep control of this money as it has proven satisfactory and a provision should be made that each year there be \$35,000.00 for community projects.

Mr. Chamberlist suggested that this matter be left now for further discussion later. This was agreed to by all members.

Mr. Watt questioned, with regard to Education, when the increase from \$250.00 to \$350.00 per pupil per year, by the Federal Government, would come into effect. Commissioner Collins advised that this would come into effect the first of April.

Mr. Shaw inquired if this would be the average cost for each school and Commissioner Collins replied that it was a combined average per pupil cost.

Mr. McKinnon asked what suggestions were made by Council after studying the report on Education.

Mr. Livesey stated that Council's original thinking was to find a more cohesive method for education in the Territory. Territorial Government has very little control and did its best to move towards complete control of education in the Territory.

Mr. Shaw advised that due to the fact that the separate schools had no definite policy with respect to payment of their portion of the costs, it was impossible for the Territorial Council to formulate definite plans and for this reason the matter was more or less left in the air.

Commissioner Collins mentioned that the statement made in the report was true because it was impossible to decide exactly what was to be done as capital costs of these schools were divided three ways, 1/3 by Territorial Government, 1/3 Indian Affairs and 1/3 by the order.

Mr. Chamberlist moved, seconded by Mr. McKinnon that the Committee of the Whole adjourn and Mr. Speaker take the Chair.

Motion Carried.

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

Discussions took place with Commissioner Collins on Interdepartmental Committee on Federal Territorial Financial Agreement and in the most part there has been general agreement. One particular section regarding Liquor Tax contained on Subsection 3 of page 10, was left in abeyance.

Discussion on the matter of the Separate School Capital Costs followed but nothing was decided at this time.

Council accepted the report of the Committee.

Mr. Chamberlist moved that there be no discussion on the agenda as Monday and Tuesday, November 6th and 7th had already been decided upon.

This was agreed to by all members.

Council adjourned until 10:00 O'clock A.M. Monday, November 6th, 1961.

Monday, November 6, 1961.
10:00 O'clock A.M.

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

Mr. Speaker advised Council he had received a letter with the Remembrance Day agenda. Copies to be furnished to all members.

Mr. Chamberlist asked if a reply had been received with respect to a Legal Advisor. No reply had been received at that time.

Mr. Chamberlist moved, seconded by Mr. McKamey that first reading be given Bill No. 1 "An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory."

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor that second reading be given Bill No. 1.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor that Council resolve into the Committee of the Whole for further discussion of Interdepartmental Fiscal Agreement.

Motion Carried.

In Committee of the Whole:

Discussion commenced, with Commissioner Collins present, at page 30, Capital Contributions with Regard to Separate Schools. It was decided that this section would be brought up at a later date for further discussion.

Mr. Livesey advised that the first sentence under (5) Other Schools, on page 11, is in error.

Commissioner Collins suggested that the words "with the exception of Brooks Brook and Swift River", should be added to the end of the sentence. All members agreed.

Mr. McKamey wondered whether or not the entire draft had been proof read before leaving Ottawa as it contained several errors.

Commissioner Collins told Committee that this is a draft report and as yet has not been approved by the Treasury Board or Cabinet in Ottawa and there was reluctance on their part about releasing this draft. Commissioner Collins agreed with Mr. Livesey's suggestion that this was a privileged preview.

Mr. Watt moved, seconded by Mr. Taylor, that the Committee, having confidence in Commissioner Collins, that Commissioner Collins have the authority to discuss with the Catholic Episcopal Corp. the matter of Capital Costs of the Christ the King Annex and submit a report accordingly.

Motion Carried.

Mr. McKinnon questioned, relating to Scholarships page 12, who would be the selection committee for these scholarships. Commissioner Collins advised that the Committee would be given a list of the names of the people on the selection committee.

Mr. McKamey asked, regarding recommendation (a) page 13, if this refers strictly to military personnel or does it also include civilian personnel working for the Department of National Defence. Commissioner Collins replied that it includes only military personnel.

Mr. Livesey questioned, regarding sub-section (1) on page 13, where this type of hospitals exist. Commissioner Collins said the only one is St. Mary's Hospital in Dawson, page 14 subsection (d) last paragraph.

Mr. Chamberlist inquired as to what reduction had taken place in the Army and Airforce that 40 beds are no longer required by the Department of National Defence due to reduction in Military Establishment. Mr. Chamberlist agreed to submit a question for production of papers to Council in this regard.

Mr. Livesey stated in reference to page 15 that Council did not feel that the Territory should be responsible for the building which they had nothing to do with. Commissioner Collins explained that the situation has been taken care of in the recommendations.

Mr. McKamey remarked that on page 16 it is stated that Yukon Administration is Federal Government. Commissioner Collins suggested that this should read Yukon Government. This was agreed to by all members.

Mr. Livesey, referring to page 16, did not agree with the report and stated the Hospital across the river was a mistake by someone else and the Territorial Government should not be responsible. As Council could see the cost would go up it was proposed the \$25.00 per day maximum. The report made it appear to be operating on a basis of solvency and if this recommendation is used the rest of the Territory would suffer. Mr. Livesey suggested that Council give this their very careful consideration. Commissioner Collins stated that this would come up again in the discussion of the Health Plan.

Mr. Chamberlist, referring to the Yukon Hospital Insurance Service, questioned whether Dr. Willis or Dr. Moore would be coming at the time Council discusses this Hospital Services Plan. Commissioner Collins advised that he had wired Ottawa to the effect that it would be preferable if Dr. Willis were to attend Council next week, if he could not manage it this week. He had had no reply.

Commissioner Collins explained, with reference to Welfare, that in order to have the Federal Government pay half of the Old Age Assistance, Blind and Disabled Assistance, it was necessary for the Territorial Government to include Indians in this assistance. Otherwise the Federal Government would not have paid any part of the assistance for White people. The Territorial Government does not pay supplementary allowance to Indians. This is taken care of by Indian Affairs Branch of The Department of Northern Affairs.

Committee recessed at 12:00 O'clock noon.

2:00 O'clock P.M.

Committee of the Whole convened at 2:00 O'clock P.M. for further discussion of the Interdepartmental Fiscal Agreement.

Mr. Chamberlist inquired, Subsection 1, section 4, page 71, if precedence would be given to any road being built through the Yukon to Alaska. Commissioner Collins stated that this would be so and the Federal Government would pay the full cost of such roads.

Mr. Chamberlist asked, Subsection 5 page 71, if a private road on private owned land received help from the Government and does this road revert back to the Crown. Commissioner Collins stated that these have always been crown lands leased to mining and oil companies etc. and there is no such thing as a private road on Crown land.

Mr. Livesey stated that Timber and Agriculture should be included in this road building project. It was agreed by all members. Commissioner Collins stated that this should read Mine Access Roads, Timber Access Roads etc.

Mr. Livesey, referring to Airports page 26, asked Commissioner Collins if the Territorial Government receives money from the Federal Government for any airports with the exception of Dawson and Mayo. Commissioner Collins replied that no money is received from the Federal Government for other airports.

Mr. Chamberlist asked if Emergency Airfields and Landing Strips receive any contributions. Commissioner Collins stated that as far as he knows, no one assists in maintenance of emergency air strips and although many will need rehabilitating there is nothing definite in this regard. Commissioner Collins suggested that airports for tourist use should come under Territorial Government and Airports for use of resources should come under Federal Government.

Mr. Chamberlist suggested that on completion of this report, a recommendation should be added that where airports are for mining resources purposes the Federal Government should pay toward them. This was agreed to by all members.

Mr. Shaw stated that this would be brought up for discussion at a later date.

Mr. Chamberlist, referring to paragraph 3 page 29, asked if this should be discussed with the liquor tax discussion which will take place at a later date.

Mr. McKamey suggested that the Indian Affairs Department contribute in capital cost of community centres. It was agreed that where the population is more than 5% Indian the Indian Affairs Branch would contribute.

Mr. Livesey, referring to page 3 asked if it is part of the present act that when land is divided up 1/3 rd of the lots go to the Federal Government and 2/3 rds of the lots are divided up. Commissioner Collins stated that 1/3 rd would not be retained.

Mr. McKamey asked, under the heading New Financial Assistance, section (g), what was meant by "Provide Community Planning Projects". Commissioner Collins stated that it would be payment of experts to lay out plans for a growing municipality, setting out residential areas and streets within the townsite to plan for the future.

Mr. Taylor asked that if 50% of the cost of such planning would be born by the Territorial Government, who would bear the balance. Commissioner Collins stated that this is not known and Mr. Taylor suggested that this matter should be looked into further.

Mr. Taylor suggested that Subsection H be changed to read a minimum of \$35,000.00 per year.

Mr. Livesey, referring to page 31, stated that if small communities were expected to pay 50% up to a maximum of \$35,000.00 they would be unable to do so. Commissioner Collins suggested that this recommendation be very carefully considered between now and the Spring Session.

Mr. Shaw stated that he had grave doubts as to whether the Committee that made up this report understood the situation in the Yukon as these small communities could not possibly raise these amounts of money and therefore would not be eligible for Federal Grants.

Mr. Chamberlist suggested that Committee of the Whole take this matter up at a later date.

Mr. Shaw stated that at the bottom of page 32 it states that the cost to an average family on a partial system falls below \$150.00 per year. This should read \$50.00

Mr. McKinnon stated that this report is short sighted when it states that there will not be any need for new full systems in the 1962-67 period, as the Health Authorities are worried now about the sanitation in the Porter Creek area and it will certainly need a full sewer and water system before the next five years. Mr. Taylor stated that the same situation existed in Watson Lake.

Commissioner Collins asked the Committee of the Whole to look into the subsidy question very carefully as it would be impossible for people to pay their share. The cost would be \$350,000.00 to half a million dollars and where would the money be coming from. Council would need to increase the amount available to them in the annual subsidy.

Mr. Taylor remarked that in the case of the Watson Lake area the same situation is going to occur and the cost will have to be spread over twenty years, but on the other hand there is not sufficient population to start paying for sewer and water, but the sewer and water is necessary. Commissioner Collins stated that this estimate is based on Whitehorse and it would cost considerably more in Mayo or Watson Lake.

Mr. Livesey was assured that the Federal Government was looking into this problem. He suggested that the partial system for various communities be looked into step by step.

Mr. Chamberlist was critical of Administration with regard to laying out of townsites without regard to sewer and water systems and their cost as it is going to create a large burden on people who own 200 foot lots. Commissioner Collins agreed that lots should be 50 by 100 feet and anyone wishing to own more land and who was willing to pay the heavy cost of sewer and water could buy two lots.

Mr. Chamberlist moved, seconded by Mr. Taylor that Council request the Federal Department of Health to give them information as to when a full water system would be required on the Porter Creek Subdivision and the Watson Lake Subdivision.

Motion Carried.

Commissioner Collins replied that this report had taken a year to compile and no one had any idea that Porter Creek would go ahead so fast.

Mr. McKinnon, referring to page 34, wished to know if the Territorial Government supports the cost of the Territorial Elections. Commissioner Collins stated that the Territorial Government does not pay any of it.

Mr. Chamberlist, with reference to natural resources page 35, desired to know if it is possible to find out how much has been paid to the Federal Government on leases for exploration and how much has been paid in taxes on mineral claims and the amount mines have paid to the Federal Government in 1961.

Mr. McKamey stated that it was somewhere in the neighborhood of 13 million dollars. Commissioner Collins agreed to bring these figures to the Council.

Mr. Livesey moved, seconded Mr. Chamberlist that the Committee request from the Administration a compilation of the total revenue accruing to the Federal Government on an annual basis for the year 1960.

Motion Carried.

A discussion followed on Civil Service. Members of the Committee were agreed that the Territorial Government employees would receive more benefits under the Federal Plan and this would encourage more capable people who would be more willing to remain in their positions in the Territory.

Mr. Chamberlist stated that he would like to know what is meant by Territorial Government.

Mr. Livesey and Mr. McKamey stated that this question had been asked previously and no one has yet received an answer. Mr. Livesey suggested that merely repeating the question will do little if any good. Mr. Chamberlist stated his intention of asking the Minister of Justice, the Department of Northern Affairs and if necessary he would write to the Prime Minister in order to get an answer as to whether the Territorial Government is a Government or not.

Mr. McKamey nominated Mr. Chamberlist a committee of one to find out if there is a Territorial Government. This was agreed to by all members.

Mr. Chamberlist moved, seconded by Mr. Taylor, that the Speaker take the Chair.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported the Territorial Federal Financial Relations Report had been discussed with Commissioner Collins present. The following submitted:

- (1) On page 11 it was decided to add to Section 5 the words "with the exception of Brooks Brook and Swift River"
- (2) On page 10, Subsection (iii), regarding operating costs, should be held in abeyance and discussed later and also Capital Cost as contained on page 9, regarding Separate Schools. At this time it was moved by Mr. Watt and seconded by Mr. Taylor that the Committee, having confidence in Commissioner Collins, that he should have the authority to discuss with the Catholic Episcopal Corporation the matter of Capital Costs of the Christ the King Annex and submit a report accordingly.
- (3) On page 16 the report was amended to read Yukon Government instead of Yukon Administration.
- (4) Paragraph 3 on page 29 be considered with recommendations concerned with liquor tax and be held in abeyance for discussion at a later date.
- (5) On page 30, in the matter of water and sewer installations, the Committee requested that Council receive a report from the Health Department as to when a full sewer and water system will be needed at Porter Creek and Watson Lake.
- (6) It was requested that the Commissioner submit figures on revenue from resources.

Council accepted the report of the Committee.

Council adjourned at 5:00 O'clock P.M. until 10:00 O'clock A.M. Tuesday, November 7th, 1961.

Tuesday, November 7th, 1961.
10:00 O'clock, A.M.

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

Mr. Speaker tabled a letter received from Commissioner Collins regarding official opening of the Library at 3:00 O'clock P.M. on Thursday, November 9th. A flag will be presented by the Imperial Order Daughters of the Empire and Commissioner Collins requested in his letter that a member of Council be prepared to say a few words.

Mr. Shaw suggested that the Councillor for that area be appointed. Mr. Chamberlist consented. All members agreed.

Mr. Speaker asked if Council was agreeable to the arrival of Mr. Peter Parker on Monday, November 13th, to act as Legal Advisor to Council.

Mr. Shaw moved, seconded by Mr. Chamberlist, that Mr. Parker attend Council with the utmost of dispatch.

Motion Carried.

MOTION
No 1. Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of motion with respect to Flag Poles for Schools at Beaver Creek and Destruction Bay.

Production
of Papers Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of motion for the Production of Papers relative to:
2. (1) Yukon Timber
3. (2) National Park for the Yukon

Question
No.1. Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of motion for Question relative to Small Debts Officials.

Council asked if any information regarding Mr. Taylor's notice of motion for production of papers relative to Vital Statistics, had been received, and was informed that no information had been received.

Mr. Chamberlist recommended that a logical reason why papers had not been produced, should be given. Mr. McKamey was in favour of such a recommendation.

Mr. Chamberlist moved, seconded by Mr. McKamey, that when production of papers have been requested and are not produced within forty-eight hours, a reason for the nonproduction should be given.

Motion Carried.

It was decided that the Clerk of Council follow up this motion for production of papers within 48 hours and advise Council the reason why the information has not been given.

Mr. Chamberlist moved, seconded by Mr. Shaw, that first reading be given Bill No. 2, "An Ordinance to Amend the Jury Ordinance".

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. Shaw, that second reading be given Bill No. 2, "An Ordinance to Amend the Jury Ordinance".

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. McKamey, that Mr. Speaker leave the Chair for discussion of the Interdepartmental Financial Report in Committee of the Whole.

Motion Carried.

In Committee of the Whole:

Committee resumed discussions of Interdepartmental Financial Report at page 37 with Commissioner Collins in attendance.

Mr. Livesey, referring to Administration of Justice, stated that the responsibility as far as finance is concerned is only part of the situation. He believed that justice was certainly Federal. Commissioner Collins replied that the Yukon Act states that Justice is Territorial. He further stated that Ottawa drafts the legislation. Mr. Chamberlist suggested that at the present time municipalities and unorganized communities are the responsibility of the R.C.M. Police, and asked would the Territory be reimbursed partly for the policing of the municipalities. Commissioner Collins explained that there is no cost to the municipalities. This is an effort to indicate that the control of police and their activities rests with the Government and not with the police. The money mentioned is part of the subsidy. It is merely establishing a principle. There will be two legal officers in the Territory; a senior officer and a junior officer. The senior officer will be a direct representative of the Minister of Justice in Ottawa and he will insure that the crown presents cases as they should be handled and he will draft legislation from here instead of Ottawa. The junior officer will be in the employ of the Department of Northern Affairs.

Mr. Chamberlist recommended that the location of the proposed new jail be further from the City. Commissioner Collins explained that this location would be a help to the city of Whitehorse to have the jail fairly close by reason of convenience of transportation and supplies etc.

Mr. Shaw, in the matter of the costs of the jail run by the Department of Justice, was concerned in case they would build an expensive structure which would cost large sums of money and the Territorial Government might get stuck with the cost of the jail. Commissioner Collins stated that until the Yukon becomes a Province this could not happen, and at that time it would be necessary to make agreements with the Federal Government.

Mr. McKinnon asked if Whitehorse really needs as many Police Officers as it now has. Commissioner Collins replied that the R.C.M. Police are now operating the jail and require 24 hour duty which necessitates much more help. When a new jail is built there will probably not be so many R.C.M. Police in Whitehorse.

Mr. Livesey explained that with the Department of Justice being Federal, he thought that the Territory was taking on a heavy burden and he asked if Commissioner Collins could advise us how the Committee arrived at this draft amount of 50% as an adequate percentage. Commissioner Collins said an analysis of the costs of the R.C.M. Police would indicate that 66% would be correct for the Territorial portion, but in order to make it easier for the Territory, they suggested 50%. This money is recoverable and therefore it will not cost anything.

Mr. McKamey asked if this means that the cost would be the same as now. Commissioner Collins said that this is true.

Mr. Chamberlist suggested that a senior legal officer would not only be concerned with criminal proceedings, but would also be concerned with civil actions. Commissioner Collins stated that he would have jurisdiction over all matters of justice, both Territorial Ordinance and Criminal Code, in the Territory. Commissioner Collins further stated that the Bar Association is really not a Law Society and if anyone wishes to make a complaint against practice of law on the part of any lawyer he can get no redress and he is seeking advice from Ottawa to make it imperative that the Lawyers of the Territory must belong to the Law Society of British Columbia. A citizen would then have redress in local matters.

Mr. McKamey asked who sets legal fees for searches, etc. Commissioner Collins stated that the Court sets fees.

Mr. Chamberlist stated that if a client is dissatisfied with the fees charged by lawyers the client can take this fee to the Sheriff and have it taxed.

Commissioner Collins suggested that this section dealing with the administration of justice should be taken up by a committee with the senior legal officer when he arrives and Council should discuss with him the legal problems which affect the people of the Territory.

Mr Shaw pointed out that it does not state that this person is the head of all legal matters in the Territory. Commissioner Collins stated that this person will definitely be the direct representative of the Attorney General.

Mr. Livesey, referring to revenues page 41, fuel tax, inquired if this means that everyone generating their own power supply would have to pay a road tax on the fuel used. Commissioner Collins agreed that this would seem to be the recommendation.

Mr. Shaw stated that this would also apply to mining companies etc., who use a great deal of fuel, but this will come up in discussion at a later date.

Mr. McKamey, with regard to property tax, stated we have Camp Takhini and Hillcrest, where there are large residential districts. He believed these were not assessed and wondered whether the grant from the Federal Government would be raised on the basis that the Territorial Tax Levy was raised. He believed the grant should be increased. Commissioner Collins replied that this had gone up from \$250.00 to \$350.00 in lieu of land tax, for education of pupils.

Mr. Taylor recommended that Commissioner Collins be excused for the present and that Mr. MacKenzie, Territorial Treasurer be asked to attend committee in the afternoon to discuss the Financial Agreement. Members of Committee of the Whole agreed.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee resumed discussion with Mr. MacKenzie, Territorial Treasurer, present.

Committee questioned why there was such a difference in the capital requirements for the period 62 and the period 63 to 67. Mr. MacKenzie explained that the estimate is higher in the beginning because of the figures on Education, new high school and vocational school. In later years the Territory will not have these expenditures and therefore it is lower.

Mr. Chamberlist asked whose suggestion it is based on that in five years time there will not be any more expense for new schools. Mr. MacKenzie stated that there is the assumption that the schools planned for will be adequate for the next five years, which assumption is based on the considered opinion of the experts in Ottawa.

Mr. McKamey asked if these amounts are based on construction of schools only. Mr. MacKenzie said it includes teacher accommodations.

Mr. McKamey stated he would like to revise this agreement because of the failure to predict the enrollment figures. Mr. MacKenzie advised that the enrollment figures were revised in view of the population increase in the last five years.

Mr. McKinnon asked how closely the expenditures follow the 1957-62 estimates. Mr. MacKenzie stated they were less than estimated. Every year there are amounts left in the votes. This year in the amount of \$675,000.00, as we are not spending as much on the Whitehorse Highschool as was expected.

Mr. Shaw asked if the Territory expected a deficit. Mr. MacKenzie replied yes.

Mr. Chamberlist asked that as the census is not yet out, how was the estimate of the increase in population arrived at. Mr. MacKenzie answered that it was an educated guess as they had to do the best they could with this matter.

Mr. Chamberlist asked that should this be wrong and the census show the population far greater than allowed for, what would be done. Mr. MacKenzie stated that the Territory is not bound strictly to these terms in dollars and cents and this could be changed.

Mr. Taylor questioned why there was no amount in the estimates for 1964-65 and 1965-66. Mr. Shaw replied that these were estimates and were not expected to be strictly adhered to.

Mr. McKinnon stated that he was led to believe that this financial agreement in 1957-62 was very rigid once it had been signed. Mr. MacKenzie stated that the last agreement was not rigidly adhered to but the annual estimates approved by Ottawa are the ones which are followed closely. Mr. Livesey remarked that Council did find the 1957-62 agreement was a very good guide and proved to be a very valuable document to Council.

Mr. Chamberlist requested that page 48 - Health come under discussion when Dr. Willis attends Council. All members of the committee agreed.

Mr. Chamberlist referring to Welfare, asked for an explanation as to the operating of a new Senior Citizens Home in Whitehorse. Mr. MacKenzie stated that it is expected that a home would be needed in Whitehorse, but this is just a possibility at the moment. When asked what year this would be, Mr. MacKenzie could not give the exact year but said it would be late in the five year period.

Mr. Livesey, referring to other Significant Expenditure Increases, asked about the establishment of a Department of Travel and Publicity. Mr. MacKenzie replied that this would take the place of present agencies in the Yukon and it would stop Federal Payments to the Yukon Travel Bureau.

Mr. Chamberlist asked if the Yukon Travel Bureau had been told about the establishment of the new Department. Mr. MacKenzie advised that he had dictated the letter and it would be going out shortly, after it had been approved by Commissioner Collins.

Mr. McKinnon, referring to water and sewer stated this estimate is out of line as new estimates must be established to include water and sewer systems for Porter Creek and Watson Lake. Mr. MacKenzie stated these estimates were based on water and sewer in ten small communities in the Yukon. These figures are based on partial systems. The Federal Government would absorb full cost of their people and the rest would be Territorial responsibility.

Mr. Livesey stated it would be best to get partial systems in the small communities where the population could not possibly pay for the full systems and settling pools were suggested.

Mr. Chamberlist, regarding Municipal and Area Development, wished to know what consideration was being given to the forming of a Department of Municipalities. The many problems of the municipalities should be handled by such a separate department. Mr. MacKenzie agreed that the volume of work to be handled in municipal affairs is growing and there is need for a separate department and it is agreed that one shall be set up, it is a question of when. He would say perhaps the early part of next year. Mr. McKamey stated that Area Development was the start of this new Department. Mr. Chamberlist desired more information on this. Mr. MacKenzie stated that the Department is called Municipal and Area Development Office and plans are being made to set up this department next year.

Mr. McKinnon in conclusion, asked Mr. MacKenzie, as head of the Treasury Department of the Yukon, his opinion of the report. Mr. MacKenzie stated that it is very satisfactory and could not be better from the Territorial Point of View.

Mr. Chamberlist stated that most members of Council are quite concerned with reference to section of the liquor tax deducted for the purpose of education. He asked if there were any problems in the disbursing of that money to the various Councillors for their constituents. Mr. MacKenzie replied the system worked out very well.

Mr. MacKenzie was excused from Committee.

Members of Committee agreed that a list of questions should be made up to be discussed with Mr. Carter.

- (1) Page 6, line 21 or 22, change to Council of the Yukon Territory has not been able to take action.
- (2) Page 8, Liquor tax.

Mr. Shaw stated that this was the first time that Council had any say in the moneys to be expended and each member could distribute it in a fair manner. In this way you know what money you are going to receive and can make plans. He suggested that the amount of \$35,000.00 be kept just as it now stands and not incorporated into the Consolidated Fund.

Mr. Taylor feels this amount is inadequate, as it would only amount to \$5,000.00 when divided up among the seven constituencies, and perhaps the 10 mill tax for education purposes and the balance of the welfare grant that now goes to welfare should be used by the Council as this might help to bring the amount up.

Mr. Chamberlist stated that the liquor tax was specified for the education fund and therefore should not be included in Consolidated Revenue Fund. He further stated that Council as a body is satisfied with the present arrangement, and this money could not be put into the general fund in any case until Council agrees to have it in. Mr. Chamberlist suggested that this part be taken out and let this matter stay as is.

Mr. Livesey stated Mr. Shaw's suggestion is quite in order and Council should follow it. Irrespective of what this report would say there has been no difficulty in the administration of this part of the Community Development Fund, which at one time was known as the Welfare fund, but has now been changed to Community Development Fund. We now have this money over which we have more control than we have ever had over any money in the entire budget. It may be unorthodox. The Committee making the report thought this to be cumbersome and served no useful purpose. This is the most ridiculous statement. Council could go further and follow Mr. Taylor's suggestion, but the original way would not be quite so drastic. If communities feel they would like to build a community centre or some such thing and if they could raise the money they could still borrow from the consolidated fund for such a project. It looks as though there would be no argument with this and we might have this both ways.

Mr. McKamey stated that since Council has had administration of these funds it has been very successful and great steps have been taken in the north to educate Indian children. Mrs. Ellen Fairclough agreed with us and thinks this is one of the major steps which will serve the Yukon in many ways. Mr. McKamey agreed that this money should be kept as it is.

Mr. Chamberlist agreed that this should be left in the hands of the Council as it was originally intended.

Mr. Chamberlist moved, seconded by Mr. Livesey, that Committee in reviewing this report, especially in the portion dealing with the liquor tax-education fund, that the monies be allocated in exactly the same manner as previously agreed upon by prior Council of the Yukon Territory.

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. McKamey that the Speaker resume the Chair.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of the Committee, reported that the Committee of the Whole had discussed the Interdepartmental Financial Report with Commissioner Collins present in the forenoon and Mr. MacKenzie, Territorial Treasurer, present in the afternoon. The Committee recommended that the section regarding Health be taken up with Dr. Willis when he arrives and on the balance of the report the Committee reports progress.

Council accepted the report of the Committee.

Mr. Speaker advised Council he had received a letter from Commissioner Collins to the effect that Dr. Willis will arrive on Monday, November 13th, and must return to Ottawa on Wednesday, November 15th.

Mr. Speaker requested the wishes of Council with regard to laying of the wreath on remembrance day.

Mr. Taylor moved, seconded by Mr. Shaw that Mr. Speaker, the Council Member for Carmacks-Kluane Lake District be asked to lay the wreath at the Cenotaph on November 11th.

Motion Carried.

Mr. Chamberlist requested that Mr. Shaw, Member from Dawson District be the wreath bearer. Council agreed.

Mr. McKamey moved, seconded by Mr. Taylor that Mr. Chamberlist be the representative of Council on the Whitehorse Hospital Advisory Board.

Motion Carried.

Following discussion on agenda, Council adjourned until 10:00 O'clock A.M.../

Wednesday, November 8, 1961.
10:00 O'clock A.M.

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

Mr. Speaker tabled two references for advice from Commissioner Collins:

- (1) regarding Sessional Paper No. 10 - Proposed New Fire Prevention Ordinance.
- (2) regarding relocation of squatters - set out in Sessional Paper No. 13.

Motion
No. 1

Mr. Livesey (with the Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that Flag Poles and Flags be supplied to the new school at Beaver Creek and also to the new school at Destruction Bay and further, that when conditions permit, suitable ground be allocated for the purpose of permanently installing the poles on both school grounds."

Motion Carried.

Production
of Papers
2.

Mr. Livesey (with the Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that the Administration be respectfully requested to provide for the benefit of the Legislative Council details in complete form, of the results of a motion addressed to the Federal Government concerning the classification of Yukon Timber as a resource, to be found on page 15 of the Journals of the Council Second Session 1961.

Motion Carried.

Production
of Papers
#3.

Mr. Livesey (with the Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that the Administration be respectfully requested to furnish the Council with all the latest pertinent details of any move, statement of policy, directive or action by the Federal Government toward the implementation of a suggested course of action outlined by the 1958-61 Council to be found on page 13 of the Journals of Council Second Session 1961.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Chamberlist, that Mr. Speaker leave the Chair for the purpose of discussing the Interdepartmental Committee report in Committee of the Whole.

Motion Carried.

In Committee of the Whole:

Discussion was resumed of the report at page 9 regarding the sentence "The Council gave no clear indication of the course it intends to take."

Mr. Chamberlist suggested that the wording is correct.

Mr. Livesey stated that it was a very controversial situation and asked "to whom do they consider we should have given direction". Council had concurred at least partially with the agreement with regard to separate schools. Previous Council requested a repeal of the school ordinance from Ottawa, but as yet no repeal has been made.

Mr. Chamberlist felt that the same treatment should be given all schools.

Mr. Livesey replied this was the ultimate goal, but Council wished to respect the wishes of the separate schools.

Mr. McKamey stated that the recommendation in the Committee Report is certainly misleading as Council is not at fault in this matter. We should express our views on the fact that we are not in agreement with this statement.

Mr. Chamberlist moved, seconded by Mr. Taylor that the policy of Council in regard to Capital Expenditure in Section 41 of the Education Report be the course that the Yukon Council intends to take.

Motion Carried.

Mr. McKamey, referring to Subsection 3, section 2, page 10, moved seconded by Mr. Chamberlist, that Subsection (iii) of section 2 be deleted.

Motion Carried.

Referring to Section 5, page 11, it is the intention to include "With the exception of Brooks Brook and Swift River" at the end of the first sentence. (see page 15, Votes & Proceedings this Session)

All Committee members agreed.

Referring to Health plan, page 16, it is the intention to delete the word "Administration" and the addition of "Government" in its place. (see page 16, Votes & Proceedings, this Session).

All Committee members agreed.

Mr. Chamberlist, referring to Subsection (ii) of page 13, stated he understood Council would not go into anything to do with Health before reviewing the Health Services Plan. He suggested that Committee leave pages 13 to 18 and go on with the report.

All members agreed.

Mr. Chamberlist, referring to Airports, page 26, suggested that some recommendation should be made in this report with regard to the maintenance of existing airstrips because of the potential use of these strips by the resources of the Territory.

Mr. McKamey told Committee that the emergency airstrips between Mayo and Dawson were in bad shape and they had been promised that this matter would be looked into. This might be a good time to consider what could be done.

Mr. Taylor stated that this recommendation only refers to Dawson and Mayo Airports. Airstrips all over the Yukon are greatly in need of maintenance and are in very bad shape. Provision should be made in this report for maintenance of these strips and possibly the building of new ones.

Mr. McKinnon moved, seconded by Mr. Taylor that Council ask Mr. Carter for the Government policy with regard to emergency airports, if none, Council recommend that a policy be established and surveys conducted of emergency airports.

Motion Carried.

Mr. Chamberlist, referring to Paragraph 3, page 29, moved, seconded by Mr. McKamey that this paragraph three be deleted because of the decision already made by the Committee in regard to Liquor tax.

Motion Carried.

Mr. Chamberlist suggested that when the Financial Agreement is made out, lines should be numbered, so that we can make direct reference to the place on the page to be discussed.

Mr. Shaw considered that this would be a very good idea and asked Mr. Chamberlist to make a note of his suggestion.

Mr. Chamberlist, referring to Recommendation C, page 31, felt the maximum of \$3,500.00 as the only grant to help in the administration of a new community would be most inadequate and this should read minimum of \$5,000.00 instead of maximum of \$3,500.00

Mr. McKamey suggested that it should be left flexible.

Mr. Chamberlist suggested that we delete the following words "up to a maximum of \$3,500.00".

Mr. McKamey stated this maybe some form of putting control on this for the rest of the Yukon and it deserves a lot of consideration.

Mr. Livesey admitted it would appear to him that small communities wishing to organize themselves are going to be restricted and it looks like an attempt to eliminate expansion.

Mr. Chamberlist suggested that if this part remains it would defeat the part of the report where it states it intends to encourage the growth of the municipalities in the Yukon.

Mr. Shaw suggested that if we consider a figure of \$5,000.00, we have a similar situation and he would suggest that the Territorial Government should use the population of the community as a guide to decide what figure should be set.

Mr. Livesey moved, seconded by Mr. Chamberlist, regarding Subsection C that the recommendations of this Committee are that sufficient scope be allowed for future expansion of villages or other communities and that no monetary limit be set by way of administrative grants to such Communities.

Motion Carried.

Mr. McKinnon, referring to page 33, believed the report is myopic in its statement and in the next five year period 62-67, there will be some need for new full systems for Sewer and Water.

Mr. Livesey agreed that many changes can happen in the next five years.

Mr. Taylor recommended that Council bring this matter to the attention of Mr. Carter and explain their position in this regard.

Mr. Chamberlist moved, seconded by Mr. Livesey, that the Committee do not agree with the comments by the Interdepartmental Committee as to the needs for full systems between the years 1962-67.

Motion Carried.

On page 33, it is recommended that the typographical error be changed from \$150.00 to read \$50.00 on the last line of the page.

Mr. Chamberlist, referring to Civil Servants, page 36, moved, seconded by Mr. Watt that the matter of Civil Servants of the Territorial Government be brought up with Mr. Carter.

Motion Carried.

Mr. Taylor, with regards to page 35, felt that some of the revenue from Natural Resources should be turned over to the Government of the Yukon Territory.

Mr. Chamberlist thought the time not right to ask for a larger portion of the revenues from natural resources.

Mr. McKinnon felt it unfair that public utilities electric power plants were exempt, whereas private owned electric power plants were not exempt.

Mr. Taylor suggested that this section should exempt any type of stationery engine.

Mr. McKinnon suggested that Committee ask Mr. Carter's thoughts on the section regarding this tax.

Mr. Chamberlist stated, the way the situation is now, people who could well afford to pay the tax are exempt and those who should be given the advantage of a little tax reduction on fuel are not getting this. It is unfair and we should not go along with this recommendation by the Interdepartmental Committee.

It was decided that this will be left for further study and brought to the attention of Mr. Carter.

Mr. Taylor moved, seconded by Mr. Watt that this committee desires an explanation as to the intention of the Interdepartmental Committee regarding this agreement.

Motion Carried.

Discussion of the Health Plan followed.

Mr. McKamey, referring to page 1, stated in the last sentence, "hospitals" should be singular.

Mr. Chamberlist stated that this refers to the two hospitals in Whitehorse.

Mr. McKamey wished to have this changed in case of trouble later on with Ottawa.

Mr. Livesey stated this is a Federal Hospital and Council participates only in so far as it has a member on the advisory board. The whole plan is made up to justify the building of this hospital.

Mr. McKamey stated that later on in the plan the wish is to close the two hospitals up north. Mr. McKamey moved, seconded by Mr. Taylor that the plan be more specific in terminology. It should be amended to read "The Old Whitehorse Military Hospital" and "The Old Whitehorse Territorial Hospital".

Motion Carried.

Mr. Livesey, referring to page 2, number 6, asked if the Member for Watson Lake would advise what the situation is at Ross River.

Mr. Taylor replied that at Ross River the settlement is predominantly native and has no medical help. Generally speaking these natives are flown from Ross River to hospital. Several deaths have occurred from lack of medical care. A nurse is needed.

Mr. Livesey asked Mr. Taylor the percentage of Indians and Whites.

Mr. Taylor answered approximately five Whites to 100 Natives.

Mr. Taylor, referring to number 7, questioned Watson Lake population and stated there are D.N.D. dependants in Watson Lake and he questioned the accuracy of the population figures.

Mr. Chamberlist asked if the Committee might make a note in regard to showing the population total of 15,094 and question Dr. Willis on where he arrived at this figure.

Mr. Chamberlist moved, seconded by Mr. Taylor, that Committee request that Commissioner Collins wire the appropriate Department of Ottawa to obtain census figures as detailed as possible for the Yukon, in view of pending legislation.

Motion Carried.

Mr. Taylor stated the inclusion of 37 Eskimos on Herschell Island is wrong. There are only a few places in the Yukon where there are any Eskimos. The total of 37 Eskimos is very inaccurate.

Mr. Livesey stated that the figures for Haines Junction are wrong as there are five hundred and some over the age of 21 who can vote and there are many children involved.

Mr. Taylor, referring to the 1962-63 conversion of Watson Lake health centre to a 4 bed nursing station, stated that this was needed five years ago. A ten bed hospital is needed now - 1966.

Mr. Watt asked if Mr. residents over other

Mr. McKamey stated in for need of a hospital is the backbone of the severe and dangerous (he hoped the people re the mistakes they made

Mr. Taylor wished to p that protection should

Mr. Chamberlist pointed of 10,000 has a 120 beds per 1,000 people.

to be ridiculous. It is necessary to justify this. He suggested that Council should show its contempt for this recommendation by pointing out to Dr. Willis very strongly that this suggestion for the Mayo hospital be reduced to a four bed nursing station shows his lack of knowledge on this matter.

Mr. Livesey stated that the original plans for the hospital across the river were so badly miscalculated, that in order to justify this hospital everyone else in the Yukon must suffer. He states there is no nurse or doctor anywhere in his electoral district.

Mr. Taylor stated that former Council enacted a resolution asking for continuation of Haines Junction Nursing Station and this has not been done.

Referring to Section D, Communicable Diseases, Council believed that \$500.00 a year is no where near enough money to be spent on prevention and cure of Communicable Diseases.

Mr. McKamey stated Dr. Willis must have it pointed out to him how the people of the Yukon feel about the Health Services in the Yukon.

Mr. Chamberlist suggested that Committee mark 8, 9 and 10 for questioning when Dr. Willis is in attendance.

Page 30 pp 5
- 1 Mr McKamey
Page 41 pp 3 4
10 Peter Owen

Clerk of the Council was asked to produce the population figures for Whitehorse, Mayo and Dawson. The figures were presented as follows:

	1956	1941
Whitehorse	2,570	4,833
Dawson	851	846
Mayo	249	332

Mr. Taylor asked if these figures were from the Dominion Bureau of Statistics. Clerk of the Council replied that this was so.

Mr. Watt asked if this population was within the municipal boundaries and the answer was yes.

Mr. Taylor, with respect to page 3 (d), stated a public health nurse looks after the preventive medicine needs of the district. She can treat the Indians, but can do nothing for Whites.

Mr. Chamberlist stated we should make note of section 16 and question Dr. Willis so that we can find out exactly where the administrative responsibility lies.

It was agreed by all members that this Section 16 be clarified by Dr. Willis.

Mr. McKinnon, referring to summary of costs, noted that the report says Yukon has the largest V.D. rate in the country and allows only 500 dollars a year to control it. This is hard to understand.

Mr. Shaw stated the plan projects the cost under this system and it increases each year in expenditure until in 1966-67, we have an expenditure of \$370,886.00

Mr. Chamberlist suggested in the Summary of Costs there is no mention at all of the Haines Junction Health Centre. It appears to be forgotten.

Mr. McKinnon, referring to Health Service Targets (f), questioned the word "Psychological" and asked if it meant having a Psychiatrist. It was suggested that this probably meant physiological.

Mr. Chamberlist, with regards to (q) suggested that we must consider the future and should be concerned because of the large increase in V.D. and lack of following up of conditions laid down in the Health Ordinance in regard to medical examination of all people employed in the handling of food. It was explained that the Sanitary Inspector checks up on all such people.

Mr. Chamberlist stated he would give notice of motion tomorrow for production of papers for the details of what system is being used in this connection and what certificates have been given recently.

Health Services Targets: Treatment Services was discussed, and it was decided that this be kept open for questions to Dr. Willis.

Mr. Chamberlist moved, seconded by Mr. Taylor that the Speaker resume the Chair.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, gave his report. He stated the Interdepartmental Agreement was studied with the following recommendations:

- (1) the Committee does not agree with the report that there will be no full sewer and water systems required in the next five year period.
- (2) the Committee requested that the matter of superannuation page 36, be discussed with Mr. Carter and inquiries as to the status of Territorial employees in relation to civil servants.

- (3) the Committee asked for explanation as to the intent of the recommendation of the Interdepartmental committee in the matter of motor vehicle fuel tax.

The Committee then progressed with the perusal of the Health Services Plan, with the following:

- (1) During the Summary it was asked that the Military Hospital and the Whitehorse General Hospital be defined as separate units.
- (2) the Committee wishes to know where the estimated population totals were taken from and what was the basis for their calculations.
- (3) the Committee wishes to have Section 8 explained to them with the thinking of the Department of Health which prompted their recommendations.
- (4) Section 16 be clarified by Dr. Willis.
- (5) Public Health Services, page 2, section F. The Committee wishes to know whether this means psychological or physiological.
- (6) Section 10, the Committee has inquired regarding the interpretation of that particular paragraph.
- (7) There was a request during this afternoons Committee meeting where the Committee requested that Commissioner Collins wire Ottawa to receive the figures of population.

Council accepted the report of the Committee.

Following a fifteen minute discussion on the agenda, Council adjourned at 5:00 O'clock P.M. until 10:00 O'clock A.M. Thursday, November 9, 1961.

Thursday, November 9, 1961.
10:00 O'clock A.M.

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

Mr. Speaker tabled two references for advice received from Commissioner Collins as follows:

- (1) Letter advising that Mr. Harry Roddin, a Legal Advisor, would be arriving in Whitehorse on Saturday, Nov. 11th.
- (2) A memorandum to Council regarding Emergency Measures Organization.

Production
of Papers
4.

Mr. McKinnon gave notice of motion for the production of papers relative to partial sewer and water systems as applicable to non municipal communities in the Territory.

Production
of Papers
5.

Mr. Taylor gave notice of motion for production of papers respecting a death at Upper Liard.

Mr. Taylor moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair for discussion of the Interdepartmental Financial Report in Committee of the Whole.

Motion Carried.

In Committee of the Whole:

Present for the discussion of the Interdepartmental Financial Report were Mr. F.A.G. Carter, Assistant Director, Northern Administration Branch, Ottawa, and Mr. K. MacKenzie, Territorial Treasurer.

Mr. Taylor requested that Mr. Carter give a rough outline as to his part in putting together the Interdepartmental Financial Report.

Mr. Carter stated that Commissioner Collins, with the help of Mr. MacKenzie, outlined what he felt was required and during the lengthy discussions in Ottawa both Commissioner Collins and Mr. MacKenzie were present, along with representatives of the Northern Administration Branch. Mr. Carter acted more or less as mediator between the Federal Government Finance Department and Commissioner Collins.

Mr. Chamberlist asked Mr. Carter, in regard to the report, if a major increase in the cost of living in the Territory occurred, would there be a supplementary agreement to help cover the extra costs, due to the fact that the budget for the next five years would remain quite rigid. Mr. Carter advised him that this would be so. Mr. Livesey remarked that by negotiating a five year agreement, we would be safeguarding our allotted sums.

Page 6, paragraph 3: Mr. Shaw spoke for the Committee in stating that this should be changed to read "since Council of the Yukon Territory was unable to take action." Mr. Carter agreed that the statement had been misleading.

Page 8, paragraph 2: Mr. Carter explained that the Financial Committee felt that it would be a little neater to have all the revenue in one pot. He further explained that the Federal Government does have a program of assistance to community projects.

Mr. Livesey stated that this is a vast difference from the way Council handled same. The Federal Government is only willing to give 50% of any amount required for building Community Centres, etc. and this would eliminate many small communities, which could not afford to raise this much money. Territorial Council took the balance of the Liquor Tax, after \$40,000.00 had been deducted for Education, for the use of the electoral districts, for community development projects. The system has run into no difficulties and it is the outlying areas which need a lot of assistance and it is the general feeling of the Council that we should continue with the formula which is already laid out. If additional money is needed for development in this area, we could then follow the 50% agreement from the consolidated funds.

Mr. Chamberlist stated that this particular tax was put on liquor for the specific purposes of education and community development.

Mr. Carter suggested that there are two points, as follows:

- (1) the basic principle as to whether the Territorial Government should contribute 100% instead of 50% for small communities.
- (2) some portion of the revenue should be allocated to the Territorial Government for its own use.

Mr. Shaw felt that small communities contribute liberally to projects for community centres through the raising of as much money as they can afford and through using their own labour for the building of community centres at no cost. Council works these grants out in a way that one constituency may borrow from another and pay it back the following year.

Mr. Carter stated that he felt he would have no difficulty in persuading the Government at Ottawa to agree to the Committee's wishes with a ceiling put in the spending for the year. The Federal Government would not say how this would be spent and would still offer assistance in municipalities where there is an Indian settlement. The Federal Government would contribute 50% in respect to the Indian part in the projects.

Mr. McKamey advised that they had approached Indian Affairs with regard to such a contribution for a centre in Mayo. They were advised by Indian Affairs that this was a very good idea but they could not contribute. Could Mr. Carter indicate when they had the change of heart.

Mr. Carter said this was fairly new and he could not give the background but he believed it was for some means of helping the Eskimos. It is still experimental, but as yet no formal action with regard to Indians had taken place.

Mr. Taylor, in summing up, commented that if the liquor revenue - welfare fund was solely allocated to the Council for community projects, this would work out well for community development and education could then be taken out of the Liquor Tax.

Mr. Carter suggested that the \$40,000.00 now allocated to education be considered with the \$35,000.00 allocated to community development, giving a total of \$75,000.00 for community development and the liquor tax be allocated among the districts and larger major developments would be on a Federal 50-50 basis.

Mr. McKamey suggested that the use of this liquor tax for community projects would be a step in the right direction as far as our native problems are concerned.

Mr. Carter asked for the Yukon Council's directions in this matter in order to give the Federal Government some idea what the Council wishes.

Mr. Livesey stated that we should retain what we now have, with the option of possibly adhering to the principle with regard to further funds on a 50-50 basis. He felt that it might be wrong to take the \$40,000.00 away from education as this was considered by the the people of the Yukon to be very important.

Mr. Carter advised that a number of members felt that it was wrong to have a small portion of the education paid for in this way, from a certain tax collected. Using the entire liquor tax for community projects would give \$75,000.00 a year - \$40,000.00 higher than the Committee had contemplated. The Government would argue that this was too much, but the committee would get a lot of worthwhile projects done if they had \$10,000.00 for each section. The Federal Government would not consider any further contributions on Community Centres at all. In order to get the Federal Government to agree to this there would have to be a condition that the money was given by Council for Community Centres available for everyone's use.

Mr. Livesey stated this would not take any selling because if the Government intended to give money for Community Efforts, they would merely be taking our money to do this. We would be contributing to a Federal responsibility from a specific tax which was placed on liquor for the people of the Territory.

Mr. Chamberlist stated Mr. Carter's suggestion was a very good one and we would be getting the money which is being received out of this taxation. This will increase the community development fund for everyone.

Mr. Carter said that \$40,000.00 would be much more than the Government would contribute to community efforts and this would be much simpler and clearer.

Mr. Taylor agreed with Mr. Livesey in that the Territorial Council would be assuming, in a sense, part of the Federal Government responsibility and we should take no responsibility away from Indian Affairs. They should contribute with us.

Mr. Carter advised that the Indian affairs people would do everything they could to help with these projects built for the use of all people, but the Federal Government would not be called upon to build separate halls for Indians.

Mr. Chamberlist stated there is no segregation with regard to Indians in the Yukon.

Mr. Livesey argued that this was not so. We would all like to improve the situation. Education has gone up in cost and this is a Territorial Government responsibility and \$40,000.00 for education being taken away might bother the people.

Mr. Taylor observed that the loss of \$40,000.00 of revenue for education would be made up through the 10 mill increase in tax, which will increase \$52,000.00 outside the municipalities and \$73,000.00 in municipalities.

Mr. Livesey stated that the capital and maintenance costs of education have gone up so much that the \$40,000.00 would certainly help.

Mr. Chamberlist quoted the Bill of Rights with regard to segregation and stated that all people in Canada have the same rights.

Mr. Livesey stated that this question should be thought of on a basis of fact not theory and discussion of liquor for Indians will be taken up in

Council in the future. The question of asking more than we had already decided upon, before Mr. Carter arrived, is the decision to be made. We agreed to retain the \$35,000.00 and that we would ask for more money in various areas in terms that would be equal to our requirements from the funds laid down here and suggested in this report. If the Committee feels we should move toward this new suggestion, that is the prerogative of the Committee.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee resumed discussion of the liquor tax, as recommended as follows:

That all tax revenue derived from the liquor tax be directed to Community Development during the period of this Agreement on the same basis of distribution as heretofore.

Page 9, regarding Capital Costs in relation to Schools: Mr. Shaw stated that Council did give a clear recommendation, but the Catholic Apiscopal Corporation was not in agreement as to how the contribution was to be made. This Corporation wished to retain ownership of the separate school. Committee agreed with Commissioner Collins that the wording should be changed to read "The Territorial Council was unable to give a clear indication of what course it intends to take".

Page 16: It was agreed that in the second full paragraph, it should read "Government" rather than Administration.

Page 13 to 18: Mr. McKinnon suggested they be held in abeyance pending study of the health plan.

Page 26: Committee enquired as to whether the Department of Northern Affairs has any policy regarding emergency airports and if not, it recommends that a policy be set.

Mr. Carter stated there is no question of the Territorial Government sharing in this. There are discussions going on between the Minister of Finance and the Minister of Transport in this regard. If they get involved in a policy for airports it will be necessary to do so in other parts of Canada. He stated that advice on this matter to the Government would be a good thing. This would be a Department of Transport undertaking and not Northern Affairs. When asked how the Territorial Council could get this before the Department of Transport, Mr. Carter stated that Commissioner Collins had put this before us for the last few years and this is being studied, but it will take considerable time.

Mr. Shaw stated that Council would pass a motion to be forwarded to the Department of Transport.

Page 24, paragraph 2 regarding Resource Roads: Mr. Livesey would like Timber to be classified as a resource. Resource roads are all roads to mines and Mr. Livesey felt that if timber was classified as a resource the Government should give some consideration to it in the way of roads.)

Page 30, Subsection (h) section 2: Recommendation - maximum should be changed to "minimum".

Mr. McKinnon stated that the Committee originally felt that the \$35,000.00 should be left as it is for community centres and any other assistance which would be needed would be on the 50-50 basis, but in the light of the present recommendation this part should be deleted.

Page 31, Subsection (c): The Committee thought that sufficient scope be allowed and no monetary limit be placed and the words "Up to \$ 3,500.00" be deleted.

Mr. Carter said that if a community was large enough to need more than \$ 3,500.00, it would probably be large enough to be a municipality and would come under a different category and should take some of the responsibility to help itself. Committee agreed that the easiest way to clarify this would be to delete these words and any limits should be set by the Territorial Government.

Page 32, Sewer and water: Council does not agree with the comments that there will be no requirements for full systems during this period.

Mr. Carter stated that for the protection of the Department of Northern Affairs and the Yukon Government this should be made clear in the agreement that any major projects unforeseen would have to be a separate issue. He remarked further that he believes that when these communities become aware of the great cost of sewer and water systems, they themselves will not be willing to bear such a cost. There are many small communities in the south which would not be able to afford to carry the cost of full sewer and water systems.

Mr. Taylor felt that if full systems become a necessity in the next few years, provision should be made for them.

Mr. McKinnon stated that there should be some flexibility in this sewer and water provision.

Mr. Carter stated that this should be stated in Council's recommendations.

Page 32, Sewer and water: It was agreed that on the last line of this page the figure of \$150.00 should have been \$50.00

Page 36: The Committee enquired as to the status of Federal Civil Servants.

Mr. Carter stated that Territorial Government Civil Servants are not Federal Civil Servants in law, but they are servants of the Queen and their status is such that they should come under the Civil Servants Superannuation Act.

Page 41, Recommendations on Revenue: The Committee requested a definition of the intentions of the recommendation on page 41 on Fuel Tax, especially with regard to the one exemption for stationery power plants operated by Public Utilities.

Mr. Carter stated that the more exemptions you have the less you collect and this must be kept as simple as possible by reason of the collecting of these taxes. Taxing the Public Utilities would raise the cost of these utilities for the people. There was absolutely no intention of taxing fuel for heating houses, but just motor vehicles on the highway.

After a general discussion the following recommendation was given:-

The wording to be changed to read, "The Committee recommends that the present exemptions under the Motor Vehicle Fuel Tax Ordinance be considered by Council and that the amount of the Motor Vehicle Fuel Tax be increased at the rate of 1¢" etc., as it appears in the report.

Page 43, Liquor Revenues and Liquor Tax, No. 4: Mr. Chamberlist suggested that the whole of section 4 should be deleted.

Mr. Carter suggested that the recommendation which Committee made previously (see page 36) would mean that all the references to Liquor tax would have to be changed.

Page 43, Section 5, Income Tax: Mr. Livesey wondered with regards to income tax - is this based on the present tax or a possible increase in income tax.

Mr. Carter stated that the form of agreement that the Provinces have with the Federal Government would not agree with the Territories, so they developed a plan which would meet with the Territories requirements.

Mr. McKinnon asked if it would be possible to bring in a recommendation with regard to the fact that this report seems to have been somewhat shortsighted and that we have some sort of protection.

Mr. Shaw pointed out that the Committee had recommended that a resolution be made to that effect, which will cover in general terms the emergencies or situations which might occur in an explosion of population, and this to be made up by the Committee on the following day.

Mr. Chamberlist moved, that the Speaker resume the Chair.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported it was very difficult to itemize, but a summary of the various resolutions made with Mr. Carter and Mr. MacKenzie present were as follows:

- (1) Committee recommended to Mr. Carter that all tax revenue from liquor tax be on the same basis of distribution as before.
- (2) Concerning Airports, Mr. Carter stated that it was not an undertaking of the Northern Affairs Department and we should approach the Department of Transport in this respect.
- (3) Committee asked Mr. Carter to assure that Timber be classified as a resource in the Territory.
- (4) Committee requested that with regard to Fuel Tax recommendations contained on page 41, that the following be stricken from the recommendations, "Except for fuel used in stationery power plants operated by Public Utilities." and that the Ordinance be considered by Council.
- (5) It is also the recommendation of the Committee that Council form a resolution to the effect that the Interdepartmental Committee include a provision in the event of unexpected or unforeseen expansion that might occur in the Territory, and that flexibility be allowed in the capital costs.

I wish to have a recommendation in the final analysis that a complete report of recommendations be forwarded to the Administration.

Council accepted the report of the Committee.

Mr. Shaw requested Council's permission to have legal absence for Friday, November 10th, to attend a meeting in relation to Dawson City Festival.

Mr. Chamberlist moved, seconded by Mr. McKamey, that leave be granted.

Motion Carried.

Mr. McKinnon requested that in view of Mr. Shaw's absence and Saturday being Remembrance Day, Council should not sit on Saturday, November 11th.

Agreed by all members.

Mr. Speaker requested a replacement for Mr. Shaw as wreath bearer on Saturday.

Mr. Shaw recommended Mr. Chamberlist for that honour. Mr. Chamberlist accepted.

Council adjourned at 5:00 O'clock until 10:00 O'clock A.M. Friday, Nov. 10th.

Friday, November 10, 1961.
10:00 O'clock A.M.

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

Mr. Chamberlist announced to Council the death on the previous evening of Mr. T.C. Richards.

Mr. Chamberlist moved, seconded by Mr. Watt, that Council send a message of condolence to Mr. Richard's family.

Motion Carried.

Motion Mr. Watt gave notice of motion respecting Interdepartmental Committee No. 2. on Federal-Territorial Financial Relations.

Production Mr. Taylor gave notice of motion for the production of papers relative of Papers to revenue from resources.
#6.

Production Mr. Taylor gave notice of motion for the production of papers relative of Papers to revenue including income and corporation taxes.
#7.

Question Mr. Taylor gave notice of Question relative to the death of Mr. O. No. 2. Peterson at Watson Lake, Yukon Territory.

Mr. Speaker announced that on Monday the 13th of November, there would be a nation wide practise for civil defence.

Mr. Taylor moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair for discussion in Committee of the Whole of the Health Plan in relation to the Interdepartmental Report.

Motion Carried.

Mr. Speaker requested Mr. McKamey act as Chairman of Committee in the absence of Mr. Shaw.

In Committee of the Whole:

Committee requested the attendance of Mr. Carter, Assistant Director, Northern Administration Branch, Ottawa, and Mr. K. MacKenzie, Territorial Treasurer, be present for discussion of the Health plan.

Mr. Taylor moved, seconded by Mr. Chamberlist that Committee discuss the Health plan starting at Page 13.

Motion Carried.

Page 13 (a): Mr. Livesey asked Mr. Carter's description of Department of National Defence personnel, as to whether this meant military personnel and their families.

After discussion of this it was agreed that the Federal Government pays for the personnel, but their families are included in payments for hospitalization by the Territory, of which 50% is recovered from the Federal Government.

Mr. McKamey stated there is a point in dealing with Mayo Hospital which he would like to draw to Mr. Carter's attention, that in the public accounts of the Government in regard to the operating costs of Hospitals in the Yukon Territory, the Mayo Hospital's excess of revenue over expenditures was approximately \$4,000.00

Page 15: Mr. McKamey stated this paragraph is very ambiguous, regarding

the comment that in order to run efficiently a hospital should be run at 80% of capacity. Mayo hospital was running at 50% bed capacity and in the Public Accounts of the Government it shows excess of revenue as \$4,099.08 for Mayo Hospital. We are endeavouring to develop the Territory and there seems to be a lack of co-ordination in Ottawa. It appears that the Committee is interested in the health of people outside the Yukon Territory. In British Columbia they recommend a hospital in one place with a smaller population than Mayo.

Mr. Carter wished to make the point that the 80% capacity figure was taken from all across Canada as the most efficient. This profit of approximately \$4,000.00 is strictly operating costs and if capital costs are included in it this hospital might show a different picture.

Mr. MacKenzie, Territorial Treasurer, pointed out the excess of revenue over expenditure is caused by the fact that the Territorial Government have advanced \$23.00 per person and the costs were only \$20.00 per head.

Mr. Livesey pointed out that the Whitehorse Hospital cannot operate on \$25.00 a day.

Mr. Carter advised that the services provided in the Whitehorse Hospital are different and much more extensive than at Mayo.

Mr. Chamberlist concurred with Mr. McKamey and said there are things concealed in the hospital costs here and not in Mayo, such as extravagant construction, auxiliary buildings, etc., and Mayo should not be penalized because they conducted their hospital economically.

Page 15, of Yukon Health Plan: Mr. Taylor commented that the British Columbia point and the North West Territories point were mentioned in regard to medical facilities at Watson Lake. It is very rarely that people from these places are ever looked after at Watson Lake. The Tungsten mine has its own clinic and these places have no bearing on the Watson Lake Hospital situation.

Mr. Carter wished to explain this paragraph, and the statement that the Tungsten mine has nothing to do with Watson Lake. The Committee's assessment is on development of Watson Lake into a large centre and these places are all contributing to the development of Watson Lake. This was simply an assessment of the situation and unless new economic developments come along, we must assume that Watson Lake will become a more important centre in the Yukon. Since the feeling on the part of Council was that the reasons Dr. Willis had proposed downward proposals were simply to fill up the Whitehorse Hospital, Mr. Carter stated that Dr. Willis's main objective in life is to try to bring about the best medical assistance to people that is possible. The Finance Department had difficulty in convincing Dr. Willis that money must be considered. He had no intention of using shotgun methods of getting the Whitehorse Hospital filled. The hospital was over-extended, but this was a good thing. In the very near future this hospital will not be too big. The Federal Government decided to place a limit on the charges to people for using that facility but has no intention of cutting down the other facilities for the Yukon on account of the new Hospital. You are a lot better off to go to a big hospital three hundred miles away than to a smaller place without the proper facilities. It would be alright for the Council to say these facilities should be kept in Mayo but ulterior motives should not be discussed.

Mr. McKamey agreed with Mr. Carter in some respects but in others he could not agree. He stated that it is sometimes impossible to rush

people to a hospital three hundred miles away. The temperature goes down so low in winter, that transportation is sometimes impossible. United Keno Hill Mine is very dangerous and the Mayo Hospital should be kept open because of the possibility of a major catastrophe.

Mr. Livesey could not agree with Mr. Carter. He thought the whole health plan is a pipe-dream of medical idealists and not the real answer for practical conditions. One centre for the whole of the Territory is impractical. There is no contact between the high level thinking of the health plan and the lower level needs of the people.

Mr. Taylor said with regard to the attitude of Council, that Northern Health Services have failed to provide proper medical assistance to the Territory. Public health nurses have failed to meet the requirements. They got the nursing station through the efforts of Council and Dr. McKinnon and Dr. Munro placed every obstacle in the way. In the last seven years about twenty people have died for lack of medical care. There are 2,136 people at Watson Lake plus a transient population which amounts to roughly 1500 people, and not one Government Hospital bed on the highway from Watson Lake to Fort Nelson. Watson Lake requires a 10 bed hospital next year.

Mr. Chamberlist felt that these things should be brought up in discussion with Dr. Willis when he attends Council.

Mr. Carter explained that Northern Affairs is in a position of persuasion, not control, and he suggested that Council should pick out specific features of the health plan that it does not approve and make a formal resolution. Council will have a much easier time if no agreement is reached with Dr. Willis. If your resolutions can be clearly drawn up then this can be a matter for Government as a whole to judge and if we can have formal resolutions from Council this brings it up to Cabinet level and it can be discussed.

Mr. Livesey stated there are numerous resolutions on record which have had no effect whatsoever.

Mr. Carter asked if the total cost of getting a hospital going at Watson Lake would mean an additional expenditure of \$300,000.00 on Health Services, are the people prepared to raise the taxes for the cost of this.

Mr. Chamberlist stated it is the Federal responsibility for payment of these services. In the Whitehorse Hospital 70% of the Territorial beds have been full, 80% of the Indian beds filled and only 25% of the Department of National Defence beds have been filled. The public of the Territory are being asked to pay for the costs of the over-estimate requirements of the Department of National Defence and this should be the job of the Federal Government.

Mr. Livesey stated we pay the same amount of income tax as anyone in Canada and we are certainly paying for it as individuals. Because someone else set up a scheme that didn't pay why should we have to pay the extra cost.

Mr. Carter said if the Yukon was suffering by paying the actual cost of the hospital it would be hard to argue but when the committee has accepted the \$25.00 per day cost, the people of the Yukon are, by and large, not being charged for any excess of that building. The entire cost of services beyond this plan should not be paid by the Yukon, but the Federal Government will look on this more reasonably if going along with the request that the Federal Government build these facilities which are needed now, if you are willing to pay a reasonable amount of the cost. This is just a suggestion of how you might get what you are asking for.

Mr. Livesey stated that what the Yukon Council wants is to get a revision of thinking in Ottawa and to get a practical answer and not an idealistic plan. The Yukon is asked to buy what it does not want, and if we get what we do want, we must pay for both. They are eventually going to have to take into consideration the needs of the people.

Mr. Chamberlist agreed with Mr. Livesey and stated that Mr. Carter must look at both sides of the picture, but if he knew what the Council Members are thinking it would help him in bringing these things before the Committee in Ottawa.

Mr. Carter found this discussion most useful and said if the Members of Council could put into his hands precise information, he will attempt to argue as well as he can that the Federal Government do as much as possible of what Council wants. If the requests can be tied in with some sort of cost system, this will make it much easier for him to argue.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee resumed discussions with Mr. Watt, who had been asked to take the Chair in Mr. McKamey's absence, as Chairman.

Page 16, Health Plan: It was agreed that the word "Administration" be altered to read "Government".

Page 15: Mr. Livesey asked Mr. Carter to discuss the two statements in the last paragraph of page 15, as it seemed that the City of Whitehorse had a tremendous amount of responsibility with regard to 75.4 percent Territorial and 25.8 percent Federal Responsibility. Mr. Livesey stated that Whitehorse is 60% Federal.

Mr. Carter stated that Federal Employees and employees of Department of National Defence are not considered as Federal Responsibility, as they must take part in the Health Plan and are treated as part of the normal population. When an employee of Department of National Defence or a Federal Civil Servant goes into the hospital, he is classed with the other people in the City. The persons not covered by this program are Armed Services and Dependents and R.C.M.P.

Mr. Chamberlist stated the Territorial Government is paying 74% when 50% of the people here are dependents of armed services personnel.

Mr. MacKenzie stated that the Territory recovers from Ottawa 50% of all payments, except Indians and they recover 100% for Indians.

Mr. McKinnon asked if the dependents of Service Personnel get medical and hospital service outside.

Mr. Carter answered that they do not. The Hospital Plan as it now stands covers everyone except R.C.M.P. and Armed Forces.

Mr. Chamberlist moved, seconded by Mr. McKinnon, that Mr. MacKenzie and Mr. Carter be excused from the Committee meeting as all the points in the Interdepartment Report had been covered, except the Health Plan which is more in the field of Dr. Willis.

Motion Carried.

Mr. McKinnon suggested that the Committee of the Whole spend the rest of the afternoon studying the health plan in preparation for the visit of Dr. Willis.

After a general discussion of the proposed Health Plan, Mr. Speaker resumed the Chair, and Mr. Watt, Chairman of Committee in the absence of Mr. McKamey because of sickness, reported the following sections of the Health Plan were discussed with Mr. Carter and Mr. MacKenzie present:

- (1) Question 13 as to the status of military personnel, civil servants and their dependents and the cost sharing arrangements between Territorial and Federal Governments.
- (2) Question 14, number of beds at the Whitehorse Hospital, D.N.D. using only 25% of the beds allotted to them, this being the major cause of the 50 to 60% capacity. Mr. Carter suggested that 80% occupancy is considered necessary to a maximum efficiency and it was his belief that 80% occupancy would be reached in a few years. He stated he did not believe it was Federal Policy to try and attain maximum efficiency of the hospital at the expense of the smaller communities of the Territory, in particular, Mayo and Dawson City.
- (3) Page 14, last paragraph: Mr. Carter said the Territorial Government would not be expected to contribute more than \$25.00 per day per patient for the hospitals.
- (4) Mr. Carter advised the Committee to pick out specific features of the report which were disagreed with and make a resolution and describe in detail our recommendations, as examples he mentioned Watson Lake, Mayo and Dawson City.
- (5) Mr. Livesey questioned the 74.2 - 25.8% cost sharing formula, particularly for the Whitehorse area. Mr. Carter explained and verified the percentage of cost sharing arrangements in the Whitehorse Area.
- (6) Page 5: Mr. Chamberlist referring to 19 (a) stated if military establishment had medical facilities, they should look after dependents. This ought to be considered when payments are made by D.N.D. for operation of Whitehorse General Hospital.
- (7) Page 8: Mr. Chamberlist questioned the administration burdens borne by the Territorial Government.

Mr. Watt further reported general disagreement by the Committee Members of the Health Report.

Council accepted the report of the Committee.

Mr. Chamberlist suggested that Council should not sit on Monday, November 13th.

All Members agreed.

Mr. Speaker stated that this is the only part of Canada not taking part in the Civil Defence test, except for the military personnel of the area and we should immediately after our arranged agenda with Dr. Willis, make our plans to study the copies of the Civil Defence Program sent to us by Commissioner Collins. Brig. Lilly has stated that should Council agree to go over the warning system for the area, he would be most pleased to have Council do a tour of the Army Headquarters.

Following a discussion of the agenda, Council adjourned at 5:00 O'clock P.M. until 10:00 O'clock A.M. Tuesday, November 14th.

Tuesday, November 14, 1961.
10:00 O'clock A.M.

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

Mr. Speaker read a telegram addressed to Commissioner Collins, in answer to Council's inquiry regarding population as follows: "Yukon total population figures not available till February, preliminary figures for Whitehorse are 4,833, Dawson 846, Mayo 332, Bureau of Statistics March, 1961, 14,000 in Yukon Territory.

Mr. Taylor stated he understood the figures on the '61 census are in Whitehorse and he felt these figures should be made available to Council.

Mr. Chamberlist remarked that for the Bureau to suggest that these figures not be made available until 1962 seemed unnecessary, as Council requires these figures for settlement of arrangements for the Interdepartmental Report.

Mr. Taylor moved, seconded by Mr. Chamberlist, that the Clerk of Council be requested to forward, immediately, a wire to the Census Bureau in Ottawa, asking that these figures be released.

Motion Carried.

Mr. Speaker tabled a memorandum from Commissioner Collins regarding Vital Statistics at Watson Lake (Production of Papers # 1 - set out as Sessional Paper No. 14)

Mr. Speaker drew to the attention of Council an item distributed previously to Members of Council by the Administration concerning repeal of the School Ordinance. This will certainly have a bearing on the final repeal and should have attention of Council. He also listed the following that require attention: (1) A copy of a letter concerning Fire Prevention, (2) Emergency Measures Organization and proposed visit to Department of National Defence, (3) Two Bills ready for discussion in Committee.)

Mr. Speaker stated that a time should be set for receipt of further Public Bills from the Administration and Private Members Bills for this Session.

Production of Papers # 6.

Moved by Mr. Taylor, seconded by Mr. Livesey, that the Administration be respectfully requested to furnish Council with the itemized and total figures respecting all revenues from Resources in the Yukon Territory, which were received by the Federal Government for fiscal year 60-61.

Production of Papers # 7.

Moved by Mr. Taylor, seconded by Mr. Livesey, that the Administration be respectfully requested to provide, for Council's benefit, the itemized total of revenues received from the Yukon Territory in the fiscal year 1960-61, including income and corporation taxes, by the Federal Government.

Motion Carried.

Question No. 2

The following question was proposed by Mr. Taylor, regarding the death of Mr. O. Peterson at Watson Lake, addressed to the Administration:

- (a) What provision was made for the care of Mr. Ole Peterson while in Watson Lake, following discharge from Whitehorse Hospital October 30th?
- (b) Who escorted Mr. Peterson from the C.P.A. flight to his unheated cabin on October 30th?
- (c) Why was Mr. Peterson's body not discovered until one week after death?

Mr. Taylor asked that the word "Unheated" be deleted from his Question.

Motion No. 2. Moved by Mr. Watt, seconded by Mr. McKamey, that respecting Interdepartmental Committee on Federal-Territorial Financial Relations:

- (1) It is understood that the figures in this report are estimates only and that they are subject to variations insofar as major items of expenditures are concerned. Major items of expenditures should include major increases in administration costs of the Territory as well as capital expenditures.
- (2) This resolution could allow for expansion of sewage and water systems of Porter Creek and Watson Lake, sudden and substantial change in cost of living index, or any other emergency that may arise.

Mr. Speaker asked Mr. Watt to inform Council of his reasons for introducing this motion at this time.

Mr. Watt stated he believed the reasons were clear as there was no allowance for the increase and the figures were based on the fact that the figure did not show the shifts in population at Watson Lake and Porter Creek areas.

Mr. Chamberlist felt this matter should be left until we have completed the proposal of the draft agreement and this should be included in our recommendations to the Department at that time.

Mr. Taylor failed to see why this motion could not be discussed and acted upon at this time and included in the Interdepartmental agreement.

Mr. McKamey felt that this was only to allow flexibility in the Interdepartmental Report and he could see no reason why a vote could not be taken.

Mr. Shaw believed it was in the report of Committee on November 8th or 9th, that some provision be made and added to the Interdepartmental agreement that allowances should be made for matters being created by explosion of population in any area.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Watt, that Mr. Speaker leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing the Yukon Health Plan.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of the Committee asked that Dr. J.S. Willis, Department of National Health and Welfare, Ottawa, and Dr. J.D. Munroe, Chief Medical Health Officer, Whitehorse, be present.

Mr. Shaw introduced Dr. Willis to the Committee members and asked him to give an outline of the Health Plan for the benefit of the Committee.

Dr. Willis stated he did not believe that there was any five year plan in any country which would work out exactly as laid down. The best that could be hoped for was to get all the facts we could and as much reasoning as we could into the future. The purpose of the plan was to get a sum of money out of the Federal Government for the Yukon Territory. Dr. Willis further stated that he had to tell a convincing story to get it and produce a plan which he felt was one of the best plans in years. It has a lot of support from the people in Ottawa concerned with the financial side. It is 165% more money than before. There are things which you will want to debate. If this book is approved by the Committee, I am not authorized to make any changes in it.

We have set out health principles in line with current thinking in the rest of Canada. Our stand has been that what is good for any place in the rest of Canada is good in the Yukon. It is sometimes hard to reach these targets with regard to isolation of some places in the Yukon. We should at least have these targets and shoot at them. It introduces for the first time something we have never had in the Yukon before. We have a great many in the North West Territories and we have over the years developed the most efficient and economical facility for isolated places. The word Nursing Station may put some people off. The Nursing Station is the smallest treatment service unit that can be operated with any degree of efficiency. Hospitals under 25 beds are not efficient. A nursing station cannot pay its way and is not expected to. You cannot reduce the nursing staff, even if it is not in use. We apply a facility which we know is a deficit policy, but it is like the fire engine sitting in the fire hall. If the health plan is successful we should have less use of Nursing Stations and empty beds in the Whitehorse Hospital. Its objective is to put Yukon Health Insurance Service out of business. Dr. Willis stated that perhaps it would be better if he assisted by answering questions.

Mr. Shaw stated that this was fine and the information was very much appreciated in regard to the plan.

Dr. Willis continued by stating that before this plan was written there had been a meeting between Commissioner Collins, Dr. Munroe and Dr. Willis. A nursing station at Watson Lake was an early proposition and Mr. Nielson came to us and talked nursing station. Dr. Willis is not against the plan for Watson Lake. He was sorry to see the present building put up at Watson Lake. It will cost a lot of money to reorganize it into a nursing station. Dr. Willis put in a 10 bed hospital in the last year of the plan, expecting a population rise in Watson Lake. Although the hospital for Watson Lake appears in the last year of the plan, if Watson Lake shows a year earlier or two years earlier that we should take that step, Dr. Willis would be for it. You get a sum of money for a program and there is flexibility as to time. In the matter of Mayo, Commissioner Collins pointed out that you had an \$80,000.00 operation now. You now have bridges over the Pelly and Stuart Rivers and you have a big hospital here and you should use it. You have the finest hospital in Canada for the size of the Community. It is a good thing to have extra beds. With regard to landscaping, it will be 1/3 Territorial and 2/3 Federal. If you could manage the Mayo hospital without sacrificing service, we should try to do so. Experience with nursing stations leads to believe that 16 beds at Mayo is richer than it needs to be. We should not put the people in Mayo in jeopardy as to health whether it is a nursing station or cottage hospital, our intention is to give the people of Mayo the maximum of safety with regard to health. Dawson City has a private hospital with many beds, but if we were offering provincial assistance, we would say try to reduce the size of that institution. If Dawson was a growing concern, we would not reduce the facilities. If you have people, you have to get service. If the plan is wrong, we change the plan. As we assess Haines Junction situation now, we do not think that a resident nurse is justified at this time. A nurse should visit regularly, the people should be brought down to Whitehorse for treatment. If the population grows, we would place a resident nurse at Haines Junction. We want to see a good health service. There are people in Ottawa who think we did pretty well in getting the Treasury Board to accept this large expenditure. When the plan was presented to North West Territories in July, they were quite surprised that we had succeeded in getting treasury to buy such a plan. Dr. Willis suggested that we do not get ourselves hooked on minor details which do not disturb the principles of the plan. If the plan has been set up badly, this is ignorance not malice.

Mr. Shaw suggested the members were quite concerned about this plan and in asking questions they could perhaps get a better picture of the plan as a whole.

Mr. Chamberlist replied directly to the remarks made by Dr. Willis and suggested that before we go into the items part by part, the somewhat convincing story that Dr. Willis thought it was necessary to put over to the Treasury Board, or the Interdepartmental Committee, was not sufficiently convincing to Mr. Chamberlist. Dr. Willis made reference that the health plan has been approved by the Committee. However, Mr. Carter advised us that these are Dr. Willis's recommendations and therefore it was placed in the report and for no other reason. They considered that Dr. Willis is the expert and relied on this Council as to whether it should be maintained in this report. Dr. Willis feels that the V.D. control should be equivalent to every other place in Canada, and has set aside \$500.00 a year for this. It is very heart warming that you feel \$500.00 is sufficient to take care of this problem. Dr. Willis mentioned that he had made several visits here in 1956 and it was your, Dr. Willis, insistence that the hospital be the size it is today. It is difficult to reconcile Dr. Willis's thoughts with the actions he takes in closing down the surgical wing. He drew this plan up in general. This plan had not been approved at that time and Dr. Willis followed his own plan and came up in August and closed the surgical wing down and it was not approved by any committee. Dr. Willis makes special reference that it is the finest hospital in Canada for the size of the community and he closes the surgical ward. He makes reference also to Mayo, that he feels they should be given minimum service with the maximum efficiency. Mr. Chamberlist stated it should be maximum service with maximum efficiency. He picked this information up from Commissioner Collins and various other people. It is an attempt on Dr. Willis's part to pass the buck. The Haines Junction Area does require a nurse as far as Mr. Chamberlist is concerned, and insufficient consideration was given to that. There was an admission of ignorance by Dr. Willis in regard to the needs.

Mr. Livesey, referring to paragraph 2 of the summary of the Health Services Plan, asked what is the meaning of the statement that the hospital here was able to replace the old military and territorial hospitals.

Dr. Willis stated this concerns the two hospitals in Whitehorse. At Council meeting here on the 12th of June, 1954, the 60 beds for the Territorial Government would have meant a 50% contribution by the Territory. The more urgent need was to replace the military hospital, so it was decided better financial terms should be given to the Territory.

Mr. McKamey stated this should be more specific. This is an out that the politician would attempt to use in respect to the plural of the word Hospitals.

Dr. Willis stated that it was a plural for the two hospitals in Whitehorse and that is all.

Mr. McKamey stated it should read Whitehorse General Hospital and Military Hospital.

Dr. Willis stated everyone was using that terminology at that time and if everybody would be happier to call it Whitehorse General Hospital, that is fine.

No. 5 (f): Mr. Chamberlist asked Dr. Willis if he would explain where dental health services should come into the picture.

Dr. Willis replied that the answer lies in the fact that we are hoping to introduce a program of free dental care up to the age of 10 years.

Mr. Chamberlist asked if it is not a part of the health plan.

Dr. Willis replied it is a target. We had to consider it for the younger age groups.

No. 5 (i) : Mr. Taylor stated he thought these listed targets are quite erroneous, for instance, in section (i), this is of course relative to Watson Lake. It got into this medical business a number of years ago. They made representation for medical help, but have not been able to get it. Later the parent teachers association in 1959 got together about the loss of life from lack of medical assistance. All the way through you will find reference to the fact that we have tried time and time again through collective endeavour to have hospital facilities. We proposed here a ten bed hospital and you said in your opening remarks, if you have people you must have service and the next step taken for the hospital was taken two years ago. You are totally dissatisfied with this but the tax payers could not get any sympathy out of Northern Health Services and went ahead and got their own. We have a nursing station which you have termed a miserable abortion. It is a very fine effort. We finally got a nurse. We have another miserable abortion at Haines Junction, a \$50,000.00 investment, and we pay to heat it and it is not open. The clinic in Watson Lake has attendance by Indians and Whites and this building is being used, but not to its best capacity. We have not one government hospital bed from Fort Nelson to Alaska, except in Whitehorse. We are told we have the highest rate of V.D. in Canada and relative to the Watson Lake area and the Upper Liard area, we told them that this situation was bad in regard to V.D. and Dr. McKimmon wrote back a nice letter that the situation was serious but no more serious than in other parts of the Territory. You propose \$500.00 a year for V.D. control and this is ridiculous. With regard to Hepatitis, three children in Lower Post School came down with Hepatitis three months ago. 40 out of 75 were innoculated, why were the others left. There has been a total lack of co-operation with the citizens. The Indians are a product of neglect medically and socially. There is a tremendous loss of life in Watson Lake due to this attitude. Your hospital in Whitehorse was in full service when three accident cases were brought in on stretchers to the Whitehorse Hospital. The people who worked on these people were the paramedics, a carpenter, a plumber, and there was one nurse available that came in to help. Sister Mary Joseph looked after an Indian baby who was sick and when transportation was arranged, it was flown to Whitehorse, and it died just 25 minutes out of Whitehorse. The nurse is working her heart out, but she cannot cope with it alone. Teslin has been in desperate need for a nurse for a number of years. Dr. Munroe stated at a Lions Club meeting in Watson Lake that Watson Lake will have a \$43,000.00 addition to the nursing station, and a hospital coming in the future, and nothing has happened. Mr. Taylor remarked further that Dr. Willis had expressed regret and disappointment that we had not consulted him regarding a Doctor at Watson Lake. He thought we had proceeded in the wrong direction. The treatment centre is being equipped through the Red Cross, we have a Doctor and he hasn't a bed to put a patient in. As far as Mr. Taylor was concerned, he felt it totally inadequate and if Northern Health Services cannot come up with a better plan, looking ahead to betterment of health services, it is suggested that more dedicated people be looked for.

Page (ii) Levels of Medical Services in regard to size of population. Section 7, distribution of population: Mr. McKamey could hardly agree with the estimates here. In the last three years in this Council he heard at numerous occasions the very important people from Ottawa that they were going to develop the north and apparently, by this estimation, they have a difficult task. They have for Dawson City and Mayo a mere 1,972 people. There are over 1,500 people in Mr. McKamey's electoral district.

Dr. Willis stated the population figure was extremely difficult to arrive at. The Territorial Government and the Public Health Nurses, who keep a record of families in the Territory were consulted and we went to Indian Affairs Branch and came up with the figures for this plan, but, we were careful to say that until the Dominion Bureau of Statistics 1961 census was received the figures should be used as a basis for cross

checking. If the Department of Vital Statistics proves that Dawson has 500 more people than we thought it had, we happily stand corrected. It is very difficult to get anything and if the events show that the population is different, we will accept the Dominion Bureau's word.

Mr. Livesey felt sure there were more than 838 people in his area and this does not account for the various crews which move in on the Alaska Highway. In Mr. Livesey's residential area alone there were, at times more than 100 added to the records by crews in one small area. These shifts of population have an effect on the medical services of any particular district. In connection with the matter of accidents on the Highway, it does not take these into consideration. The number of cars travelling through customs a day is quite heavy and private citizens are doing the work of the medical health plan.

Dr. Willis stated it would be extremely difficult to include transients. If you were to count the ingress of a number of workers from outside the Yukon, all the effect that it has is to increase the Territorial Expenditure. It would be wiser for Councillors to stick with white people only. A larger population would be to your disadvantage.

Mr. Livesey stated this report is more idealistic than practical and it is the practical aspect we are interested in. Idealistically this is very nice but it increases the problems for the people who are opening up this area. Someone has to go out in these areas. Mr. Livesey was told in this chamber that it was unfortunate if we want to live out in this area. Whitehorse is the only town which has good service and people outside Whitehorse want service too and they want practical service, and Mr. Livesey felt that nothing had been done since he has been in Council.

Mr. Chamberlist stated in consideration again to the additional people that are working the highways in the Haines Junction area in the summertime, that there are perhaps 200 to 250 highway maintenance people working between Beaver Creek and Whitehorse district and Haines Junction. Was any consideration given to these people?

Dr. Willis stated a nurse in a nursing station can do first aid, but if an accident occurs it is a problem for a hospital. In so far as prevention services are concerned, there is provision in your Public Health Ordinance for sanitation of camps. It was considerably watered down by Council before it was passed. In the North West Territories there are very strong legislations to protect these transient workers, and so the public health aspects of these people are provided for under the legislation. The Health Plan does not pretend to cover accidents.

Mr. Chamberlist stated in view of what you say, there is a lack of foresight in terms of accident planning. Yukon Health Plan makes provision for medical services and accidents need service just as much as sickness.

Dr. Willis stated, there was no emergency planning in this health plan. Only with respect to nursing stations does this program touch on nursing services and as long as you have the army running ambulance service and a hospital in Whitehorse this plan never pretended to include emergencies. Yukon Health Plan is strictly a preventive program. This plan would cover making of recommendations with regard to unsafe practices, but this plan does not impinge on army ambulance system and does not interfere with private practice. There was a very great deal of fear that it would at one time.

Mr. Taylor said you talk about an important Canadian Health Services target being the availability of health services for every citizen and now you state you are only concerned with preventive services. The first hour is important after an accident in whether a person lives or dies. You say this is your target and now tell us it isn't.

Dr. Willis stated this is another step beyond the Health Plan. It is rudimentary because of restricted resources. He stated further that he was bound by dollars and cents. There are many communities in the Provinces which do not have what you have. He was surprised to see so much criticism. The members in this Committee are exhibiting more interest than previous Councils respecting this plan and he thought this wonderful. It is the thing he had hoped for and was sorry that he was taking a clubbing in this regard. He was delighted there was so much interest exhibited.

Mr. Taylor stated he had never seen an air of complacency in this Council.

Dr. Willis replied there was not complacency, but not so much interest previously.

Mr. Taylor stated Council placed a resolution last year and were agreed that nursing stations at Mile 1016 and Watson Lake should be staffed.

Dr. Willis stated that it was a great disappointment to him that there was not a nursing station established earlier and he can blame no one but Territorial Administration. Mr. Nielsen came to Dr. Willis shortly after election and he started to study Watson Lake etc., and he recommended a nursing station and you could have had a nursing station if the money had been found.

Mr. Livesey stated he had been making motions with regard to Health Services in his territory for the last four years. He had discussions with Dr. McKinnon and Dr. Munroe and has not seen any action on any of the motions yet, except the last one for a nursing station at Haines Junction to serve the whole of the Alaska Highway. With reference to Dr. Willis's remarks about the local Administration, a motion definitely states that the Government of the Yukon Territory insists that they reverse their policy and establish a public health nurse to fill the position and if a public health nurse is not available, a registered nurse be put in and these records are tabled in the House of Commons in Ottawa.

Mr. Chamberlist was quite concerned about Dr. Willis's remarks with reference to the Administration and was wondering if Dr. Willis had written to Commissioner Collins expressing dissatisfaction that a health centre had been put in instead of a nursing station.

Dr. Willis could not remember, but when the 70-30 formula was applied on the Health Centre, he suggested that they withhold the Indian portion of 30% to force the Administration into putting up a nursing station but this was not thought advisable. Now they are putting up funds to correct this situation.

Mr. Chamberlist could not accept what Dr. Willis had said if he had not written to Commissioner Collins expressing his dissatisfaction and would suggest that there was no official reason for Commissioner Collins to think you were other than pleased and satisfied with the situation. He felt that this should be backed up with sound proof by way of correspondence and all members of Council would be very pleased to see such proof. It would help Council to look on this in a different manner than Council is feeling now.

Council recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee was called to order by Chairman, Mr. Shaw. Commissioner Collins, Dr. Willis and Dr. Munroe were present.

Mr. Chamberlist stated that since Commissioner Collins was present,

he wished to place the question of the nursing station at Watson Lake directly to him. Earlier that morning Dr. Willis suggested that he had given instructions to the Administration regarding a nursing station at Watson Lake in preference to a Health Centre. Dr. Willis does not believe there was any correspondence on this but stated his advice regarding this was not followed.

Commissioner Collins stated this happened three years ago and Dr. McKinnon was the Chief Medical Officer at that time. The request was for a public health clinic there, so Territorial Government drew up a plan for this and we got a plan from Dr. Willis, which was based on Inuvik, or Frobisher or someplace - it had room for storing six months supply of food etc. It was a public health clinic and we find now it was supposed to be a nursing station. We had a public health clinic with room for two nurses, a large enough room for showing films and a basement which had room for accident victims and there are certain beds or stretchers of some kind that can be used for beds. It was not Dr. Willis who sent the plan, but someone else in that Department.

Mr. Chamberlist said when this was constructed he presumed Commissioner Collins had taken advice from medical people in the area.

Commissioner Collins stated this has worked very satisfactorily for its purpose and it was constructed so that accident victims or others could be looked after down in the basement and if a nursing station is required there it can be very easily attached to this building and used in connection with it.

Mr. Shaw stated at the time these areas were wanting treatment service. That was what they required. If people get injured they could get the services of someone who had some training in such service. Northern Health Services were not concerned with that, they were concerned with preventive medicine and I recall at the time these gentlemen representing Watson Lake and Haines Junction wanted to treat someone who got injured. Their request was very reasonable. In the Northern Area the member wanted a facility provided where people that were injured could get treated. His request at the time was for first aid and that authority be given for ladies who had retired from nursing and were living in the area could give help to people. That seemed to receive a tremendous amount of opposition from Northern Health Services, they felt this was not necessary. They stressed the fact that their function was preventive medicine not treatment. This was desirable, but treatment was imperative. When Council received the plans for the building, they felt they did not wish to participate in something as large as this. It was a matter where the representatives of the areas and the Northern Health Services could not get together on a common plan which would work out to the satisfaction of the people in the area and there was no effort on behalf of Northern Health Services to try to work this out.

Dr. Willis stated that the building for Watson Lake was not designed by his Department.

Commissioner Collins stated it was designed by Dr. McKinnon.

Dr. Willis stated that in terms of a building it is badly laid out. This Health plan is intended to rectify the situation and he could see no point in stirring up the past. The sum of \$45,000.00 is estimated to adjust that building and add a wing for beds and later an expansion into a hospital.

Mr. Livesey stated that four years ago he had asked for medical supplies for two women who were nurses in their own right who were doing a tremendous amount of free service for the people in his area for no charge and were also paying for medical supplies and transportation etc., and it took six months and questions from the Deputy Minister of Northern

Affairs before they could get supplies. It was the idea of Northern Health Services that they could not diagnose and therefore could not have medical supplies. Qualified nurses know what they are doing. If you are not an Indian, you cannot get service. There has been opposition to this for four years in Council. Mr. Livesey felt that there was a tremendous gulf between thinking of Northern Health Services and the practical needs of the people and we must spread out and not sit in Whitehorse. Mr. Livesey further stated that they also have to contend with certain problems of the Department of National Defence. The Army Camp at Destruction Bay is a family camp and has about 55 children. They want immediate assistance when they require it.

Dr. Willis stated Dr. McKimmon's views have been taken to be the views of the Northern Health Service. He is not here to defend himself. When Dr. Willis wrote the Yukon Health Plan, he wrote a purely medical preventive plan. This one is more sophisticated and he has allowed for some dispensers at several places. If this dispenser is a registered nurse we give her \$100.00 per month and if she is not qualified, but just a housewife with common sense, we give her less. Dispensing is not new in the Yukon, or anywhere in Canada. In Minto a Post Mistress used to this work and we supplied her with the drugs. Dr. Willis stated they have a policy for dispensers and have had for years.

Commissioner Collins stated that these dispensers were never heard of in the Yukon before.

Dr. Willis stated the first time Council outlined the whole health program in November 1956, he did a selling job and met people socially and told them about the services but at that time he had to be very careful about treatment services. He stated that if he had been asked to look at the whole question he would have done so. Dr. Willis considered that they were very lucky in convincing people they needed preventive medical as well as treatment. Dr. Willis stated this plan represents a document which he has persuaded Ottawa this is what the people of the Yukon need and this is the amount of money which should be granted.

Mr. Shaw stated that the Territory has put up their share of this and the fact that Northern Health Services is taking this over will leave us very little control of how this money is spent.

Dr. Willis stated that this was not the way he understood it.

Commissioner Collins stated he had explained to Council before entering into this Interdepartmental Agreement Report, that this would cost the Territorial Government nothing. The only additional amount is the addition of a small land tax and a small fuel tax.

Dr. Willis is as anxious as anyone to see democratic methods. Whitehorse hospital did not have an official advisory board, but the Minister of Northern Affairs did not take that stand, he accepted the presumption that the hospital should have an advisory board. Dr. Willis was advised there is no such animal, but he endeavoured to make up a legal plan and Council does have a voice in the administration of the hospital. Northern Health Services have provided in this plan for balance of health in the Municipalities and Dr. Willis suggested on Page 14 (46) he tried to have local representation in public affairs. He suggested that the municipality reimburse the Government at the rate of \$2.00 per head. This was his own idea. It provides for a local board of health and people can see what they need in terms of services.

Mr. Taylor made reference to the matter of providing \$52,000.00 next year for the nursing station in Watson Lake and he should be grateful. However, this proposal is five years late. A ten bed hospital in 1967 would be nine years late. His people have asked for a 20 bed hospital and they are still

in the nursing station phase. This from Mr. Taylor's point of view is ridiculous. There has always been a need for a nurse in Teslin. The R.C.M.P. must attend to all the needs there and they are overworked as it is. These people need medical treatment. According to the chart, Teslin will use a local hotel room. Can we not provide facilities in Teslin. Watson Lake needs a permanent nurse. The simplest way would be to increase the number of nurses from one to two. One nurse for a district is not adequate. A second nurse would be able to deal with emergencies when they arrive.

Mr. Livesey, in connection with the matter of receiving this \$100,000.00 for nothing, does not believe such a state exists. We pay for them in some way. When it comes to the question of the advisory board to the hospital it looks in line and with the Yukon looking toward a more responsible form of Government, we must not divorce ourselves from the problems of health in the form of medical facilities. There has been a tendency in the past few years toward decisions more by Administration of the Government than from peoples recommendations. A question Mr. Livesey would like to direct to Dr. Willis at this time is in connection with nurses or lack of nurses at Haines Junction. When Mr. Livesey referred to Dr. McKimmon, he also included Dr. Munroe as being opposed to a nurse at Haines Junction and all other matters in connection with it. For the clarification of Council, can a nurse treat, or can she not treat.

Dr. Willis replied he has had plenty of experience with nurses holding the fort. However when a patient can be put in the hands of a Doctor, this is the best but a nurse must do things under the authority of a Doctor.

Mr. Livesey stated that irrespective of what Dr. Willis said he doesn't think we are going about the solution of this problem in the right way. We are trying to find a solution ourselves and have been up against a brick wall and there seems to be no liason between the people who are directly concerned and the people in Ottawa. When we will meet on common ground he does not know, but he hopes soon.

Mr. Chamberlist stated there are one or two points from the remarks made by Dr. Willis, that should be pointed out. One, Dr. Willis, is that you tell this Council that the policies laid down by your Department are not being carried out by the Medical Health Officer in Whitehorse, who is one of your personnel. Nurses must do certain things yet your chief medical officer says he is opposed to it. He is working under your instructions and if the knuckles have to be wrapped, yours do too and you must make it clear in your Department that if you have a policy satisfactory to the local needs of the Yukon this should be carried out. Another point is that we are living today under the strain of possible war, we want to be prepared for civil defence or an emergency of any description. What of your suggestion that nurses should get in touch with a Doctor before she administers first aid. The Doctors will have their hands full. Are we to understand that the members of the medical profession in the Yukon Territory place their personal requirements before the health of the people of the Yukon? He is sure this was not their intention. Interns would be in a hospital of this size down south and things would appear to be as they are now because local members of the medical profession do not wish any change. Mr. Chamberlist felt there should be some clarification of this statement and if this is the case the people should be made aware of it.

Dr. Willis stated this plan is proposed for the period beginning April 1st, 1962. We have never been asked by the Territorial Government to consider anything other than a public health service. If we were to act without invitation we would be involving you in an expenditure which you might not want to incur. Dr. Munroe and Dr. McKinnon were acting under the responsibility they are supposed to have. We were requested to work out a health plan and we did, being invited by this Committee to look over the health situation for the next five years and Dr. Willis saw gaps in the area and it was because he saw these needs that he included them in this plan. In these very small communities there should be

someone who can pinch hit for nurses and doctors, he did not infer that a nurse must not give first aid. They act on their own initiative, but they are covered by a Doctor. The nurse should not be a young nurse out of training and the kind of nurses we need can indeed act on her own.

Mr. Chamberlist would like to get assurance that this report will be changed. This has not been mentioned in relation to this health service plan. Any amendments that we would suggest, are you prepared to incorporate them if they are feasible in the health services plan.

Dr. Willis stated this was a plan submitted to the Committee. He was merely an advisor. He talked the matter over with Dr. Murroe and Commissioner Collins, and he worked out this plan and submitted it to the Committee. This is already the third draft and there is no rule to say there cannot be another draft. This Council should look at the plan and say we would like to modify this or that and that it be directed back to the Committee.

Commissioner Collins agreed that this is correct. There are two things, one of course directed by Council and approved by medical authority and the second is the cost. Anything which changes the cost must be considered in this.

Dr. Willis stated that a Haines Junction nurse, could be managed within the degree of flexibility and the treasury board would not complain. The financial cost would not be too different. But it would have to go back to the Committee for larger expenditures. There are some things we could change that would not change the money, but if we want to build more buildings we would have to go back to Committee. Referring to the Mayo Hospital it would appear that this hospital is an uneconomical operation, but what is happening is that these patients are being charged at \$24.00 to the Hospital Scheme.

Mr. McKamey stated this would be a retrogressive step and the whole health services are operating on a vacuum. They are primarily worrying about saving 5 cents. They are going to shut down Mayo and Dawson to fill the hospital in Whitehorse. This is another way of getting into your pocket. There is a human aspect involved here and most of this he has heard today is purely mercenary. There were ten patients in that hospital yesterday and two babies and not one drunk among them. That hospital is not overstaffed. The nurses are working 54 to 56 hours a week. We have been operating with three nurses instead of four and one matron and we have been operating with no towels. This human aspect has got to be looked at and you cannot look at it with dollars and cents. The 80 degree below zero weather must be remembered here and how are you going to haul them down the road in this. Small aircraft cannot get off the ground when it is 25 to 30 below zero. After about three hundred miles of travel the patient would freeze to death. We should have medical service regardless of cost. Mr. McKamey strongly recommended that they keep that hospital open during this agreement and forget about the retrogressive steps. The matron asked for assistance on account of these nurses doing overtime and what does Administration do, send a bookkeeper, when she wanted a nurse who could keep books if she had any spare time.

Commissioner Collins stated the matron was doing the bookkeeping along with her nursing and she was not a bookkeeper, so they sent her one. This is merely a plan and changes can be made and will be made if necessary.

Dr. Willis stated dollars and cents are very real things and if you were standing on your own and had to finance this plan on your liquor taxes it might be a different story. He asked if this had to be defended on the basis of increase in the liquor tax would it be the same answer. Dr. Willis wanted to see a good service at Mayo, but there are realities which must be faced. This plan admits we have not reached that, but we

are working toward it. Dr. Willis's Director would be annoyed that the Northern Health Services had included running this hospital, it should not be in the Yukon Health Services. He stated further that we do have to think about the realities of financial ceilings. This is not a price tag on life. Less than \$1.00 per head is paid in Canada and this is the highest amount ever paid for Health Services.

Mr. Livesey hoped the finances of this plan had nothing to do with the problem of the Whitehorse General Hospital. There is a financial problem there and Council knowing that the costs of the hospital can spiral set the cost at \$25.00 per day, Northern Health Services closed the surgical wing to bring some equality to the hospital, but Mr. Livesey hoped that this program was not a solution to the problem across the river. The rest of the Territory is going to help pay for this hospital by closing Mayo and Dawson Hospitals. This could very easily be the case. The money spent on this Northern Health Services Plan will not help if it is not spent on what we need.

Dr. Willis stated this plan has no relationship to the Whitehorse Hospital finances. It does not matter to Northern Health Services whether the money is paid to Dawson or Mayo or Whitehorse. The opening of the surgical ward is a matter of increased patients and if the hospital continues to have that many patients there is no question of having the four wings going, but if it goes back to 60 patients then it will be impossible to keep four wings open. It was a case of people needing medical care and getting it and not public pressure.

Mr. Taylor mentioned that United Keno Hill Mines have a contract with the Mayo General Hospital for medical services.

Dr. Willis stated this was put in the plan at the request of Commissioner Collins. We should look at the fact that this hospital has been shepherded by Northern Affairs for some years unofficially. If the Territorial Government wishes to continue to operate this hospital, so be it, he had no objections.

Mr. McKamey stated that this report was decided upon last July and rumours were circulated that the Mayo hospital would close. Commissioner Collins stated they have reconsidered it and are leaving the hospital at Mayo. This plan was a surprise to everyone.

Dr. Willis stated he did not know of this letter from Commissioner Collins. This could have been taken out of the report.

Mr. Shaw asked Mr. Chamberlist to take the Chair and stated his views regarding the Dawson Hospital, that the people of Dawson would not wish to have their hospital closed. He is vitally concerned about the hospital at Dawson and he takes a dim view of taking full facilities from the Mayo hospital. Northern Health Services look on this as a matter of statistics, but to us it is a very real thing. It is our lives. Dawson hospital was the first hospital in the Territory and has been maintained by the Sisters of St. Anne for 60 years. These are dedicated people. To transport sick people from Dawson to Whitehorse would be unthinkable and Mr. Shaw could not agree with such a thing. The Federal Government has spent millions of dollars on roads and have been paid millions of dollars in leases. If they took away these facilities, they would only, in a short time have to give them back.

Mr. Taylor stated that Watson Lake could not get a Doctor to come there until the mining company offered a \$400.00 subsidy and then Watson Lake got lots of offers from Doctors, but what is going to happen in Watson Lake if we do not provide this man with help. If we do not help this man the mining company will build a camp hospital and we will be out of luck for a Doctor.

Mr. Chamberlist moved, seconded by Mr. Taylor, that the Speaker resume the Chair.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported that discussion took place on the proposed Yukon Health plan with Commissioner Collins, Dr. Willis and Dr. Munro present and progress was made.

Council accepted the Report of Committee.

Following a fifteen minute discussion of the agenda, Council adjourned until 10:00 O'clock Wednesday, November 15th, 1961.

Wednesday, November 15, 1961.
10:00 O'clock A.M.

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

Mr. Speaker tabled the following letters received from Commissioner Collins:

- (1) Regarding National Park for the Yukon (Production of Papers number 3 - set out as Sessional Paper No. 15)
- (2) Regarding Small Debt Officials (Question number 1 - set out as Sessional Paper No. 16)

also three memoranda from Commissioner Collins regarding amendments to Ordinances as follows

- (1) Amendment to Municipal Ordinance (Bill No. 3)
- (2) Amendment to Labour Provisions Ordinance (Bill No. 4)
- (3) Loan Agreement Ordinance (Bill No. 5)

The following answer to telegram requesting census figures was read:

"Regret census counts Yukon not available for release except for Inc. Centres. Official estimate of Yukon population fourteen thousand."
Signed O.A. Lemieux, Director Census Division.

Production
of Papers
4

Mr. McKinnon moved, seconded by Mr. Chamberlist, that the Administration be respectfully requested to furnish the Council with all pertinent papers and information available on Partial Sewer and Water Systems as applicable to non municipal communities in the Territory.

Motion Carried.

Mr. Shaw moved, seconded Mr. McKamey that Mr. Speaker leave the Chair for the purpose of discussing the Health Plan, with Commissioner Collins, Dr. Willis and Dr. Munro.

In Committee of the Whole:

Mr. Shaw, Chairman, stated that it would be advisable, during the reading of the Health Plan, that Committee do not digress from the particular points under discussion.

Page iii of the Summary: Mr. Shaw asked Dr. Willis to explain the use of the word "Sanitarian".

Dr. Willis stated this was merely a subtlety and meant the same thing as Sanitary Inspector.

Commissioner Collins asked, in regard to the Health Station at Ross River, if this was a Federal responsibility since there were only Indians at Ross River.

Dr. Willis replied that this was a very small overnight cabin where Doctors could perform examinations. He said that under the formula of the Health Plan the Territory would lose in this instance. Although there were only Indians at Ross River the Health Plan included everybody. Dr. Willis stated the Territory lost in some parts of the Plan and the Federal Government lost in others.

Mr. Chamberlist felt that the nurse at Ross River should be employed by Indian Affairs.

Commissioner Collins stated that the Territory would pay, but he intimated that this was merely a figure of speech, as everything included in the cost was included in the subsidy.

Mr. Taylor stated in regard to Ross River that this area had a very small population which was reduced even more in winter. His feeling in view of this fact was that dispensers were sufficient. Indians should be trained as health workers in this area. He also suggested that provisions be made, in case the population increased instead of decreased for a Health Station. It was also advisable that provisions be made for regular visits by a physician during the period of the agreement. Mr. Taylor felt that spending \$45,000.00 to turn the Watson Lake Health Centre into a four bed nursing station would have been throwing money down the drain, because the citizens in Watson Lake wished to have made available immediate funds for activating the Watson Lake Health Centre. It was estimated by the people of Watson Lake that this Health Centre could be operated on about \$25,000.00 per year. He stated this Health Centre should be put into use just as quickly as possible. In addition, Mr. Taylor wanted a 10 bed hospital wing added on to the building in 1962 or 1963. He stated that the Teslin Area was also in his constituency. This area included 6 to 700 people in several settlements and also a new road to the silver property. In 1962-63 Teslin would need construction of a Nursing Station with four bed in-patient facilities. Mr. Taylor spoke of something with a capital outlay of \$12,000.00 or \$14,000.00 with accommodations for a welfare nurse to work with the Indians in social as well as health education. It would also be necessary for the nurse to have a car at Teslin and there should be provision for construction of a wing, should the need arise. Mr. Taylor stated that if this was done on this line, the total amount would be about the same figure as the Health Plan proposed to spend.

Dr. Willis felt that it would not be strictly correct to say that if Northern Health Services put \$15,000.00 into a nursing station it would be throwing money down the drain. Construction of a nursing station in a place where there might be a hospital in the future was always done to make it usable as a nurses residence. The people at Watson Lake were looking for a building, Northern Health Services were looking in to the future. Nurses want private rooms with their own baths and you cannot recruit nurses to come unless you provide proper quarters.

Commissioner Collins agreed with Dr. Willis about the price Mr. Taylor quoted and Dr. Willis's opinion on the Teslin effort was that this should be a well managed dispenser affair, with a qualified person being paid \$100.00 a month, or another person less than \$100.00 a month. Dr. Munro could be consulted with regard to treatment.

Dr. Willis stated with reference to a nursing station at Teslin, that this was a matter of dollars and cents again and he could not support this.

Mr. Taylor stated that he did not mean that it was completely like tossing the \$45,000.00 out of the window, but at the same time, he felt that the amount of money could be used toward the building of a hospital, not in 1967, but next summer as the situation in Watson Lake was desperate.

Dr. Willis stated the amounts for construction of health stations and nursing stations were amounts for bargaining purposes and if these places could be built for less money by employing local ingenuity, more power to them. His job was to get the money and it is for the people to get together to make the best of the fund. He stated that in the case of Watson Lake, there was \$45,000.00 put in the first year and \$105,000.00 in the last year. This should be considered in the light of a package deal. Dr. Willis could not see why these could not be telescoped into one another as they are all part of the same story. But, Dr. Willis, stated if you have good quarters you will stand a much better chance of retaining nurses. Northern Health Services felt that it was a little early for a hospital in Watson Lake, but they could be wrong. He stated further that in the Health Plan they try to build in stage on what will be useful in stage two. The Health Station fits in, if a nursing station

is built, as a warehouse and garage and when a hospital is built the nursing station becomes the nurses residence.

Commissioner Collins stated that the rule laid down so far is that we can only take 10% of money left over for capital purposes in the next year. It cannot be spent on operation and maintenance. It can be transferred to the next year for building which does not require borrowing. The elasticity is more by control of Council in annual experience in operation and maintenance in order that expenditures can be made which cannot be set out in the blue book. When this is finalized, the whole program in the blue book will have to be arranged to accommodate this, but it will have to be done by the Committee in Ottawa. Commissioner Collins stated that this is only a draft. The health plan forms part of it. It was sent here in order to get the opinion of Council and Administration, in order that the final draft will be in conformity with the opinions here. This is in order, to allow flexibility, as we are discussing it here.

Mr. Livesey stated that what we want to do is consider more services with the same amount of cash.

Dr. Willis stated that his Department forms estimates on experience and his Department knows within a few dollars what it costs to put in a nursing station and if these services are built they will cost this much. He said the hospital could have been built more cheaply, but whether you would have as fine a hospital is debatable. Dr. Willis further stated that this money is starting on the first of April, 1962, and he could not help by getting this money earlier.

Commissioner Collins stated he would like to find out from Mr. Taylor what it would cost to fix up the accommodation at the airport.

Mr. Taylor stated that it was already to be opened. All they needed were a stove and a refrigerator. The heating system was already to go and all they needed was an official go ahead.

Dr. Willis stated he could not support a hospital so early in the period until he knew what Canada Tungsten are doing. If they are building a hospital on their campsite, we could only agree to a nursing station at Wason Lake. Dr. Willis was most anxious to get information from Canada Tungsten.

Mr. Taylor stated their plans were for just a nurse and first aid station there and they would utilize Watson Lake as a hospital centre. If a hospital is not provided at Watson Lake, they would have to build one.

Commissioner Collins stated that Canada Tungsten is partly in the North West Territories and if they are going to have us build a hospital, North West Territories should contribute to the capital costs and operation.

Dr. Willis stated the operation of Canada Tungsten has no obligation to build for dependents and he had invited them to come and talk, because he is prepared to write up a plan for them similar to one in the North West Territories.

Mr. Taylor read part of a letter from Canada Tungsten, stating they would be very happy to co-operate with Watson Lake to the fullest in providing services.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee resumed discussion of the Health plan with Commissioner Collins, Dr. Willis and Dr. Munroe in attendance, at the Mayo hospital.

Dr. Willis advised that this hospital could act as a precedent. If costs rise above \$25.00, it would be necessary to make provisions in Council for the rise, or you would have to keep to \$25.00 and vote the money for the difference. The same would be true with respect to the Dawson hospital. Dr. Willis said that according to the figures this was slightly more than \$25.00 per day. He presumed the mission would pick up the tab on that but if it went up higher the mission might ask Territorial Council to pick up the tab. If a constituent in Mayo or Dawson decided he wanted to go to the hospital in Whitehorse this \$25.00 per day would go to Whitehorse Hospital instead of the Hospital in Mayo or Dawson.

Commissioner Collins stated he had been afraid of this, but Mr. Gentleman and Dr. Munroe assured him that this had not been the case and there was no indication of people from Dawson and Mayo wanting to go to the Whitehorse hospital. Commissioner Collins stated that the few thousand dollars which would be charged to the Yukon Health Services for Mayo would be no great factor and the Dawson hospital might run at a profit during the festival which would make up for any loss during the rest of the year. The Territory was responsible for health matters in the Yukon and were obligated to provide services which were necessary to the health of the people.

Dr. Willis said the cost of the Mayo Hospital could be borne in the amount that the public health facilities could be made available in that hospital. This could be charged against the public health plan in the way of rent. These would be economics to offset the expense of the running of these hospitals both at Mayo and Dawson.

Mr. Shaw wished to know how you reduce a health centre to anything smaller than it is.

Commissioner Collins asked if it is the intention to reduce the hospital to a health centre.

Dr. Willis said that the plan recommends that St. Mary's Hospital be reduced to ten beds. There is no financial involvement, but ten beds could be operated cheaper and this would benefit the Yukon Health Insurance plan, but this was merely advice. Dr. Willis said all these considerations are related to the information as to the probable need and if Dawson did not have a lower population in two years time, this move would not be made.

Mr. Livesey stated that of all these new and existing facilities discussed here, there was nothing for any of the settlements at Carmacks-Kluane Lake area. This area was getting the worst deal. Haines Junction has nothing but a locked up box and the people in Beaver Creek have had to travel down those roads in winter and have done so for many years. Mr. Livesey could not understand why his constituency should be at the lower end of the stick. Haines Junction is looking for a very much better system than they have now.

Dr. Willis stated that if the Territorial Government was convinced that there should be a nursing centre there, he would be agreeable, but the health centre is what this population called for.

Mr. Taylor stated that according to the chart in the health plan, Haines Junction was entitled to one third of a public health nurse and it would be below a health station.

Mr. Livesey stated that he would like to know why Dr. Willis thinks we are only entitled to one third of a public health nurse. Both in Dawson and Mayo they have hospitals and if we have the same population as they have in Dawson why are we not even entitled to a nursing station. Mr. Livesey stated that the health centre in Haines Junction is beside the point. He has asked that a station be placed on the North Alaska Highway approximately between Whitehorse and the border to facilitate the problems

of preventive and other medicine as well as treatment to users of the highway. This was not for Haines Junction but for the Alaska Highway. Mr. Livesey further stated that he is involved with the position of the people in the Department of National Defence and in order to keep these people there it would be necessary to offer them some kind of security with regard to sickness.

Commissioner Collins advised Mr. Livesey that in his constituency there is a greater population of well paid people than anywhere in the Territory, and a very small portion of his people are destitute.

Dr. Willis stated that Mr. Livesey had no concentration of people. They were all in little groups and he had suggested dispensers should be placed at three places. Dr. Willis advised that this is a case of economics. If Administration for bigger reasons wants to make a recommendation and find the money, we will give the soundest advice we can, but really as it stands our best advice is that at least for the next year or so Haines Junction should be the centre of health services and dispensers should be placed at these other places.

Commissioner Collins said that there is another great difficulty in Mr. Livesey's constituency. There is no medical Doctor along the Alaska Highway and if one wishes to think of the situation of these people up there, it is more pitiful than Mr. Taylor's situation. These people must come from Mile 1202 to get a Doctor and as a precaution and in view of mine and traffic hazards, some step should be taken to provide these people with some reasonable plan. If it is a nursing station, this is a sound program.

Mr. McKamey thought that before Administration makes any plans in extending the facilities of the health station at Haines Junction, they should seriously investigate all channels. Burwash is more central and there is rumour floating around that there are plans for extending the air base at Burwash Landing and if you have a good airport there and considering the Hudson Bay Mining Company at Quill Creek, this would be a more logical place for a nursing station. There is also a rumour to the effect that there is a good possibility of opening up that mine in the area. In such an event Burwash might become quite a large communication centre.

Mr. Livesey said he would like to thank Commissioner Collins for his perusal of the situation, and as we have no Doctor and no nurse there, Commissioner Collins appreciates the feeling we have in Carmacks-Kluane Lake area.

Dr. Willis stated that Northern Health Services runs many health stations in the bush and where we have to do it we can do it.

Page iii Summary. No. 46:

Dr. Willis said that what they are proposing here is to bring to the Yukon the same pattern of public health administration that exists in the rest of Canada. If it is a big city they have a Health Board of their own and the rural sections join together in what is called a "Health Unit". Whitehorse City Council has limited power to make health by-laws and does not contribute financially. Dr. Willis advised that the City of Whitehorse should take responsibility for health.

Mr. Chamberlist advised Dr. Willis that there is a board of health in the City.

Dr. Willis went on to say that if you have a municipality you should have a board of health and it is better to have their own health inspector. It is good to have a board of health and it puts the responsibility where it belongs.

Mr. Chamberlist stated it has not been suggested how the municipality could collect the \$2.00 per capita. The municipality already pays its share for this health scheme and this means another \$10,000.00 we must find. This seems unfair to organized settlements. If they become an organized community they must pay an additional sum for becoming a municipality. This does not seem conducive to the overall picture.

Dr. Willis stated the objective is that every resident of the Yukon would get a minimum level of health services. Nevertheless, if you get a group of people together, living in close proximity, they do get more benefit and there is less risk, but the mere fact that they live together increases the health hazards. If people have a measure of self government then they must accept a measure of penalty. \$2.00 per head has not been counted in computing this report and this would be Territorial Revenue. Dr. Willis advised that you should ask for a token sum for the Territorial Government.

Mr. Shaw stated his people come under two categories, some are supplied with everything because they cannot pay for some reason or other. The other group is the tax payers who pay for everything they get and then dig a little deeper to help subsidize those who cannot pay. This latter group is the one that would be asked to pay more in the event that this \$2.00 medium was introduced in Dawson.

Commissioner Collins stated that from Administration's point of view this would not be good. It would only affect the people of Whitehorse, as they are the only people who pay their way. It would only mean an additional burden on the Territorial Government. Commissioner Collins stated he knows he would never collect it. He suggested that this should be taken out of the plan.

Mr. Taylor asked Dr. Willis if it is the policy that people pay in connection with the cure of communicable diseases.

Dr. Willis stated that when you are running a program to keep people well, you are preventing disease. The cost of measures necessary to keep disease from spreading is all paid for by the Health Services, but an antibiotic given to a sick person is treatment and this would be of of his own pocket, not out of the plan.

Page IV, No. 16: Mr. Livesey asked Dr. Willis if this is controlled by the Territorial Superintendent of Welfare. He stated that it seemed to him that in every Province in Canada, V.D. control was administered at no cost.

Dr. Willis stated that a lot more than this was spent on V.D. control. This was merely the drugs given to the Doctors for treatment of V.D. He stated further that the Superintendent of Welfare is not the person to advise the Health Department. Dr. Willis asked how we would know if a person was staying too long in the hospital. Dr. Munroe is responsible for checking money paid for these diseases by the Council. When it comes to how long a man should stay in hospital and have his payments paid by the Government, Dr. Munroe is better qualified to do this.

Mr. Chamberlist stated it would appear that Northern Health Services is becoming the Administrative arm of health services and the Territorial Government is losing some of the autonomy it should be getting as it goes on. It is trying to place itself in a position where later on it can be self-sustaining.

Dr. Willis stated that Northern Health Services is merely looking after this part until the Territorial Government has reached the position where it can take this on itself and accept the responsibility for health services and a health program. Territorial Council in 1954 had voted unanimously that Northern Health Services take on this responsibility.

Mr. Livesey stated that Council was well aware of the Council of 1954 and most of the men in the Council were here because we were disgusted with the trend toward bureaucracy. We are trying to promote democracy in the Yukon.

Mr. Taylor stated that he concurs with Mr. Livesey. He also added that he had had no confidence in Northern Health Services. However, he believes now there is hope.

Dr. Willis stated this is the first time Northern Health Services has had a chance to write a plan for a five year agreement. It has been our first chance to really see what you need in the question of a health plan. Northern Health Services were never invited before to give you advice on this account. We have tried to be rather conservative in our attitude toward building new types of buildings. Dr. Willis stated he had spent his professional life in planning services and he wanted to make this experience available. He stated that there were things wrong with the plan and he accepted judgment. He stated it would be better if the Territorial Government did not administer these things. There should not be two health departments.

Mr. McKamey agreed with Dr. Willis with respect to taking over control of various diseases, but one point was not clear with regard to Federal Health Grants to cover the cost. He asked on what basis we would receive a grant from the Federal Government, and if Northern Health Services receive a grant to cover the cost of these diseases, why did the Department in the Yukon not receive them in the past.

Dr. Willis stated it is really a matter of policy of this Council. If you believe there should be free V.I. control, which I am in favour of, then it is just a matter of reimbursing a private physician at a set rate. Dr. Willis stated health grants are very old and the Yukon has been getting its health grants all along.

Mr. Shaw stated that this was his second term in Council and he has seen various members of Council ask for very minimum facilities. This has been under the jurisdiction of Northern Health Services and there seems to be a wall between them. All the members can do is plead and if Northern Health Services says no, there is nothing they can do. These people are definitely subservient and they have no control whatever. There has been an area of antagonism.

Dr. Willis said it has been very difficult for Northern Health Officers such as Dr. Munroe. They were working in the confines of a preventive health plan. If Mr. Livesey stated he would like to have a medicine chest and a dispenser, Dr. Munroe had no authority to give this to him. If you continue to give some of the money to one office and some to another, Dr. Munroe will have to continue to say no I am sorry, I cannot do anything for you. This method appeared to be inefficient. There will be no excuse for us with a package deal. The Department of Northern Affairs has Indians and Eskimos and therefore in any program we go into the Minister of National Health and Welfare does have some say as to the percentage of that 70 Indians and 30 others. He should have seven votes and you should have three votes. He may, or may not be able to upset your plans. Dr. Willis thinks he can do a better job with wider responsibility.

Mr. McKamey stated that right now if a mother wishes to take her child to the hospital in Mayo for treatment, she has to pay a \$3.00 service charge. This discourages preventive treatment as a lot are not able to pay this.

Dr. Willis stated that every person, if he is sick, is entitled to medical care. The colour of his skin should make no difference to the number of stitches he should get. He stated we have not solved yet the business of how to do this, it is mixed up with too many things.

Mr. Chamberlist asked that Dr. Willis give his feelings about the \$500.00 for V.D.

Dr. Willis stated that this sum of money was for drugs distributed to Doctors for treatment of V.D. If this Council decided they were going to give free V.D. treatment, this would be a good thing, It is the poor people who have this and they have the hardest job raising the \$3.00 for injections. Investigation work is done by the Department of Health Nurse.

Mr. Taylor asked how many people you can cure with \$500.00

Dr. Willis stated that if \$500.00 was not enough to cure the 168 people in the Yukon who have this disease, you would get more money.

Mr. Chamberlist wondered if Doctors would give their services free, you cannot put a price on V.D. as this is a welfare and alcoholic and social problem.

Mr. Livesey stated that if V.D. was not a source of revenue, it would be stamped out a lot quicker. Where there are drastic situations, drastic measures must be taken. This is not a credit to the Yukon.

Mr. Chamberlist moved that Mr. Speaker resume the Chair for the purpose of discussing the agenda and hearing the report of the Committee.

All agreed.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, thanked Commissioner Collins, Dr. Willis, Dr. Munroe and reported progress made on the discussions of the health plan.

Council accepted the report of the Committee.

Discussion followed on the question of a legal advisor.

Mr. Speaker stated that since Mr. Reddin could be away from his practice for only one week and must be back in London on Saturday, Council would again be left without legal advice.

Mr. Reddin was asked to tell Council why he could only be here for a few days. He explained that he had been given very short notice and Ottawa had hoped that the need for legal advice would be over by that time. He offered to work on Wednesday night, all day Thursday and Thursday night on any matters that the members of Council might need help with.

Mr. Chamberlist stated that he objected to Ottawa's handling of this and all they could do at the present time was to accept Mr. Reddin's kind offer to help while he is here and carry on for this session.

Mr. McKamey stated that there was a firm in Vancouver. This firm could send a lawyer anywhere in Canada at any time. Mr. McKamey believed that the Department of Justice should be contacted with regard to sending a lawyer from this firm to replace our legal advisor.

Mr. McKamey moved, seconded by Mr. Taylor that the Administration approach some reliable firm in Vancouver, B.C. such as Russell and DuMoulin, 850 West Hastings Street, Vancouver, B.C. MU 2-1321, Mr. S.D. Anfield, for the purpose of filling the vacancy left by the absence of the Legal Advisor for the Government of the Yukon Territory.

Motion Carried.

Following discussion of the agenda, Council adjourned until 10:00 O'clock A.M. Thursday, November 16th, 1961.

Thursday, November 16, 1961.
10:00 O'clock A.M.

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

Mr. Speaker asked the Clerk of the Council to inform the Hostels that Council has accepted their invitation and will be there at 4:00 O'clock this afternoon.

Mr. Chamberlist gave notice of motion for the introduction of a Private Members Bill - An Ordinance to Amend the Legal Profession Ordinance.

Mr. Chamberlist, as an explanation, stated that any small operator would become legal prey to the people who would run up small debts and a debt of \$20.00 could not be acted upon by a Company without obtaining council. This would mean that a small Company would have to retain lawyers at a very high cost of over \$100.00 to obtain payment of a debt of \$20.00

Motion No. 4 Mr. Shaw gave notice of motion with regard to an Ordinance relating to Historical Sites.

Motion No. 3 Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of motion with reference to a new school at Carmacks.

Mr. Taylor respectfully requested that a reason be given as to why the answers to Question #2 and Production of Papers #5 had not been received by Council at that time.

The Clerk of Council replied that all of these motions for the Production of Papers are being acted on by Commissioner Collin's office at present. Commissioner Collins has written to the Coroner regarding Production of Papers #5, #6 and #7 have necessitated that wires be sent to Ottawa. These wires have gone forward and we can only await replies.

Question No. 3. Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of Question relating to Storm Windows and Fluorescent lights at Carmacks school.

Production of Papers # 8. Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of motion for the Production of Papers with regard to a new school for Pelly River.

Mr. Speaker tabled a letter from Commissioner Collins regarding partial Sewer and water systems. (Answer to production of papers No. 4 - set out as Sessional Paper No. 17)

Mr. Taylor moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Health Plan with Commissioner Collins, Dr. Willis and Dr. Munroe.

Motion Carried.

In Committee of the Whole:

Mr. Taylor asked the following two questions of Dr. Willis:

- (1) What is the annual salary of a public health nurse?
- (2) What is the difference between a Public Health Nurse and a Welfare Nurse.

Dr. Willis replied that the salary of a registered nurse - field, which is the term used for a Public Health Nurse is \$4,110.00 to \$4,560.00 annually, depending on length of service. Dr. Willis stated in reply

to question 2, that a Public Health Nurse is a nurse with extra hospital training, who also receives training at a University while in service. A welfare nurse is a new term to Dr. Willis, but a Welfare Worker is a university trained person who specializes in alcoholic and truancy and family problems etc., and the Yukon could use a great number of these people.

Mr. Taylor then asked what a Public Health nurse can or cannot do - if she can act without advice from a Doctor.

Dr. Willis stated that nurses can and do perform a great many kinds of emergency treatment. In a health station a nurse must try to communicate with a Doctor, but if communication with a Doctor is impossible and emergency treatment is immediately necessary, a nurse is qualified to give whatever treatment is necessary. When communications are again restored she must call a Doctor and tell him what was wrong with the patient and what treatment she had given him and ask for further instructions. If a nurse can communicate by phone or radio with a Doctor, she must do this before treating the patient. She describes the patient's condition and answers questions the Doctor asks and then the Doctor tells her what treatment to give the patient. A nurse is not allowed to perform any type of treatment for a fee. She is paid by the Northern Health Services. Dr. Willis further stated that under common practice in the south of Canada this would not be allowed, but Northern Health Services Department realizes the necessity of this in the north. A nurse can use her own initiative in an emergency when a Doctor cannot be contacted. When asked to put this in writing, Dr. Willis stated that the Committee should trust him in this regard as putting such a thing in writing could cause all sorts of complications. He stated further that the members of the Committee are all witnesses that he has informed Dr. Munroe of these facts.

Mr. Chamberlist stated that Dr. Willis stated this is a health services plan and not a treatment services plan and he would like an explanation of this.

Dr. Willis replied that what is meant is that if a patient states that he wants the services of a certain Doctor and the Territorial Government has a contract with another Doctor, the Territorial Government has the right to say that since the Government is paying the bill it has the right to send this patient to the man with whom they have a contract.

Mr. McKinnon asked that if the Territorial Council accepted this program and then later found that things were not going the way they should, to whom would Council have redress.

Dr. Willis stated that the Commissioner is the one to go to. In all things we are responsible to the Territorial Administration headed by Commissioner Collins and it is indeed Mr. Collin's responsibility to see that the health plan is carried out correctly.

Mr. McKinnon asked if this would not supercede the Yukon Act which provides for the Commissioner and Council to establish maintenance.

Commissioner Collins stated that once the financial aspects have been approved by Council, these aspects govern the policy. The Administration of this plan would normally be through him and if flaws were found action could be taken immediately. Commissioner Collins further stated that if the fault was a fundamental problem he would call a special session of Council and the matter would be thrashed out. The basic principles and fundamental rules may require alterations of some kind and within the whole policy there is bound to be some flexibility.

Mr. Chamberlist wished to know, in regard to Page 5, Sections 19 and 20,

if there had been any mention made of the closing of the M.I.R. building in Upper Whitehorse, so that the purpose for which the hospital in Whitehorse had been constructed could be properly fulfilled. The outpatients department is not being used as it was intended because the R.C.A.F. are using the facilities of the M.I.R. to look after the dependents of service personnel. These dependents now come under the Yukon Health Plan and therefore should use the facilities of the hospital and the charges made would be of benefit to the hospital.

Dr. Willis stated the operation of the plan does not enter into the Whitehorse hospital. There is no money involved as far as Northern Health Services is concerned and it would not be proper for him to say what the Department of National Defence should do.

Commissioner Collis replied that this matter has been taken up on several occasions by the advisory board of the hospital and investigations are now under way to affect the closing of this building, because it would affect the revenue of the hospital. Commissioner Collins stated it would remove the drug and supply store from up the hill and would release two nurses and a Doctor. The advisory board hopes to get an answer to this shortly.

Mr. Chamberlist felt that, if the Whitehorse Hospital and fees for private Physicians are not included in the health plan, section 20 on page 5 was very confusing. If Dr. Willis has no interest in the hospital why did he come along and close the surgical ward?

Commissioner Collins explained that this hospital is operated by Northern Health Services, but only as a business at a rate set by Council of \$25.00. There is an overall connection with respect to standards, but as an institution, our only connection is a payment of \$25.00 a day for the residents of the Yukon who are in the hospital.

Dr. Willis stated that this business of health services has many different components. For hospital treatment Yukon Hospital Insurance Services pays \$25.00 a day. Northern Health Services make sure that the hospital is properly run. The Public Health part is to see that everyone gets proper care, such as pregnant women getting iron pills, restaurants serving meals on clean plates etc. The health plan attempts to plug up some of the holes. There are still some loopholes in the plan.

Mr. Shaw asked what benefits there would be in this plan for people who went to Doctors and went to hospital and paid their bills. Doctors like to have people come to them. How will they react to treatment for pregnant women in this plan.

Dr. Willis stated that the health plan works with the private Physician and no attempt is made to come between a patient and his doctor. The public health nurses give extra services, sometimes called mothercraft. This is health education which falls into the field of preventive medicine. The school program is one very important thing.

Mr. Shaw asked if there is provision in this plan for children's eyes. This is a big problem in Dawson, where unless they are Indians, children whose parents cannot afford glasses are forced to do without and Mr. Shaw feels that this is a very important factor in their wellbeing.

Dr. Willis stated that item (f) on page 2 of the health plan takes care of eyes. Dr. Willis agrees that vision is one of the most important. He stated that section (g) deals with lighting.

Mr. Livesey pointed out that since our agenda calls for a halt of discussions at noon and we have both Dr. Willis and Mr. Carter here, it would be a good idea to talk about what changes could be made in regard

to the amount of money we have to spend, which will satisfy us and the Department of Northern Health Services and also satisfy Mr. Carter and the Finance Department. If certain areas are not going to fit into the program, who is going to suffer.

Dr. Willis stated that he had discussed with Dr. Munroe the proposals in regard to the needs of the Territory and he would go along with putting a nurse at Haines Junction immediately. He could not see the need for nursing stations at Teslin and Burwash Landing. If the Territorial Government wished to overrule that, then the financial implications would be that nursing stations built at these two places would amount to 50 or 60 thousand dollars each. This would mean a capital increase of approximately \$100,000.00. If we could do something with the building at Haines Junction, we could see a way of compromising with Mr. Livesey's requests without going back to Committee, but if nursing stations were built at Teslin and Burwash Landing it would mean another big jump. At Watson Lake we could probably join together the \$45,000.00 and the \$105,000.00 as he requested, but we would have to look at the financial implications with regard to earlier operation and maintenance expense. If the hospital was full most of the time, Yukon Hospital Insurance Services revenue would pay for most of this, but if the hospital was not filled then it would be necessary to find money for maintenance and operation expense. Dr. Willis advised it would be better to settle for a nursing station now and a hospital could still be built earlier if the nursing station proved inadequate. The capital costs could be found, but it would be very hard to find money for operation and maintenance.

Mr. Taylor stated that a ten bed hospital could easily be kept filled and he recommended that provisions be made for maintenance and capital costs of the hospital in the agreement. He stated also that a permanent nurse is also definitely required at Teslin. They do not need a 50 to 60 thousand dollar nursing station, but they do need a nurse.

Mr. Chamberlist stated in referring to page 15, Section 51, that Dr. Willis made up this services plan in June and in August he closed down the surgical ward at the hospital.

Dr. Willis replied that he effected closure of the surgical ward in June and he wrote the report following the closure.

Mr. Chamberlist stated when this comes into force it will rest in the hands of the chief medical officer here as to whether it is necessary to close a section of the hospital.

Dr. Willis replied that he would ask authorization on this and the difficulty is where the point lies where it is necessary to close down a part of the hospital.

Mr. Chamberlist stated that the last time it was done in an arbitrary manner and consideration should be given to local Doctors before these wards are closed down and assurance must be given that the medical profession here will be consulted before a ward is closed down.

Dr. Willis stated that this hospital is the responsibility of the Minister of National Health and Welfare. The advisory board is there to give advice but it is not responsible for finding the money to operate this place. At the time the medical men stated that rather than close the children's wing, which was the first intention of the Minister of National Health and Welfare, they should close down the surgical wing. Cross infection is a constant hazard to Doctors and hospitals all over the country but it is reduced to a minimum in the Whitehorse hospital.

Mr. Chamberlist stated that he would like to apologise if this is the case that the closing of the surgical ward was agreed to by the medical men of Whitehorse. He regretted indeed that there has been

such a furor if the choice was made by the Doctors in preference to closing the children's ward.

Mr. Shaw asked Mr. Carter to give his opinion as to whether a transfer of fund within this agreement could be made.

Mr. Carter stated that it is not important to keep the total amount of money provided for under the plan exactly as it is laid down. In readjusting the capital items, you are going to have much heavier operating costs. If you asked the Federal Government to tack on \$100,000.00 or \$200,000.00 to the operations, which would be added to the Federal Grant, the Cabinet would say no. If you were willing to recommend that two thirds of the money could be found for the increased costs, the Federal Government would be more sympathetic to this. With regard to capital expenditures, there is not much to worry about, but operation and maintenance would have to be extra and if you offered to pay some into the pot it would help.

Mr. Shaw, Chairman of Committee, thanked Dr. Willis and Mr. Carter for their attendance and stated that there was nothing personal whatever in any of the remarks made during the time they were here.

Mr. Livesey thanked Dr. Willis and stated that he hoped Dr. Willis would come to the Yukon once or twice a year and come before Council as a friend, not a stranger.

Dr. Willis said he had enjoyed attending Council in Whitehorse and asked for verification that Council did not need any further attendance from him before taking the aircraft in the afternoon.

Mr. Shaw gave Dr. Willis verification.

Committee recessed at 12:30 P.M. to resume again at 2:00 P.M.

2:00 O'clock P.M.

Committee was called to order.

Mr. Livesey moved, seconded by Mr. Taylor that the Speaker resume the Chair for the purpose of hearing the report of the Chairman of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee reported the Committee had discussed the Yukon Health Plan with Commissioner Collins, Dr. Willis, Mr. Carter and Dr. Munroe present, and recommended that the report be summarized and recommendations presented to the Administration.

Council accepted the report of the Committee.

Mr. Chamberlist moved, seconded Mr. Taylor, that Mr. Speaker leave the Chair for the purpose of discussing Bills numbers 1 and 2 in Committee.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee, requested that the Clerk of the Council ask Mr. MacKenzie, Territorial Treasurer, to attend Committee for the discussion of Bill No. 1 "An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory".

Mr. Livesey asked, with regard to the amount for salaries in Vote No. 2, if this was the salary for an additional man employed.

Mr. MacKenzie stated that in some cases it was new people and in some it was raises in pay and in some it was collection of holiday pay.

Mr. Chamberlist asked where the printing of Ordinances took place, in the Yukon or outside.

The Clerk of the Council stated that these are being done at various places and they are printed by the lowest bidder.

Mr. Chamberlist asked if there is some possibility of having assurance that local printers will be given an opportunity to bid on these and when small differences occur, local printers will be given preference.

The Clerk of the Council stated that this was being done and if local printers were not too far over the outside bidders, the business was given to the local printers.

Vote 6: Mr. Chamberlist asked if Mr. MacKenzie could explain why the Community Development Fund out of the liquor tax was in this vote.

Mr. MacKenzie stated that all money must be voted before it can be spent and it is easiest to put it in this vote.

Mr. Chamberlist asked how it is broken down.

Mr. MacKenzie stated the liquor tax collected \$39,390.65 last fiscal year. There was already \$3,000.00 in the main estimates and this is the excess which has not been voted.

Vote 8: Mr. Chamberlist asked if the study of the Utility System in Dawson City amounted to \$20,000.00 and if so who authorized it.

Mr. MacKenzie stated that it did amount to that much and that the original estimate came from Ottawa.

Mr. Shaw in explanation of this item stated that the Utility System in Dawson City is owned by various Companies and this syndicate has had direct control over the Utility System for many years. In order that this system can operate it has been necessary for the Territorial Government to subsidize the City, who in turn pay the Dawson Electric Light and Power Company. The people pay \$12.50 for water per month and 25¢ a kilowatt for electricity. This is not a fair and just price. The amount of capital expenditure put into this system has been the very minimum. It is so antiquated the Company concerned has advertised that their operations would be ended in a short number of years. They could then leave Dawson with no utilities. In view of the matter Mr. Shaw met with representatives to Council here a year ago and Council recommended that the City take over the utilities and Northern Power Commission would be providing the power at a rate agreed upon and we in turn would get some relief from this amount paid. The results are that the load is past its capacity, so it was necessary that this whole system be investigated. Northern Canada Power Association cannot take anything over which cannot pay its way and it was necessary to get a very thorough study by a Company which knows that business. These people realized the situation and very kindly agreed to put up half the money and the Territorial Council agreed to go along with it.

Mr. Chamberlist asked whether the actual billing was \$20,000.00

Mr. MacKenzie stated this was an estimate from Ottawa.

Mr. Chamberlist stated he realized this was a necessity and he agrees with Council, but Northern Canada Power Commission sometimes takes over

a Company and then gives it away to a Utility Company and the people might still be paying exorbitant rates.

Vote 9: Mr. Chamberlist stated there would be 100% savings if the dam at Lewes River was taken out as it does not serve any purpose.

Mr. McKamey wondered if they ever constructed a fish ladder at this dam .

Mr. Taylor stated it was too small a dam and they did not require a fish ladder.

Mr. MacKenzie stated this matter was considered very carefully by the Departments concerned and it was their view that the dam should be there and that is why they are paying the whole 100%. He suggested further that a paper should be asked for which would set out the reasons for the dam.

Camp Grounds and Lunch Stops \$10,000.00: Mr. Livesey questioned if this was strictly maintenance of camp grounds and lunch stops throughout the Yukon.

Mr. MacKenzie stated that this was the case and Ottawa absorbs 100% of the cost.

Mr. Livesey asked if money had been set aside for a public camp ground at Beaver Creek and if so, why and who has been asked to put it there. He stated further that he would like to know if this information is correct and if so why, as no one had consulted the people of the area.

Vote 9 - Regarding Dawson-Granville road maintenance: Mr. Livesey asked if this is usual practice.

Mr. Shaw stated that this road covers about 60 miles and Company maintains this road at about \$20,000.00 a year. It was and is a government road, however, in 1952 the Commissioner told this Company that the Government would no longer maintain this road. If this was a private road it might be in order. There are about thirty other companies and private people using it. It is second to the Mayo road in revenue, and \$1500.00 a year is the best Mr. Shaw could get for them to help with this road.

Mr. Taylor questioned the purpose of maintaining the Flat Creek-Eagle Plain road.

Mr. MacKenzie stated we are doing so at the request of the Federal Government but why it is being kept open he does not know.

Mr. McKamey stated that there is to be some activity in that area and he had been opposed to it because up to this year only 85% was recoverable from Canada, but this year it is 100% and he agrees to it.

Vote 10, Capital Account - Skookum Jim Memorial: Mr. Chamberlist stated that this Memorial Hostel had the plans drawn up for it by our Engineering Department. This building was constructed with an electrical system in it of ordinary standard installation when the specifications called for conduit installation. He stated that when the Territorial Engineer was asked why he had permitted this to happen, he said he would look into it. Later on when asked about it again he said he had left it up to the building inspector. Mr. Chamberlist is not going to approve this item until the Engineer is brought forward and questioned as to his reason for allowing this system to go into this building.

The Clerk of the Council was asked to have Mr. Starr, Territorial Engineer attend Committee and he was requested to bring his specifications with him.

Furniture and Fixtures: Mr. Livesey asked what kind of typewriters these were.

The answer was that these were standard typewriters. They replaced machines which had been sent to Dawson.

Mr. Chamberlist moved that Mr. Speaker resume the Chair to hear the report of the Committee and to arrange for Mr. Starr to come tomorrow.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, thanked Mr. MacKenzie for attending and reported that Bill No. 1 had been discussed and the Committee has left for further study with the proper persons the proposals regarding Beaver Creek Campsite, and the matter of the wiring of the Skookum Jim Memorial.

Council accepted the report of the Committee.

Following a discussion of the agenda, Council adjourned until 10:00 O'clock A.M. Friday, November 17th, 1961.

Friday, November 17th, 1961.
10:00 O'clock A.M.

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

Mr. Speaker tabled a letter from Commissioner Collins regarding revenues (Production of Papers numbers 6 and 7 - set out as Sessional Paper No. 18)

Mr. Shaw, seconded by Mr. McKamey, requested leave to introduce Bill Number 3, "An Ordinance to Amend the Municipal Ordinance".

Motion Carried.

Mr. Taylor, seconded by Mr. Shaw, requested leave to introduce Bill Number 4, "An Ordinance to Amend the Labour Provisions Ordinance".

Motion Carried.

Mr. McKamey, seconded by Mr. Chamberlist, requested leave to introduce Bill Number 5, "An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Five Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Execute an Agreement Relating Thereto (1961).

Motion Carried.

Production
of Papers
9.

Mr. Taylor gave notice of motion for the Production of Papers respecting the Upper Liard Hotel.

Mr. Chamberlist moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing the proposed Fire Prevention Ordinance (set out as Sessional Paper No. 10)

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee, requested that Mr. Starr, the Territorial Engineer attend Committee.

Page 1, sub-paragraph (b), Fire Marshall's duties: Mr. Chamberlist asked Mr. Starr, if he would consider that the investigation of bad, or wrong installations of wiring, or installations not correctly installed under the Electrical Code, would come under this section.

Mr. Starr answered yes.

Page 2, sub-paragraph (f) (vii) of the Fire Marshall's duties: Mr. Chamberlist asked Mr. Starr if he would recommend that all construction of new buildings be carried out with the installations required by the electrical code.

Mr. Starr stated that to the best of his knowledge he does this.

Section 21 of the Proposed New Fire Prevention Ordinance was discussed by the members of the Committee with regard to the rights of citizens to the privacy of their own homes.

Mr. Shaw moved, seconded by Mr. Livesey that Section 21 be redrafted by the Legal Advisor with two sections:

- (a) That the fire marshall and his deputies may, at any time, with the consent of the owner, inspect premises.
- (b) That failing to secure the consent of the owner, he shall obtain a search warrant.

Motion Carried.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee was called to order by Mr. Shaw, Chairman of Committee.

Mr. Chamberlist moved, seconded by Mr. Watt, that the agenda be altered in order to continue discussion of the Proposed Fire Prevention Ordinance.

Mr. McKamey questioned the reason for altering the schedule.

It was stated that Mr. Starr the Territorial Engineer was present to discuss the proposed Fire Prevention Ordinance with the members of the Committee and that it would be better to finish one piece of business before moving on to another.

Mr. McKamey suggested that it was at the request of the public that an agenda be kept so that they would know what would be discussed and if there was something of particular interest to them they could attend that day. If the agenda was to be changed without very good reason, it could become quite serious. It was also stated that Mr. Fingland, Administrative Officer, was in attendance for the discussion at that particular time, of the Civil Defence Plan which was on the agenda.

Mr. Shaw, Chairman of Committee, called for a vote on the motion by Mr. Chamberlist. As the vote was tied, Mr. Shaw cast his vote in favour of continuing with the agenda as it stood in the original form. Mr. Starr, Territorial Engineer was excused from Committee.

The Civil Defence Plan (set out as Sessional Paper No. 9) was discussed with Mr. Fingland in attendance.

Paragraph 3: Mr. McKamey stated that Major General Walsh had come before Council at a previous session and he had promised Council that certain monitor units would be established in the necessary places in the Yukon. Mr. McKamey wondered what had been done in this regard.

Mr. Fingland replied that the Army had reached the point of selecting certain sites. These are being decided upon, but have not, as yet been approved.

Mr. McKimmon asked if the Central Emergency Headquarters in Camp Takhini is in the form of a fall out shelter.

Mr. Fingland replied that the building was at ground level and as far as he could ascertain, it was not in the form of a fall out shelter.

Mr. Chamberlist stated that we should agree that the legislation be implemented and we should also consider the message of Commissioner Collins with regard to an amount of \$3,500.00 as the Federal Government share set aside for the whole Yukon Territory. A remark should be addressed to the Emergency Measures Organization that the size of the Territory should be taken into account and the figure of \$3,500.00 raised accordingly.

Mr. Fingland advised that there is nothing to prevent the Council from recommending that the Federal Government pay more, but it might be better to find out first what this money will be spent for. The money will not be used for fall out stations as this is the responsibility of the Army. The money will be used mainly for training programs and literature for distribution to the public.

Mr. Shaw asked Mr. Fingland to give a summary of how the plan would be applied.

Mr. Fingland stated that it is proposed that the Municipal Governments would take care of the Municipalities in the Yukon and the Territorial Government would be responsible for covering the outlying districts and smaller settlements in the Territory. The warning comes into

into the C.N.T. station and that is the end. If we are properly organized this warning would be directed to whoever is head of the organization and the information would go out from there to the people to take cover. It would also be necessary to keep up the water supply and to keep up communications. There would be two main points to consider. (1) Further distribution of national warning received from C.N.T. and (2) to make sure that local services continued to function. The actual provision for protection is entirely up to the individual citizen.

Mr. Chamberlist stated that he had been out to Edmonton to study the plans and operations prepared in Edmonton, Alberta, and he gave information as to the form the organization should take. One person would be appointed as coordinator for the whole area. He appoints a coordinating Committee to do the work. From there it steps down to nursing, police and various others, all over the area, who are responsible to the coordinating committee.

Mr. Livesey stated that he also had been to Edmonton and was given a very impressive picture. He had been shown a private organization in one of the suburbs. They had a very well rehearsed program ready in case of emergency. Mr. Livesey felt that a civilian program could be set up very quickly and private individuals should be encouraged to set up these plans so that well organized operations could be put into action at the touch of a button. The people should be made aware that there is going to be measure of protection for them.

Mr. Shaw stated that if something happened by way of sabotage or a bombing of the Canadian National Telegraph Communication System, the whole of the Yukon Territory would be completely blacked out. We have one radio station and we are told that the first thing to do is to turn on your radio. We have everything centralized in this one area and that would seem shortsited.

Mr. Chamberlist stated that this paper asks one question. If you want a civil defence plan state this and we can swing into operation. He recommended that provisions be made for the Government to implement legislation for emergency measures organization plan for the Yukon Territory.

Mr. McKamey advised that there should be a resolution added that this be placed before Council in the spring session 1962.

Mr. Fingland added that the paper asks one more question with regard to the breakdown of payment, if this is satisfactory. He also advised that this is the practice all over Canada and the amount is only for the current fiscal year.

Mr. Chamberlist stated that in this Emergency Measures Scheme and in the act that is provided, a municipality can receive a fire engine or other equipment towards this civil defence organization on a percentage basis, Federal 75%, Provincial 12 $\frac{1}{2}$ % and Municipality 12 $\frac{1}{2}$ %, provided they have an active civil defence organization.

Mr. Taylor, with regard to Section 4, stated that the Federal grant is based on the population of Canada as a whole and since the Yukon has such a small population by comparison, he feels that the Administration should ask them to revise this and take the size of the area into consideration.

Mr. Fingland suggested that if this is the view of the Council it should be included in the recommendations to Commissioner Collins.

Mr. McKinnon felt that the Yukon at present has no plan of civil defence at all and he is in favour of getting this plan under way as quickly as possible. This is the unsophisticated plan and when we get legislation

under way and a more sophisticated plan before us, we can study it at greater length.

Mr. Fingland was thanked for his assistance in this matter and excused from Committee.

Mr. Taylor desired that since the legislation for this program would take considerable time and would not be presented to Council until the Spring Session, that some immediate measures should be taken to inform the people of the Yukon of the dangers of fallout and of what could be done in the way of protection. He stated that the pamphlet supplied to Council gave helpful information, such as "Eleven Steps to Survival". This information should be passed on to the public.

Mr. McKamey agreed with Mr. Taylor and stated in the more isolated areas, they do not have facilities for informing the people, such as radio and T.V., which is available in Whitehorse.

Mr. McKamey moved, seconded by Mr. Taylor, that the Administration supply the public with information as to fall out etc. and each week have this printed in the Whitehorse Star, because this is the only media we have in the Yukon where people could gain the knowledge they should have. The people should know why you are implementing a Civil Defence Plan, as the people are the roots and fruit of this plan.

The Clerk of the Council advised that with regard to the pamphlets which Mr. Taylor mentioned, we have written the regional coordinator in Edmonton and asked for a supply of these pamphlets and when they arrive, we can give out these pamphlets whenever they are requested.

Mr. Chamberlist stated that it would also be helpful if Council could arrange for someone from the Army to go out to all the Municipalities and settlements in the Yukon giving lectures at general meetings with regard to civil defence. He thought that Brig. Lilly would be pleased to have his officers go out to any area at any time.

Mr. McKamey stated he would like his motion to stand with the pamphlets being available at the post offices and the lectures could be incorporated into the plan.

Mr. Shaw, Chairman of Committee, stated that the motion stood as follows:

There are three sections - moved by Mr. McKamey, seconded by Mr. Taylor that (1) information be provided in the form of columns each week in the local newspapers; (2) pamphlets be circulated through the post-offices; (3) an army man to be sent to communities throughout the Yukon giving lectures.

Motion Carried.

Mr. McKinnon drew the Committee's attention to the fact that the Grade 10 class of Mr. Bell was in the Gallery. He mentioned that this class is studying democracy and he made them welcome.

Mr. Shaw asked Committee's pleasure with regard to the next discussion.

Mr. Chamberlist requested that Bill No. 2, An Ordinance to Amend the Jury Ordinance be brought forward for discussion at this time.

Agreed by all Members.

Mr. Chamberlist stated the amendment to the Jury Ordinance proposed to repeal the part that stated no woman shall be empanelled as a juror in a criminal proceeding. He advised that the present Jury Ordinance permits women to be empanelled as a juror where there is civil action in question. A woman may be a lawyer or a judge but

cannot be one of the persons responsible for trying one of her own members and by removing this section it would provide for a woman to be empanelled for matters of Civil or Criminal nature. To make this effective it will be necessary to repeal subsection (2) of section 14 of the Ordinance. This Act as been amended in most of the Provinces of Canada and it is a form of further emancipation. In cases where it might be distasteful for women or where women do not believe in capital punishment, the judge could excuse them from the panel.

Mr. Livesey asked if we could have someone before the Committee who could advise us as to why this is incorporated in the Jury Ordinance. He suggested that perhaps Commissioner Collins could give committee this information.

Mr. Shaw asked the Clerk of the Council if this would be possible as Commissioner Collins might be able to supply us with the background.

Mr. Taylor suggested that Subsection (2) section 19, of the present Jury Ordinance with regard to selecting of a jury in criminal proceedings would have to be taken into consideration in this repeal.

Upon the announcement by the Clerk of the Council that Commissioner Collins would attend Committee to discuss this matter, a short recess was called to await Commissioner Collins arrival.

Mr. Shaw, Chairman of Committee, called Committee to order and requested Commissioner Collins to give his opinion on the proposed amendment.

Commissioner Collins advised the Committee that he had nothing against this repeal. One reason it was laid down in the old Ordinance was that many of these cases were of a nature distasteful to women. Another reason was that separate sleeping and washroom accommodation was not always available. In the case of murder where these cases sometimes take a long time it was necessary to take into consideration the fact that some of these women have several children who must be looked after.

Commissioner Collins stated that although he has no objection to women on juries, it might be a good idea for the Committee to ask Mr. Justice Parker.

Mr. McKamey stated that in view of Commissioner Collins' remarks this is a very serious problem and as lists are picked in alphabetical order and if some mother of three or four children was picked, she would have no choice but to appear.

Mr. Chamberlist stated that she would have to appear but the Judge would undoubtedly excuse a mother or if this was not the case she could state that she did not believe in capital punishment and would be told to step down, or she could be challenged by the lawyers who have this privilege when a jury is chosen. He would like to take Commissioner Collins' suggestion that we speak to Mr. Parker.

Commissioner Collins suggested that a committee of two members should go to see the Judge in his chambers.

Mr. Taylor moved, seconded by Mr. Watt that Mr. Shaw, Chairman, direct a committee of Council Members to visit Mr. Parker in his chambers in order to ask his opinion regarding this amendment to the Jury Ordinance.

Motion Carried.

Following a short recess, while Clerk of Council proceeded to Judge Parker's chambers requesting an audience, Mr. Shaw Chairman of Committee appointed Mr. Chamberlist and Mr. Livesey as a Committee to see Judge Parker.

Mr. McKamey suggested that the Fire Prevention Ordinance should be discussed in the interim until the two Committee members returned to Council.

It was agreed and that Mr. Starr's presence would not be needed.

The proposed new Fire Prevention Ordinance was discussed beginning with Section 26.

Section 34: Mr. McKimmon asked if this would apply to Historical Sites.

Mr. Shaw advised that the matter of Historical Sites has not reached discussion and at this time he would not be able to give a proper answer to this question.

Mr. McKamey stated the penalty to the fire marshall's assistant is a great deal less than the penalty to a person who has violated these laws. A fire marshall's assistant is liable to a fine not to exceed \$25.00 and a person violating the Fire Ordinance is subject to a fine not exceeding \$200.00

Mr. Taylor believed this fine for the fire marshall's assistant is too small, because he believes that an ordinance should have some teeth in it.

Mr. Shaw asked if it would be acceptable to leave this matter in abeyance until we have a full Committee.

All agreed.

Subsection (e) section 42: Mr. McKamey stated that some of the buildings in Whitehorse have doors that do not open out. Could the Commissioner grant the owners of these buildings the right to have the doors open inwards.

Mr. Shaw stated this is an Ordinance which definitely states the doors must open outwards. This Ordinance would have precedence over any municipal by-laws and the Commissioner could order that this Ordinance be complied with but would not be able to make regulations exempting anyone from this Ordinance. No person can violate this Ordinance.

Mr. McKimmon asked if the Territorial Government is going to be responsible for the salaries of the Deputy Fire Marshalls and local assistants.

Mr. Shaw assumed that this would be the case.

Mr. McKimmon moved that the report be given by the Committee which had returned from visiting Mr. Justice Parker.

Mr. Livesey reported that Mr. Chamberlist and himself had discussed with Judge Parker the problems brought up in Committee and advised that the repeal, as we have discussed it, would produce some problems and would provide certain benefits. One benefit would be that it would increase the number of jurors and by so doing, relieve others from service, which would automatically mean less frequent appearance for jury duty. Another point was the fact that having women on the jury would provide a better balance in a good many instances and would provide that we would get a better balanced decision. In the matter of accommodations, in most cases the accommodations were available and as far as this report was concerned, there would be three areas to consider, Whitehorse, Mayo and Dawson and perhaps in Watson Lake at a later date. We came away with the impression that this repeal would be a move in the right direction and would offer benefits and no appreciable drawbacks.

Mr. McKamey asked with respect to mothers who were not in a position to attend criminal cases, what decision was made.

Mr. Livesey stated that Judge Parker pointed out that where there were cases which came before him and a jury was about to be picked and where there were cases of hardship, they would not be asked to stand and if any woman was picked who was in an inferior position, from his description, she would certainly be excused.

The report was accepted by Committee.

Mr. Shaw, Chairman of Committee, asked Committee's pleasure in relation to Bill No. 2, An Ordinance to Amend the Jury Ordinance.

Mr. Chamberlist moved that this Committee adopt the amendments to the Jury Ordinance, and report to Council accordingly.

Mr. McKamey felt that there was no further discussion required in regard to this bill.

Mr. McKamey moved, seconded by Mr. Taylor, that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported:

- (1) Discussion of the Fire Prevention Ordinance took place and it was recommended that amendments be made in regard to the power of the fire marshall.
- (2) Discussion of Emergency Measures Organization and Civil Defence took place and Committee recommended that
 - (a) Council bring in this scheme and that legislation be presented at the Spring Session 1962; and
 - (b) that funds from the Federal Government be granted according to the size of the Territory as well as population.
 - (c) A motion was passed that articles should be run in the newspapers, pamphlets be distributed and an officer from the Department of National Defence travel throughout the Territory giving lectures on Civil Defence.
- (3) Discussion took place on Bill No. 2, "An Ordinance to Amend the Jury Ordinance", and a committee was appointed consisting of Mr. Livesey and Mr. Chamberlist to discuss with Judge Parker the various matters pertaining to that amendment.

Mr. Speaker asked Mr. Shaw, the Chairman, if Bill No. 2 was read out of Committee as amended.

Mr. Shaw stated that Bill No. 2, "An Ordinance to Amend the Jury Ordinance" was ready for third reading.

Council accepted the report of the Committee.

Following discussion of the agenda, Council adjourned until 10:00 O'clock A.M. Saturday, November 18th.

Saturday, November 18th, 1961
10:00 O'clock A.M.

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

Motion No. 5. Mr. McKamey gave notice of motion respecting Testators Family Maintenance Ordinance.

Motion No. 6. Mr. Taylor gave notice of motion regarding Upper Liard Hotel.

Mr. Chamberlist requested that a discussion take place in Committee of the advice given by the Legal Advisor in regard to the Legal Profession Ordinance.

Mr. Speaker asked Mr. Chamberlist to give Council some idea of the time he wished this discussion and was told that any time suitable to Mr. Speaker with regard to the Agenda would be suitable to him.

Production of Papers # 9. Mr. Taylor moved, seconded by Mr. McKamey, that the Administration produce for Council's perusal all files and reports pertaining to the premis known as Upper Liard Hotel, situate at Mile 642 on the Alaska Highway, including reports of the Liquor and Sanitation Inspector.

Motion Carried.

Motion No. 4. Mr. Shaw moved, seconded by Mr. Livesey, that the Legislative Council presently assembled give earnest and serious consideration to a proposal to draft legislation for the purpose of preserving historical sites and monuments in the C'ty of Dawson.

Mr. Shaw stated that this was a matter which concerned the City of Dawson in so far as the present buildings are concerned. It was Mr. Shaw's intention to ask Council to enact legislation which would prevent the demolishing of these buildings which are considered of historical significance by the governing body of the City of Dawson. Since introducing the motion he had been told by the Legal Advisor that it would be a matter of national law. Mr. Shaw stated that he would appreciate the Council asking Ottawa for a ruling as to the extent that we can enact legislation to prevent the demolishing of these historical sites without interfering with the laws, so that we could have possible legislation at the next session of Council in this regard.

The other Members of Council concurred with Mr. Shaw, in this regard, as people outside the Territory had been purchasing and demolishing historical buildings and carrying valuable historical objects out of the Territory, from Dawson as well as other parts of the Territory, and they would like to see this matter discussed in Committee of the Whole with the object of taking steps to adopt an Ordinance in this regard.

It was agreed by all members that this would be discussed in Committee.

Mr. Shaw moved, seconded by Mr. Chamberlist, that first reading be given to Bill No. 3, "An Ordinance to Amend the Municipal Ordinance".

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, that second reading be given to Bill No. 3, "An Ordinance to Amend the Municipal Ordinance".

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, that first reading be given to Bill No. 4, "An Ordinance to Amend the Labour Provisions Ordinance."

Motion Carried.

Mr. McKamey moved, seconded Mr. Taylor, that second reading be given to Bill No. 4, "An Ordinance to Amend the Labour Provisions Ordinance."

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that first reading be given to Bill No. 5, "An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Five Hundred Thousand Dollars from the Government of Canada, And to Authorize the Commissioner to Enact an Agreement Relating Thereto, 1961".

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey that second reading be given to Bill No. 5.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills numbered 1,3, 4 and 5.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee, requested that Mr. MacKenzie, Territorial Treasurer and Mr. Starr, Territorial Engineer, be present during discussions.

Bill No. 1, Vote 10, Capital Account: In regard to Furniture and Fixtures, Mr. Chamberlist inquired of Mr. MacKenzie if the opportunity was being given by Administration to local and Yukon companies to bid.

Mr. MacKenzie replied that local companies were given the opportunity to bid. Tenders were sent out and the best bid taken.

Mr. Chamberlist stated that he had found from investigation that the plans and specifications of the Skookum Jim Memorial building had not been followed and since the Administration had asked for a new Fire Prevention Ordinance, it should show concern for the electrical wiring in the building. The specifications called for installation in accordance with the Canadian Electrical Code for a public building which exceeded 1500 square feet in area and the Engineering Department had permitted wiring for a building which did not exceed 1500 feet. The new Ordinance relating to fire prevention had not been adhered to and the Territorial Government should see that the Administration carries out this Ordinance.

Mr. Starr asked what Mr. Chamberlist referred to as not being up to the Canadian Electrical Code. Mr. Starr stated that the permits had been granted and the specifications had been followed and Mr. Starr requested the slur stricken from the record.

Mr. Chamberlist asked Mr. Starr for the specifications and the addendum.

Mr. Starr stated that there was no addendum, that the tenders had been sent out a second time as the Department found that it did not have enough funds available and the building specification was changed and anything that is not in the specifications does not apply.

Mr. Chamberlist asked Mr. Starr the area of the building and he replied that the area was 1650 square feet.

Mr. Chamberlist stated the area of the building is over 1500 square feet and it is a public building.

Mr. Starr stated he had a letter from the City of Whitehorse stating that this building is in accordance with the specifications. In answer to Mr. Chamberlist's question with regard to what edition of the Canadian Electrical Code he had, Mr. Starr stated that he had the 1953 edition.

Mr. Chamberlist had a 1958 edition with 1960 amendments and he suggested that Mr. Starr get an up-to-date copy of the code.

Mr. Shaw stated that it would appear that the Engineering Department had better be sure that their volumes are kept up to date.

Mr. Watt asked what was the required wiring for this building.

Mr. Starr stated that the building consisted of two parts separated by a fire wall and if the building has a fire wall, it is not 1500 feet, but 1200 feet and the wiring is what is called for in the Electrical Code.

Mr. Taylor, referring to Tote Trail Roads, asked Mr. Starr if he could tell Committee if the amount set up for the Tote Trail Roads, was for one particular road or for several roads.

Mr. Starr stated that the tote roads are being very well used. They had built several tote roads and they have had very good results. He said the money had been well spent.

Mr. McKamey stated that he had requested that \$50,000.00 be granted for these tote trails. He had been requesting this grant for many years for assistance for roads into the various places in the Yukon. The Federal Government, after discussing this at every session for three years said they were sympathetic to the needs. The Yukon Chamber of Mines submitted a brief to Council requesting this amount and Commissioner Collins supported it. The Deputy Minister thought that it had validity and finally \$30,000.00 was granted. Mr. McKamey further stated that this is really a self liquidating investment because it was really going to open up the Yukon. He stated that he had worked with Mr. Starr and there had been no complications and everything went smoothly in the building of these Tote Roads. The Mining Companies were taking advantage of them and the Yukon is said to be one of the best places in Canada in which to invest money. Mr. McKamey stated that money had been granted for this purpose before but had been cut off because it was badly used and the Territorial Council should keep an eye on these operations and see that the money was properly spent.

Mr. Livesey, the member for Carmacks-Kluane Lake district, pointed out that the people in his area would like to tender a hearty vote of thanks to the Committee for assistance given to the mining industry and that they are certainly in accord with the provision. They agreed that this will help to bring new industry into the area and Mr. Livesey would like to highly commend the Administration on this move.

Mr. McKamey stated that he had taken a trip over the road leading out of Dawson and around that circle this summer and it would be a good idea if the Territorial Government financed a trip for all the Council members through the various roads in the Territory to help each member understand the other's problems. It is necessary to encourage companies to stay in the Yukon and he wondered if the Administration has considered giving Y.C.G.C. assistance in maintaining the 60 miles of road around Dawson. He stated he had counted 26 small placer operations working in that area and they were all hauling heavy equipment over this road at the expense of Y.C.G.C. It is also one of the major tourist attractions in the Territory and any money put into this would be a sound investment.

Mr. Starr, in answer to Mr. McKamey, stated that in co-operation with Council and a few people in Dawson, Mr. Starr's department wrote a report pointing this situation out and they now get a little help on the Bonanza road, but not enough. This is on file and there is a possibility that something could happen.

Mr. Shaw was in agreement with Mr. McKamey and as far as the Administration is concerned, Mr. Shaw stated he had been crying in the wilderness regarding this road. We have difficulties involved in this road and the Tote Trail Program does not accept it's maintenance as part of the Tote Trail Program. The Government will not recognize it as one of their roads or as a tote trail. Mr. Christie, Resources Division, Dept. of Northern Affairs, Ottawa, after having travelled on that road, will probably give Ottawa a better picture of how the situation is that one firm is forced to maintain this road and Mr. Shaw requested Council's support for any measures proposed.

Mr. Chamberlist stated he should give Mr. Starr a pat on the back for the work of the Engineering Department in regard to the Tote Trail Roads and particularly with regard to the road leading out of Whitehorse along the dam. He stated that he hoped one day that consideration would be given to the Skagway-Carcross road. He also agreed with looking after the roads in the Dawson area.

Mr. Shaw moved, seconded by Mr. McKamey that Council request a greater degree of assistance be given to this particular loop road than has been done in the past.

Motion Carried.

Mr. McKimmon asked Mr. Starr if he had enough money voted for an early start of road programs etc., early in the season next spring. It was explained to Mr. McKimmon that money for next years work could not be voted in Council until the Spring Session.

Mr. MacKenzie explained that Mr. McKimmon was interested in knowing if the next years summer program could be commenced with no delays for lack of money.

Mr. Starr stated that the Engineering Department was doing all its planning this winter and they are ready in more ways than they have ever been and when more money is voted at the spring session of Council, the Engineering Department will be ready to into action on the summer program of building.

Mr. Chamberlist asked Mr. Starr what had been done about the Fire Fighting Equipment at Carcross.

Mr. Starr stated that this had not been voted in the money for next year, but he had looked into the particular fire Mr. Chamberlist had in mind. The fire was through the roof and the building practically destroyed before anyone had noticed it. He stated further that the Fire Truck works and the pump works and any time Mr. Chamberlist wished to check this Mr. Starr would be glad to make the trip with him to Carcross.

Mr. Starr was excused from Committee and the Committee turned to discussion of Travel and Publicity in Bill No. 1.

Salaries: Mr. McKamey asked if this was the salary for the Director.

Mr. MacKenzie answered that this was the approximate salary.

Mr. McKamey stated that this was a very worthwhile project on behalf of the taxpayers and it is another self liquidating effort. He had given this a lot of consideration and he found the present system an unwieldy thing. Mr. McKamey recommended that a selection committee be set up to receive applications and that this committee consist of

one member of the Administration, such as Mr. Fingland, one member of the public, perhaps Mr. Harry Boyle and one member of Council, Mr. Shaw. This is going to be a big job as there will be a lot of applications from all over Canada and there will be a lot of points to consider. Mr. McKamey further recommended that the applicant most suitable should be examined by an industrial psychologist to determine his capabilities.

Mr. McKinnon asked the Clerk of the Council how this was being handled.

The Clerk of the Council replied that Commissioner Collins usually hires the staff with the advice of a board of three or four Department heads.

Mr. Shaw felt that Mr. McKamey had a good idea and we should patronize the local people as much as possible, but in this matter it is extremely important that we get the best possible man and he felt that more money could be offered if necessary. The Administration realized the necessity of getting the right person and were taking the appropriate action. Under the Yukon Act the Commissioner has the final say in such matters.

Mr. Chamberlist agreed with the importance of the matter and stated that Council should be very careful not to take away from the Administration the function which is theirs. Since it affects the rest of the Territory we should request that Commissioner Collins choose a member of Council to sit on that board and that Mr. Shaw would be a very good choice. Mr. Chamberlist felt that a person from the Yukon, who is familiar with the Yukon should be chosen.

Mr. Livesey stated that it behooves the Committee to be respectful as possible and it would be best to discuss this with Commissioner Collins here in Committee.

Mr. Shaw, Chairman of Committee, asked the instructions of Committee in this matter.

Mr. McKamey suggested that we hold this in abeyance until Commissioner Collins can sit with Committee.

All Members agreed.

Mr. Chamberlist moved that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee.

All Members agreed.

Mr. MacKenzie was excused from Committee.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported during discussions of Bill No. 1, with Mr. MacKenzie, Territorial Treasurer and Mr. Starr, Territorial Engineer in attendance, that:

- (1) Mr. Chamberlist wished to have recorded his objections to the fact that the electrical specifications were not followed on the Skookum Jim Memorial Building.
- (2) Mr. Chamberlist wished to have recorded the fact that Mr. Starr stated no addendum had been issued.
- (3) A motion was given that greater support be given the Granville Road.
- (4) It was requested by Committee that Mr. Collins attend Council at a future date, to discuss the matter of the Director of Travel and Publicity.
- (5) Progress was made on Bill No. 1.

Council accepted the report of the Committee.

Following a discussion of the agenda, Council adjourned until 10:00 O'clock A.M., Monday, November 20th.

Monday, November 20th, 1961.
10:00 O'clock A.M.

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

An invitation was received by Council to attend P.T.A. Meeting at the auditorium of Christ the King School at 8:00 O'clock P.M., Monday November 20th.

Motion No. 7 Mr. Shaw gave notice of motion regarding the Office of Commissioner.

Motion No. 8 Mr. Shaw gave notice of motion regarding an Amendment to the Liquor Ordinance.

Motion No. 9 Mr. Shaw gave notice of motion regarding Little Gold Customs Port.

Motion No. 10 Mr. Livesey (with the Deputy Speaker in the Chair) gave notice of motion regarding Fort Selkirk Flight Strip.

Production of Papers # 8.

Mr. Livesey (with the Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that it is respectfully requested that the Administration advise the Council of the exact nature of the results of possible discussions with the Department of Indian Affairs and other interested parties relative to the establishment of a school at Pelly River to accommodate and facilitate the teaching of all Indian children whose parents have expressed a desire to send their children to a local school.

Motion Carried.

Motion No.5 Mr. McKamey moved, seconded by Mr. Livesey, that this Council requests the Administration to draft and table at the forthcoming Spring Session 1962 an Ordinance known as the Testators Family Maintenance Ordinance.

Mr. McKamey stated he was unable to find any Ordinance in effect which would cover this subject. The problem that arises, when a man made a will back in the thirties and fifty or sixty dollars was sufficient for a widow to get along on and died without ever changing his will. The amount would not pay for the utilities today and the wife has no recourse. The Provinces have recognized this problem and have passed Ordinances to leave it up to the discretion of the Judge to increase the amount left to support the widow and family. Mr. McKamey asked Council to support him to have this Ordinance provided for the spring session of Council 1962.

Mr. Shaw suggested that there is another situation which is not very pleasant, but does exist, in the matter of common law wives, where there are children involved, and we could perhaps include this in with the Ordinance. Some means should be provided, if there is an estate where at least the children of such arrangements are supported.

Mr. McKamey stated he was in favour of Mr. Shaw's suggestion being included in the Ordinance, if such a thing can be put in legal terms.

Motion Carried.

Mr. Speaker asked Mr. Taylor if he was prepared to discuss his notice of motion (number 6) regarding Upper Liard Hotel.

Mr. Taylor stated it would be necessary to take this motion into Committee and he was not prepared to discuss it at this time because all the necessary information had not been supplied as yet by the Administration, and he would be prepared to discuss it this afternoon.

Mr. Speaker suggested that Council could revert to Orders of the Day later to discuss this matter.

Motion
No. 3.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that the Administration be respectfully requested to give earnest and serious consideration to a proposal to build a new school for the community of Carmacks with similar facilities and Teacher Accommodation to those recently established at the village settlements of Beaver Creek and Destruction Bay this year.

Mr. Livesey stated that the situation was that there has been no school at Carmacks and many of the people had moved away to places where there was a school. The commencement of a school at Carmacks was on an experimental basis and in the beginning they did not have enough children, but a lot of the families had moved back to the area and the number of children is increasing. The Administration could not see their way clear to building a new school where there were so few children. An old building was renovated and the school was commenced. This building is now too small and is too old to spend money on, and a new school is now needed. There are more than two to one Indians and if the Indian children were placed on the list who wish to go to the local school there would not be room. Mr. Livesey would like all members to look this over in regard to the budget next spring.

There is not a proper building for the school and Carmacks needs a proper building with proper sanitary facilities and heating and lighting.

Mr. Taylor stated it is interesting to note the possibility of the Freegold area and mines in the area being developed, which would bring further population increase to the Carmacks Area.

Mr. Chamberlist asked how many children were in the area now of school age, including Indian children.

Mr. Livesey answered that there were 30.

Mr. McKamey stated that while he agrees with Mr. Livesey that the best school facilities should be made available to all children, he feels that perhaps it would be better to wait until the new developments take place, as they might build the school too small, and have to build another one. With regard to the Indian children, he felt they were far better off going to the Hostels in Whitehorse as they had a much better chance of getting a proper education under much better living conditions. He was opposed to taking the Indian children away from the hostels where the environment would have a lot to do with these children's futures.

Mr. Livesey stated that it has always been the parents who decided what is best for their children. With white people this has always been the fact and he sees no reason why this should not apply to Indians. Welfare people believe that if the young people are educated and living at home, some of it may rub off on the parents. The children of Carmacks are in a very low standard school and we should try to upgrade the standard of schools everywhere.

Mr. Taylor stated that he cannot agree with Mr. McKamey that these Indian children should stay in the hostels. With regard to the fact that these children do not receive the attention at home, that they should have, a welfare worker in the area could solve that problem.

Mr. McKamey stated that these Indian children often lived in tents and were cold and tired when they came to school and could not learn in such an environment.

Mr. Livesey stated that the white children could stand the cold and it was just as cold for the white children as it was for the Indians.

Mr. McKamey stated that many of these Indians live in tents and he could not be convinced that a tent could be comfortable in 65% below zero weather.

Mr. Taylor stated that some of the Indians live in cabins and even in modern houses and these children could go with the white children in the area.

Mr. Livesey stated that what they live in has no relation to the fact that parents should be allowed to decide whether they want their children to go away to school and Indian parents should have this right just as much as white people and there is no room at the school in Carmacks for the Indian children whose parents would like them to go there. A better and larger school certainly should be established and he would like Council to consider this.

Mr. McKamey stated there are two segments of Indians and one knows nothing of education. As far as education rubbing off on these older people, this is impossible. People living with this older segment tend to go down to the lower level instead of raising the older people up.

Mr. Livesey stated it is a fact that parents are responsible for their children until they are 21 years of age, and the question is whether Indians are of equal status with whites or not, with regard to making decisions about their children. Mr. Livesey's position was that if there were sufficient children to warrant a new school then they should have a new school.

Mr. McKamey suggested that if Carmacks gets a new school why shouldn't all the other small settlements have new schools and where would all this money come from. The Federal Government recognized the fact that no more money was available and they suggested an increase in the fuel tax which will increase the transportation costs for the mines and if the mines close down there will be no money for schools or anything else in the Yukon.

Mr. McKinnon suggested that Council had digressed far enough, that the question was whether the school in Carmacks, which needs to be replaced, should or should not be replaced.

Mr. McKamey wished to go on record as making the statement that he is in favour of bringing the facilities at Carmacks up to date, but he feels that this is the wrong time.

Motion Carried with Mr. McKamey and Mr. Watt objecting.

Mr. Speaker asked Council's pleasure in regard to Bill No. 2, "An Ordinance to Amend the Jury Ordinance".

Mr. Shaw moved, seconded by Mr. McKamey, that third reading be given to Bill No. 2, "An Ordinance to Amend the Jury Ordinance".

Motion Carried.

Mr. McKamey moved, seconded by Mr. Watt, that Mr. Speaker leave the Chair for the purpose of further discussion of the proposed Fire Prevention Ordinance.

Motion Carried.

In Committee of the Whole:

Chairman of Committee, Mr. Shaw, called Council to order for further discussion of the Fire Prevention Ordinance at section 41, regarding the fact that the fine laid down for the assistant to the fire marshall should be the same as the fine laid down to persons who violate the Ordinance.

Mr. McKamey felt that the fine for negligence on the part of the fire marshall, or his assistant, should be equal to the fine for

violating the fire ordinance, because this can often be serious. He quoted a case where there was a fire in Mayo and no one knew how to start the fire engine. The fire chief was away from town attending a party and had not appointed anyone to be responsible in case of fire. He felt that a fine of \$25.00 was too small a penalty for such negligence.

Mr. Taylor agreed that a maximum of \$25.00 for negligence on the part of a fire marshall's assistant, compared with a maximum of \$200.00 for a person violating the Ordinance was out of line.

Mr. Chamberlist suggested that this could be criminal negligence, where a life might be involved and he suggested that a fine from \$25.00 to \$200.00 and or imprisonment, should be imposed for such negligence.

Mr. Shaw stated that criminal negligence was taken care of by national law and this might also be for some very small infraction and this fine would be too heavy. He suggested \$10.00 to \$100.00 would be a better amount.

Mr. McKinnon stated that if this position was voluntary, there would be a conspicuous lack of volunteers if such a heavy fine was imposed.

Mr. McKamey agreed with Mr. McKinnon that if we hold a club over a volunteer's head, we will not have any volunteers.

Mr. Livesey pointed out that this man has a duty and if a man is negligent in his duty he is fined up to a maximum of \$25.00 and gets off light, whereas an owner of a building is going to be fined \$200.00 plus \$25.00 a day for each day's neglect.

Mr. Taylor stated that this amount was for a public building.

Mr. Shaw stated that a minimum of \$25.00 to a maximum of \$200.00 with imprisonment was a very heavy fine for a volunteer. He believed that it might be a very small thing and the Judge would have to fine him \$25.00. If the fine was a minimum of \$10.00 up to \$100.00, the Judge would be able to use discrimination and it would be a deterrent for people not to get out of line.

It should have nothing to do with public property, because public property should be looked after and a man would have time before he was convicted to clean up the fire hazard and therefore would not have to pay the \$25.00 per day.

Mr. Watt believes the fire marshall has a lot of power under section 28 of the Ordinance and he believes it would be much better to get a legal opinion on this subject.

Mr. Livesey moved, seconded by Mr. McKamey, an amendment to section 41 after the word "to a fine not exceeding \$25.00" that the words "\$25.00" be removed and insert "\$100.00"

Motion Carried with Mr. Chamberlist objecting.

Mr. Chamberlist stated that this fire ordinance is not as good as the present fire ordinance, as the present one gives instructions as to regulations for buildings etc. The new one does not and he felt that the present ordinance, with some amendments should be left in effect, and Council should look into this very carefully before accepting the new fire ordinance. He suggested that the new fire ordinance makes a fire marshall not a fire marshall but Nero himself.

Mr. Watt agreed with Mr. Chamberlist.

Committee recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Committee was called to order by Mr. Shaw, Chairman.

Mr. McKamey moved that Mr. Speaker resume the Chair for the purpose of hearing Motion No. 6 regarding Upper Liard Hotel.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported that the Committee discussed the proposed Fire Prevention Ordinance starting at section 41. It was recommended that the penalty clause should read \$100.00 instead of \$25.00 Mr. Chamberlist wished to go on record as opposed as being insufficient. Other than that Mr. Shaw reported progress.

Council accepted the report of the Committee.

The files asked for in the motion for Production of Papers (No. 9 - page 80 Votes and Proceedings) were produced for Council by the Administration.

Mr. Speaker asked Mr. Taylor if he wished to proceed with his motion. (Notice of Motion No. 6 - page 80 Votes & Proceedings).

Motion No. 6.

Moved by Mr. Taylor, seconded by Mr. Chamberlist, that the legislative Council give serious consideration to a proposal to debate certain aspects of the operation of the Upper Liard Hotel, situate at Mile 642 on the Alaska Highway, with a view toward rectification and removal of certain objectionable aspects of such operation by recommendation in committee.

Mr. Taylor stated that in his opinion this premise was one of the worst examples of an operation managed as ruthlessly was contributing to crime to have it closed. It was located 7 miles was a hotel, a cafe and beer parlour and had de and very dirty. The ro Parlour, which he belie to Mr. Taylor from the of the Missionaries and of children, fights and area. The R.C.M. Police been unable to do so.

*Pages 89
Motion 6.
5th line from
bottom of 2nd para.
change to be
changed to read.
Prohibition Officers.*

Mr. Shaw stated that if beer unavailable and was business should be carried the Liquor and Sanitation Inspector in Council to give a report to Council in this regard.

Mr. Taylor stated there was a file on reports of the Upper Liard Hotel and Mr. Cameron had recommended closure of this premises on at least one date, September 1959.

Mr. McKamey moved, seconded by Mr. Chamberlist, that Mr. Taylor read all the relevant data in connection with this before the house.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Chamberlist that Mr. Speaker leave the Chair for the purpose of discussing the Upper Liard Hotel in Committee of the Whole, and from there on that consideration be given to the items on the agenda for today.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman, called Committee to order for the purpose of discussing the Upper Liard Hotel.

Mr. Taylor read all the data concerning this hotel which was contained in the file supplied by the Administration. He then further stated that in view of all the information on the file and the fact that this was coming up in court tomorrow on a charge, he felt that this hotel should be closed.

Mr. Chamberlist stated in regard to Mr. Taylor's remarks that this is before the courts and therefore should not be discussed by any committee in view of the fact that it might influence against the man being charged. The discussion should be dropped until such time as the courts have disposed of the matter.

Mr. Taylor stated that he was not concerned with the criminal proceedings, but the fact that the place has no right to be open and should be closed.

Mr. Chamberlist moved, seconded by Mr. Livesey that when a matter is before the courts there shall be no discussion in any committee as it is damaging to any person before court and is not done.

Motion Carried.

The next item for discussion was Mr. Chamberlist's request that a discussion take place in Committee regarding the advice given by the Legal Advisor in regard to the Legal Profession Ordinance (Page 80 Votes and Proceedings this session)

Mr. Chamberlist stated that the Police Magistrate's Court had been instructed by the Police Magistrate not to accept any actions which have been started other than by a lawyer. There are a number of Companies which have been hurt by this ruling. It was made by Mr. Adams and has not been argued in court yet. If this ruling were to remain it would mean that a Company which processes its own collection accounts where there are small amounts owing to save cost of going through lawyers in the Yukon who have a similarity to a pelican in that they both have long bills, would not be able to do this. What would normally cost a small amount for a collection order from the Police Magistrates Court would now cost at least \$75.00 from a lawyer. Mr. Chamberlist had put an amount of \$52.00 in the hands of a lawyer for collection. They collected the \$52.00 and sent him a bill for another \$17.00 for collecting this money. The Legal Advisor stated it is unnecessary to have such an amendment as any man can act in court on his own behalf, so long as no fee is charged. Now the right would be taken from any of us to speak in behalf of his family in court.

Mr. Livesey stated he did not understand. If there appears to be no legal impediment why do we have to create implications when no impediment exists. The law usually states that which cannot be done and he presumed that from assumption that it can be done and he would say that a time to move as far as Council is concerned would be at that time when someone wished to induce an Ordinance to prevent this sort of thing.

Mr. McKamey had two questions for Mr. Chamberlist:

- (1) Have the residents of the Yukon Territory been denied the right of protecting themselves in Court?
- (2) If they have, in what Act or Ordinance did they lose this right?

Mr. Chamberlist stated he asked the very same question of Mr. Adams, Police Magistrate. There is nothing, the Magistrate has no power to instruct the Clerk and there is no ordinance. This is just his opinion and in answer to Mr. McKamey there is no apparent power in which anyone is denied the right to work for a company in court and the Ordinance is mute in this regard. They should be following our law, but

they are making their own regulations to defeat the law.

Mr. Taylor would assume that if this is also in court tomorrow, we have no business discussing this either. This proposed amendment to the Legal Ordinance does not cover the individual.

Mr. Chamberlist stated the individual is covered in subsection (5) of section 14, he wished to add subsection (6) section 14, which states as follows: " 14. (6) Nothing in this section shall be deemed to prevent any person acting on behalf of his spouse or family or on behalf of any incorporated Company provided the majority of the shares of such company are owned by such person, his spouse, or family, in any action, cause, suit or matter."

Mr. McKinnon suggested that Council wait until tomorrow, at which time Mr. Chamberlist will not have his inherent rights taken away from him.

The Yukon Health Plan was then discussed by the Committee of the Whole with regard to clearly setting out each item of recommendations for changes in the Health Plan.

During the discussions with Commissioner Collins in Committee, the following motions were passed:

- (1) Moved by Mr. Taylor, seconded by Mr. McKamey, that financial assistance be given to activate present emergency treatment centre at Watson Lake and serious consideration be given to the proposal of construction of suitable hospital facilities in 1962-63.

Motion Carried.

- (2) Moved by Mr. Taylor, seconded by Mr. McKamey that the Health Station be rehabilitated for dispenser services at Ross River and that a Health Station be constructed at Teslin and a resident registered nurse be provided at Teslin, in 1962-63.

Motion Carried.

- (3) Moved by Mr. McKamey, seconded by Mr. Chamberlist that the reduction of Mayo Hospital to a four bed nursing station be deleted.

Motion Carried.

- (4) Moved by Mr. Shaw, seconded by Mr. Taylor that a health centre be established in the existing Mayo Hospital, or elsewhere, 1964-65.

Motion Carried.

- (5) Moved by Mr. Shaw, seconded by Mr. Taylor, that Dawson Health Centre be not reduced unless conditions should warrant this in 1964-65.

Motion Carried.

- (6) Moved by Mr. Livesey, seconded by Mr. Shaw, that a registered nurse be established at the present quarters in Haines Junction, with suitable equipment installed, including beds to look after emergency cases, and that a survey be made of conditions along the highway north to the border to ascertain the most suitable place for a permanent nursing station in 1962-63.

Motion Carried.

Mr. Chamberlist moved, seconded by Mr. McKamey, that Mr. Speaker resume the Chair to hear the report of the Chairman of Committee.

Motion Carried.

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

At 2:00 P.M. Committee discussed the Upper Liard Hotel in relation to the licenced premises, and Mr. Chamberlist's request concerning Legal representation by an individual before the Court.

At 3:15 P.M. Committee discussed the Yukon Health Plan and made the following resolutions:

- 1962-63 (1) That financial assistance be given to activate present Emergency Treatment Centre at Watson Lake and serious consideration be given to the proposal of construction of suitable hospital facilities in 1962-63.
(2) Rehabilitate the Building at Ross River for Dispenser Service. Health Station be constructed at Teslin and a resident registered nurse be provided in 1962-63.
(3) Mayo Hospital proposal rejected.
- 1964-65 (1) Dawson Health Centre not reduced unless conditions should warrant this.
(2) Health Centre at Mayo in existing Mayo Hospital, or elsewhere in Mayo.
- 1966-67 (1) Refer to 1962-63 recommendation with regard to Watson Lake Hospital.
- 1962-63 (4) Registered nurse be established at present quarters at Haines Junction with suitable equipment installed, with beds to look after emergency cases and that a survey be made of conditions along the highway north to the border to ascertain the most suitable place for a permanent nursing station for 1962-63.

Council accepted the report of the Committee.

Following a discussion of the agenda, Council adjourned until 10:00 O'clock A.M. Tuesday, November 21st, 1961.

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

Mr. Speaker read a letter addressed to Clerk of the Council, asking that arrangements be made for a meeting of City Council and Territorial Council with regard to City street improvement.

Mr. Speaker tabled the following memorandums from Commissioner Collins:

- (1) Regarding death of Mrs. Liard Sambo at Upper Liard (Production of Papers number 5 - set out as Sessional Paper No. 19.)
- (2) Regarding death of Mr. O. Petersen at Watson Lake (Question number 2 - set out as Sessional Paper No. 20)
- (3) Regarding reclassification of Yukon timber as a resource (Production of Papers number 2 - set out as Sessional Paper No. 21.)

Mr. Speaker read memorandums from Commissioner Collins addressed to Council regarding information relevant to hospital facilities at Watson Lake and regarding the Interdepartmental Committee report and the Proposed Health Plan.

Motion
No. 11

Mr. Shaw gave notice of motion in relation to the Municipal Ordinance.

Mr. Taylor asked that Council have Dr. Munroe come before Committee in regard to death of Mr. O Petersen (Question No. 2) and death of Mrs. Liard Sambo (Production of Papers No. 5.)

Mr. Speaker asked Mr. Taylor to bring this up when the agenda was being discussed.

The Clerk of the Council advised that an answer for Production of Papers regarding School at Pelly (Production of Papers No. 8) would be ready th. afternoon.

Mr. Taylor moved, seconded by Mr. McKamey, that Council now recess for the purpose of attending Court respecting individual rights to representation in Courts, as put forward by Mr. Chamberlist. (Page 90 Votes and Proceedings)

Motion Carried.

Council recessed at 10:15 A.M.

Council was called to Order at 11:20 A.M.

Mr. Taylor was asked if he would be prepared to discuss the Upper Liard Hotel Situation. (Notice of Motion No. 6 - page 80 Votes & Proceedings).

Mr. Taylor replied that he would prefer to have this discussion the following day.

Mr. Shaw was asked if he would be prepared to discuss his notice of motion regarding the position of Commissioner (Notice of Motion No. 7 - page 85 Votes & Proceedings)

Motion
No. 7.

Mr. Shaw moved, seconded by Mr. Livesey, that due to the impending retirement of the present Commissioner, Mr. F.H. Collins, it is imperative that the Department of Northern Affairs Minister should appoint a successor to work with the present Administration for at least six months before assuming office, in order that he may familiarize himself with the many duties and problems inherent in that position. It is further recommended that the person appointed as the next Commissioner of the Yukon Territory shall have the status of not less than Assistant Deputy Minister.

With regard to the office of Commissioner, Mr. Shaw stated this is extremely important in many ways and the person must have the uncanny

ability of being able to work for the Department of Northern Affairs and at the same time being able to work with the Council of the Yukon Territory and the people whom they represent. Mr. Shaw believes that the person they appoint to this office, with the ramifications of the Administration in the Territory, could not possibly take on the duties of Commissioner in one month, even in ten years, it would be a very difficult job. Therefore, he submits that the person to take over that office should have just as much experience in the actual practice of the office of Commissioner, as he can possibly get. We have been informed that Commissioner Collins will be retiring in July and the time is drawing short and unless they appoint someone to give him a little experience before Commissioner Collins leaves, we will get into trouble on this matter. For them to have a month or so to consider this is not unreasonable, and he would ask Council's support on this matter.

Mr. Speaker asked Council if there was any further discussion on this matter, and reminded Council of the importance of this matter.

Mr. Taylor replied that the member from Dawson, Mr. Shaw, has very capably expressed this matter and we feel as he does and there is nothing more to be said.

Motion Carried.

Motion
No. 8

Moved by Mr. Shaw, seconded by Mr. Livesey, that in view of the scheduled Dawson City Festival it is requested for that City, that considerations be given to the following, to be applicable only during the months of June, July and August in the years that the Dawson City Festival is officially operating and that the Liquor Ordinance be amended at the Council Spring Session to permit the following:

- (1) That Cocktail Lounges be allowed to remain open for one hour longer, namely to 1:00 O'clock A.M. each evening of the week with the exception of the hour following Saturday midnight and the hour following Sunday midnight.
- (2) That the Government Liquor Store be opened for six days each week.

Mr. Shaw stated the reason for this was that they expect to have many thousands of people at the Dawson City Festival, whose sole object will be to find entertainment. One of the projects to be held will be a play which is a very expensive production which will be concluded at 11:00 O'clock at night and many people who have been associated with such productions, the people associated with the Stratford Festival, stated that to have the bars open until one o'clock A.M. would be a much better arrangement. In Stratford they experimented in keeping the bars open for one more hour and it has proved very satisfactory. In regard to the Government Liquor Stores being open for six days, he was not in favour, himself, a few years ago, because something like that was not necessary. However, we are expecting in the City of Dawson, about 500 people each day. This is only an estimate and only time will indicate whether this is so or not, and if the liquor store is closed on Sunday and Monday, with a large number of people coming in every day, it will open up an avenue for bootlegging without any question. Some operators are bound to stock up and sell bootleg liquor on the days that the liquor store is closed. If Council considers that this may require quite some debate, he would be very please if they go into Committee at some time to discuss it further.

Mr. Speaker asked Mr. Shaw if it was his intention to lengthen the hours that the Cocktail Lounges would be open, or would they be opening one hour later in the morning.

Mr. Shaw stated that it makes no difference to him or to Dawson if one hour is taken from the morning and extended to the evening. The motion had been put that way to make it as uncomplicated as possible.

Mr. McKinnon felt that it would bequire a lengthy debate on this matter.

Mr. Speaker suggested that the matter can be debated in Council, but if there was a wish to have witnesses, it must go into Committee.

Mr. Taylor stated he would suggest that this might be agreeable for the whole Territory and that if they extended this to Lounges in the Territory, it should be given consideration by the Committee.

Mr. Shaw stated that he wished it very clearly understood that it was not his intention to increase the consumption of alcohol in the Territory. It is something that due to a certain condition that will be prevailing, it would appear that perhaps it requires some change to make it beneficial to the whole operation concerned.

Mr. McKamey stated it was his plan to submit a motion with respect to the opening of the liquor stores during the summer months, so perhaps we could let this go until we are in Committee as he wished to have witnesses on this matter.

Mr. McKinnon suggested we have a tiger by the tail. Commissioner Collins had told Mr. McKinnon that this liquor stemmed from a 1953 Ordinance and the Amendments to it and the Regulations made under this Ordinance would easily fill a whole volume or half the Ordinance book itself. Mr. McKinnon was amazed at the progressive thinking of the people in the Yukon along liquor lines when he came to the Yukon six years ago, but now every Province in Canada had far surpassed the Liquor Ordinance in the Yukon. He stated it would not be wise to make any more regulations until we had a complete revamp of the Ordinance and he would like to see this done at the spring Session of Council.

Mr. Shaw stated he would ask that a date be set for discussing this in Committee of the Whole.

Mr. Chamberlist stated if this question of the Liquor Ordinance was gone into now it might run us into another week at Council.

Mr. McKinnon stated he did not think any of Council was prepared to discuss this matter at this session. He stated he was planning on working all winter on this to present at the spring session. He stated that this Liquor Ordinance should be discussed as a whole and he felt that Mr. Shaw did not go far enough in his motion.

Mr. Taylor recommended that another time should be set aside to discuss this question.

Mr. McKinnon guaranteed that it would be two weeks before all parties were satisfied.

Mr. Speaker stated that the discussion on the motion must be on the question involved and no others.

Mr. Shaw stated that it was very clear what he had asked and he could not see where it would make any particular change to the Ordinance. When he put in his motion that the Liquor Ordinance be amended at the Council's spring session, he wished to save time on this session by having it discussed this time to obtain sanction so that the proper Ordinance, or change, could be presented to Council for the Spring Session. He agreed with Mr. McKinnon and he had hoped that perhaps the members who wished these changes all over the Yukon would bring this to the attention of Council in the form of a motion, as it has nothing to do with this motion which is only for three months of the year. Otherwise he was perfectly satisfied to see the bars close at 12:00 O'clock midnight, but due to the circumstances he was asking for consideration for a later hour.

Mr. Speaker stated that the passing of the regulation would not affect this Ordinance and that any change in the Ordinance should be taken up when this appeal is before the House only and this is pertaining to a regulation.

Mr. Taylor stated that this motion merely asked that the Ordinance be changed for the Spring Session and he feels that it is not taking much time of Council and it is time well spent and we should try to take some action in this matter.

Mr. McKamey asked if he was given to understand that this can be handled through regulation.

Mr. Speaker directed the question to the Clerk of the Council.

The Clerk of the Council stated that he does not believe so. The hours are laid down in the Ordinance.

Mr. McKinnon stated he hoped that at the Spring Session the Ordinance would be repealed and we would not have to be adding these amendments on.

Mr. Shaw stated that he has come up with a specific change at a specific time and if we go through a whole liquor ordinance it will take two or possibly three years and we have a situation existing where we have one session in which to decide the importance. He had made no mention of a change in this Ordinance for closing between 6:30 and 7:30 in the evening. He was asking for just these particular months that it go one hour later and it is quite acceptable if the bar is open from 10:00 O'clock A.M. to 1:00 O'clock A.M. instead of 9:00 A.M. to 12:00 Midnight.

Mr. Chamberlist stated that in view of what Mr. Shaw said, he saw no reason why we should go into Committee and if we could agree on just these few points why not agree in Council and save time.

Mr. Speaker stated that the Chair would not accept any other discussion in regard to the motion and any other matter in connection with the Liquor Ordinance could be discussed in another motion.

Mr. McKamey stated there may not be any need for another motion because the way he read this, if this were accepted in Council the Liquor Vendors would be open at the same hours throughout the Yukon.

Mr. Watt asked if Beer Parlours be allowed the same hours.

Mr. Speaker advised that this just concerned Cocktail Lounges.

Mr. Shaw stated it is requested for Dawson City only.

Mr. Watt requested that Council dissolve into Committee of the Whole so that Commissioner Collins might be present for further discussion of this question.

Mr. Shaw stated he did not include taverns because in this motion he was thinking of the tourists who were going to come in and not in terms of the larger consumption of liquor. Tourists who were going to pay a large amount of money to travel by aircraft would not be particularly concerned with drinking in a tavern and taverns being open would not serve the purpose he had in mind. He further stated that this was purely a resolution so that visitors would have the facilities for what is intended for. This was for Dawson City only. The reason it was to be for Dawson City only was not to get special privileges for this area, but because there were special circumstances regarding this request and because there are thousands of dollars being invested in this and this should be kept going from year to year.

Mr. Chamberlist stated this was the first time he had complained about the remarks regarding the Dawson Festival. Mr. Shaw seemed to think people were going straight to Dawson, but he felt that people might stop off at any place in the Yukon. Any law of the Territory must include the whole Territory and he felt that unless it included the whole Territory it would not be law and he could not go along with the special privilege being given to Dawson. The privilege should be for everyone in the Yukon.

Mr. Shaw stated there are differences in the Ordinance respecting different places, but if Mr. Chamberlist felt that this should be applicable to the whole Territory he would not argue. He did not say someone else should not have the same thing.

Council recessed at 12:00 O'clock Noon.

2:00 O'clock P.M.

Mr. Speaker called Council to order at 2:00 O'clock P.M.

Mr. Speaker tabled a memorandum for Council from Commissioner Collins in reply to question regarding fluorescent lights at Carmacks School. (Question No. 3 page 65 Votes and Proceedings - reply set out as Sessional Paper No. 22).

Mr. Speaker tabled a memorandum from Commissioner Collins regarding Pelly River School. (Reply to Production of Papers #8 - set out as Sessional Paper No. 23).

Council then proceeded with further discussions of the question before the House when it recessed for lunch. (Motion No. 8)

Mr. Chamberlist moved, seconded by Mr. McKinnon, that the words "For that City", be removed.

Mr. Watt asked if Mr. Chamberlist could include Beer Parlours in the amendment.

Mr. Speaker stated that the amendment did not include Beer Parlours.

Mr. McKinnon stated the reason for this motion was for the benefit of the Dawson City Festival. This motion should be for the benefit of the whole of the Territory. He was in favour of Mr. Chamberlist's amendment to the motion for that reason.

Mr. Shaw stated that this would permit openings until one o'clock A.M. all over the Territory and this may not meet with the approval of all the people. Mr. Shaw further stated, in view of this, that perhaps this should be put on a local option basis and this would give effect to the wishes of the people in their local areas. This would give people in Communities a chance to decide whether they wanted 10:00 A.M. to 1:00 A.M. or 9:00 A.M. to 12 Midnight. His motion merely brought forth the view of the people he represents and the people in other areas may feel that this is permitting the sale of more liquor and might not wish to do this.

Mr. Chamberlist stated that if Mr. Shaw felt that this should be by plebiscite in other areas, then it should be by plebiscite in Dawson City as well. The reason for removing the words "For that City" were that it does not appear like special privileges to the Dawson area. People would be going to other parts of the Territory as well as to Dawson City and everyone in the Territory should get equal treatment.

Mr. Watt agreed with Mr. Chamberlist and it should be for all people equally, Indians and White.

Mr. Taylor stated the motion before us represented the wishes of the people of Dawson and we should deal with the motion as it is, rather than add to it. We could give an additional motion for such facilities elsewhere in the Territory.

Mr. McKimmon stated that he looked at it as a definite concession so that the Festival would not fall flat and this applied to Tourism as a whole in the Yukon. He further stated that if they can buy a bottle on Monday and have a drink in a Cocktail Lounge at Dawson at 12:30 A.M. and cannot do so in Whitehorse, Mayo or Watson Lake, or anywhere else in the Territory, it will add to the confusion.

Mr. Chamberlist stated that Mr. Taylor was apparently not aware that if we deal with this motion as it is and it is defeated, it would be completely defeated and would wipe out the help we want to give Dawson City.

Mr. Shaw stated that he at all times wanted to be fair and did not relish the remarks of Mr. Chamberlist. He was referring to a plebiscite for all places. He was faced with no alternative. Without this Festival, Mr. Shaw would not have wanted to keep liquor outlets open for a longer period, but he felt that it would benefit the whole Territory. He has run into a situation where we all wanted the same thing and it should be given to all the areas. He stated that although this all may be true, the focal point of the Festival was in the Dawson area and if to receive this to partially help the Festival, he must increase liquor sales all over the Territory, he had no alternative. He further stated that Dawson was the focal point where all of the citizens were doing all they could to endeavour to get a big program. This is a tremendous effort for a small group of people.

Mr. McKamey asked that the amendment be read again.

Mr. Speaker stated that as far as the motion was concerned it was the purpose to delete "For that City", instead of the motion being applicable to the City of Dawson, it would appear to be for all the areas in the Yukon Territory, with the letter "s" added to "Store" also.

Motion Carried.

Mr. Watt wished to go on record as being opposed as this would not include all legal outlets.

Mr. McKamey moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Health Plan with Commissioner Collins in attendance.

Motion Carried.

In Committee of the Whole:

After further discussion of the Health Plan with Commissioner Collins the following motions were passed in Committee of the Whole:

1. Moved by Mr. McKimmon, seconded by Mr. Taylor that a Senior Official of the Northern Health Services should appear before Council each year to discuss matters of mutual benefit in relation to the Health Plan.

Motion Carried.

2. Mr. Chamberlist moved, seconded by Mr. Watt, that all reference to the \$2.00 per capita per annum contribution by the citizens of the Municipalities be deleted.

Motion Carried.

3. Mr. Shaw moved, seconded by Mr. McKamey that those paragraphs concerning the reduction of the Mayo and Dawson Hospitals not be considered as part of this plan and that any changes should be with the co-operation of the Commissioner in Council.

Motion Carried.

4. Mr. Livesey moved, seconded by Mr. Taylor that the nursing services for the district of Carmacks be obtained and included in the Whitehorse Health District in accordance with discussions with Dr. Willis in Committee which were agreed to by him.

Motion Carried.

5. Mr. Livesey moved, seconded by Mr. McKamey, that the Chief Medical Health Officer henceforth be required to act in a full capacity relative to public health and that his duties be severed from any connection with that of Superintendent of the Whitehorse General Hospital.

Motion Carried.

Commissioner Collins stated that he would look into the problem with regard to the \$3.00 fee being charged for going to the Clinic in the Mayo Hospital and report to Council.

Commissioner Collins was excused from Committee.

Mr. Watt moved, seconded by Mr. Taylor that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw Chairman of Committee, reported that the Committee had met with Commissioner Collins and made the following recommendations:

- (1) That a Senior Official each year appear before Council to discuss matters of mutual benefit in relation to the health plan.
- (2) That all reference to the Municipalities paying \$2.00 per person per annum be deleted.
- (3) That in acceptance of the Yukon Health Plan, the recommendations in regards to the Mayo and Dawson Hospitals reduce facilities or size be not accepted as part of this plan and that any changes be subject to discussion with the Commissioner in Council. The Committee wished to know the amount of revenue derived from Out Patients treated at Mayo Hospital.
- (4) That the nursing services for the district of Carmacks be obtained and be included in the Whitehorse Health District in accordance with the discussions with Dr. Willis in Committee which were agreed to by him.
- (5) That the Chief Medical Health Officer henceforth be required to act in a full capacity relative to Public Health and that his duties be severed from any connection with that of Superintendent of the Whitehorse General Hospital.

Mr. Shaw, Chairman, stated that this completes the discussion of the Yukon Health Plan as it is contained in this book.

Council accepted the report of the Committee.

Following discussion of the agenda, discussion was resumed of the proposed Fire Prevention Ordinance.

Mr. Chamberlist stated that this new Fire Prevention Ordinance does not resemble a Fire Ordinance as it has no instructions as to construction of buildings or training of fire fighters and we do not have to accept this just because it was placed before us.

The Clerk of the Council suggested that what Commissioner Collins had presented to Council was only a list of points to be included in a new Ordinance and he would suggest that the discussion be continued and that the New Fire Prevention Ordinance, as it is received from Ottawa could be discussed at the next session.

Mr. Taylor queried if this does not embody the entire Ordinance, but is merely to go into a new Fire Ordinance.

Mr. McKinnon asked if these are going to be put in as additions to the Ordinance.

Mr. Chamberlist stated this reads "Proposed New Fire Prevention Ordinance", for the Yukon Territory. He is not asking to dispense with the new Fire Prevention Ordinance, he is asking that this be dispensed with because it does not give us a piece of legislation which would be better than the legislation which we already have.

Mr. McKamey suggested that this should read, Proposed New Amendments to the Fire Prevention Ordinance of the Yukon Territory.

Mr. Shaw stated that Council should take the positive approach and ask to have the parts of the present Ordinance which we want kept incorporated into the New Ordinance and it would be necessary to study the present Ordinance and these proposals on a day to be specified.

Council adjourned at 5:00 O'clock until 10:00 A.M. Wednesday, November 22nd, 1961.

Wednesday, November 22nd, 1961.
10:00 O'clock A.M.

- Mr. Speaker read the daily prayers and Council was called to order.
- Motions:
- No. 12 Mr. McKamey gave notice of motion with regard to the Council Stenographer.
- No. 13 Mr. Shaw gave notice of motion regarding Klondike Visitors Auto Court.
- No. 14 Mr. Shaw gave notice of motion regarding Bonanza Creek Road
- No. 15 Mr. Shaw gave notice of motion regarding Hunker, Dominion, Sulphur road system.
- Motion No. 9 Mr. Shaw moved, seconded by Mr. Livesey, that it is requested by this Council that the Customs Port of Little Gold, situated on the Sixty Mile Road, be opened to the travelling public for at least sixteen hours each day during the months of June, July and August for the following reasons:-
- (1) The Dawson City Festival is scheduled for 1962
 - (2) The site of the Little Gold Customs Port of entry into Canada from Alaska is situated where no facilities such as accommodation, water, wood, any shelter, communications etc., are available to the public.
 - (3) A bottleneck at this area would seriously impede the efforts of the many private, as well as public organizations, who are striving to expand the tourist resource of the Yukon Territory.

Mr. Shaw stated he had brought this matter up in another action about two years ago and at that time Council was sympathetic to his request but he got very little action from the Department of Citizenship and Immigration. It had been expected that there would be many Americans travelling to Dawson at that time in connection with the Queen's visit. The Government operated the ferry boat 24 hours a day and the customs was only open 12 hours. This Customs Port is 60 miles from Dawson and about 110 miles from the Alaska Highway. It is on a bald hill, or mountain top, all by itself. There is nothing but the Customs Port and if a visitor comes after hours, he must wait until 8 in the morning. When you go to the Customs Port from Alaska you lose an hour between Alaska and Yukon time and sometimes when people reach this port they go on into Dawson and are arrested for illegal entry. This happened to a well known lawyer in Whitehorse at one time. Mr. Shaw further stated that during this festival there will be many people travelling back and forth over that road. Mr. Shaw stated that he would like to see this port open 24 hours, but if he restricted his request to 16 hours a day, he did not see how they could possibly refuse. He requested Council's support on this resolution. Mr. Shaw said further that one must make a resolution in a practical form and in this instance he felt that there is one man working for 12 hours, four hours overtime, a day and it would be necessary to get another person for 16 hours a day, which would indicate two shifts.

Motion Carried.

- Motion No. 11 Moved by Mr. Shaw, seconded by Mr. Livesey, that it is requested that the following changes be made to the Municipal Ordinance for presentation to the 1962 Spring Session of Council.
- (1) Section 228, Subsection 1, Municipal Ordinance.
That: "upon the expiration of one year" be amended to "upon the expiration of six months".
 - (2) Section 238, Subsection (i) of the Municipal Ordinance,
That: "six months residence" be amended to "twelve months residence".
 - (3) That any sections further to the above be changed accordingly to not conflict.

Mr. Shaw stated in regards to section 228, that the reason this was brought up was that if taxes are more than one year in arrears, a tax sale is held. If a person purchases this property the Tax Collector must wait one year before application for confirmation of the tax sale may be made to a Judge. After this confirmation by a Judge, the person may get title of the land. This means we have a period of one year before the property is sold and then an additional year before the person can gain possession of the property. There have been cases where it took two years to get legal possession of the property and the person owning this property is liable for taxes on this property, but he can do nothing with it. In relation to the old Ordinance it was six months period of waiting before the person got the property, but now it is entering into two years and it does not seem proper paying taxes on this property. Mr. Shaw agreed that the loss of property is very serious and a man should have every right to regain this property, but he would still have well over a year and should not need to be given two years or more.

After considerable discussion on part (2) of the motion regarding section 238 of the Municipal Ordinance, Mr. Shaw stated that in deference to the members who are not acquainted with the facts attendant, he would be prepared, if it would be acceptable, to withdraw part (2) of his motion at this time and bring it up at the Spring Session of Council..

Mr. Speaker asked Council if it would give approval to withdrawal of part (2) of the motion.

All Members Agreed.

Mr. Speaker stated that we now have part one and part three of the motion with part two deleted by unanimous approval of Council. The motion now reads:

Section 228, Subsection 1, Municipal Ordinance,
That: "upon the expiration of one year" be
amended to "upon the expiration of six months".
That any sections further to the above be changed
accordingly to not conflict.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Chamberlist, that part two and three be tabled for discussion at the Spring Session.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair for the purpose of discussing the Interdepartmental Report in Committee and that Commissioner Collins be asked to be present.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee of the Whole, called Committee to Order and informed Commissioner Collins and Committee that they were now about to dissect the blue book and it would be well to start with the Yukon Health Plan on Page 13, while memory of Committee was relatively fresh.

Page 15 of the Agreement: Mr. Livesey wondered if there is information with regard to the number of Indians in the Whitehorse area, referring specifically to statement of costs in outlying areas and in the Whitehorse Area.

Commissioner Collins stated that in the Whitehorse area the transportation costs of visiting or seeing Indians were much smaller, because there was no problem of transportation in the Whitehorse area. In the outlying districts there was sometimes 150 miles to go to see one Indian patient. The percentage of Indians to White people in the Whitehorse area is approximately 20%, but the Indians were a bigger problem than the Whites and that was the reason for the 70%-30% agreement.

The Clerk of the Council was asked to call the Indian Affairs Branch to find out the exact number of Indians in the Whitehorse area.

The answer was there were no exact figures but there were about 290 to 300 Indians in the Whitehorse Band.

Page 16: Mr. Chamberlist wondered if we should state that these were to be subject to the recommendations made by the Yukon Territorial Council.

Mr. Shaw stated the recommendations will be attached to the Yukon Health Plan, which will in turn be attached to the Interdepartmental Agreement.

Commissioner Collins stated there will be no charge for health clinics for preventive medicine, but there will be a charge at Nursing Stations for the services of a nurse performing services normally carried out by a doctor. There is no reason why people in Watson Lake should be given outpatient services, and people where there is a hospital available should have to pay.

Mr. Taylor saw no reason why medicines cannot be provided at cost.

Commissioner Collins stated that if you went to a doctor and got a **prescription** it would cost you more than it does at Nursing Stations. The drugs are supplied at cost plus 10%.

Mr. Shaw stated the matter needed clarification. We are all paying for these nurses and hospitals, but a person resident in Whitehorse or Dawson or Mayo would pay for all these things plus an individual fee on top of that to a Doctor, and then to the drug store for a **prescription**. In the vicinities where there are Nursing Stations and Health Nurses they are getting it cheaper and we are all helping to pay for this.

Commissioner Collins stated this is where people are going voluntarily. It would probably not be charged for in emergency.

Mr. Chamberlist stated that with reference to the statement that a public health nurse may not be a registered nurse, where would she be and would she be able to perform the functions at these places.

Mr. Taylor concluded that only registered nurses would be able to provide these services and thereby charge for them.

Commissioner Collins stated that was correct.

Mr. McKamey asked what the outpatient costs would be at Mayo.

Commissioner Collins stated the cost remains at \$3.00 plus the cost of drugs, X-rays, urinalysis, etc.

Mr. McKamey does not think it is fair to pay anyone for services he does not receive. This is not a Doctor's office in a hospital. He stated you go to the hospital to see the Doctor, you pay \$3.00 to go in the door of the hospital, you pay the Doctor, you pay for your **prescription**. The Doctor tells you to come back in a week. You go back and pay another \$3.00 to the hospital and he tells you, you're fine and you need no further treatment. This is not fair.

Commissioner Collins stated he called the hospital in Mayo for verification and you are not supposed to go to the hospital for out patient care. They have a qualified doctor in town and you should be going to his office.

Mr. Chamberlist stated that if you go to the hospital to see your own Doctor, you pay a fee of \$3.00 to the hospital and you pay the Doctor's bill as well. If you go to the Doctors office and are told he is at the hospital at present and you should go to see him there. You go to the hospital and the hospital takes down all the particulars and charges you \$3.00 and then you see the Doctor and you are charged his fee as well.

Commissioner Collins stated he wished to look into this further. He believed you should not have to pay this \$3.00 just to get a prescription filled at the pharmacy.

Mr. Shaw believes the Doctor should be charged with the amount of \$3.00 if he asked you to come to the hospital, as he thinks perhaps the Doctor is abusing the use of the hospital.

Mr. McKamey stated that we must not lose sight of the fact that we are the Government and we are the tax payer and we are the ones who built this facility in our district and we should be the ones who say if we are going to be charged excessive prices for this service.

Mr. McKamey moved, seconded by Mr. Taylor, that a copy of the memorandum forwarded to Mayo Hospital with respect to outpatient charges be tabled for Council's perusal at 2:00 O'clock this afternoon.

Motion Carried.

Committee agreed to Commissioner Collins' suggestion that Mr. John Simons, Director of the Yukon Hospital Insurance Services, be present in Committee that afternoon.

Committee recessed at 12:05 Noon.

2:00 O'clock P.M.

Mr. McKamey moved, seconded by Mr. Taylor, that Mr. Speaker resume the Chair to hear the report of Committee and to discuss a problem of urgent importance.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee, reported as follows: Committee met with Commissioner Collins for discussions pertaining to the Interdepartmental Agreement in connection with the Yukon Health Plan. A Memorandum regarding out patient charges was to appear before the Committee this afternoon and Mr. Simons has been requested to be present this afternoon.

Council accepted the report of the Committee.

Mr. Speaker called for the House to be cleared.

Mr. Chamberlist: "Mr. Speaker, respectfully, you say before we discuss this matter of importance brought to our attention from the member from Mayo, the house be cleared. I have had no matter of importance brought before me as a member. Is there any notice of this."

Mr. Speaker: "The motion stands"

Mr. Chamberlist: "Is there any notice of the matter of importance".

Mr. Speaker: "The Committee was sitting this morning on a definite

item and a member has moved that Committee go into Council to discuss a matter of importance and I am in the Chair to discuss."

Mr. Chamberlist: "If the members have been given notice of a matter of importance."

Mr. Speaker: "I am now going to give this notice to the Council and the notice is this, that a question has arisen with respect to the seating of a member of Council in connection with the awarding of a contract to a Company which is known to me as a public work. The reason this is important and the reason why I have cleared the House for this discussion I think is quite obvious and I do this and act under Rule 19, if you will refer to your rules and proceedings. Now, as you know, when a question arises with respect to the seat of a member of this House it is a very important thing to each and every one of us and naturally the question will have to be debated and discussed and I point out that this will be done under Rule 19."

Mr. Chamberlist: "I rise on a point of order Mr. Speaker. Under what rule do you clear the House? If there is any matter to be discussed which might affect a member of this Council, this Council has the right to have a public hearing. It is obvious what the intention is and I have no wish to have secret sessions. Open the doors of the House and let anybody enter. Thank God that we are not in Germany or Russia, Mr. Speaker."

Mr. Speaker: "I have made a ruling and I did it for your benefit."

Mr. Chamberlist: "Respectfully, your ruling is incorrect. I would suggest that you take note of Beauchesne, which does not give the right of the Speaker to speak to Council on a matter affecting a member, but in fact, your right and your proper authority is to appoint from in Chamber or in Legislative Assembly, a private committee to discuss the matter. You are out of order, Mr. Speaker."

Mr. Speaker: "Does the House accept my Ruling?"

Agreed.

Mr. Speaker: "I will read this rule. The rule is rule 19 - "If anything shall come in question touching the conduct of any member, or his election, or his right to hold his seat, he shall make a statement and shall withdraw from the debate."

Mr. Chamberlist: "State your case Mr. Speaker."

Mr. Speaker: "The question has already been stated with respect to the awarding of a contract to Bennett & White of Vancouver, of which the sub-contractors are Whitehorse Electric Company Limited of Whitehorse, Yukon Territory and which I understand there is definite connection in the past with a member of this Council. The member is the member for Whitehorse East, Mr. Norman S. Chamberlist."

Mr. Chamberlist: "Mr. Speaker, I wish to have my remarks recorded now especially to the manner and I would ask Mr. Clerk that every word that I use shall be recorded not ad verbatim with a view to this being placed in the Journals of this House, so that should there be any requirement for redress against what is obviously an attempt by Mr. Speaker to abuse his position of this Council, noticing especially when he asked if his rule was agreed with, there were just the voices of three heard. I will commence on that Mr. Speaker has made a suggestion which not only is incorrect and improper to a member of this House, it is more than that, it is a direct abuse of his position as Speaker of this House. He has accused myself, a member duly elected by the electors of the District of Whitehorse East to this Council of having a pecuniary interest in the past, but on this, and I want you to note that in the past, and on this basis he

pulls me to my feet in front of you gentlemen. What is he accusing me of, of something in the past, does this man who is our Speaker, inquire as to whether I have any pecuniary interest? Mr. Speaker refers to Rule 19, but blindly, deliberately. The book that he refers to, for 500 years he has said earlier, the rules of Beauchesne, which must be followed. We are still in Council. It is unheard of in any rule in Beauchesne. Firstly, for the Speaker of the House, and gentlemen, you have allowed yourself to be placed in the position where you have broken your own rules. I am not a President of the Whitehorse Electric Company, I am not a Shareholder, I am not a Director, I am not employed by Whitehorse Electric Company Limited. Recently a letter was forwarded to me by the Commissioner of the Yukon Territory. It reads as follows:

"Dear Mr. Chamberlist", it was registered, dated the 14th of November, "As you know, I have before me the tenders for construction of a Vocational School at Whitehorse. It is expected that the tender by Bennett & White will be accepted and I note that the sub-contractor proposed is Whitehorse Electric Company Limited, a firm in which you have a proprietary interest."

This in itself was not true, any person that is a shareholder of a limited company is a shareholder, This does not make him in any way a proprietary interest. You can go into any legal office and you will find the secretaries of the legal office, where there are 250 companies registered in that legal office, that the secretaries **right** in there have a share, one share, a qualifying share. Is it suggested that because that a person has a qualifying share, is it suggested that every lawyer in this town, every secretary that works in an office with a Company or firm and she has a shareholding certificate, is it suggested that she has a pecuniary interest in every one of these companies in which she holds a share? No. Certainly not. I will continue

"As you know, under our contract procedure, every sub-contractor which a prime contractor intends to employ must be approved by me."

And I bring to your attention that this is a letter from the Commissioner. This is where I took it and I want this recorded especially that it is my opinion that this is an express intent by the Commissioner of the Yukon Territory to blacklist me and blackball me because I have been elected to this Council. I have no doubt about it in my mind at all. He goes on to say: -

"While I have no control over a member of the Yukon Council bidding on a Territorial contract, it will, I am sure you will agree, be most unseemly for me knowingly to be a party to a transaction which is prohibited by an Ordinance of the Council of the Yukon Territory."

I have been aware for a week or ten days that there has been a sort of liaison taking place between Mr. Speaker and Mr. Commissioner to try and blackface me in front of you people. This is obvious, this has been a number of times. There have been cohesion between them, a situation that should not exist and you Mr. Speaker, I regret that I am most surprised that you allow yourself to get into a position such as this. It goes on further, he says: -

"I, of course refer to our conversation about the impediment which your connection with the Whitehorse Electric Company raises in the light of the provisions of the Election Ordinance."

He does not, however, say that I deny this impediment. He puts this on a letter, so that it makes him correct. Next paragraph: -

"You have indicated to me orally, that you are considering severing your relations with that Company, so that the impediment which we both recognize will be removed."

There was no impediment recognized between us. The only impediment, if impediment indeed it is, is that I had, at that time, one share.

"I would appreciate it if you would let me have a letter confirming that it is your intention to sever this connection. On receipt of this letter, I will be in a position to indicate to the Prime Contractor that Whitehorse Electric Company Limited, that it will be approved as a sub-contractor when it has been demonstrated that such severance is completed. Will you please expedite the action requested in the preceding paragraph?"

Now you will note that he says that once you have severed your impediment and he is referring to this one share, once you have severed your impediment I will then be in a position to indicate to the Prime Contractor that Whitehorse Electric Company will be approved for the sub-contract. In otherwise he recognizes the only impediment, if impediment there is, is that just one share certificate. I replied to that letter on November 17th, registered mail, addressed to the Commissioner, F.H. Collins, Esquire, Commissioner of the Yukon Territory, Whitehorse, Yukon.

"Dear Sir:- Replying to your letter of November 14th, 1961, I have placed in effect proceedings to remove myself from any proprietary interest in the Company known as Whitehorse Electric Company Limited. Severance of this interest should be complete by Thursday, November 23rd, 1961. After that date I will no longer be President, nor Director, nor will I have any financial connection with the Company."

I followed that letter, delivered by hand, put in Mr. Collins' hand yesterday:-

"Dear Sir: Further to my letter of November 17th, this is to advise you that I am no longer President, Shareholder, or Director of Whitehorse Electric Company Limited."

and it is signed Norman S. Chamberlist, Member, Yukon Legislative Council, Whitehorse East.

I have done everything that has been required of me, notwithstanding that I do not enter, that the Whitehorse Electric Company never does enter into a contract with Bennett & White Construction Company. I also wrote to the Whitehorse Electric Company Limited, yesterday's date, at a Company Meeting:-

"Effective immediately I resign my position as President and Director of your Company and have transferred my qualifying share certificate accordingly."

And the share certificate was transferred to Mrs. Edna Jamieson, a Secretary. I am not employed, I am in no position now with the Whitehorse Electric Company Limited. Respectfully, I would draw your attention to Standing Order No. 39 of Beauchesne, No. 39."

Mr. Shaw: "Rules of Council No. 27, Mr. Speaker."

Mr. Chamberlist: "This is also Standing Order No. 39. Mr. Speaker has asked of me a question and because I say that you had no right to clear the house, that the only way that you can ask of me this question is under that order and I point out to you that in putting in the latter part, "putting such question or in replying to the same, no other argument or opinion is to be offered, nor any facts stated, except insofar as may be necessary to explain the same and in answering any such question the matter to which the same reference shall not be debated." I would like to point this out as well that

I think that Mr. Speaker you have been most premature. If there was a matter of a contract having been signed, there is no contract now valid at all. There is no contract with Bennett & White been issued and no contract with Whitehorse Electric Company been issued, nor with the Territorial Government has the Whitehorse Electric Company Limited contract, nor has Whitehorse Electric Company Limited contracted with Bennett & White, and Mr. Speaker I would say it is most audacious of you to bring this matter before this House at this time. Finally, Mr. Speaker, I express what I expressed earlier in that I have been elected by the people of Whitehorse East. I represent the people of Whitehorse East and I am here to do just that and the only way that I can be ruled out of this House, if indeed I have a pecuniary interest or broken the reasons for me being elected to this House, I say I have not, I say that I have no connection now with the Whitehorse Electric Company Limited that I don't have to answer that, because there is no, no subject before this house. If there was a contract entered into, and this is where I say you are premature, if there was a contract entered into, then you could have me questioned, or question me in the matter. At the moment there is no such contract.
Thankyou Mr. Speaker."

Mr. McKinnon: "Mr. Speaker I would like to ask Councillor Chamberlist at this time if he has made his statement under Rule 19."

Mr. Speaker: "Now, for the benefit of the Councillor for Whitehorse East, I would like to advise him that the contract with Bennett and White has been accepted and I have been informed by the Administration to that effect."

Mr. Chamberlist: "Has been accepted, what do you mean by accepted? There is no contract entered into, Acceptance of a contract, Mr. Speaker, where there is no contractual documents, there is no contract, but apart from that, Mr. Speaker, there has been no contract entered into by Whitehorse Electric Company Limited. Could you advise on that."

Mr. Speaker: "I am just taking your word on it."

Mr. Chamberlist: "Well no Mr. Speaker, I would prefer that you advise on that, whether there has been a contract entered into."

Mr. Speaker: "Under Rule 19, Mr. Chamberlist, we are listening to your statement."

Mr. Chamberlist: "You are just complying with Rule 19 and you are not concerned with any other Parliamentary Rule. Mr. Speaker is that right?"

Mr. Speaker: "We are waiting for you to give us all the facts as you see them."

Mr. Chamberlist: "But no, I have asked Mr. Speaker. Is Mr. Speaker concerned with Parliamentary Rule or Parliamentary Law, or just Rule 19."

Mr. Speaker: "I am enacted in this case and it is my ruling that Rule 19 shall stand."

Mr. Chamberlist: "Yes, but are you concerned with any other Parliamentary Rule?"

Mr. Speaker: "This is not a cross examination of the Chair, Mr. Chamberlist"

Mr. Chamberlist: "Mr. Speaker please. You are trying to crucify me and yet you don't want me to defend myself and you are saying to me now that this is not a cross examination."

Mr. Speaker: "I am giving you every opportunity."

Mr. Chamberlist: "You are not, Mr. Speaker, I have placed to you a simple question. Are you following the rules of Beauchesne? The rules that, of you were so explicit in saying, that this is for 500 years been followed. Especially when I had asked at the first day of the session for an amendment to be made and you were so definite and Councillor Taylor was so definite that these rules be followed and now I ask you are these rules being followed? and you reply by saying I am only concerned with Rule 19. Why confuse us? Why not make a ruling to the affect that you are not, that you are not concerned with this, but you are concerned with the rule of Council? Are you concerned with both as they went together?"

Mr. McKamey: "Point of Order Mr. Speaker. Can you explain to Councillor Chamberlist that we are dealing on Rule 19. I cannot see where there should be."

Mr. Chamberlist: "There is a point of Order Mr. Speaker and if you are going on the basis of Rule 19, then Mr. Speaker, my friend is out of order, now isn't that the case because I still have the floor."

Mr. Speaker: "You have the floor Mr. Chamberlist. Would you kindly continue with your statement."

Mr. Chamberlist: "Well, I have nothing further to make, I think I can already assume from, from Mr. McKamey's attitude now that the opinion is Mr. McKamey would like to see me off Council too. It appears that that is apparent that Mr. Speaker I would"

Mr. Speaker: "You are going too far".

Mr. Chamberlist: "I would respectfully point out that if you do rule, you can only rule on the situation as it is, not what the situation is in the past, and the situation as it is, is that I have no connection whatever with Whitehorse Electric Company Limited. That is my statement Mr. Speaker."

Mr. Speaker: "Have you completed your statement? Then Rule 19 states that "If anything shall come in question touching the conduct of any member, or his election, or his right to hold his seat, he shall make a statement and shall withdraw from the debate." You will withdraw from the debate."

Mr. Chamberlist: "Permission to leave for ten minutes."

Mr. Shaw: "Would it be in order Mr. Speaker to resolve in Committee of the Whole to discuss the matter?"

Mr. Speaker: "Yes, a motion will be in order."

Moved by Mr. Shaw, seconded by Mr. Taylor, that Mr. Speaker do now leave the Chair and Council dissolve itself into Committee of the Whole to discuss this matter pertaining to Rule 19 of this Council.

Motion Carried.

Following a special committee meeting Wednesday afternoon Nov. 22, 1961,

Mr. Speaker called Council to order and asked Mr. Shaw, Chairman of Committee to give his report.

Mr. Shaw reported as follows: Mr. Speaker we have been in Committee since 2:30 this afternoon during which time we have had Commissioner Collins and Mr. Starr attend Committee as requested and in conclusion this is the unanimous resolution of the Special Committee in regard to Mr. Chamberlist:

"It is the unanimous opinion of the special committee that Mr. Norman S. Chamberlist has been and still is connected with the firm of Whitehorse Electric Company Limited under the terms of Section 9 of the Elections Ordinance and that by the Term of Notification to the main Contractor Messrs. Bennett & White Company Limited, the Sub-Contractor, Whitehorse Electric has involved Mr. Chamberlist in a matter contrary to the Ordinance and we do therefore, advise that Mr. Chamberlist be asked to withdraw the bid of Whitehorse Electric Company Limited, or resign from Council. Failure to comply forthwith leaves no alternative but to request the Speaker declare the seat for Whitehorse East Vacant."

Mr. Taylor suggested that Mr. Chamberlist at this time be asked to attend Council.

All members agreed.

Mr. Chamberlist was asked to attend Council.

Mr. Speaker asked Mr. Shaw to read the report of the Special Committee.

The resolution was read again.

Mr. Chamberlist stated that this report reads that Mr. Chamberlist be asked to withdraw the bid of Whitehorse Electrical Company Limited or resign from Council and I regret that I have no power in Whitehorse Electrical Company and if I have no power I cannot withdraw any bid.

Mr. Taylor suggested that the procedure be followed and the matter followed forthwith.

Mr. Chamberlist replied, I am not connected with the Company and one must understand too that the decency which I should be given in this matter is something that I would ask you to assure me at this time and as a member of this Council my statement should be accepted in truth as fact and no doubt you will rule on Beauchesne in this regard and the statement I give is that I am not in a position to give any direction to Whitehorse Electric Company Limited and the report that this special committee has made of this indicating any case I would suggest is illegal because you have illegally constituted a committee without the full members being asked if a committee can go into effect. You removed me from the House and then you set up a committee. Your responsibility was to order the House into Committee and then ask me to leave Committee. I regret that you see fit to call witnesses in here without asking me here to defend myself and this certainly was not proper or democratic in any way shape or form and your responsibility as Speaker of the House is a responsibility to all the members and in this matter you have failed, because you did not show me the courtesy of the House and your ruling is an arbitrary ruling asking me to perform a power that I have no power to perform.

Mr. Speaker thanked Mr. Chamberlist and asked if there was anything further to discuss.

Mr. Taylor recommended that we follow the recommendations of the Committee.

Mr. Chamberlist stated the only recommendations that could be followed are the recommendations that you declare my seat vacant, but let me remind you that you are forcing upon me to do something that I cannot do by law. There seems to be, on the part of some members of Council, why I dont know, it has taken me by suprise, an apparent attempt to unseat me, not for misconduct, but because my wife happens to be an owner of a Company. Is this fair, or proper, for Mr. Speaker to do? Is it proper for these members of Council to do? If there is any

resemblance of fair play in the minds of members here they would recognize that I cannot follow what I cannot do by law. This, in fact, is a decision that should be applied to legal minds and they cannot make decisions until we have legal advice. They have asked for legal advice on a lot less minor things than this and yet they are demanding that I must resign over things over which I have no control. I agree that a Parliamentary procedure has been breached, in that we proceed as outlined in the report. It was not a bid to the Territorial Government. This privilege should have been given to me immediately, a man who is charged with a criminal offence is allowed to speak and you have denied me that very thing. Where is it out of order to be in debate. I am just going to argue common sense with you, I have already told you I am not connected with the Company and now the Committee is telling me to withdraw the Whitehorse Electric Company from the bid. No contract has been signed and you are being placed in the position of suggesting that my seat become vacant because Whitehorse Electric Company might or might not sign a contract. I will not go on any further, because if Mr. Speaker has made up his mind up as to what he intends to do, he cannot alter it. The report itself does not indicate that I have in any way not fulfilled my duty, nor have I done anything that is contrary to my duties being a member of Territorial Council. Whether there has been anything done by myself. This I ask you gentlemen to consider if I am not too late.

Mr. Speaker asked for further discussion.

Mr. Watt asked Mr. McKinnon to read the legal advice from Ottawa.

Mr. McKinnon: "It was I who prolonged this debate much longer. The original suggestion was to mandatorily make you resign your seat under Section 9 of the Election Ordinance of which you are well aware. I myself did a lot of soul searching and I cannot, in all conscience, believe that you do not have the say as to what Whitehorse Electric does and I had to realize that this was public monies being spent from the Consolidated Revenue Fund, monies that we were sent here to make sure would never be misused in any way shape or form and the legal position from Ottawa, from Mr. Olson, was before us that Council could abide by.

Here Mr. McKinnon read out a telegram received by the Commissioner from Mr. Olson in Ottawa, outlining the advice which was forwarded to all Councillors by letter from Commissioner Collins.

Mr. Chamberlist stated I could have enlightened you on some points. We all got copies of this letter. I went to Mr. Collins on receipt of this letter and Mr. McKinnon said that this came from Mr. Olson, and it is almost directly copies from Mr. Olson's telegram on to the letter. I went to the Commissioner at that time and asked him for the information that he had received from the Department of Justice. I said I want to have that so that I can review my situation. Will Council be able to ask for it? I will ask that Council have it brought down to Chambers and he point blank refused to let me see this. I immediately then went and took certain legal advice myself and the advice I have is the procedure I have adopted and after further discussion with Mr. Collins in pointing out the advice I have received, he said I will write you and when you have fulfilled the requirements that I have asked of you it will be correct. This letter is dated the 5th of October. The letter I read to you is dated the 4th of November. He said, on receipt of this letter showing my severance with the Company, I will be in the position to indicate to the Company when it has been done. I demonstrated to him that I had fulfilled the requests of the Commissioner. I did what the Commissioner asked of me, I went to him on the 5th of October before the bids were put in, which was the 8th of October. I sent to him and asked him for his advice on it. What more can I do than follow the Commissioner's advice? Have I done wrong? Now I am being placed in the position of saying you are wrong. I no longer have any interest in the Company. I am wrong.

Mr. McKinnon's statement that I have anything to do with the Company is wrong and it is common law that a wife can own a company and we should be dealing in what is law. Why has there not been concern for a legal advisor in this matter. Does Mr. Speaker not think that a legal advisor should have been called upon. I was not given the courtesy of this letter. Was that fair? (To Mr. McKamey) If everyone was advised about the Mayo Hospital and you were not told about it and you were kept from seeing correspondence about it, how would you feel? If this was the position then why did not Mr. Speaker refuse to have me seated? My choice would then have been quite correct, but now in the position I am in, I am no longer in the employ of the Company and therefore I cannot do what your report asks me to do. I have resigned, I have no shareholdings, I am not connected in any way with the Company and you will place me in the position of taking the matter before the courts. I have no wish to make this Council look ridiculous because they have made a mistake. I have advised you that I am not connected with the Whitehorse Electric Company Limited and even if I advised my wife to do that, I am interfering with an entity that is separate from this. You are making a decision without advice of a legal advisor. Let the Territorial Government go before Mr. Justice Parker for a ruling as to whether I am in any way connected with the Whitehorse Electric Company Limited and this is what I suggest Mr. Speaker you will do.

Mr. Shaw understands the condition Mr. Chamberlist finds himself in. He thinks there are certain facts which should be taken into consideration. One is that Mr. Collins advised all members that among other things, we could not be recipients of any money that is in the Yukon Consolidated Revenue Fund and in his return letter to the Commissioner, Mr. Shaw intimated it would appear that he was a suspect in some nefarious scheme. He stated the Committee asked these people down today, not to give information, but to produce documents and in these documents was one letter wherein Mr. Chamberlist or the Whitehorse Electric Company had put a bid on this particular contract and it was signed by Mr. Chamberlist in an executive capacity. This bid was put in while Mr. Chamberlist was a member of this Territorial Council. The Committee then asked the Deputy Registrar of Joint Stock Companies to appear before Council to give the distribution of the shares held in the firm known as Whitehorse Electric Company and there were two shareholders. One share was Mr. N.S. Chamberlist and Michelle Chamberlist with 499 shares. That is the evidence that was asked for and the position of the Whitehorse Electric Company in the office of the Registrar. It would appear that with the selling of a share the matter of Section 9 which reads :- "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; " would establish the connection with this regard and in this case Council felt and Mr. Shaw felt that Mr. Chamberlist does have a connection with this Company that will have contract with the Government, but Council felt it only right that the gentleman should have the opportunity of declining the contract, or resigning the seat and if he should decline the contract, Mr. Shaw would be very glad to have him sitting next to him and if he was wrong, Mr. Shaw stated he would not be the first person who had been wrong.

Mr. Chamberlist stated Mr. Shaw is not well versed on the arrangements made in Companies and nobody has mentioned anything about this and no one requested, no legal advisor was asked for. Dealing with the Companies Ordinance, according to the Companies Ordinance, where there is a transfer of share takes place a Company can operate without the minimum of directors acquired. The transfer of a share certificate can take place within thirty days. This is done with regularity. Mr. Chamberlist was making a point that we do not make a decision until we get a legal advisor because it is something that should be done.

Mr. Chamberlist stated he had no legal connection and there are no contracts entered into by the Whitehorse Electric Company and there has been no contract entered into. He regrets that he is unable to do this.

Mr. Speaker asked if there was any further discussion.

Mr. McKamy felt that the Territorial Councillors as legislators who pass legislation through this House and expect the public to abide by the laws they pass, and there is a law we have to abide by in this House, we should live up to it and if the member from Whitehorse East can prove that any member is wrong in the eyes of the court, then Mr. McKamey will take his hat off to him and welcome him back, because Mr. Chamberlist is a member who could assist with the development of the Yukon a great deal, but Council is going to have to abide by its laws itself, or the members have no right to be sitting in their chairs.

Mr. Chamberlist stated he has deliberately omitted where is the legal advisor. Mr. Chamberlist asked "Could you not agree with my point Mr. McKamey, I am still a Councillor here. You have asked this several times and if the members of Council do not want to follow your suggestions they do not have to."

Mr. Taylor felt as Mr. Shaw and Mr. McKamey and Mr. McKinnon. They had taken into consideration all that was said in Committee this afternoon. They had made extra efforts to insure that they had all the papers relative to the subject and they got legal advice from Ottawa on this point and they dealt with this fairly. Mr. Taylor stated the act was quite concise and so were the facts and Council's decisions have been based on this and he felt that they would like to see the member from Whitehorse East back in Council, but they could not go against the Election Ordinance and they must continue along Committee's recommendations.

Mr. McKinnon stated Mr. Chamberlist has been asking about the legal advice. He asked Council to put themselves in his shoes and Mr. McKinnon had tried to do this all afternoon and this is something superceded legality. It is trying to live with ones own conscience. Mr. McKinnon stated that Mr. Chamberlist could not tell him that Whitehorse Electric Company put in the lowest bid because they wanted to do something for the Territory. They desired to make a profit from this contract. Now Mr. Chamberlist through the transference of one share, says he has legally divorced himself from this Company, but Mr. McKinnon stated he was not so naive as to believe that Mr. Chamberlist will not have a pecuniary interest in this Company and if Mr. McKinnon had found himself in that position, he thought he would have acted along the lines that the Committee thought that you should act by.

Mr. Chamberlist stated, that by law he had no power to act now. The next act was in Council's hands. Mr. Chamberlist stated he had no legal powers in the Whitehorse Electric Company Limited.

Mr. Taylor stated there seems to be only one course of action to follow and that is as indicated in his remarks, that the member from Whitehorse East be asked to resign or Mr. Speaker will declare the seat vacant. If Mr. Chamberlist divorces himself from this Company then the members will welcome him back to Council.

Mr. Chamberlist asked "Should I divorce my wife?"

Mr. McKinnon stated "Divorce yourself from Whitehorse Electric Company Limited."

Mr. Chamberlist stated he would be pleased to accept the decision of Mr. Olson if he is wired. He said to explain to him that Norman S. Chamberlist is not the President of the Company, he is not a shareholder

of the Company, he is not the Director of the Company.

Mr. Speaker read the resolution again.

Motion Carried with Mr. Chamberlist abstaining.

Mr. Speaker stated under the circumstances it was Mr. Speaker's sad duty to follow recommendations of Council and declare the seat for Whitehorse East vacant.

Mr. Chamberlist stated that the greatest abuse has taken place in this Council today. Are you not prepared to give an elected member by the public a chance to speak. Dictatorship has taken place in this Council.

Mr. Shaw moved that Council adjourn.

All members agreed.

Council was adjourned at 6:10 P.M. until 10:00 O'clock A.M. Thursday, November 23rd, 1961.

Thursday, November 23rd, 1961.
10:30 O'clock A.M.

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

Moved by Mr. McKamey, seconded by Mr. Taylor, that Council adjourn.

Mr. Chamberlist stated that the reason for the adjournment must be given by the maker of the motion.

Mr. Speaker advised Council that under Rule 15 which states,

" A motion to adjourn (except when made for the purpose of discussing a definite matter of urgent public importance) shall always be in order, but no second motion to the same effect shall be made until after some intermediate proceeding has been had."

He would rule that the motion placed before the house is in order.

Mr. Chamberlist rose on a point of privilege and stated a member is never out of order when he rises on a point of privilege.

Mr. Speaker told Mr. Chamberlist "You will kindly take your seat."

Mr. Chamberlist stated "With pleasure Mr. Speaker."

Motion Carried.

Council was adjourned until 10:00 O'clock A.M. Friday, November 24, 1961.

Friday, November 24th, 1961.
10:00 O'clock A.M.

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

Mr. Speaker stated that Mr. Chamberlist was now in contempt of the House and he respectfully asked Mr. Chamberlist to withdraw.

Mr. Chamberlist refused.

Mr. Speaker asked the Clerk of the Council to call the Sergeant-At-Arms.

The Clerk of the Council stated that he would

The Sergeant-At-Arms asked "Mr. Speaker you requested my presence at this Committee."

Mr. Speaker said "Sergeant-At-Arms you will kindly escort Mr. Chamberlist from the Chamber."

The Sergeant-At-Arms asked, "Mr. Chamberlist will you kindly leave the Chamber with me."

The Sergeant-At-Arms left the Chamber with Mr. Chamberlist.

Mr. Speaker asked Mr. Taylor if he could advise the House if he was prepared to discuss his notice of motion regarding Upper Liard Hotel. (Motion No. 6 - Votes & Proceedings page 80).

Mr. Taylor advised that he would prefer to discuss this motion the following day.

Mr. McKinnon asked to be excused for a few minutes in order to make arrangements for a television broadcast.

Mr. McKinnon was excused from Council.

Mr. McKamey was asked if he was prepared to discuss his motion notice of motion regarding Council stenographer, (Motion No. 12 - Votes & Proceedings page 101), and Mr. McKamey replied that he would be prepared tomorrow.

Motion No. 13 Mr. Shaw moved, seconded by Mr. Livesey, re: Klondike Visitors Auto Court that:

WHEREAS the Auto Court at Dawson was constructed and operated by the Klondike Visitors Association has been condemned as being unhealthy and unsanitary in relation to the City of Dawson Water Supply by the Chief Medical Health Officer of the Yukon Territory, and,

WHEREAS this auto court has been constructed with private community earned funds and operated for many years without any noticeable danger to the City of Dawson Water supply, and,

WHEREAS this auto court is maintained with community earned funds at considerable cost each year as well as being serviced regularly with garbage disposal as well as human soil removal, and

WHEREAS this service has been provided to the travelling visitors at no charge whatsoever to them, and

WHEREAS there are no facilities at hand to replace this auto court so condemned and if closure is dictated, the group now operating this free convenience to the visiting public, will not in the least be interested in constructing another similar altruistic institution that might be in conflict with the myopic viewpoint of the condemning authorities, and

WHEREAS the Klondike Visitors Association considers this edict to be most arbitrary and dictatorial without cause,

THEREFORE BE IT RESOLVED that prior to any definite closure of this auto court by health and sanitary authorities, the auto court be inspected and viewed by a competent and impartial person for the purpose of review and reconsideration of the order, bearing in mind the past efficient and sanitary operation of the auto court by local citizens of the community with no history of pollution or undue contamination on record.

Mr. Shaw asked if he may speak on this motion and Mr. Speaker agreed.

Mr. Shaw stated that this Auto Court was constructed at great expense to the people of Dawson City about four years ago. It was an area that the dredges had left and was flattened out and was made into a place that the visiting public could use. After the place had been levelled and gravel put on so that cars could be driven in, kitchens and tables and outhouses were put up at a cost to the people of the area of about \$3,000.00. There is regular garbage service every day and the members of the Klondike Visitors Association go out to the camp nearly every night to talk to the visitors and see that everything is in shape. The only pollution that can possibly occur on this auto court is where a visitor could take a bucket of water from the Klondike River. There has been no pump installed. This Auto Court happens to be about a quarter of a mile above the power plant. The water for the City of Dawson does not come out of the river, it comes out of a well. Mr. Shaw believes the water taken from the well and supplied to the City of Dawson is the Klondike river water because the height of the water in the well is the same as that of the river. Last year the Association was notified that it was the last year they could operate the Auto Court because of the condition of the water. This coming year there will be a festival and there will be quite some hardship if this facility is taken away and Mr. Shaw is quite prepared to accept the proper authority under proper condition. If they say something is unsanitary, they should indicate what and in this case Mr. Shaw considered that this was a most arbitrary and dictatorial manner of closing this up and he is asking Council to support him in asking the Administration that this matter be studied by a competent person.

Mr. McKamey stated he could only agree with Mr. Shaw. He stated that a very deplorable situation as far as sanitary conditions were concerned existed in Whitehorse and if this is allowed he sees no reason why they should make an example of another town. Mr. McKamey stated it is a known fact that the sewage from the Hospital in Whitehorse is dumped into the Yukon River and the people living along the river bank were dipping water out of the river for use summer and winter, especially in the Indian village. In view of this fact he cannot see any comparison between the system in Dawson and the system in Whitehorse. Mr. McKamey would much rather drink water from the Klondike river than from the Yukon river at Whitehorse and he would agree with Mr. Shaw.

Mr. McKinnon stated he did not wish to argue Yukon river water versus Klondike river water, but he stated we must all help Mr. Shaw for the purpose of the Festival to be held next year and he would certainly support Mr. Shaw on this motion.

Motion Carried.

Motion
No. 14

Moved by Mr. Shaw, seconded by Mr. McKamey, that:
Whereas the Bonanza Road has been established as a tourist attraction during the summer months, and
Whereas it is imperative that additional attractions be established for the purpose of variety in conjunction with the Dawson City Festival, and

..... / 118.

Whereas the Bonanza Road would contribute to the number of historic sites which could be visited by potential tourists in the area, and

Whereas the shrine of the claim where gold was discovered to trigger the Klondike Gold Rush of 1898 could attract many tourists, and

Whereas mining still continues on this Bonanza Creek as in placer form as well as lode exploration,

Therefore, be it resolved that in the opinion of this Council the Government should repair and place in safe driving condition, as well as maintain, this Bonanza Creek road up to the confluence of Eldorado and Bonanza, Creeks, known as Grand Forks, for summer travel.

Mr. Shaw stated the distance he was requesting the road for was up to Grand Forks, where at least 75% of the visitors to that area go in the summer time and was considered a Government Road until 1952, when the Government told the mining Company to look after it themselves. It is not really a safe road, especially to people not accustomed to these roads. The people maintaining this road completed their operations two years ago on this creek and as a result the road went to pot. Individual miners and small operators had no way of keeping the road up. A year ago Mr. Shaw requested that this road be made passible and the Administration agreed to help with a small amount. Last year a mining company started prospecting for **hardrock** exploration and they have spent much money in that area and also rerouted the road. In this matter they applied to the Government, under the tote trail policy to receive a grant of \$7,500.00 to help them. Mr. Shaw further stated that next year there will be many thousands of people up there and one of the first things they will wish to do is to go up this road, in which case it is necessary to make that road safe. It will possibly only cost \$5,000.00 Mr. Shaw stated he did not put an amount in his resolution because he was not qualified to say just how much it would cost. Mr. Shaw stated he would therefore ask Council's consideration and acceptance of this resolution, that this work may be done and the people will be able to travel up that road safely.

Mr. Taylor stated it would appear that here again we have a situation whereby we have a very historical place in Dawson and we have nine miles of road to reach it. Mr. Taylor feels, in view of Mr. Shaw's remarks that he must heartily concur and he feels that this is a very worthwhile expenditure .

Mr. Watt asked if there were any residents living along this road? Did this just involve nine miles of road?

Mr. Shaw stated that it is around the neighborhood of nine miles, maybe less, but not over. Mr. Shaw stated in answer to Mr. Watt's question that the road goes to the meeting of the two tributaries, and from there to the mouth of the river, that is the road under discussion. He stated further that there are a few old prospectors living in the area, but that you could not say that it was a road that was used in the winter. He is not asking for winter maintenance, he is asking that it can be used for summer travel. The main consideration is not being able to get up there, but the road which is used at the present is rather dangerous. You would have people from outside taking their cars out there and we are liable to wipe out some of these tourists and we do not want to do that. Mr. Shaw stated this creek is one of the most historic creeks in the Yukon Territory. Everybody wishes to go up there to pan and see where gold was discovered and it is imperative to see that these things are done in a safe manner.

Mr. McKamey stated in support of Mr. Shaw that this is indeed a very historic site and everybody tries to get out there. This place at one time had a population of about 11,000 people and there are Ordinances still in effect to this day. There is one Ordinance respecting the Grand Forks Water Association. This was in 1899. There is also the discovery claim and people go there to see where the first post was set down. The road is very bad and if we are going to support the Tourist Industry, we might as well put 10¢ more in and make a success of it.

Mr. McKimmon stated Mr. Shaw had expressed some concern as to whether Council was going to be behind him in this Dawson City Festival. This is just one more way to prove to him that we are behind him 100%.

Motion Carried.

Mr. Speaker stated that the agenda had been somewhat delayed by the adjournment yesterday and that he would like Council's comments in regard to this.

Mr. McKamey moved, seconded by Mr. Watt, that the agenda be moved one and a half days ahead.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Shaw that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss the Interdepartmental Report.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee, requested that Commissioner Collins and Mr. J. Simons, Director of the Yukon Hospital Insurance Services, be present for discussions of the Interdepartmental Report.

Page 23: Mr. McKamey asked if the \$10,000.00 was sufficient to cover the costs involved.

Commissioner Collins stated that in his discussion with Colonel Jones, Director of Indian Affairs Branch, Colonel Jones had said that if the costs go higher than \$10,000.00, then he is prepared to go higher, but the work of the Welfare staff was having a very good effect and Commissioner Collins believed this would be sufficient.

Mr. McKamey wondered if an Indian was enfranchised, if that meant that his wife and family were enfranchised too.

Commissioner Collins stated that this was true. They thought at one time there were Indian reserves in this area, and in order to get their votes it was necessary to enfranchise these Indians, but they discovered there were no actual reserves up here and that all the Indians could vote and this practice stopped. In order to be enfranchised an Indian must have two sponsors, plus investigation by the Welfare Department.

Mr. McKamey stated that he felt this was a very serious problem and could cost the Territory a lot of money and some of the enfranchised Indians were not capable of going on their own completely.

Commissioner Collins said that during the war when the highway was being built Indians were making good money and were capable of being enfranchised, but when the Army took over the highway, it left these people without work, but there was very little enfranchising done now.

Commissioner Collins stated they were most careful in regard to enfranchising.

Mr. Taylor stated that the Indians in his district wanted to be enfranchised for the reason that they could go into a liquor store or a cocktail lounge and buy liquor, and they were revoking their rights to Government help for this reason. He suggested that they should be able to retain their Indian privileges and yet enjoy the privileges of the white man.

Commissioner Collins stated that this was a Federal Act and Council could make their wishes known to the Federal Government in this regard.

Mr. McKamey stated that once Indians were enfranchised, they could not go back and this at one time was going to be changed.

Commissioner Collins stated that the Indian Act made no provision for this and many people thought it was a shame that these Indians were not allowed to go back, but again this is the Indian Act and it would be a good resolution of Council.

Mr. McKamey stated that in a common-law arrangement a woman could live with a white man and have half a dozen children and still keep her Indian privileges, and would not marry the man because she would be denied these privileges.

Commissioner Collins stated that if the father admits parentage of the children, then the children are white.

Mr. Shaw asked Mr. McKinnon to take the chair.

Mr. Shaw stated that there was a problem of great importance in his area regarding child neglect, for which he does not have a solution. He stated the case of an Indian woman who was picked up for being drunk and put in jail and the police remembered that she had children and rushed to her cabin and found her three small children, with the oldest a seven year old girl, trying to light a fire in the middle of the floor and the baby's diapers frozen. The Magistrate was unable to sentence the mother to the punishment she deserved because there was no one to look after the children and he felt that there should be a home or hostel of some kind where these children could be placed under these circumstances.

Commissioner Collins agreed that this was a very bad thing, but he considered that the Welfare people would be able to arrange to provide temporary accommodation for these children. The Welfare people considered that children were better off with their own parents and that it would have done no good to put this woman in jail, as she was a good mother when she was sober and Commissioner Collins felt that the man should be held responsible wherever possible in these circumstances.

Mr. Shaw felt that these things were happening over and over. He had heard that the Indian people love their children, but he did not see evidence of that love in these conditions. He believed that if people loved their children they would do everything possible for those children and you could not love them one day and kick them out of the house the next.

Commissioner Collins stated he would have Mr. Murphy, Superintendent of Welfare, look into this matter.

Health Plan,

Page 15: Mr. Livesey asked, with regard to the \$25.00 per day not meeting the Hospital Costs, had they somehow worked their way in to take care of a contingency we had tried to prevent.

Commissioner Collins said that in this plan it stated we are not going to pay any more than \$25.00 per day and this was taken care of on the next page.

Mr. McKamey stated with respect to the Whitehorse Hospital, that there was talk of landscaping and paving the road and asked if there was provision and at whose expense.

Mr. Collins stated there is no provision, because the Territorial Government does not see fit to contribute and the Federal Government felt they could not pay this large amount. Commissioner Collins recommended that they should not pass the hat around for completion of a Federal Project. If money were provided, it would have to be recommended in the per annum subsidy. He stated further that it would be a good idea to make a resolution that the Federal Government complete the landscaping.

Mr. Shaw, Chairman of Committee finished the reading of the Hospital Insurance Section of the plan and asked if there were any questions in this regard.

Commissioner Collins suggested that the question arose from Mr. McKamey's questions regarding the \$3.00 charge.

Mr. McKamey with regard to the \$3.00 out patient service at the hospital, stated that it works a hardship on the people. He had requested that this be tabled for Council. The way Mr. McKamey read this emergency and out patient charges was minimum charge of out patient department excluding operating room and plaster room, to include use of a room for examination, giving injection, operation or strapping, but no cost of material and the charge is \$3.00. Mr. McKamey has had numerous complaints in Mayo. He stated the doctor is at the hospital two days a week, and people go there for out patient services and there was no complaint for doctor's fees and medicines used, but the complaint was that if a prescription is written out you had to pay for walking in to get this service, you had to pay \$3.00. One week later you came back in and you required no more assistance, so the result was you take off without a prescription but you are still charged \$3.00

Mr. Simons stated that strictly speaking Councillor McKamey was talking out of Mr. Simon's field; He stated that this was not a treatment resulting from an accident, this was a visit to a doctor. If a treatment rendered in a hospital is not the result of an accident, the Yukon Hospital Insurance Services does not pay the bill. The Yukon Health Plan is interested in the cost of operating the hospital. It is the owners who charge the rates to be charged to the people. There is a complicating point, I would suggest you have in your Insurance Ordinance, a definite empowering of the Commissioner to determine what charges may be made by hospitals to patients.

Commissioner Collins stated the situation is that in all of these hospitals this is normal. This is the same as going to the Doctor's Office. You do not have to go to the office, you go to the clinic. What has happened is that Dr. Moore has issued an instruction that these are the rates that will be paid in the hospitals which come under the Hospital Insurance Scheme and these have been adopted in the hospitals in Dawson and Mayo. This charge only started in May of this year. The only thing we are concerned with is that we get as much money as possible for the running of this hospital and he would see that perhaps a more reasonable rate could be charged for these hospitals without interfering with Dr. Moore.

Mr. McKamey stated he is not complaining about service in the hospital. If you must see a doctor, the only place that is possible to get these drugs would be in the hospital, then by asking him what drug you require, and Mayo hospital is the only place that has drugs, immediately

it costs you \$3.00 on top of the price of the drugs. It is not the fact that you have to get services, but the fact that you have to get drugs and pay the service.

Commissioner Collins stated if he gets a prescription and goes to the drug store in the hospital he should not have to pay \$3.00.

Committee recessed for lunch at 12:00 O'clock Noon.

2:00 O'clock P.M.

Chairman of Committee, Mr. Shaw called Committee to order on the matter of the Interdepartmental Agreement and continued on Page 24, Roads.

Page 25, Recommendations: Mr. McKamey asked Commissioner Collins, in respect to local roads, and the Territorial Governments responsibility for construction of local roads, how many miles of local roads would we have in the Yukon Territory?

Commissioner Collins thought it would be about 300.

Mr. Livesey asked if someone could remind him of the situation brought up the other day, concerning this report and the Agreements between the Federal and Territorial Governments as to where it was pointed out that access roads to timber or lumber camps could be fitted into the report (Page 36 Votes & Proceedings)

Mr. McKamey stated this was one that he was really afraid of as he had covered a very large part of the Yukon Territory by foot, boat and various other methods. There have been numerous Sawmill Companies in the Yukon going into business, and it would be safe to say that 99% of these companies go bankrupt. There is a possibility that it is because they have to build their own roads. In this region the grade of timber is very poor and patchy and Mr. McKamey does not think you will find good timber anywhere in the Yukon extending more than half a mile back from the river. Mr. McKamey believes that Council should really watch this because it could result in a very large cost with very little results from the cost. He does not feel that it would be a self-liquidating investment. To get into timber patches you would possibly have to build 40 to 50 miles of roads before you could get into any sized timber patches. Mr. McKamey did not say that Council should not support the timber industry, because it is part of the Yukon's development. It helps the mining industry a great deal to buy lumber in the Territory, but something will really have to warrant the expenditure that will be involved.

Mr. Taylor stated he must agree with Mr. McKamey that Sawmills encounter great financial difficulties in their operation and very few succeed. Out of the very few places where timber is good, part of it is in Mr. Taylor's territory and this summer the Yukon Forestry have located some pretty large timber reserves. This is reasonably remote at the time, but in development of this resource, access to this timber would require somewhere between 80 to 150 miles of road and Mr. Taylor feels that since this is a five year agreement, in this period it may be possible to begin to develop this timber resource.

Mr. Livesey stated he would like to point out that he agrees with Mr. McKamey, but employment must be considered. These mills employ quite a number of people, the lumber people in his area have built a road about eight miles long and have made a fairly good job of it, so much so, that these lumber truckers can carry heavy loads of lumber out on it. On his own property, Mr. Livesey has trees ninety feet high. There is a tremendous amount of timber. As far as they know

by aerial maps, there is something like another thirty miles of cutting area. This is an export trade to the Americans which is creating local industry in a local community. Mr. Livesey does not think that the Government should take over these roads, but in such cases the Government should see that some assistance would help keep this industry going and keep these roads in fit condition for everyone to travel on.

It would help employment and help a community to keep a local industry and it would make available trails where people could prospect. We should not make it possible for every Tom, Dick and Harry to go and say they want a road. We should put this on a sound basis and then this should be well looked over. The timber industry has received no help whatsoever and are in a far worse condition than the mining companies, but what Mr. Livesey would like the Committee to consider seriously is assistance to an industry in the Territory.

Mr. McKamey asked if the Mining Engineer goes out and checks over the road if someone makes application for Tote Road Assistance, to which Commissioner Collins answered, yes.

Commissioner Collins stated that he thought Mr. Livesey had a good point and that it would help the timber industry. It helps a lot in the winter as far as the native population is concerned, because it can be worked for 12 months a year and if we could sell the Government something like this it would be a good thing.

Commissioner Collins thought this Council could go on record as favouring a more active consideration to the timber industry with regard to using it as a resource and it should come under the Tote Trail Program. The person building the road must pay half the cost.

Mr. Livesey stated he was thinking of the question of assistance based on circumstances, as this would prevent any of this wild catting around.

Commissioner Collins stated they could come under this Tote Trail Program. This year and next year will be the Government's biggest Tote Trail program on mining areas and he believes this should be included. The forestry people could assess the timber and the engineers could check the road. Something should also be done toward seeing that a proper standard of cutting is done. It is green and the proper length or width required.

Commissioner read several letters informing Council what correspondence had gone back and forth regarding the Y.C.G.C. road at Dawson. He asked Mr. Shaw what portions of the mileage were most desirable from the viewpoint of mineral and what tourist. Perhaps if there was insufficient money in the Tote Trail program, \$5,000.00 from the Territory could be added to this.

Mr. Shaw said if the Company drops the road the operators will have no road maintenance system and with reference to this proposition the one part is only Company operations. That is what they call Sulphur. The Dominion loop services all the other areas, 50 miles from Granville to Dawson, maybe the portion could be cut down to 40 miles. If they had a reasonable grant they could undertake to see that this road is passable.

Commissioner Collins asked in what category Mr. Shaw would put that road and Mr. Shaw replied he would call it a pioneer development road. Commissioner Collins stated if it is only maintenance that is required would Mr. Shaw agree to have the Council suggest to Administration that this area be considered a resource road. It would not cost more than three or four thousand dollars a year to keep in shape in the summertime and also Council could mention about the timber.

Mr. Livesey moved, seconded by Mr. Taylor, that Committee recommends that more attention be paid to the roads of the Lumber Industry relative to the building of roads into timber areas and mills in the Yukon Territory when such assistance may be warranted during the life of the 1962-67 Interdepartmental Agreement.

Motion Carried.

Mr. McKamey stated that everybody feels that when the Y.C.G.C. end up this is the end of Dawson. Mr. McKamey felt this would be the beginning of Dawson. They have been on a declining basis in recent years. They have been releasing grants they have held onto for fifty years. The smaller placer mining man has picked up some of these lands and made a paying proposition and when Y.C.G.C. finish operations Dawson will come into its own.

Mr. Taylor asked what these concessions were in Dawson City and was there any possibility that these concessions would be removed provided Y.C.G.C. cease operations.

Mr. Shaw stated this matter of concessions was the result of political skulduggery years and years ago. When they were given these concessions they were 99 year crown grants. These concessions contain all the timber, mineral and water rights from the Watershed of the Klondike River. The Government cannot get a load of gravel without getting permission and results have been that right up to the present no mining man will have anything to do with concessions and will resist them as far as it is possible.

Mr. Taylor stated this had cost Dawson very heavily.

Mr. McKamey stated he was told here recently that this Tote Trail Money could not be used for maintaining a tote road.

Commissioner Collins stated it is for the construction of new Tote Trails.

Mr. McKamey stated that the Hoggart Creek Road requires a lot of work to bring it up to where it will not be washed out every spring and there is another road which was built by a lumber firm and it was the plan of the operators in this district that they would maintain this road rather than the Mount Haldane road, because it is a much better road. These were two roads they were trying to fix up to make it a little easier to get into these places. There is one Company known as Peso Silver Mines. They have started on an underground operation and have good possibilities. The area they are working in is recommended by the Government Geologists as a good area to explore and prospects are good as a result of this Tote Trail money that is being provided to the Territory. Mr. McKamey further stated that this one company has taken advantage of it and it has increased a lot of interest moneywise in the Territory. Mr. McKamey thinks this is one investment which will pay off and he is worried about this interpretation. If this money cannot be used for maintaining or repairing a road the money already spent will be lost. Mr. McKamey would like to get some assurance from Commissioner Collins and this would not happen, or if there is some other recourse he would like to know of it.

Commissioner Collins asked if these people have facilities for repairing roads.

Mr. McKamey stated they have a cat and a pull grader and they have arranged to buy culverts from Y.C.G.C. at a reasonable price, but this is part of the maintenance and repairing of this road. When Mr. McKamey discussed it with the Engineers and Mr. Christie from Ottawa, he thought it would be protecting the investment that the Government has already made. If the culverts are not put in in the spring the money will be washed down the drain.

Commissioner Collins said he thought the aspects of this could very reasonable be described as reconstruction and the money could be spent on them. If we are going to get \$50,000.00 more each year for this sort of thing, we would be getting \$300,000.00, how would we spend the money if not on reconstruction and some maintenance. Commissioner Collins further stated that these are low standard roads built to open as many points of access to as many properties as possible. If maintenance is involved the Territorial Government will get involved in this business and it is very expensive, and reconstruction would be a good thing.

Mr. McKamey moved, seconded by Mr. Taylor that under the Tote Trail classification reconstruction be under the same classification and conditions as construction.

Motion Carried.

Airports, Page 26: Mr. Livesey referred to the resolution with regard to flight strip at Fort Selkirk. (Notice of Motion No. 10, Votes & Proceedings Page 85). He stated that this year during the Dawson Festival, which is the start of an annual thing that could benefit the Territory, it would appear that aircraft Companies could make tours in the area around Dawson City. There is a flight strip but it needs brushing. It had been recommended to Mr. Livesey, as the flight strip was in his area, through a letter to Mr. Shaw, that an Aircraft Company is planning three tours for the Festival Period in 1962-63, and in addition three tours on the Arctic Coast and Inuvik and the Flight Strip at Fort Selkirk could be used, but it needs brushing. Mr. Livesey stated he would be bringing this matter to the attention of Council within the next few days.

Commissioner Collins asked if this was for the D.C. 3 and if they had made measurements to see if this flight strip is long enough.

Mr. Shaw stated that he understood that brushing was all that was required on this particular strip. Mr. Shaw stated he believes the Hudson Bay Company have stated they are prepared to rehabilitate the old Fort Selkirk and they are loaning some very valuable paintings to the Festival and are co-operating. If the brushing of the strip could be arranged, it would give Indians work in the Winter Works Program. He stated further that the members of Council have seen the emergency strips in the Yukon and if a pilot has to land in a rush, these strips are on the map. Going from here to Dawson is about 300 miles and Mr. Shaw is afraid that landing on these emergency strips would be like landing on a mountain. The Department of Transport take full authority over aircraft and Mr. Shaw feels they should accept full responsibility likewise. Mr. Shaw would strongly urge that they maintain these airports on the highway so that a pilot can land if he has to.

Commissioner Collins stated he had been in correspondence about these airstrips and he has not had the time to look at this as he would like to study it a little bit.

Mr. McKamey stated that the wintertime is a very opportune time to do this work.

Mr. McKamey asked if Fort Selkirk had been declared a Historical Site by the Federal Government, and if not why not.

Commissioner Collins stated that this was privately owned land.

When Mr. McKamey inquired if Council could declare it a Historical Site, Commissioner Collins stated that we would have to make a resolution to the Federal Government as it is a Federal Act.

Mr. Taylor was wondering if some provision could be made for the Airstrip at Watson Lake for maintenance.

Commissioner Collins stated that this strip was privately owned.

Mr. Shaw stated there could be a resolution with regard to the Fort Selkirk Strip.

Page 29, Liquor Tax: Mr. Watt asked if Commissioner Collins would like to have some discussion on this in the light of Mr. Carter's suggestions.

Mr. Livesey informed Commissioner Collins of the discussions which had taken place on Thursday, November 9th, with Mr. Carter and the conclusions drawn in this regard.

Mr. Shaw stated that the final recommendation was that all tax revenue derived from the liquor tax be directed to Community Development during the period of this Agreement on the same basis of distribution as heretofore.

Commissioner Collins stated it is not the intention to use it for Community Development. It is community recreational purposes.

Mr. McKinnon stated that was the idea behind it. What you are intending to do is spend \$75,000.00 on construction of Community recreational facilities.

Mr. Taylor moved, seconded by Mr. McKinnon that (on page 29, Inter-departmental Financial Report, referring to Liquor Tax) be not accepted and any further reference be deleted and further that the whole liquor tax revenue be used in an equal share for each Electoral District as a basis for capital cost purposes for community recreational activities.

Motion Carried.

Chairman of Committee, Mr. Shaw, stated it is agreed that this will obliterate any motions prior to this one on this particular regard.

Page 30: Mr. McKinnon asked if the payment of this grant goes to Dawson City itself or to Y.C.G.C.

Commissioner Collins stated that a great deal of it goes to the Y.C.G.C. through rental of fire protection.

Upon request Commissioner Collins was excused from Committee.

Mr. Shaw clarified the situation with regard to the situation at Dawson with the Y.C.G.C. for the new members of Council, explaining the fact that facilities for sewer and water etc., were put in at private expense until approximately 1949, when the Territorial Government took over maintenance of sewers. When the City took over they were told that the sewers belonged to them. Each facility such as water, electricity, telephone, etc., was operated by Companies which were subsidiaries of other companies which were subsidiaries of Y.C.G.C. It was necessary for the Citizens of Dawson to pay extremely high costs for these facilities, and they were told if they did not like it the Company would shut off the services, and this grant was subsidizing the continuance of services for the City.

Page 30 (g): Mr. Taylor asked if this \$5,000.00 represents half of the sum required, or is the project not to exceed \$5,000.00.

Mr. Shaw stated that as far as he could see they would pay up to \$5,000.00

Mr. Taylor stated, that with reference to this, Watson Lake was planning to have a Company such as Central Housing & Mortgage do some Townsite planning and he was wondering if \$10,000.00 would be enough for this job.

Mr. Watt stated that the Whitehorse Planning had cost the Territorial Government \$25,000.00

It was assumed that since Watson Lake would be a much smaller project the amount would probably be enough.

Page 31. Municipal Development. Subsection (c) of Recommendations:

It was resolved that the words "Up to a Maximum of \$3,500.00" be deleted, as this is too restrictive.

Page 31. Extension of Water and Sewer Services:

Mr. McKamey thought that perhaps, with the consent of Council, this could be amended. Mr. McKamey's reasoning was that before you can walk, you have to crawl. People want large lots because there is lots of room in the Territory, but the cost of water and sewer for such large lots is extremely expensive and people must be contented with smaller lots. In the metropolitan areas of Cities outside, such as Vancouver, they have areas where water facilities are installed without sewers and as the population becomes larger they install sewers. Mr. McKamey felt that Council should look hard in this in the Yukon Territory. If people have water they can install their own septic tanks without fear of contaminating wells, and it should be considerably cheaper.

Mr. Shaw stated that where you have permafrost this was impossible.

Mr. McKamey thought that Dawson City would be the exception, that in Watson Lake or Mayo such a system would be possible.

Mr. Watt stated that in the southern parts of the Territory the systems are put far enough underground to keep away from seasonal frost. It costs roughly \$5.00 a foot for sewer and when the job is being done, it costs about 20% more to include sewer and this is the reason they are installed together.

Mr. Taylor agreed with Mr. McKamey that this should be looked into.

Mr. McKamey could not agree with Mr. Watt, that the cost for a full sewer and water system would be almost as high as just the water system, and it was decided that this question would be taken up the next day with Mr. Grant the Territorial Engineer in attendance.

Mr. Taylor moved that Mr. Speaker now resume the Chair in order to hear the report of the Committee.

All members agreed.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported that Committee had met, with Commissioner Collins present, and discussed the Yukon Health Plan as contained in the Interdepartmental Committee Report. Mr. Simons, Administrator of Yukon Hospital Insurance Services was in attendance. Commissioner Collins stated he would look into the complaint of Mr. McKamey regarding Outpatient Services. At 2:00 P.M. Committee, with Commissioner Collins present, continued discussions on the Interdepartmental Agreement with the following

recommendations made:

- (1) that more attention be paid to the roads of the Lumber Industry relative to the building of roads into the timber areas and mills in the Yukon Territory when such assistance may be warranted during the **life** of the 1962-67 Interdepartmental Agreement.
- (2) Recommended under the Tote Trail Classification that reconstruction be under the same classification and conditions as construction.
- (3) Recommended that paragraph 3 on page 29, referring to liquor tax be not accepted and any further reference be deleted and further that the whole liquor tax revenue be used in an equal share for each Electoral District as a basis for capital cost purposes for community recreational activities.
- (4) Municipal Development on page 31, re subsection (c) of Recommendations - that the words "Up to a maximum of \$3,500.00" be deleted as this is too restrictive.

Mr. Shaw reported progress.

Council accepted the report of the Committee.

Mr. Shaw moved, seconded by Mr. McKinnon, that Council until completion meet at 9:30 O'clock A.M. to 12:00 Noon and from 1:30 O'clock P.M. until 5:00 O'clock P.M., commencing Saturday morning, for the morning session only.

Motion Carried.

After further discussion of the agenda, Council adjourned until 9:30 O'clock A.M. Saturday, November 25th, 1961.

Saturday, November 25th, 1961.
9:30 O'clock A.M.

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

Mr. Shaw moved, seconded by Mr. McKamey, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss the Interdepartmental Committee Report on Federal Territorial Financial Relations.

Motion Carried.

In Committee of the Whole:

Discussion (with Commissioner Collins and Mr. Starr, Territorial Engineer, present) on Sewer and Water Services.

Mr. McKamey stated he had a suggestion for Council that this part of the agreement should be amended to include water pipe installations only.

There was some doubt as to the merit of this suggestion for the Yukon.

Mr. McKamey pointed out that in the City of Vancouver there are parts of the newer areas which only have the water system and he felt that this could apply in the Yukon for places such as Watson Lake, Mayo and Haines Junction which might be incorporated into villages and it might not be desirable to install full sewer and water systems. Mr. McKamey suggested to Council that they forego the sewage and just install water and have septic tanks. With water installation there would be no worry with regard to contamination of the neighbor's well. Mr. McKamey felt that this would perhaps be a much cheaper installation and had asked Committee to express their views on this.

Mr. Starr stated with regard to Mr. McKamey's suggestions, that they have right now made a tentative estimate on water. The Engineering Department was intending to work this winter on estimates for additional lines in other areas. Some surveys have now been received from Ottawa. With sewer lines you cannot follow the contour of the ground, but with water the lines are under pressure. It was concluded that it would be very expensive for water and sewer, but the Department may be able to run partial water lines. After their work this winter the Engineering Department expect to be able to come up with some answers as to the cost of partial water lines.

Commissioner Collins asked Mr. McKamey how he intends to keep this water from freezing all year around.

Mr. McKamey stated he realized that in some parts of the Yukon this would not be possible. He believed Haines Junction was sitting on an old lake bottom, but Watson Lake, Mayo and some other villages situated on gravel terraces would present no problem of drainage of septic tanks. Mr. McKamey further stated that he had suggested this as a means of saving money. The services in Riverdale had proven to be very expensive.

Commissioner Collins asked how they would get pressure for the water lines.

Mr. McKamey stated that in some places in Alberta they have an elevated tank.

Mr. Shaw stated that this was being discussed with regard to feasibility.

Commissioner Collins stated that it would perhaps cost around \$750.00 or \$900.00 per lot to put this type of system in and the operating charge would be around seven or eight dollars per month. It would be necessary to borrow money to put this in the tax payers in Watson

Lake or Mayo would have to amortize it.

Mr. McKamey stated the people in Mayo or Watson Lake might not want the whole program which the Federal Government offers.

Commissioner Collins said he thought this was a wonderful idea, but what the financing of it would cost in the Interdepartmental Report is another matter. You do not know whether Mayo, or Watson Lake, or Porter Creek want it, or how much it would cost. A full system would cost \$1,000.00 to 1,200.00 a lot, a partial system such as you suggest would mean approximately 60% or 70% of what it would cost. There must be some heating of the water. Here we have warm water wells. In the winter the water is practically all from warm water wells.

Mr. McKamey stated that if Watson Lake, or Mayo wants water service in two years, there is nothing in the agreement to cover such a system and he felt that this was not right.

Commissioner Collins stated he thought a resolution of Council suggesting this partial system and proportionate reduction of cost as to a full system, would be in order.

Page 32: Moved by Mr. Shaw, seconded by Mr. McKinnon that "The Committee did not anticipate the need for any new systems in the 1962-67 period" be deleted.

Following a disturbance in the corridor, Mr. Shaw told Mr. Chamberlist, his instructions were to keep him behind the bar of this House and he would have to find some other way of coming in to take the seat without forcing his way into this House.

Mr. McKamey said if we make a motion regarding water systems, it will probably be sub-paragraph (c) on page 32. They have indicated what a cost will be for a full system or a partial system, we have a semi-system.

Commissioner Collins stated the resolution should be: Sub-paragraph (c) following sub-paragraph 3 be amended to include provision for a semi-full system or a pipe system of water without sewage facilities.

Mr. Shaw moved, seconded by Mr. McKamey that a classification be added to the recommendations to include a pipe water system as well as a full water and sewage system and the financial arrangement provided.

Motion Carried.

Mr. Livesey was wondering, with regard to paragraph (f) if there were any systems outside of Whitehorse and if so where were they.

Commissioner Collins stated that there was a system in Mayo.

Mr. McKamey stated this consists of about one line down the middle of the street and it was constructed for Territorial Installations. He said it is possible that two other outlets have been hooked up to it.

Mr. Livesey said he was wondering about Federal Government Camps along the highway and whether they had installations.

Commissioner Collins stated these are Federal Government, D.N.D. installations and it would not become the concern of the Territory unless people nearby wanted an extension of the line.

Mr. Starr, Territorial Engineer was excused from Committee.

Natural Resources:

Mr. McKamey asked Commissioner Collins if Council could legislate any Ordinance to govern anything that is not included in this. Mr. McKamey felt Council could legislate Ordinances with regard to game, but he was wondering about anything else.

Commissioner Collins stated in respect to resources, Council can legislate regarding the safety of the public. That is about all so far.

Civil Service Recommendations:

Mr. Shaw stated that the Yukon Territory is directly a part of the Federal Government of Canada, who retain control of the Natural Resources. They can dissolve the Council, they have unlimited powers. The Federal Government is definitely the power and authority behind the Territory, in which case a person who works for the Territorial Government is in fact working for the Queen. The Treasury Department are a fine body of men who are protecting the tax payers dollars, but Mr. Shaw does not think they have the right of turning down a sum of money. Mr. Shaw further stated Council had been told by the Legal Department that the Yukon Territory is not a legal entity. It is inconceivable to say the Territory is on its own, it must belong to somebody. It is time to stop fooling around and say that the people working for the Territorial Government are in fact working for Her Majesty and deal with them accordingly.

Moved by Mr. Shaw, seconded by Mr. Livesey that the Territorial Civil Servants should be entitled to the same superannuation formula as is extended to Federal Civil Servants.

Motion Carried.

Page 38, Administration of Justice:

Mr. McKinnon asked what would be the length of the terms in the Territorial Jail.

Commissioner Collins stated it is the same as the Provincial Jails, two years plus one day, he believed.

Mr. McKamey asked if Okala is a penitentiary and is a life sentence Federal Government.

Mr. Shaw stated two years less a day is Provincial responsibility and a penitentiary is definitely a Federal institution.

Commissioner Collins stated this is merely the establishment of a principle and does not cost the Territory anything, but merely setting up more responsible Government.

Mr. McKinnon asked who the R.C.M. Police are responsible to at this moment and who would they be responsible to after the agreement.

Commissioner Collins stated they are responsible to Headquarters which is responsible to the Department of Justice and this would still be the same after the Agreement is in force, but it means that if the R.C.M. Police wished to extend their services by putting in another Constable the Territory would say you will have to provide the money. The only costs of Administration of justice is in respect to Ordinances of the Territory.

Page 41, Recommendations on Revenue, Part 4, Motor Vehicle Fuel Tax:

Mr. McKamey felt that imposing any new taxes in the terms of this next fiscal agreement was going to impose hardships on the people and be detrimental to the development of the Yukon. With the mining

companies in the exploration stages they should be given incentive rather than hardship. Mr. McKamey stated that this tax would take the incentive out of mining companies as the cost of transportation was much higher now than anywhere else in the Territory. So far the Federal Government had done a wonderful job of development in the Yukon Territory and had brought it to the critical stage and a tax right now would take all the incentive out.

Mr. Shaw stated we have in this Chamber, responsibilities in more ways than one. Mr. Shaw would think it a wonderful thing if taxation could be cut out entirely, but it is the reasoning of economics that we must collect taxes to keep the Government operating. In the matter of this requested 3¢ per gallon increase which would make a tax of 9¢ which is far below any in the Provinces listed here, it is not unreasonable. Mr. Shaw does not think that an amount like this will close up the Yukon's mining industry. You may as well say that if the people working in the mine get a raise in pay the mine will go out of business. He further stated that this is the only area where one can go to the hospital if he is sick and is not forced to pay a co-insurance on sales tax. The tourist travelling into this country to view the sites will also contribute to the revenue. It is far more profitable than a sales tax. If the Yukon had the sales tax, there would be a matter of about 20% Administration costs. These costs provide nothing whatsoever for the economy. Mr. Shaw disagrees with one section where they tax stationary engines and mining equipment. That is not using the road. This is a tax for people who use the roads which are paid for out of public money and this charge should be made only to vehicles which use the facilities of the roads.

Mr. Taylor stated he had mixed emotions on this, he wondered if the old exemptions should be kept and the tax extended into aviation fuels.

Mr. McKamey replied that Mr. Shaw stated the tax was not unreasonable, and implied that Mr. McKamey thought taxes were unnecessary. Mr. McKamey stated this was not his feeling at all, he felt that more taxes at this time were unreasonable. He said the transportation costs must be considered. They are high and this is the reason for lack of mining in this Territory. In British Columbia where transportation facilities are handy they mine ore down to \$2.00 or \$3.00 a ton. By increasing the fuel tax you are increasing the mining costs. The result is you are going to have to have a higher grade ore before you can go into production. Mr. McKamey says let the mines get established in the Territory and then hit them with a tax. You could have 1% sales tax and raise an equal amount of money.

Mr. Shaw stated it would be two years before this tax goes on in which the mines can get going. If the tax raises the price of 75¢ a ton, Mr. Shaw does not think a mine could operate on a business like basis and go down on account of this. It is not the same with regard to aircraft, they would merely buy their fuel somewhere else.

Mr. McKamey stated that Mr. Shaw was being gullible and it was unfair for the Interdepartmental Committee to put this in the **report**. These other places have a network of subsidised railways and paved highways and their freight rates are much lower, it puts the Yukon to shame and this is not paralleling their program at all.

Mr. Livesey stated that it boils down to one thing. The Federal Government is going to grant the Territory so much money and they expect us to provide so much money through local revenue. Mr. Livesey does not think anyone could rise on his feet and **denounce** it with justification. This is an incompatible situation and we must accept that fact, but we have to get this money and how are we going to do it. Mr. Livesey asked Commissioner Collins if the Government vehicles using these roads pay the fuel tax.

Commissioner Collins did not think that a Junior Government could enforce taxation on a Senior Government.

Mr. McKamey wondered if the Senior Government put out a contract, would the contractor have to pay this tax.

Commissioner Collins said the answer to that one is yes. He realized that the Council was faced with a situation, but they all thought in Ottawa and Commissioner Collins thought that this was the best way to make that reasonable contribution of additional revenue from the Territory, as would warrant the generous treatment of the Federal Government. Commissioner Collins stated further that if the Council gets some of this taxation taken out, then he is sure that other forms of assistance to the Territory will be eliminated by the Federal Government. They feel that this is a minimum they can offer to the Territory. In the Northwest Territories the fuel tax is not confined to highways it is a tax on all fuel, including heating fuel. Commissioner Collins does agree that the tax to individual people for power fuel should be exempt.

Mr. McKamey said that Mr. Carter, when this was discussed with him, said he did not think Council had the right to tax fuel for aircraft. Mr. Carter felt that the Air Companies use a lot of fuel and the Yukon would accrue a lot of revenue from taxation on that fuel, but he felt that this was out of Council's region.

Mr. Shaw stated that his friend thought him gullible and maybe he was but he felt that the Yukon was getting a very good deal from the Federal Government and a raise of 1¢ a year beginning two years from now would not hurt anyone that much.

Mr. McKinnon stated he had fallen into the same den of gullability as Mr. Shaw and he felt that the plan was fair and equitable. Council has asked for a little bit more than they are willing to give and now Council has come to where they are going to pay into this and Mr. McKinnon felt that this tax was the easiest way to do it and he must say that he is in favour of the tax.

Mr. Taylor wondered what would be the effect of leaving 1¢ tax on all fuel products, rather than 3¢ tax. This would be quite equitable in the fact that everyone would have to pay it and he would assume that 1¢ a gallon tax on all petroleum products would bring in considerably more than the 3¢ motor vehicle fuel tax.

Mr. Livesey stated that the problem was that it was too loosely worded and left too many loopholes, people may be able to persuade people that this means something else. When the actual placing of the tax is laid down on paper the situation could be changed.

Commissioner Collins felt that exemption for all power generators, public or private, would be a good thing, but there are people using the road who are exempted. Perhaps Mr. MacKenzie should inform you of the present exemptions so that you can realize what they are.

Mr. Taylor thought that Mr. MacKenzie could provide Council with the financial affects of the various proposals placed on the table today.

Mr. McKamey stated he would consolidate his thoughts for Monday.

Moved by Mr. McKamey, seconded by Mr. Watt, that Mr. Speaker resume the Chair to hear the report of the Chairman of Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee, thanked Commissioner Collins for his attendance and reported that

Committee had discussed the Interdepartmental Agreement in relation to extension of Water and Sewer Services with Commissioner Collins and Mr. Starr in attendance. It was recommended that (1) in the sentence contained on page 32, "the Committee did not anticipate the need for any new systems in the 1962-67 period", be deleted; (2) that a classification be added to the recommendations to include a piped water system without a full sewer system and financial arrangement provided, under the Municipality Development Chapter. We proceeded further and under the Civil Servants Chapter this recommendation was given, "This Committee feels that the Territorial Civil Servants should be entitled to the same superannuation formula as is extended to Federal Civil Servants." From there Committee discussed the recommendations on revenue and on that matter Mr. Shaw reported progress.

Council accepted the report of the Committee.

Following a discussion of the agenda, Council adjourned until 9:30 A.M. Monday, November 27th, 1961.

Monday, November 27th, 1961.
9:30 O'clock A.M.

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

Motion
No. 16

Mr. McKamey gave notice of motion regarding School Curriculum.

Motion
No. 12

Mr. McKamey moved, seconded by Mr. Livesey, that in the opinion of this Council, the Council stenographer be paid commensurate with the excellent work performed with the Yukon Territorial Government.

Mr. McKamey stated that if Council will remember here when previous Council first sat, they made every effort possible to obtain a stenographer that was capable of taking verbatim and we were told that there was only one in the Yukon and in view of the facts that prevail at the moment everyone in this Council is happy to have a stenographer that has been able to fulfill the bill. Mr. McKamey thought that Council should give recognition of this fact and every attempt be made to bring the rate paid for verbatim stenographers or at least equal to the pay that the Court Stenographer gets.

Mr. Shaw stated it has been a very difficult task that this lady has had to do. It includes many hours of overtime work and he certainly agrees with Mr. McKamey that her capabilities and amount of work should be recognized.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss the Interdepartmental Report.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee, requested Commissioner Collins and Mr. MacKenzie, Territorial Treasurer, to be present for discussions of semi-full water systems and financial data relevant to the proposed new fuel tax.

Mr. Taylor asked Mr. MacKenzie if he could approximate the effect on revenue of a 1¢ overall tax on fuels with the exception of heating fuel in comparison with the 3¢ tax on motor vehicle fuel over the five year agreement.

Mr. MacKenzie stated he would need to do some calculation on that. It would be unwise to hazard a guess, but the effect on the recommendation in the report regarding elimination of exemptions from tax in the last three years was going to mean approximately half a million dollars over the present tax.

Mr. McKamey asked Mr. MacKenzie if he is basing this on the 8,096,000 gallons used in the period of the last agreement.

Mr. MacKenzie stated that was the figure representing fuels for the last year which were exempt from tax. He stated further that the fuels taxed represent four million gallons in the year 1959-60, a quarter million dollars in revenue.

Mr. Taylor stated when they closed this discussion on Saturday morning they had reached the stage where motor vehicle fuel tax be increased by 1¢ per gallon in each of three years and this would reflect in tariffs down the line and the prices would go up in the outside areas. Mr. Taylor gave a proposal of 1¢ tax levied on all petroleum sales, excluding heating oil as a more reasonable and equitable means of

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levying tax. At present the Territory is receiving no tax from aviation fuels and this tax would be on everything.

Mr. MacKenzie stated the Territory did intend originally to apply an increase of 1¢ per gallon over each of the last three years. Is Councillor Taylor's suggestion 1¢ for each of the five years, or 1¢ for each of the last three years?

Mr. McKamey stated for Council's information that Cassiar Asbestos purchased 2,063,000 gallons a year. 273,000 gallons of this was taxable and he presumed the balance would be used for heating and construction and so on. Mr. McKamey is told that now they can purchase fuel at Taylor Flats, British Columbia, for 14¢ per gallon. Council must consider this carefully or they might lose the sale of this fuel. United Keno Hill use considerable and their trucks use 147,000 gallons. He was talking to major contractors in the Yukon and they figure the construction companies use about 1,000,000 gallons per year for construction.

Mr. Watt asked Mr. MacKenzie for the estimated increase of revenue in 1945-55 with 1¢ increase and also in 1955-56.

At this point Mr. Chamberlist spoke from the visitors gallery.

Mr. Shaw:- "Mr. Chamberlist you are out of order, the situation is still the same as it was on Saturday."

After a few more remarks Mr. Chamberlist withdrew.

Mr. Shaw (with Mr. McKinnon acting as Chairman) remarked that this matter of increase of revenue is certainly a problem, but in view of the many new benefits we are getting it is something that we have to face. It is our duty to see that any arrangements that are made will be as equitable as possible and make it as easy for the people of the Yukon as possible. I would suggest that we take under advisement the many suggestions from the Interdepartmental Committee.

If we could raise something toward this amount in an easier manner for the people and obtain the same results, this would be acceptable. Mr. Shaw suggested that Council put forth proposals and Mr. MacKenzie's Department could figure out the total amount of revenue that would be raised. This is my proposal, that exemptions be the same as they are now with the exception of one item which is the construction equipment. The construction equipment should pay this tax. The reason I state this and exclude the mines is that we have a figure in mining returns and revenue that is a fixed amount. If the cost to construction jobs should go up that will be reflected in the amount of the tender that is put forth. Mr. Shaw recommends that the tax be increased by 1¢ in 1962-63, and 1¢ in 1963-64 and in 1964-65 it would remain the same, in 1965-66 it would be raised 2¢ and remain the same for 1966-67. Mr. Shaw stated he does not know the amount of revenue that could be expected, but he thought it would be very close to the amount that is required. It would not create the hardship that the other one might and the people coming into the Territory now could pay toward this instead of leaving the whole amount to the last three years. If Mr. MacKenzie's Department could estimate this, Council could go on from there.

Mr. McKemay stated he would like Mr. MacKenzie to figure that out on the basis of 1¢ a gallon over the next five years, exempting the mining industry.

Mr. MacKenzie stated that means an overall rate of 7¢ over each of the five years, exempting mining.

Mr. Taylor wondered if Mr. MacKenzie could also include heating.

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Mr. Shaw stated at present we exempt heating, mining and construction. He is only interested in fuel tax for people travelling on the road, and he hoped to make a plan that the exemptions remain the same with the exception of construction equipment not used on the highway.

Construction on roads can recapitulate that amount on their tender and it will put it in its right category.

Mr. Taylor still felt that the 1¢ tax on all petroleum products except heating fuel and this would be fair because everyone would pay and it would not be restricted to motor vehicles. This would be a 1¢ tax over the whole five years.

Mr. Shaw stated, with regard to Mr. Taylor's suggestion that the companies now exempted would be paying 7¢ tax, the 6¢ already in force, plus the 1¢ increase and this would present far too big a hardship on the exempted industries. He stated further that perhaps Mr. MacKenzie could take these suggestions and calculate all these methods. He would be able to show us how much revenue would be obtained under these conditions and Council could go on from there.

Mr. Taylor stated the exemptions were covering the greatest consumers. The exemption figures would have to deal with approximately a half to three quarters of a million gallons a year.

Mr. McKamey stated there are four million gallons taxable and eight million, 96 thousand gallons exempted, which is a total of 12,096,000 gallons. If you were to levy a 1¢ tax across the board, this would give you \$120,000.00 a year.

Mr. MacKenzie stated the majority of that large gallonage is heating fuel and you will not impose tax on heating. If you take heating out you get down to the amount I suggested.

Mr. Taylor asked if this 1¢ a gallon tax could be levied and still the motor vehicle tax exemptions remain just as they are. In other words, you could impose the 1¢ on all petroleum tax and still retain the 6¢ motor vehicle tax exemption.

Mr. Livesey was wondering, due to the fact that there was a lot of business still before Council before the session is completed, whether a committee of two members could be appointed to study the terms of the different proposals and exemptions and report back.

Mr. Taylor asked if Mr. MacKenzie could not make a few notes on the suggestions made and return to Council with the figures on these proposals.

Motor Vehicle Licence Fees:

Mr. McKamey stated it had been drawn to his attention by numerous contractors in the Territory and they said there was absolutely no comparison and the fees imposed gave them no protection.

Mr. Shaw stated the protection was laid down in the Ordinance and Regulations.

Mr. McKamey suggested that perhaps the Clerk of the Council could give Council some idea of what the fees imposed for licences in British Columbia are and the fees imposed on licences in the Yukon Territory. He also wished to draw attention to the fact that the Canadian National Telegraph Company was putting in a line from Whitehorse to Dawson and there were hundreds of trucks and pick-ups operating without a Yukon Licence.

The Clerk of the Council suggested that the lack of licenses was lack of enforcement, but with regard to the fees charged, they have much higher fees in the Provinces than they have in the Yukon. He added that he had the exact information in his office.

Mr. McKamey suggested that this information could be tabled right after lunch.

The Clerk of the Council suggested that he could get these right now orally.

While the Clerk of the Council was getting the information, the Committee discussed Recommendations on Property Tax.

Mr. Watt asked with regard to school tax if Mr. MacKenzie had the figures for other provinces.

Mr. MacKenzie stated that he did not have the figures but could get them.

Mr. McKamey stated that he thought the mill rate in the cities outside the Yukon was around 65 to 70 mills.

Liquor Tax, page 43: Mr. Shaw stated that the recommendations with regard to the liquor tax which had already been made would cover this section.

The Clerk of the Council's information regarding P.S.V. Licences was given as follows: For semi trailer unit with tandum axles -

Alberta, one unit	\$980.00
B.C.	888.00
Manitoba	1,475.00
New Brunswick	727.00
Nova Scotia	491.00
Ontario	1,031.50
Quebec	540.50
Saskatchewan	1,425.00
Yukon	250.00

Terms of Financial Agreement, page 46:

Mr. Shaw suggested that Mr. MacKenzie could perhaps give Council a brief illustration of what all this page contained with regard to borrowing and receiving of grants and amortization.

Mr. MacKenzie stated that the Yukon's capital requirements were going to be loaned to them by the Federal Government and then the Yukon was going to be given the money to repay the loan and on operation of deficit requirements the Yukon is going to be given a grant to meet that deficit.

Mr. McKamey asked if this was the same manner in which it was handled in the last five years.

Mr. MacKenzie said no. The Yukon had a fixed grant and subsidy, and this new plan would be much better.

Mr. McKamey stated that Mr. MacKenzie might be able to enlighten Council on how this deficit on the sewer and water at Riverdale would be paid for.

Mr. MacKenzie said he believed Councillor McKamey was referring to the shortage on the sale of building lots. Mr. MacKenzie's understanding was that the unpaid balance would be repaid after the sale of the lots on the extension which would be put in this year. Mr. MacKenzie stated that he further understood that the cost of installing facilities in the new extension would be very much less than in the first development because the first development already contained

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the services needed in the second.

Mr. McKamey asked Mr. MacKenzie if this extension would cover the deficit.

Mr. MacKenzie stated his understanding was that it would, but he did not have the figures here to show that this was the case.

Mr. Shaw said this would require another loan.

Mr. MacKenzie stated it would be a capital expenditure.

Mr. Watt stated that the loan for the extension was listed in the estimated annual capital requirements.

Mr. MacKenzie answered yes, he believed it was \$125,000.00 for this extension development.

Mr. Shaw stated that will require about \$525,000.00 to come out of this development and it is reasonable to assume that it can be obtained.

Mr. MacKenzie stated that was foreseen when they fixed the prices.

Mr. McKinnon asked if Mr. MacKenzie could explain the paragraphs in the middle of page 46, as Mr. McKinnon saw it, it would mean that if they were short sighted in their predictions, surplus of funds was the only way the Yukon could meet capital expenditures.

Mr. MacKenzie stated that in minor increases the Yukon would have to take care of itself, but for major expenditures, and Council should see that a recommendation covering the paragraph is included in the agreement, this is most important, the Federal Government would pay.

Mr. MacKenzie was thanked for his attendance in Committee and excused in order to compile the figures asked for by Committee regarding the fuel tax.

Moved by Mr. Taylor, seconded by Mr. Watt, that Mr. Speaker resume the Chair to hear the report of Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee, that the Committee of the Whole began discussions of the Interdepartmental Committee Agreement with Mr. MacKenzie present at approximately 9:40 A.M., and during the discussion on that, at approximately 10:00 A.M., Mr. Chamberlist created a disturbance and among other things directed most derogatory remarks to Mr. Speaker, after which he withdrew. The Committee cleared the Interdepartmental Agreement with the exception of the fuel tax item under revenue, this to await further data from Mr. MacKenzie.

Council accepted the report of the Committee.

Mr. Shaw moved, seconded by Mr. Taylor, that Council convene in Committee of the Whole at 1:30 O'clock to discuss the proposed New Fire Prevention Ordinance with Commissioner Collins and Mr. Fingland present and following completion of that, we continue with business acceptable to the Committee.

Motion Carried.

1:30 O'clock P.M.

Council was called to order and Mr. Speaker stated when Council recessed at noon they had decided to meet on certain matters with Commissioner Collins. He stated further that Commissioner Collins had been unavoidably delayed but that Mr. Fingland was present.

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Mr. Shaw moved, seconded by Mr. McKinnon, that Mr. Speaker leave the Chair and Council resolve itself into Committee of the Whole to discuss the Proposed New Fire Prevention Ordinance.

Motion Carried.

Mr. Shaw took the Chair and asked Mr. Fingland to attend Committee, and explained that the members felt that perhaps this proposed Ordinance was not inclusive of many matters which were contained in the old Ordinance and they felt these matters should be in the new Ordinance. Mr. Shaw then asked Mr. Fingland to give Committee his intentions in this Ordinance.

Mr. Fingland stated that their views were to provide for proper fire inspection and prevention organization and to deal solely with this aspect of the matter. Mr. Fingland believed what Committee was concerned about should be included in other Ordinances such as Building Standards and Electrical Standards and it is a question of which Ordinance these matters should be in. He further stated that they were endeavouring to make a clear cut separation between fire prevention inspections and electrical standards and building standards.

Mr. Shaw stated if this was separate it would necessitate a repeal of the present Ordinance on Fire Prevention. He asked Mr. Fingland if he would at that time have Ordinances that cover the other classified sections which he referred to.

Mr. Fingland stated they certainly could do that and Committee would be quite justified in saying they do not want to repeal the old Ordinance without an Ordinance in regard to the other parts. Mr. Fingland said they could introduce an Electrical Protection Ordinance and new Fire Ordinance at the next session.

Mr. McKamey stated that there is a Fire Investigation Ordinance and a Fire Prevention Ordinance and it seemed to Mr. McKamey that this proposed new Fire Prevention Ordinance is possibly not covering the fire prevention. Mr. McKamey thought this could be given a different name and enacted under another heading and the Ordinance already there could be retained.

Mr. Fingland stated that it was the feeling of the Fire Marshall's Office and the Administration that this present Ordinance does not go directly to the point.

Commissioner Collins attended Committee and Mr. Shaw explained to him the discussions which had taken place.

Mr. Fingland stated the present Ordinance endeavoured to cover a little of everything, building standards, electrical protection etc., and it would be better to have one Ordinance dealing with Fire Prevention and another Ordinance dealing with Electrical Protection etc.

Mr. McKamey stated to Commissioner Collins that he thought this could be enacted as two different Ordinances and Mr. Fingland felt that there would be portions of the Ordinance in effect which would be overlapping, in the new Fire Prevention Ordinance and perhaps instead of repealing the whole Ordinance as it is now, we could repeal the parts that overlap.

Commissioner Collins stated he did not think that fire prevention and building standards were the same thing. You must have a Building Standards Ordinance and an Electrical Standards Ordinance and changes could be made under the Fire Prevention Ordinance if buildings did not meet the Building Standards Ordinance. Commissioner Collins stated further that they planned to repeal the old Ordinance and bring this

one in and if Council wished, to introduce a further Ordinance for these other things. It would be necessary to have more than just this Ordinance. It would have to include a Building Standards Ordinance and an Electrical Protection Ordinance.

Mr. McKamey stated it would have to go further than that because there are things such as removal of shavings and other things, which would not come under the Building Standards or the Electrical Standards.

Commissioner Collins stated there are no building standards in the Territory as such, except in Municipalities and nobody except the Government adheres to it and therefore it would be difficult to have building standards in the Territory. He agreed with Mr. McKamey that parts of the old Ordinance and the new Ordinance should be combined.

Mr. Shaw stated that Section 3 (f) (iv) which states the storage, use, sale, or disposal of combustibles or other inflammable material would take in Mr. McKamey's suggestion and page 6, Regulations would cover building standards.

Mr. Fingland stated that section 22 of page 4, the Fire Marshall is also given powers to give orders with relation to combustible materials.

Mr. McKamey stated this has been a very controversial subject and it is in the form of Regulations and it should be in the form of an Ordinance.

Commissioner Collins stated this was not in Ordinance form. This was just suggestions to Council and there will be provisions for the Commissioner to make regulations. This is merely a suggestion for an Ordinance.

Mr. Livesey stated that with the powers given to the Fire Marshall, it was a question who was going to drag him off to jail first. He further stated that because of a tenant he had felt sorry for and taken in, he had to burn considerable rubbish and he also found it necessary to burn cartons and shavings and wrappings etc., and he did this when it rained, but the Forestry Department had been after him and were going to drag him down the road to Haines Junction.

Commissioner Collins stated because of the danger of forest fires the prohibition against lighting fires without a permit when the fire hazard was high was very necessary. Commissioner Collins stated Mr. Livesey is very careful, but there are people who would set fire to the whole Territory and it would be necessary to have regulations for these people.

Mr. Livesey stated he believed regulations should not have to be so powerful that you cannot carry on your business.

Commissioner Collins stated that this Ordinance would be made up and presented to Council at the Spring Session, it would be good to move that these essential parts in the existing Ordinance will be included.

Mr. Watt stated a large part of this Ordinance included investigation of fires. He would like Council to consider deleting paragraph 28 as he felt it was unnecessary.

Mr. Livesey stated sometimes there are some young fellows who go overboard in the line of duty and push people around. This was not intended in the Ordinance but it can cause a lot of grief for everybody if it is not written up right.

Mr. Shaw asked Mr. Watt to state his objections to section 28.

Mr. Watt said it could cause someone a hardship if the Fire Marshall is treating him unjustly. It is possible he would not have the finances to pay this and hire lawyers.

Mr. Fingland stated paying the bond could be left out without affecting the rest of the appeal. he said this provides for appeal to the Fire Marshall and it might not be necessary to go any further.

Commissioner Collins suggested that Council request the Department to draw up a draft Ordinance embodying the necessary sections of the existing Ordinance for presenting at the Spring Session.

Moved by Mr. Livesey, seconded by Mr. McKamey that the Department of Justice draft an Ordinance based on the present Fire Prevention Ordinance and the terms and conditions set out for the Proposed New Fire Prevention Ordinance as distributed to Council at this Session and that such draft be presented to Council at the Spring Session 1962. In the meantime, Council will peruse and digest the present document and will be prepared to propose necessary alterations to the draft, where applicable, at such session.

Motion Carried.

Mr. Fingland was excused from Committee and thanked for his assistance with regard to the proposed new Fire Prevention Ordinance.

Commissioner Collins asked Committee if the two mill Education tax had been accepted.

Mr. Shaw stated that it had been accepted and that Mr. MacKenzie was making calculations to see what dollars and cents he could come up with in regard to the fuel tax.

Mr. McKamey told Commissioner Collins there is a possibility that if the fuel tax was increased by 3¢ a gallon the Territory might lose the sale of three million gallons of fuel, as they can buy this for 14¢ a gallon at Taylor Flats, B.C.

Mr. Livesey stated people buy gas at the border and do not have to pay tax and they even fill drums with gasoline and carry enough gasoline to go right across the Yukon.

Mr. Taylor suggested a 1¢ a gallon tax on all petroleum products with the exception of heating fuel.

Commissioner Collins agreed that this tax was pretty discouraging to the mining people and so on and he did not know how much aviation gas was here.

Mr. Taylor felt that the 1¢ a gallon tax would not hurt anyone and would collect quite a bit of revenue, and the airlines get quite a bit of revenue from the Yukon.

Commissioner Collins stated that the airlines do not get much. Pan American lost and Canadian Pacific Airlines broke even.

Mr. Shaw stated, (with Mr. McKinnon in the chair) that the exemptions should stay as they are with the exception of contractors. All these diesel plants and mining equipment will be exempt. This way the equivalent amount of money could be obtained if the tax increase of one cent is started this spring and so on as explained earlier. Mr. Shaw stated it would be necessary to await Mr. MacKenzie's figures on this matter.

Commissioner Collins asked Mr. Shaw if he proposed to exempt passenger cars and other vehicles used on the highways in the mining industry.

Mr. Shaw stated his intention was to exempt actual mining equipment.

Mr. McKamey stated the tax would include any part of the mining operation that had a licence, but would exclude any equipment which was outside the Motor Vehicles Ordinance. He felt that with the investment the Federal Government have made over the past years in road development and doing everything in their power to encourage mining companies to come into the Yukon and establish themselves, it is a very critical moment at the present to impose a new tax. Mr. McKamey stated at least 10 major operations will be here next year and he would like to see them really get their feet wet before a tax is imposed.

Commissioner Collins agreed and did not believe these companies were making the money to pay the tax.

Mr. McKamey stated that by the time an airline landed the gas for some of these companies, it cost \$138.00 a barrel.

Mr. Watt said he would like to ask Commissioner Collins if he thought that Ottawa would accept a proposal exactly the same as this with the increase in the last three years, excepting non road users.

Commissioner Collins stated that he thought they would for the reason that was just given, because it would hinder the mining companies which they are trying to encourage and they would feel the same about this as Council does.

Mr. Taylor moved, seconded by Mr. Watt, that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported that Committee had met with Commissioner Collins and Mr. MacKenzie, in relation to the proposed new Fire Prevention Ordinance and it was recommended that the Department of Justice draft an Ordinance based on the present Fire Prevention Ordinance and the terms and conditions set out for a proposed new Fire Prevention Ordinance (as distributed to Council at this session) and that such a draft be presented to Council at the 1962 Spring Session. In the meantime Council will peruse and digest the present document and will be prepared to propose necessary alterations to the draft where applicable at such Session.

Council accepted the report.

Mr. Taylor moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills numbered 1,3,4, and 5.

Motion Carried.

In Committee of the Whole:

Mr. Livesey stated that Council had gone through Bill No. 1, "An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory."

Mr. McKamey stated that the publicity was not cleared. This was discussed on Saturday morning and there was nothing done. Council left off where they could discuss with Commissioner Collins the matter of the appointment of a Director of the new Department, which Mr. McKamey stated appeared in Votes & Proceedings, Saturday Nov. 18th. Page 84. He stated there was no intent on his part to infringe on Commissioner Collins' duties, but he must live up to his convictions. He felt this was going to be a very large job.

Commissioner Collins was asked to attend Committee.

Commissioner Collins stated he presumed Council had not seen the qualifications for this position and he asked the Clerk of the Council if he would have Mr. Fingland bring these down for Council's perusal. Commissioner Collins stated this had been done in co-operation with the best experts known and no member of the public could sit on any board for employment of Civil Servants any more than any Member of Parliament can have any part in connection with Civil Servants. The Civil Service Act was particularly enacted to prevent such things. He further stated that he realized Council thought this was a very important matter, but so is any other employee of the Territorial Government and it cannot be discussed with Council as to the qualifications of any particular person. Commissioner Collins said there had been 350 applicants for this job and if the advertisement had been worded to include some of the qualifications required, many of these applications would not have come in. He stated there has been some very good applications and the men on the board were very good men and they would take these applications one by one. They will be narrowed down gradually to two or three. If possible, these final two or three will be interviewed and when the final one was chosen, he would be on a probationary basis for six months. Commissioner Collins would very much like to have the advice of the public and a member of Council, but this inclusion would not be allowed under the Act.

Mr. Shaw stated that the object was not to usurp Commissioner Collins' powers, but the Members were very concerned as this man could break the Tourist Industry.

Commissioner Collins stated this man could not break the Industry, but he might certainly not help it. Commissioner Collins further stated that he would see that each Member received the particulars about the man's name, age and experience.

Mr. Livesey suggested one of the duties of this Tourist Director would be to recommend with regard to roadside camp grounds etc. He understood that some is going to put a camp ground right opposite his home and he was not going to question this but he would like to know if his information was correct. He did not know whether or not the people in his area wanted it.

Commissioner Collins stated he knew nothing of this, but would Council notice that this says recommend. If he saw a desirable camp ground, he would locate it on the map and present it to the Administration for consideration. This would come to Council's attention in any case and Council would be able to discuss it.

Mr. Taylor remarked that the figure set aside in Vote 20 for films etc. for this Department was \$100.00. How far could you go on \$100.00?

Commissioner Collins stated this was only a Supplementary Estimate being studied and the main vote will show a much higher amount.

Mr. Shaw asked if there would be any provision for an automobile.

Commissioner Collins stated next year's estimates would include a car. As the contest closes December 30th and if there is any necessity for him to travel before then he can fly.

Mr. Taylor asked if the building at the top of the hill would remain open.

Commissioner Collins stated this Travel Bureau had been donated and there was also a Bureau in the Depot for the City of Whitehorse and as to whether or not it will be necessary to staff these buildings, the Director would know after he had travelled the Territory what should be done.

It was agreed by all Members that Bill No. 1 was now cleared.

Committee proceeded to Bill No. 3, "An Ordinance to Amend the Municipal Ordinance."

Mr. Taylor stated that this was the way Section 194 read.

Commissioner Collins stated that Mr. Taylor had the old Ordinance. There was an amendment to that in 1960. The Ordinance itself would have to be amended next spring. Commissioner Collins stated the Clerk of the Council could explain this.

The Clerk of the Council explained that subsequent to this 1959 Ordinance being passed, Council received a submission from the City of Whitehorse and there was an amendment put through in 1961 which allowed the City to tax on not less than 50% of the assessed value of improvements. This allowed rate payers in the City of Whitehorse to pay less school tax than the people outside Whitehorse. Who ever presented the submission neglected to inform Council of this point and as a result it was decided to go back as it was in 1959 Ordinance.

Commissioner Collins stated that the Territory is paying eight mills on the gross and the City is only paying 10 mills on an amount determined by themselves.

Mr. Livesey asked if anything Council has done in connection with the Interdepartmental Report in regard to Education be affected in any way.

Commissioner Collins stated Mr. MacKenzie could tell Mr. Livesey that.

Mr. Shaw stated this will prevent any circumvention of the attempt of the Territory to collect from the Municipality.

Mr. Livesey asked if this could be altered to suit the City's advantage.

The Clerk of the Council answered that they could not alter it if this new amendment goes into effect.

Commissioner Collins stated the Federal Government property is not liable to taxation. Council gets a grant in lieu of taxation. He further stated that the Territory pays 10 mills on the total, so it would not be fair that we should be again cut down by their being able to juggle their assessments and this would be cleared up by Bill No. 3.

Mr. Watt remembered that Council had an invitation to meet with the Whitehorse City Council and he wondered if it had anything to do with this.

The Clerk of the Council stated that this invitation was to get Council's approval for a City Improvement Plan, as they have to have Council's approval.

Mr. Shaw did not recall a letter recommending a meeting with the City of Whitehorse Council.

All members agreed that Bill No. 3 be cleared.

Committee proceeded to Bill No. 4, "An Ordinance to Amend the Labour Provisions Ordinance."

Mr. Shaw stated these days that are listed will be days on which the employer pays wages at one and a half times the regular rate.

Mr. McKamey stated there were 10 days in the Interpretation Ordinance and Council thought there should be 10 days in the Labour Provision Ordinance.

Commissioner Collins stated all this amendment would be doing is protecting those people who do not belong to Unions. This is the minimum. Store employers employing people not belonging to Unions and also employing labour were not compelled to pay time and a half.

Mr. McKamey stated that it seems there are ten days in the Civil Servants Act.

Commissioner Collins stated this was a matter of negotiation with regard to Civil Servants and are only applicable to Federal Civil Servants.

Mr. McKamey thought they had submitted a recommendation "containing all the days the Civil Servants get", and this Bill had fallen short of what should be. This was a request of people working in the Yukon and if Public Servants were entitled to it, so was everyone else.

Commissioner Collins stated he did not think you could say this because a number of these holidays fall in the summer time and these people do not want to take time off. If you add any more days you will be treading on dangerous ground. This is not done anywhere else and you might get into trouble.

Mr. McKamey stated he has a request from the Legion for Remembrance day and it was not put in the Bill and he would like to see what they have in the Labour Provisions Ordinances in the Provinces.

Commissioner Collins stated they do not have a list of six holidays.

Mr. McKamey stated you could not say this was a method of receiving a raise in pay, this is a right that we have, these are holidays and if you want to take a holiday you do not have to be suspended from your job.

Commissioner Collins stated these people were being penalized. They had to work straight time on these holidays and there was no provision at present to give them time and a half.

Mr. Shaw stated he thought this Ordinance was very good. Prior to this if you worked on these days you got the same rate of pay and people who work in restaurants for example have to work on these days and in order to force employers to pay the employees overtime the law now states that they must pay time and a half. It is now established for people who are not organized and they get the same as the Unions have deemed adequate.

Mr. McKinnon asked if this had precedence over a Union Agreement now, because there are Unions operating in the Territory. At C.N.T. they all worked on Discovery Day without any extra pay whatever.

Commissioner Collins stated this only applied to labour, this did not apply to any Government employee. He stated these were the holidays that the Mine, Mill and Smelter Workers have.

Mr. Taylor stated this was a step in the right direction and he felt that **Rememberance Day** should be included in the Amendment, however this was something to work on and he agreed with the Ordinance.

Mr. McKamey stated that 10 days had been requested at an earlier Council session and this was the result, but if they only have the six statutory holidays in the Provinces he would be amenable, but if the Provinces had ten days, he believed the Yukon should have them too.

All members agreed that Bill No. 4 was clear.

Committee discussed Bill No. 5, "An Ordinance to Authorize the Commissioner to Borrow a Sum not Exceeding Five Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Execute an Agreement Relating Thereto.(1961)."

Commissioner Collins stated it might be necessary to pay Dawson & Hall, but he hopes to scratch through, if this is not possible, he will need the money.

Mr. Livesey stated that this was just a vehicle.

Mr. McKamey asked if these were obligations that the Territorial Government met for the Federal Government.

Commissioner Collins stated that these are the Territorial obligations but Administration may not get any money on the Interdepartmental Agreement until June and they cannot let the wheels of Government come to a stop, but it will all be amortized under the new Agreement.

Mr. McKamey stated that knowing that Commissioner Collins is a penny pincher, he approved.

All members agreed that Bill No. 5 was clear.

Mr. McKinnon moved, seconded by Mr. Watt, that Mr. Speaker resume the Chair to hear the report of the Committee of the Whole.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee, reported Bills numbered 1,3,4, and 5 out of Committee without amendment.

Council accepted the report of the Committee.

Mr. Shaw moved, seconded by Mr. Taylor, that third reading be given to Bill No. 1, "An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory."

Motion Carried.

Moved by Mr. Taylor, seconded by Mr. Watt, that third reading be given to Bill No. 3, "An Ordinance to Amend the Municipal Ordinance",

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Watt, that third reading be given to Bill No. 4, "An Ordinance to Amend the Labour Provisions Ordinance."

Motion Carried.

Moved by Mr. Shaw, seconded by Mr. Taylor, that third reading be given to Bill No. 5, "An Ordinance to Authorize the Commissioner to Borrow a Sum **Not Exceeding** Five Hundred Thousand Dollars **From** the Government of Canada and to Authorize the Commissioner to Execute an Agreement Relating Thereto (1961)."

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Taylor, that Councillor McKinnon be appointed as the representative of the Council of the Yukon Territory on the Advisory Board of the Whitehorse General Hospital.

Motion Carried.

Mr. Shaw stated that this was in lieu of the fact that the former elected person is not able to act now in this capacity.

After discussion of the agenda, Council adjourned until 9:30 O'clock A.M. Tuesday, November 28th, 1961, / 148.

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

Motion Moved by Mr. Shaw, seconded Mr. Livesey, the following resolution re-
No. 15. garding Hunker-Dominion Road System:

Whereas any assistance for the maintainance of the Hunker-Dominion road system of approximately 50 miles is not classified as eligible for any road maintainance grant, and

Whereas this road serves the mining area which produces more gold by far than all areas of the Yukon Territory combined, and

Whereas for the past nine years one company has expended an amount of \$107,630.00 on this road in order to maintain their mining operations, and

Whereas many other mining individuals with at least nine other firms using heavy equipment are using this road as well as many tourists and the general public, and

Whereas this one company now, and has been, for the last nine years forced to maintain this road in a completely unfair and inequitable situation in order to continue their mining operations in the production of one of our chief resources;

THEREFORE BE IT RESOLVED that in the opinion of this Council the Federal Government should give earnest and serious consideration to the classification of this road system as a Pioneer Development road and further that the same consideration be given to awarding a grant each year during the existence of the 1962-67 Interdepartmental Agreement as a contributing factor towards the adequate maintainance of this Hunker-Dominion Road System.

Mr. Shaw explained that he had talked on this many times and he would give a brief resume of how the road works. He stated it was one of the original roads of the Territory, which probably started as a rabbit trail and eventually became an automobile road. A tremendously large percentage of the gold comes out of this area and it was maintained by the Government until 1951, at which time the Commissioner issued an ultimatum and said the Government would no longer look after it. This would not be possible to do now, but in 1951 the object had been to save as much money as possible, with the result that the road was left to go to pot and the people using it had to maintain it. The Company which used it the most was the one which had to keep it up and the Y.C.G.C. have maintained it ever since. There are nine firms using heavy equipment on this road for hauling, including 3,000 gallon tankers, which necessitates even more maintenance. The cost was \$21,000.00 last year and it is expected to be more this year. Mr. Shaw has appealed to Council at various times, but unfortunately there was no way in which this road could be classified. It was actually a Territorial road but in view of the manner in which the Federal Government assists, this is a very important and urgent matter that should be given this consideration. Mr. Shaw asked that consideration be given in the 1962-67 Interdepartmental Agreement so that they will have the opportunity of putting it in its right classification. Mr. Shaw asked for Council's support on this resolution.

Mr. Taylor agreed with the Member from Dawson in this matter and it was brought to the attention of Council and Commissioner Collins during the discussion of the Interdepartmental Agreement. Mr. Taylor felt that this road served the Territory and the mining industry well and it would also be used a great deal during the coming Dawson Festival.

Motion Carried.

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Motion
No. 16.

Moved by Mr. McKamey, seconded by Mr. Watt, that Council recommends to the Administration that provision be made in the curriculum for one half hour of religious instruction or character guidance and moral training in all Territorial Schools each day of the School year, the time to be determined by the school principal, in consultation with the Superintendent of Education.

Mr. McKamey explained that the reason for this motion is that throughout the Yukon they have various plans of giving religious instruction in most of the schools, but in some parts of the Yukon it creates a hardship. Mr. McKamey said it states in the regulation that religious instruction must be given in the last half hour of a six hour school day. In any area where you have a bus service implemented it creates a hardship and Mr. McKamey had been asked by the Anglican Ministers and the Catholic Priests to make it a little more flexible, so that they can work it in with the bus service.

Mr. Shaw stated that in regard to the motion, he was wondering how it will apply. He was fully in sympathy with the recommendation, but this matter came up in Committee while education was being discussed and it was recommended that they should set aside a time best suited. Mr. Shaw stated he believed the Ordinance states a definite time and he would like to know if this is the case. Mr. Shaw read the Ordinance and to change the time would be contrary to the Ordinance.

Mr. Taylor stated that in the report of the Committee on Education for the Yukon, it appears that the Superintendent should regulate the time for religious instruction and this was agreed to by the last Council.

Mr. McKinnon agreed that it should be more flexible, but he agrees with Mr. Shaw that this could not be done without changing the Ordinance.

Mr. McKamey proposed that Council could move that subsection (1) of section 13, be amended to make this permissible.

Mr. McKamey asked for permission to withdraw the motion.

Unanimous approval was given for withdrawal of the motion.

Motion
No. 10

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Shaw that the Administration be respectfully requested to seriously consider the brushing of the flight strip at Fort Selkirk as a winter project for the purpose of and the promotion of, safe landings by aircraft during the summer months and especially during the Dawson Festival scheduled for the summer of 1962.

In explanation Mr. Livesey explained that the situation here is simply that we propose that Administration give consideration to brushing this flight strip to assist the Dawson Festival this year when it has its official start. This will bring a tremendous amount of business to the Territory. Whitehorse should most certainly benefit by the affect of the festival. As a result of the Festival airlines are planning tours as an amusement for those who wish to visit some of the historical sites in the Yukon. Mr. Livesey felt that this will assist in the whole program of the Dawson Festival and he would suggest that consideration of his motion is certainly in order both from the standpoint of creating winter employment and to assist aircraft in conjunction with the Dawson Festival and Mr. Livesey respectfully submitted this motion to the House for its consideration.

Mr. Chamberlist entered the gallery and created a disturbance stating he was again being stopped from taking his seat when Council did so unlawfully remove him from his seat. Mr. Chamberlist asked if Mr. Speaker was silent because of the mistakes he made, and was he not afraid to stand up and admit his mistakes along with the rest of the Council. Mr. Chamberlist went on to state that Mr. McKamey was smiling and he was the man who told Mr. Chamberlist before the session that there

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would be six people to put him out of his seat. He asked Mr. Speaker why he did not have him arrested for trying to take his seat. He further stated that there was not a man amongst Council who would stand up and he was going to be in the gallery all day and would interrupt every time someone spoke.

Mr. Speaker asked if there were any questions.

Mr. Chamberlist stated that he had a question, under what authority did you declare the seat vacant?

Mr. Shaw asked Mr. Speaker how long must they stand this pantomime.

Mr. Chamberlist interrupted again.

Mr. Speaker stated that Council now stood adjourned.

Council reconvened at 3:00 O'clock P.M., Tuesday November 28th, 1961.

Mr. Speaker called Council to order.

Moved by Mr. McKamey, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Memorandum from Commissioner Collins regarding the Agreement with the Separate Schools. (Set out as Sessional Paper No. 24)

Motion Carried.

In Committee of the Whole:

Mr. McKamey stated this was along the lines discussed with Commissioner Collins and he thought all the principles were brought into effect here pretty much along the lines of the recommendations of Committee on the Education Report.

Mr. McKinnon stated that in Manitoba the school question between public and separate schools had always been a very violent issue and he felt he must say that never in his life had he seen a document bend itself over backward to give the minority rights as this one had and if Fascism had reared its ugly head in the Territory, he had failed to see it.

Mr. Livesey moved, seconded by Mr. McKamey, that Committee accept the report on separate schools.

Motion Carried.

Mr. Taylor suggested that they discuss the election of three members for the Financial Advisory Board.

Mr. McKamey felt it would be desirable to ask Commissioner Collins to give a brief outline in regard to this Committee.

The Clerk of the Council was instructed to ask Commissioner Collins to attend Committee.

Mr. Shaw, Chairman of Committee, explained to Commissioner Collins that the Committee was in the process of appointing the Financial Advisory Committee and asked Commissioner Collins to advise Council in the requirements of the members with regard to the qualifications required, or any relative suggestions Commissioner Collins might have.

Commissioner Collins advised that the Yukon Act gave the information in regard to the duties and qualifications required. Commissioner Collins stated that the Commissioner would convene the Committee and it is presumed that he would endeavour to have the gentlemen conclude their business as quickly as possible. There was no precedent

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to go on but Territorial Administration start preparing their estimates in about September and they would not be finished until after the Federal Drafts come in, so that, early in January the Financial Advisory Committee could meet and go over these draft estimates, making whatever suggestions they had for this or that and it would be up to the Commissioner to meet their requests, one way or another if possible. The estimates would then be revised in accordance with the Commissioner and the Advisory Board's recommendations and this would then be put together in book form and the Commissioner would take them down to the Minister who would approve or disapprove. A copy would then be sent to each Department and when the subject came up in the spring, the Advisory Committee would answer the questions in the main, rather than the Commissioner. Commissioner Collins stated further that there might be problems. The Advisory Committee might not want to do certain things. Care would have to be taken to stay within the money provided by the Department Reports. On the other hand the Advisory Committee might want to suggest things which might not be in agreement with the Minister's suggestions. The Commissioner would wire the Minister, or phone him and this would be adjusted to the satisfaction of all concerned. When estimates were given to Council they would have control over them. This Committee having been appointed and everyone knowing who they were, they would look after their own districts, but the other four members of the Council could write to any one of the Advisory Committee at any time of the year with their suggestions, so that when the Advisory Committee met with the Commissioner, they would have a fair run of the wishes of the Council Members as a whole. If there was anything the Commissioner was dubious about, the members could always be contacted by phone by members of the Advisory Committee or by the Commissioner. There would be no necessity to appoint a chairman, but according to Ottawa, it would be better to do so and the Commissioner would deal only with the Chairman.

Mr. McKamey asked Commissioner Collins how a member of the Financial Advisory Committee would provide estimates for the building of a hospital or sewer and water system or streets. He further asked Commissioner Collins if the members would have the assistance of the Territorial Engineering Office in coming up with figures.

Commissioner Collins stated they would work through the Commissioner. If a member had some proposal for his district involving expenditure of public funds, he could work through the rules of the Advisory Committee and outline the proposal and request advice from Administration on costs etc.

Mr. McKamey said it would seem to him that he understood the need for a Chairman, but if Mr. Livesey and Mr. Shaw and a member from Whitehorse became members of the Committee, it seems everything would have to be done by correspondence and if Councillor Livesey was named Chairman, they would have to write to Mr. Livesey, who has a poor mail service, to get his consent to go to some Administration Department to work out some sort of estimate for the budget and Mr. McKamey could see this would present problems.

Mr. Livesey stated that his district has mail service twice a week and the people are glad to have such service.

Commissioner Collins said he mentioned January for a meeting, but there would normally be two in each year. One just before or after Fall Session and one in the Spring. Commissioner Collins further stated estimates would not go through the Financial Advisory Committee from Councillors, they would go direct to Administration and be included in the estimates for the meeting.

Mr. Taylor said as he understood it the proposals will be the proposals from the various districts which are passed along to Administration. Things will still proceed in the same manner, with the exception of

problems the members wish to bring to the Advisory Committee which have not been sent to the Administration.

Mr. Livesey thought anyone on the Committee certainly could compile and make a list of the various suggestions of any member who may write to request his assistance with regard to financial items with suggestions to Administration to be incorporated in the budget. He said in other words there is going to be a balance of four members of Council against three, but they could correspond with any member of the Council and impress upon them the significance of this and that and when it is discussed in Whitehorse the man is fully cognizant of all problems.

Commissioner Collins said the meeting would be to go over the budget with the Commissioner and it might be difficult for a member from Watson Lake to deal with a member from Beaver Creek, because one member might be on holidays and Administration is always here. It is mainly to criticize the budget of the Commissioner and give helpful suggestions rather than alter the present situation.

Mr. McKamey stated with respect to legislative men on the Financial Advisory Committee, Council would have four and three. When the budget is presented in the spring four legislative members will vote and the three Advisory board members will not be able to vote.

Commissioner Collins said they will vote, but they will know what is in the budget.

Mr. McKamey said if there were three on the Financial Advisory Committee and they decided to push something through they would only require one more vote in order to do this.

Mr. Livesey stated that could happen whether Council had an Advisory Committee or not. He said they have had various differences but things have been rather smooth in Council. They are three to the whole Council's four, so that the Advisory Committee, if they agree, there are four others who can outvote them.

Commissioner Collins stated he was not greatly in favour of this thing, because he thought it was premature. Commissioner Collins said further that it was an establishment of a principle, rather than something extremely valuable in practice, but as the Council members point out, it does present some difficulties.

Mr. Livesey stated the Committee itself has no great amount of power. It will have suggestive power and these suggestions go to Administration and it will be the first time that members of the Council have been able to discuss the budget with Administration prior to discussing it at the Spring Session. It is merely the beginning of something which may turn out to be effective in the years to come.

Mr. McKamey stated there was nothing to say how long the Advisory Committee is elected for. It is entirely up to the Council and they can be removed at any time.

Commissioner Collins said it has considerable value. These three people will have some valuable arguments for the Administration, even though they are only 3/7ths of the total membership and certainly if they were not happy with something the Commissioner put in the estimates, they could write to the other Councillors.

Mr. Shaw asked, in resolving something like this, if it would be satisfactory for each member to write three names on a sheet of paper and give it to the Clerk of the Council and the Clerk will tally it up.

After some discussion all members agreed.

Mr. McKamey said to make things easier, he would suggest that the members not use his name on this. Mr. McKamey stated he would decline and this would help to solve the problems.

Mr. Watt stated he would like to do likewise, as it would solve some more problems.

Mr. McKamey stated this was a step toward a more responsible form of Government and he thought it should be on a rotating business as it would help temper the Councillors for Government in the Yukon Territory and he thought Council members should take turns on this to give them a better idea of the set-up.

Mr. Shaw stated that he felt very much the same as Councillor McKamey on this matter. This was a new step and it should be on the basis at the present time, of one year and after that one year there could be a change if necessary. If Council should feel that perhaps a member has not done a good job, in one year they could have a ballot and elect a new member. If it is thought that a member has done a good job, he could be re-elected.

Mr. McKamey thought it would be most desirable to outline a Financial Advisory Committee Constitution. If it were drafted and adopted, everyone would be performing on an equitable basis and if there is a violation and some member felt he got the short end of the stick he would have some redress.

Mr. Taylor wondered if we should have that in the form of a motion for the records that we approve of the Financial Advisory Committee on a yearly basis.

Mr. McKamey said this would be part of the constitution which should be implemented by the seven members of Council and not by the Financial Advisory Committee that was nominated.

Mr. Shaw suggested that a motion come from the floor stating that each year a group shall be elected by ballot for the Committee.

Mr. McKamey said that this should be part of the constitution drawn up by the Committee.

Mr. McKamey suggested that Council draft a constitution for the Financial Advisory Committee and any and all pertinent requirements be part of it.

Mr. Shaw said he would add in relation to that effect that the Committee has now authority to know that this should be for a one year term and to draft the constitution. This has to be done now and perhaps it could be ratified next spring.

The results of the election by ballot were Mr. Livesy, Mr. McKinnon, and Mr. Shaw.

Mr. Livesey thanked the Committee for their confidence.

Moved by Mr. McKamey, seconded by Mr. Taylor, that this committee draft the rules for constitution and place them before Council at the Spring Session 1962, for ratification.

Motion Carried.

The Committee took up the matter of the Upper Liard Hotel and the Clerk of Council was asked to have Mr. Cameron, Sanitary Inspector attend.

Mr. Taylor said he had brought this matter to the attention of Council on November 20th and they had discussed the matter and had

gone over the file held by Commissioner Collins, but had dropped the discussion, due to the fact that a trial in this connection was going on at the time. Mr. Taylor's submission was that this was a very grim operation indeed and he read a letter from the Indian Affairs Branch and they felt that the child neglect and fights and moral degradation was contributed to by the Upper Liard Hotel. Mr. Taylor felt that now that the new licence is being issued, some consideration should be given to the social aspect of this matter and the licence be withheld and he would like Mr. Cameron's views.

Mr. Cameron stated he had inspected these places and gave his reports to the Commissioner and he issued licences accordingly. The licence of the Upper Liard Hotel was cancelled with the death of Mr. T.C. Richards and application had been made, and a temporary licence was issued. This could be extended from time to time until the new licence was given the premises. Mr. Cameron's opinion was that the place was very poor. It was not the type of place to have tourists in and it was generally in a very poor condition. Mr. Cameron further stated that they had been unable to close it as the evidence was not enough to convince the Commissioner that it should be closed. There was no hot water and the whole place was a fire trap. The rooms were too small with insufficient airspace.

Mr. Shaw asked Mr. Cameron if they had complied with all the regulations necessary.

Mr. Cameron stated that they squeeze under to the satisfaction of the Commissioner.

Mr. Taylor stated that one other point he wanted to interject was having reference to the letter that he read from the Commissioner's file from Mr. Robertson, the Deputy Minister to Commissioner Collins, on the occasion of the issuance of the first licence to this establishment. He felt that the social aspect should have been considered prior to the issuance of the licence. Mr. Taylor stated that the place was having a terrible affect on the Community. It was really bad and he respectfully requested that this Council pass a recommendation to the Commissioner recommending closure of the Liard Hotel.

Mr. Shaw stated, with regard to the matter Mr. Taylor had brought up, he looked at it with mixed feelings. He said Council must view the legality of the situation in this case. If a person complies with the regulations as set forth Mr. Shaw wondered if Council had the power to go any further than that. He said it was not that this was not desirable, he agreed whole heartedly with Mr. Taylor and felt that these people were abusing their privilege, but there were regulations and if the regulations had been complied with it would be very difficult for the Administration to say that this place must be closed. Mr. Shaw said he did not know how rigid the regulations were but they must be given an amount of latitude because some of these taverns were pretty bad. It would appear that the control Administration had would be in the standards. The conditions under which this place was operated would be strictly law enforcement and unless there are various and sundry charges against the operators of this place it would not be possible and would not be right for Council to close down a place such as this.

Mr. Taylor agreed that he did not know how much latitude Council had, being a new member, but the R.C.M.P. had a lot of trouble in Watson Lake and there have been a lot of convictions respecting bartenders and managers etc., and there have been child deaths attributed to this establishment. The population of this community is primarily Indian people and Mr. Taylor had had Indians come to see him who deplore the situation as it exists and Mr. Taylor feels that some strong recommendation on this line should come from Council. Mr. Taylor asked Mr. Cameron if he could comment on this.

Mr. Cameron said he could not make any recommendations in this regard. The files speak for themselves. It was closed down, but they raised the standards and it was reopened, and it was a deplorable situation.

Mr. McKinnon asked Mr. Taylor what the charge was and what the outcome was.

Mr. Taylor stated the bartender was convicted for allowing drunkenness on the premises. The manager came up for trial and the court saw fit to dismiss the charge.

Mr. Watt stated he thought that Mr. Taylor should look around at all the Taverns and if it is away out of line it should be closed, but if it compares with Taverns in this town it should not be closed. The R.C.M.P. could walk into all the bars in town at about twelve o'clock and have all the bartenders in town appear before the Magistrate the next morning.

Mr. Taylor stated the Whitehorse Beer Parlours would be a regular heaven if you compared them to the Upper Liard.

Mr. Cameron stated the report applies to the whole building and not just the beer parlour.

Mr. Watt said as he understood it from the report the condition is just slightly under the line and he strongly suggested that Council leave this alone and leave it to the Administration.

Mr. Taylor disagreed with Mr. Watt because the Councilmen were responsible members and the people of the Territory deplore the situation and he had brought this up before and he would keep bringing it before Council until something was done.

Mr. Watt stated the only way he could agree to such a proposal was if it were for all beer parlours.

Mr. McKamey wondered if it was a lack of enforcing of the Ordinance. This condition might not prevail if the Ordinance respecting the operation of such an establishment was enforced.

Mr. Watt said it was not the Administration that was at fault, it was the Ordinance itself that was at fault and this is going to be altered next spring.

Mr. Livesey thought that the Administration usually took a good look at these places and decided whether they are fit to have a licence.

Mr. Livesey was wondering if the Administration could themselves inform Council as to why a certain premise may have a licence when there is perhaps some criticism against it and Mr. Livesey feels that Council should listen to the Administration's side to the granting of a licence.

Mr. Shaw stated it would appear that the Administration did not have the power to close the place down and perhaps the Committee could evaluate this and find out what could be improved on to stop the situation as it is now.

Mr. Taylor stated that any action that could be taken by this Council and implemented by the Administration, which would amount to the closure of the premises, he would totally agree to. Mr. Taylor further stated that he feels that this is in part a political issue.

Mr. Watt stated if it was political it was at that end of the Territory, not this end.

Mr. McKinnon stated he believed that Mr. Taylor was trying to enforce a piece of outmoded legislation and once this legislation was brought up to the place it should occupy, you could enforce it and that was the reason Council must arrive at something with some teeth in it.

Mr. Taylor agreed with Mr. McKimmon, but he felt Council should not wait until the new Ordinance was drafted as it was going to be a long winter and Mr. Taylor and the people at Watson Lake would like to see this place closed or fixed up if possible.

Mr. McKamey moved, seconded by Mr. McKinnon that Mr. Speaker now resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported that the Committee had

- (1) discussed the Agreement between the Yukon Territory and the Roman Catholic Ratepayers Trustees on the construction and operation of the Territorial Seperate Schools which met with the approval of Committee.
- (2) discussed with Commissioner Collins the new Financial Advisory Committee and the implications thereof. The members elected Mr. Livesey, Mr. Shaw and Mr. McKinnon and it was moved that this committee draft rules of constitution and place **before** Council at the Spring Session, 1962 for ratification.
- (3) discussed Upper Liard Hotel with Mr. Cameron, Sanitary Inspector present.

Council accepted report of the Committee.

Moved by Mr. McKamey and seconded by Mr. Taylor that the papers regarding the National Park be tabled for Council's consideration in the Spring Session. (Set out as Sessional Paper No. 25.)

Mr. Shaw felt that this should be taken up in order to help Administration get this thing on the road.

Mr. McKamey stated that he was going to be arguing at least one day on this matter.

Mr. Taylor stated that he too had some long arguments on this subject and by tabling it for the Spring Session he believed they would be able to come up with some ideas and suggestions.

Mr. Shaw stated that if we leave it 'till spring it might lengthen the arguments and to have a park in the Yukon Territory was very important as it would be an attraction to the Territory and the people have a right to say that some particular area should be reserved as a National Park. Every Province has a National Park and one small portion of this large Territory could be set apart for the people to enjoy and look over and it is about time the Territory started on one of these parks. Mr. Shaw realizes Council has to take into consideration the requirements of the Mining industry, but at the same time considering the fact that it has to be a compromise. If Council respects the Yukon's economical future it should not rely on one industry and the Tourist industry is creeping up on Mining industry in importance. Mr. Shaw was not saying that we should throw the Mining industry out the window, but he feels that Council should try to have the Mines compromise a little bit with regard to a National Park.

Mr. Taylor said one of the reasons he would like to see this tabled for the Spring Session was that consideration should be given to the Mining people, as they might wish to make submissions to this plan.

It is one of the most controversial issues and he feels that Council should be given time to discuss it and then be prepared for its tabling at Spring Session. This could mean the sterilization of the resources in this Country and the location of the park is a matter which is to be decided by all the people, and the motion that it be tabled for Spring Session should stand.

Mr. McKamey stated he was not elected to this Council to be a rubber stamp and he felt that motions passed in this Council had not been carried out and he thinks Council will agree that this was tabled in the last day or so and there was no chance to study it. He was elected by Mining people and he was going to support them and furthermore he thinks the Deputy Minister should be here. Mr. McKamey said further that the Mining companies work all year around, compared to two months for the Tourist industry. There is no mining in national parks. All timber claims are subject to approval and it means subject to approval of the National Parks.

Mr. Shaw stated he had been in this Council for three years and the National Parks have come up each time and now he feels it is time they got down to brass tacks and do something in this matter. You cannot keep pushing this to one side. Mr. Shaw would suggest that the mining companies take cognizance of the fact that we want to permit other industries and the mining companies should submit to Council what they think is a reasonable compromise so that this park can get started. Mr. Shaw will be glad to have this tabled for the Spring Session if Mr. McKamey will contact the mines and submit to this Council for Spring Session their proposals for a park, the location of the park and the general terms of reference, so that Council would have something to take under advisement.

Mr. McKamey stated it was his intention to discuss this with the Chamber of Mines this winter but he cannot promise Mr. Shaw that he will have this cut and dried for this Spring.

Motion Carried, with Mr. Shaw
abstaining.

After discussion of the agenda, Council adjourned until Wednesday, 9:30 O'clock A.M., November 29th,

Wednesday, November 29th, 1961.
9:30 O'clock A.M.

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

Mr. McKamey asked for the consent of Council to put in two motions. They were not too serious but in view of the fact that Council was trying to wind up, Mr. McKamey stated he would like to have these motions go through.

Motion
No. 17

The first was in respect to the name of the new High School to be built in Riverdale. This Council has had the pleasure of voting money for these schools, but they have never had the pleasure of naming any school in the Territory.

Mr. McKamey moved, seconded by Mr. Taylor, that the new High School in Whitehorse be named the Frederick H. Collins High School.

Mr. Shaw stated it is unusual while a person is still alive, but he felt that Commissioner Collins had contributed substantially to the progress of the Territory, and by and large Commissioner Collins had done the best he could in a very difficult situation. He has at all times co-operated with Council just as much as he could and there should be some point of recognition for his work in the Yukon.

Motion Carried.

Motion
No. 18

Moved by Mr. McKamey, seconded by Mr. Shaw, that the Administration advise all schools throughout the Yukon to enter a competition for the design of a Yukon Tartan.

Motion Carried.

Motion
No. 19.

Mr. Taylor moved, seconded by Mr. McKamey, that the Administration inspect and investigate all aspects related to the Upper Liard Hotel premises and its operation prior to the issuance of a further licence.

Mr. Watt said he could never go along with something like that as they are singling out a premise for special attention. It would have to be every beer parlour in the Yukon Territory.

Mr. Taylor said he thought the case was clearly stated yesterday and since this matter was one of grave concern to all in the Watson Lake area and in so much as enforcement is a big problem, he would like his motion to go through.

Mr. McKamey could see nothing wrong with the recommendation as this had been a controversial subject for some years now. Mr. McKamey had heard this before in Council and he feels this is a good motion as there will be many Indian women and children suffering from the way this place was run and he imagines a good portion of the money to buy food and clothes is being channelled into this premise.

Motion Carried with Mr. Watt opposed.

Mr. Speaker said the plan during the agenda period was to finalize the discussions with reference to the Fiscal Agreement.

Mr. McKamey wondered if the Clerk of the Council had all the recommendations regarding the agreement.

The Clerk of the Council stated he had compiled the list and had given them all to Commissioner Collins. The Clerk stated he had extra copies and it would be a good idea to have Council go through them and see if any had been missed and they could be picked up right now.

Moved by Mr. Taylor, seconded by Mr. Watt, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for discussion of the Fiscal Agreement.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman of Committee, requested that Mr. MacKenzie, Territorial Treasurer attend Committee.

The Clerk of the Council advised that Mr. MacKenzie would be ready in half an hour with the figures requested.

Mr. Livesey asked what arrangements had been made in regard to the City Council.

The Clerk of the Council advised that Mr. Wylie, Mayor, Mr. Thompson, City Clerk and Mr. Howe, City Engineer would attend Committee at 10:30 A.M.

10:30 O'clock A.M.

Mr. Shaw informed Mayor Wylie that Committee was aware that he had a request from the City of Whitehorse with regard to matters relative to more paving. Mr. Shaw asked Mayor Wylie to inform Committee of his plans and then the members would ask questions in relation to the plan. Mayor Wylie passed around plans for the benefit of Council showing the streets which were paved and the streets which they planned to pave. He stated this plan had been prepared by Mr. Howe who is working for the Territorial Government and also filling in as City Engineer on a part time basis and the plan shows, in dark shaded portions, the amount of paving in the City of Whitehorse at present. This was all completed pavement. The City proposed next year to do a further \$100,000.00 worth of paving and it had been suggested by Mr. Howe to begin on 4th Avenue South from where the pavement presently stops to Hoge Street. In other words 4th Ave. will be completed. This ties in with the new access road through the rapids into the City. It was also proposed to complete 3rd Ave. from Elliott Street to Hoge Street, which completes the south part of 3rd Ave. and 3rd Ave. from Strickland where paving now ends, to tie in with the paving on Black Street, past the High School on 3rd Ave. The City also intends to complete paving Hoge Street, Lowe Street, Roger Street, Hanson Street, Lambert Street, these are all streets between 3rd Avenue south of Main and 2nd Avenue. The propose to pave 2nd Ave. where pavement ends on Steele Street to Strickland and Cook Street from 4th Ave. to 6th Ave. Mayor Wylie stated that was the program for next year, which would practically complete paving downtown Whitehorse except west of 6th Avenue. The estimated cost would be \$100,000.00 and the City was asking the Territorial Council to approve in principle the amount of \$50,000.00 for next spring.

Mr. Taylor stated a notation on the end of this submission reads this is an estimated cost and prices could be lower or higher.

Mayor Wylie replied that last year they had an amount of \$140,000.00 and they found they could do 14 blocks more than they had counted on, and it was possible that next year they would be able to do the same thing. Mayor Wylie added as a matter of interest to complete the paving of all downtown Whitehorse, Mr. Howe estimated it would cost \$285,000.00.

Mr. Thompson brought to Mayor Wylie's attention that this would be 44 feet of paving, 34 feet of paving would be \$199,000.00

Mr. Watt asked Mayor Wylie with regard to the financing, if this was recoverable to the Territory.

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Mayor Wylie remarked that in the Federal Territorial Agreement it was proposed that the City pay 50% of the cost and the Territorial Government 50%. Whether this was recoverable or not, he did not know.

Mr. Livesey asked apart from all these variables on page one of the letter, was there any overall plan that the City had in regard to which streets they considered primarily necessary over others. Mr. Livesey stated he was thinking in terms of different areas of the City and the approach to the City.

Mayor Wylie stated they had tried to pave first the more heavily used roads and they have now come to the point where they have most of the heavily travelled roads paved and they are trying now to tie in the existing pavement with gravel portions of the road, so that existing pavement would be protected. Mayor Wylie stated further that Council would see that all streets with any amount of travel would be paved, if this plan was approved.

Mr. Livesey asked if any consideration had been given to the possibility that the approaches to Whitehorse at some future date may be changed.

Mayor Wylie asked Mr. Livesey if he meant the Two Mile Hill and the one going through Whitehorse Rapids.

Mr. Livesey said yes.

Mayor Wylie stated the City was contemplating that the road through Whitehorse Rapids would be used more this year and consequently they wanted this paved. That was the reason for paving of this approach. Mayor Wylie stated further that he thought the proposal as Council had it, as prepared by Mr. Howe, was self-explanatory.

Mr. Shaw stated that this plan had been put up for Council's approval in this Committee and it had been put up in a very business like manner. Mr. Shaw asked the members if this met with their approval.

Mr. Taylor moved, seconded by Mr. Livesey, that the Territorial Council are in complete agreement with the City of Whitehorse regarding this proposal for paving in 1962 and approval be given to the paving project as submitted by the representatives of the City of Whitehorse as outlined.

Motion Carried.

Mr. Shaw questioned Mayor Wylie by stating he had heard that you are unable, by law, to collect monies owing on certain services that you do for the citizens of Whitehorse and he had been told that legislation is not available for you to make these collections. Mr. Shaw said this may be City By-laws or Territorial Ordinance. Mr. Shaw stated if this was the case he would appreciate clarification on the subject.

Mayor Wylie stated there was some question about the City being able to charge its garbage collection against the property of the tax payer or the person getting garbage service. Mayor Wylie said legally this was probably correct. However, the City has every right to take legal action to collect it, but the property does not become automatically charged.

The City Clerk, Mr. Thompson, stated the City cannot charge the owner for the services a tenant receives and the City's solicitors think the section in the Ordinance needs clarification as far as the owner is concerned.

Mr. Livesey asked if the answer received by Mr. Shaw covered collection of sewer and water.

The City Clerk, Mr. Thompson, replied that the City does not apply it as taxes. He did not believe there was any clause where the City could charge the sewer and water in regard to the property. He stated further the City had two recourses. They could turn the water off, or have their solicitors go through the Courts.

Mr. Livesey stated he was wondering also if he could inquire if they are satisfied with the provisions of the Municipal Ordinance as it now stands as far as money collected by the City is concerned.

Mayor Wylie stated it had been working very well. The only difficulty they had encountered was the matter of garbage collection and it was proposed that they ask for an amendment to the Municipal Ordinance to cover that one point and that was all they were asking at this time. Mayor Wylie stated it was contemplated at the Spring Session.

Mr. Watt asked Mayor Wylie if the City was satisfied with the condition of the roads west of 8th Avenue after the sewer and water had been put in.

The City Clerk stated that the Superintendent of Public Works felt that the roads were not in the condition they should be in, but he understood there was nothing in the contract whereby the Contractor had to add additional gravel. This was a contract between the Territorial Government and the Contractor.

Mr. Watt stated that the contractors have to bring back the condition of the road, except for the gravel, to the same shape and he asked if this was written into the contract.

Mayor Wylie stated this was written into the contract and the City felt that this had not been done. The re-surfacing of gravel was merely a technical loophole. It was a Territorial Government matter and the City had not pressed this.

Mr. Watt asked if Mayor Wylie felt this was a Territorial matter.

Mayor Wylie stated the City felt this was a Territorial responsibility.

Mr. Wylie, Mr. Thompson and Mr. Howe were excused from Committee.

Mr. MacKenzie, Territorial Treasurer, was asked to attend Committee.

Mr. MacKenzie read a telegram from The Director, Department of Northern Affairs, addresse to Commissioner Collins as follows:

DEADLINE TREASURY BOARD REVIEW FEDERAL ESTIMATES NOW IMMINENT. MUST HAVE PRECISE RECOMMENDATIONS YUKON COUNCIL ON CHANGES HEALTH PLAN YUKON TERRITORY INCLUDING ADDITIONAL FACILITIES DESIRED AND ADDITIONAL TAXATION COUNCIL PREPARED TO LEVY TO COVER REASONABLE SHARE ADDED COST. ESSENTIAL WE HAVE CLEAR ASSURANCE FROM YUKON COUNCIL THAT COUNCIL WILL ACCEPT AND IMPLEMENT FEDERAL TERRITORIAL REPORT ON ASSUMPTION FEDERAL GOVERNMENT ACCEPT CHANGES IN HEALTH PLAN PROPOSED BY COUNCIL AND REVISED ARRANGEMENT FOR COMMUNITY HALLS AND OTHER SMALLER ITEMS IN REPORT AS DISCUSSED WITH CARTER. TIME NOW INVALUABLE. THIS MATERIAL MUST BE IN MAIL THIS WEEK IF HUMANLY POSSIBLE.

Mr. MacKenzie presented the proposals which Committee had asked him to prepare with regard to the fuel tax. He asked that he might draw attention to one point in the memorandum. The additional cost for each of the five years had been given and the total should have been given and it was actually \$350,000.00 Mr. MacKenzie stated if Committee would look at Statement no. 2, page 2, they would see proposal no. 2, which means an increase in the fuel tax of \$344,000.00 It would meet the needs very nicely and was the one

the Committee should consider. The Interdepartmental Committee Report provided for an increase of \$513,000.00 and the changes suggested in no. 2 meant an additional revenue of \$344,000.00, which was what the Territory needed to cover the extra costs of the Health Plan.

Mr. Shaw stated that proposal no. 4 states, (a) All present exemptions to stand except aviation gas and construction equipment, (b) increase tax by 1¢ for each of the five years 1962-67. Mr. Shaw then said under your proposals you have taken into consideration people using mining equipment on their property exempt. It does put a tax of 7¢ for each of the 5 years. This is just one cent increase, so that would be 7¢ increase on aviation gasoline. Proposal number 3 is Mr. Shaw's proposal. Mr. Shaw wished to know if that was correct that the additional revenue equals \$19,956.69, which means there is just a difference of \$19,000.00 between this and the original proposal of the Committee. There seems to be some doubt as to the desirability of paying tax on aviation gasoline, but this will be directly paid in many cases by the people in the mining companies. The aircraft that are coming here from other parts of Canada, if it is not a standard of taxing them in the Provinces, will do everything they possibly can to have their tanks filled when they arrive here. There is no question we would derive more money from the tax, but it must be considered also that in so doing, we would be defeating the purpose by losing the sale of gasoline by the Territory. There would be much less gasoline sold and therefore the figures that are given would be brought down to a much lower figure. Mr. Shaw said in proposal no. 3, whereby the gasoline tax is raised on the present users with exemptions as they are, it appears to him that the amount of \$19,000.00 is a very small amount in relation to the half million dollars and Mr. Shaw would feel that the Interdepartmental Committee, in considering such as proposal no. 3, would feel it was a very reasonable compromise on the total figure. Mr. Shaw does not know what percentage that would be, but he felt that proposal no. 3, would be more satisfactory to the people of the Territory and it would be quite equitable.

Mr. Livesey agreed with Mr. Shaw and stated this would mean a tax of 18¢ a gallon. Mr. Livesey asked Mr. MacKenzie to correct him if he was incorrect.

Mr. MacKenzie stated that it was not a correct interpretation. He stated it was 7¢ for the first three years and 9¢ for the last two years. He further explained that at present it is 6¢ and in the last two years it would be 9¢. The tax would be 7¢ for the first three years and would be 9¢ for the last two years. Mr. MacKenzie further stated that Mr. McKamey had suggested this plan.

Mr. McKimmon stated he thought Council was losing sight of the fact of what was wanted. Council needed an additional \$351,903.00 which was going to have to come from the Territory. Through Mr. Shaw's proposal Council would raise only \$19,000.00 and the only proposal that raises the amount is proposal no. 2.

Mr. McKamey stated he did not think this fuel was going to remain static. As new companies became interested in the Yukon, there was going to be an increase in sales of gasoline.

Mr. MacKenzie stated an increase in sales was expected and it was provided for. The figures were based on a steady increase each year.

Mr. Taylor stated he had been discussing the proposal recommended in the Interdepartmental Agreement with the fuel dispensers around the Territory and most of them felt that by increasing the tax on gasoline it really would not be felt too hard. They feel that gas

prices will be going down in the next five years. Mr. Taylor stated he had been concerned with the rise in tariffs, but these people in the fuel business seemed to think it would not hurt them too badly. Mr. Taylor further stated that since the Council was looking for revenue and in proposal no. 2 this revenue could be provided, and Council could have the things required in the Health Plan, he could only conclude that proposal no. 2 would be the one to consider.

Mr. McKamey moved, seconded by Mr. Taylor, that in view of all the facts placed before Council and in view of the attempt the Federal Government are making in developing the north, that proposal no. 3 be adopted. To go along with this proposal it should be explained why Council are choosing proposal no. 3, and Council go on record agreeing that this is a very critical time. The tax payer has an interest in roads and the last thing we want to do is head off outside interest by imposing taxes. In the event that the Government will not accept no. 3, we have no choice but to accept no. 2.

Mr. Shaw said additional revenue equals \$19,000.00 on no. 3. Does that mean just \$19,000.00 out from what the Committee wished.

Mr. MacKenzie said it was \$19,000.00 out from what the Federal Government requested. Mr. MacKenzie stated it was producing \$19,000.00 more than the report required, but Council would still have to meet the \$350,000.00

Mr. Shaw stated Council had been asked by recommendations that property tax be raised and fuel tax be raised. Council has come up with a \$19,000.00 surplus.

Mr. Taylor stated he had been giving a lot of thought to mining development and the breakdown indicated that mining equipment included 6.2% of the exemptions. Mr. Taylor wondered if Council could not, in proposal no. 2, take into consideration mining development. He further stated that construction equipment represents 22.2%.

Mr. Shaw stated that under proposal no. 2, they are asking the tractors that are not used on the roads and so forth, to pay a 7¢ tax on fuel oil. He stated further that many of these firms were running on very marginal operations and many of these would use 10,000 gallons a year and it would create quite an impact. He said if it were spread over a lot of people it would not be so much out of line. This proposal no. 2 would be pretty rough on a lot of people.

Mr. Taylor asked if he could point out that this motor vehicle fuel tax revenue was only going to the highways, but a very sizable portion of this increased revenue would be going toward Health in the Territory and he believed that all of the people in the Territory driving on the roads or not were concerned in the health and well-being of the people in the Territory.

Mr. MacKenzie stated he did not think anyone should regard this proposal no. 2, additional revenue of \$344,000.00, should be used for health purposes. He stated this would go into the General Revenue. It would not be wise to use this in connection with health services. In effect this was what they were doing and it was why they were increasing the revenue.

Mr. Shaw stated there was one thing which had been overlooked in this matter, when there is a tax put on fuel oil, in many cases this fuel oil is used in equipment that is opening up the Country and for purposes of convenience the tax has been put in such a manner that it has been put in the same category as gasoline. Mr. Shaw said that in this day and age gasoline is an accepted

commodity like flour and sugar and butter. A lot of it is used for people travelling through the Country. A lot is used for pleasure and a lot is used for business. Mr. Shaw did not know whether the possibility had been explored that gasoline could come under a different category of tax. It could stand the raise better than fuel oil. The gasoline tax could raise an additional amount of revenue. Various ways of working this out could be taken and in these various proposals Mr. Shaw would not be against airlines paying their portion of the tax. All Mr. Shaw could remark was the fact that it was questionable, in his mind, whether it could supply the revenue expected as these companies might gas up in another place. If Council has to raise more than \$19,000.00, he thought perhaps some method could be used where more revenue could be derived on the ordinary gasoline.

Mr. McKamey stated the problem was a \$350,000.00 had to be raised.

Mr. MacKenzie stated he wished to correct Mr. McKamey, a reasonable share had to be raised. Mr. MacKenzie further stated that if you wish to exempt aviation gasoline from this \$344,000.00, it would simply mean you had \$50,000.00 less.

Mr. MacKenzie stated this amount would be negligible.

After considerable further discussion the following motion was passed.

Moved by Mr. Taylor, seconded by Mr. McKinnon

- (a) eliminate all exemptions except fuel used in stationery electric power plants and heating purposes, airplane fuel and fuel used for mining.
- (b) increase tax rate from 6¢ to 9¢ beginning 1962-63, at a rate of 1¢ per annum.

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. McKinnon, that a Fuel Tax Ordinance be drafted to replace the sections applicable under the Motor Vehicle Fuel Tax Ordinance.

Motion Carried.

Mr. Livesey stated that it should be made clear what shall be classified as fuel for taxation purposes.

Mr. Watt suggested propane should be included.

It was suggested that propane could be considered in the future, if it was thought necessary.

Moved by Mr. Livesey, seconded by Mr. McKamey that fuel, for the purposes of taxation, under the proposed Fuel Tax Ordinance shall be gasoline, kerosine, diesel fuels all grades, naptha, solvent.

Motion Carried.

Mr. MacKenzie remarked that it was essential that the Government have clear assurance from the Yukon Councillors that Council will implement the Federal Territorial Report on the assumption that the Federal Government will accept changes in the Health Plan proposed by Council, and this material must be in the mail this week if humanly possible.

Mr. McKamey suggested that this be given consideration as soon as Committee finished the reading of the recommendations regarding the Interdepartmental Agreement.

Mr. Livesey believed they had done what the Federal Government asked. They had completed the Health Plan and made their recommendations and had completed the Interdepartmental Agreement and made their recommendations.

Moved by Mr. McKamey, seconded by Mr. Livesey, that any reference to what is termed in this Agreement as Community Development Fund, shall be indicating Community Recreational Development Fund.

Motion Carried.

Mr. Shaw stated if this Committee was satisfied that they had omitted nothing, a motion could be put forth with revised recommendations as noted on the Journals of Council.

Mr. McKinnon asked if one major item to include, would be what Council had begun to refer to as the savings clause, in the Interdepartmental Committee Report.

Mr. Shaw stated that was included in the motions.

Moved by Mr. Taylor, seconded by Mr. Watt, that Committee recommend that the Interdepartmental Agreement be accepted subject to the recommendations submitted by this Council. (set out as Sessional Paper No. 26.)

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Speaker now resume the Chair to hear the report of the Committee of the Whole.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported that at approximately 10:00 O'clock A.M., Committee met with Mayor Wylie, Mr. Thompson and Mr. Howe and this Committee recommended that approval be given to the paving project as submitted by the representatives of the City of Whitehorse and that it be accepted as outlined. At 11:00 O'clock, Committee met with Mr. MacKenzie relating to motor fuel tax as part of the Interdepartmental Agreement and it was recommended that

- (1) eliminate all exemptions except fuel used in stationery electric power plants and heating purposes, airplane fuel, and fuel used for mining; and
- (2) increase tax rate from 6¢ to 9¢ beginning 1962-63 at the rate of 1¢ per annum.
- (3) that the Fuel Tax Ordinance be drafted to replace the sections applicable under the Motor Fuel Tax Ordinance.
- (4) that fuel for the purpose of taxation under the proposed Fuel Tax Ordinance shall be gasoline, kerosine, diesel fuels of all grades, naptha, solvent.
- (5) the Community Development Fund be renamed Community Recreational Development Fund.
- (6) the Interdepartmental Agreement be accepted subject to recommendations submitted by this Council.

Council accepted the report of the Committee.

Mr. Speaker stated the last item brought to attention for consideration is one of the traditions of the House and that is your opportunity to reply to the speech from the Throne, and in this House for some time it has occurred during the closing of the Session and this is now your opportunity Gentlemen and you will signify your intention by rising.

Mr. Taylor made his reply. (Set out as Sessional Paper No. 27)

Mr. Shaw's reply (Set out as Sessional Paper No. 28)

Mr. McKinnon gave his reply. (Set out as Sessional Paper No. 29)

Mr. Watt gave his closing remarks. (Set out as Sessional Paper No. 30.)

Mr. McKamey made his reply. (Set out as Sessional Paper No. 31)

Mr. Livesey (with Deputy Speaker in the Chair) gave his reply. (Set out as Sessional Paper No. 32)

Mr. Speaker requested the Clerk of the Council to escort Commissioner Collins to the Council Chambers for his closing speech.

When Commissioner Collins entered the Council Chambers, Mr. Speaker stated "Mr. Commissioner, the Council of the Yukon Territory has, at its present sitting thereof, passed a number of Bills to which, in the mane and on behalf of the said Council, I respectfully request your assent."

The Clerk of the Council stated the Bills requiring assent are:

Bill No. 1 "An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory."

Bill No. 2 "An Ordinance to Amend the Jury Ordinance"

Bill No. 3 "An Ordinance to Amend the Municipal Ordinance."

Bill No. 4 "An Ordinance to Amend the Labour Provisions Provisions Ordinance."

Bill No. 5 "An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Five Hundred Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Execute an Agreement Relating Thereto (1961)."

Commissioner Collins gave his closing address. (Set out as Sessional Paper No. 33)

Mr. Speaker stated in closing, "I would like to thank the Commissioner and your Administration, also Inspector Vachon, the Clerk of the House, and our Assistant Clerk, for all the good work they have done during this Session and I would like to wish to all good health until we come again at the Spring Session 1962."

Clerk of the Council stated, "It is the Commissioner's will and pleasure that this Council be now prorogued and this Council is accordingly prorogued."

Council prorogued at 4:30 P.M. on Wednesday the 29th day of November, 1961.

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OPENING ADDRESS

by

Frederick H. Collins, Esquire

Commissioner of the Yukon Territory

at the

First Session of the Nineteenth Wholly Elective Council

of the Yukon Territory

WHITEHORSE, Yukon Territory,
Wednesday, 1 November 1961.

Mr. Speaker, Members of Council:

May I first congratulate Councillor Livesey on the election by his fellow councillors to the office of Speaker. This old and honourable position in the Council is occupied by only those who hold the complete trust and confidence of the membership. In electing Councillor Livesey I feel it has made a most worthy choice.

At this time it is also a pleasure to welcome back the three re-elected members. Their return to the deliberations of Council will, I am sure, enure to the benefit of their fellow members and the territory as a whole. It is also my pleasant privilege to greet four new members whose presence here is testimony to the esteem in which they are held by their fellow citizens. I look forward hopefully to my association with council members, in session or out, to the service I may be able to render the people of the Yukon with their assistance, and to further their efforts.

The increased membership of council is indicative of the new phase entered into by the Yukon Territory. In this environment of assisted effort many changes in human relationship must and will take place. Some of these are already evident but, in many fields, betterment makes reluctant progress. This is reflected in the continually rising cost of our welfare and health programs, on the calendars of our courts of justice and in the acceptance, by responsible citizens, of such standards of morality and ethics in others as not to discourage them from practices and pursuits inimical to their own well-being, that of their families and associates, and of the territory as a whole. Within the broad program of economic, educational, social development and health assistance now in being, there exists no valid excuse for a retention of habits and conduct which have, in most parts of our country, been relegated to the dim past. On whatever traditions or customs these have been founded the altered circumstances of today warrant abandonment.

The work year, now drawing to a close, has seen much to encourage the people of the Yukon. New sources of mineral wealth throughout the territory have been prospected and are in course of development, sustaining private interest in this most important of our assets. New road approaches to further assist development and reduce production costs are being pressed forward by the federal government; existing highways are being consistently improved to the same end; line and wireless communications are being extended and assistance in home building and renovation is available. Surveyed land for home building and industrial development is handed over to the territory without charge to meet the demands of an increasing population. Federal assistance to our second industry - tourism - is evidenced on a large scale in Dawson City where, next year, a new and exciting Festival will be launched. Other federal assistance in this field is in tourist camp and lunch stop projects at selected locations throughout the territory,

together with assumption of the major cost of highway maintenance. Many new buildings have also been constructed, in particular for the Forestry Division, also the new Federal Building in Dawson City.

In step with all these improvements, and to the full extent of its financial resources, the government of the territory has pursued a program of new school construction, enlarged health and welfare projects, area development projects, increased assistance to organized municipalities, recreational roads and facilities and those other activities set out in the annual estimates. In many of these program items generous federal assistance has been given.

Inter-related territorial and federal projects, as well as those of purely territorial origin and financing, have greatly added to the complexities of administration while placing heavier responsibilities on the legislative arm of government. There must, therefore, be the fullest understanding and co-operation between the administration and council if the people of the Yukon are to be adequately served and the federal government carry out its plans of assistance.

I am happy to report that, with some postponements, the 1961-62 budgetary program as approved at the Spring and Special Sessions is being carried out on schedule. The estimates for 1962-63 are in course of preparation and will be available for review by the Financial Advisory Committee of Council early in the new year.

A progress report on and details of actual and proposed measures to meet emergency situations in the Territory has been prepared. This will be submitted to you immediately as a reference for study and discussion and, also, for the information of the general public which, quite naturally, is deeply interested in this subject.

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

Bill No. 1 - An Ordinance for Granting to the Commissioner certain additional sums of money to defray the expenses of the public service of the Territory (1961-62).

I have submitted for your consideration the draft Interdepartmental Report covering the period April 1, 1962 - March 31, 1967. This is a most important document requiring detailed study. In the generosity of its terms is reflected the deep interest of my Minister and the faith of the Federal government in the future of our territory.

There has also been presented to you, corollary to the draft report, a Public Health Plan for the territory by which this vital service would be assumed by the Federal government in consultation and co-operation with the Territorial government. Under this plan, welfare in all its aspects would remain a purely territorial function and responsibility.

I regret that circumstances beyond the control of the administration have deprived Council of the services of a legal adviser and, therefore, your requirements in this field will be provided by referral to the Department in Ottawa.

I thank you Mr. Speaker, Members of Council.

31 October, 1961.

Mr. Speaker,
Members of Council:

Medical Profession Ordinance

1. Under present legislation there is insufficient control over the licencing of medical practitioners in the Territory. The qualifying regulations stipulate only that the applicant must have a licentiate of the Medical Council of Canada (Section 4 (1) (b)). This is not enough as, from recent and unhappy experience, we know that psychopaths and alcoholics could come to the Territory and only the most stringent measures prevent them.

2. I therefore suggest that we require the candidate to offer the names of two Canadian doctors in good standing to whom we can write for reference. This is a very effective method used in other provinces which send out copies of a suitable form and obtain very candid replies. I would also suggest that the person applying should be of such character and ability as to be found satisfactory by the Commissioner. This to give the Administration some leeway in those cases where we know a man is of good character and has his L.M.C.C. but cannot apply his knowledge. There are both native and non-native Canadians in this category.

3. I would like the opinion of Council on the advisability of amending legislation in accordance with the foregoing.

(Sgd.) F.H. Collins,

F.H. Collins,
Commissioner.

SESSIONAL PAPER No. 3 - 1961 Third Session.

31 October, 1961

Mr. Speaker,
Members of Council:

Liquor Ordinance

1. The Administration have been approached to obtain permission to advertise beer, wine or hard liquor on the closed circuit TV station in Whitehorse. As you know, the Canadian Broadcasting Corporation permits no advertising in its Northern Service circuits and, therefore, my question does not apply to this medium of communication.

2. I would like the opinion of Council as to whether they consider it in the interests of the public, in view of the evils associated with excessive drinking by many citizens of the Yukon, to encourage the sale and consumption of liquor by TV advertising and whether Council wishes steps taken towards the revision of the Liquor Ordinance accordingly.

(Sgd.) F.H. Collins,

F.H. Collins,
Commissioner.

SESSIONAL PAPER No. 4 - 1961 Third Session.

31 October, 1961.

Mr. Speaker,
Members of Council:

1. It has been brought to my attention that the existing Marriage Ordinance does not, in its provisions, prevent a husband from willing all his real and personal property to others than his widow, thereby depriving her of the normal one-third of such estate mandatorily her right in most provinces of Canada.
2. By the Intestate Succession Ordinance, should the husband die intestate, one-half of the estate goes to the widow.
3. Your opinion is requested on the advisability of amending the Marriage Ordinance to provide that one-third of the real and personal estate of a deceased husband shall go to the widow or whether a Marriage Protection Ordinance should be compiled. Consideration might also be given to effecting the same provisions in respect of an estate left by a deceased wife by which the husband could not be deprived of the same proportion of the deceased wife's estate.

(Sgd.) F.H. Collins,

F.H. Collins,
Commissioner.

SESSIONAL PAPER No. 5. - 1961 Third Session.

31 October, 1961.

Mr. Speaker,
Members of Council:

Motor Vehicles Ordinance

1. You will note, by Subsection (8), Section 6 of the above Ordinance, that the Commissioner has power to amend, suspend or cancel any P.S.V. licence for various reasons. This power does not extend to the motor vehicles licences as it was removed from the Ordinance by a previous Council.
2. You will also note that, in various places throughout the Ordinance, authorities are given to the Commissioner; however, in the definition section of the Ordinance the word "Registrar" is defined as "The Commissioner or any person authorized by the Commissioner to act as Registrar".
3. It is recommended to Council that the word "Commissioner" should be defined in the interpretation section of the Ordinance to conform to the use of the word in respect of authority granted throughout the Ordinance proper.

(Sgd.) F.H. Collins

F.H. Collins,
Commissioner.

1 November, 1961.

Mr. Speaker,
Members of Council:

DAWSON CITY FESTIVAL

1. As you know, the Federal government and, in particular, the Department of Northern Affairs and National Resources, is taking a very keen interest in this Festival and endeavouring by all means possible to make it a success. Needless to say, the Administration and myself are also desirous of rendering whatever assistance is possible to the same end.

2. I think it is quite inevitable that speculative interest by some individuals is taken where events, such as the Dawson Festival with its extensive support, may offer considerable quick-turn benefits. This is particularly true in respect of serviced property and most applicable to such property in a city such as Dawson, where property values have shown a constant decline over a period of years. If you will please refer to Section 213 (1) of the Municipal Ordinance, you will see that it is mandatory for a municipality, where the whole or any portion of the taxes payable remain due and unpaid for more than one year after the 31st day of December of the tax year, to be sold by the municipality for arrears of taxes accruing and unpaid thereon, etc. In a memorandum to the Department, under date of 4 October, 1961, I suggested a temporary amendment to the Municipal Ordinance to apply to Dawson only. The suggested revision would be very simple and would substitute the word "may" for the word "shall" immediately prior to the phrase "subject to this Ordinance". In other words, I was endeavouring to permit the City of Dawson to retain control for a reasonable period over properties which, by the Ordinance, would otherwise require to be immediately disposed of by tax sale. I submitted that the amount involved through the collection of these arrears by public sale would be very small and with the consent of Council could be advanced to Dawson by the provisions of the existing and proposed five-year rental agreements. I proposed to leave such sales of property in arrears of taxes to the discretion of the City in consultation with myself and the Foundation.

3. The Department commented as follows:

- (a) The tax sale is held not later than August 15th annually and any action taken now would only be effective in 1962.
- (b) Any necessary changes in the Municipal Ordinance and the Taxation Ordinance could be made at the spring 1962 session of the Yukon Council.
- (c) Basically it was against making "temporary" exceptions to any Ordinance. It would appear preferable to make a permanent amendment of a more general nature to cover this and similar situations.
- (d) In the Northwest Territories Municipal District Ordinance (Section 281) the municipality has the prior right to purchase lands sold at a tax sale upon payment of the amount of arrears and costs due.

The Department suggested, and I concur, that consideration be given by the Yukon Council to amending the Municipal and Taxation Ordinances to effect a prior right of the municipalities of the Territory to purchase lands sold at a tax sale upon payment of the amount of arrears and costs due. This would mean that the municipalities of Dawson and Whitehorse would have prior call on property in arrears of taxes within these municipalities and could appropriate these to them by bylaw in those cases where the municipal councils considered it undesirable to offer such properties for tax sale. The same privilege would be extended to the Territory through similar provision in the Taxation Ordinance with a listing of such properties, the amount of arrears thereof and the reason for the Territorial action being submitted to the next Session of Council.

4. It is requested that Council advise me of their sentiments and wishes in respect of these proposals.

(Signed) F.H. Collins

F.H. Collins,
Commissioner.

SESSIONAL PAPER No. 7 - 1961 Third Session

1 November, 1961

Mr. Speaker,
Members of Council:

1. The mining industry of the Territory is well protected by Ordinance and Regulation to ensure enforcement of safety standards and inspection but this is the only industry so covered. No provision has been made for safety standards and inspection of the construction and lumber industries of the Territory which are the only other important activities.
2. The opinion of Council is requested on the advisability of issuing safety regulations in respect of these two industries and providing for such penalties and inspection as would lead to their proper enforcement.
3. Any safety requirements so established would accrue to the benefit of employers by reducing industrial accidents, and thereby, Workmen's Compensation insurance costs. For this reason the expense of enforcing safety regulations could be made a direct charge against employers through the Workmen's Compensation administrative assessment and might require some increase over the present rate. The two industries mentioned as not being covered by regulation do not constitute the whole of the increasing number of commercial and industrial enterprises in the Yukon requiring the need for adequate safeguards for workmen. This can be readily ascertained by reference to Schedule 1. of the Workmen's Compensation Ordinance.

(Sgnd) F.H. Collins

F.H. Collins,
Commissioner.

1 November, 1961

Mr. Speaker,
Members of Council:

Territorial Assistance to Museums

1. Please find attached an outline of procedure which might be followed in connection with established museums and others which might be established in organized municipalities. You will note that expenditures on these projects during the 1962-67 period are no longer a federal responsibility. However, in the 1962-63 year, a sum of \$300. for the Yukon Historical Society is included as a grant and in that year there is about \$3,000. available for operation and maintenance of unnamed projects. No such sum is included in subsequent years. Capital expenditures could be made from the 10% transfer of operation and maintenance annual budget if such unspent balance was available. Otherwise, any capital expenditure would be found in borrowings from the federal government.

2. I think several good-sized museums throughout the Territory are preferable to a number of small ones and, therefore, perhaps there would be sufficient for the next five-year period located at Watson Lake, Whitehorse and Dawson respectively.

3. Recommendations for your consideration are to be found on Page 2 of the attached outline.

(Signed) F.H. Collins,

F.H. Collins,
Commissioner.

FINANCIAL ASSISTANCE TO MUSEUMS

For a number of years the only public assistance for museums in the Yukon Territory was an annual federal grant of \$1,000. As the only organized groups working on the collection, preservation and display of artifacts or material representative of earlier days in the Territory, the grant has been split between Dawson City and Whitehorse. Commencing with the fiscal year 1962-63, these grants will no longer be made by the Federal Government. It is proposed, therefore, that the Territorial Government adopt a policy of providing assistance to museums.

Should communities in the Territory wish to preserve historical sites and establish museums for the collection of artifacts or items representative of local culture and history, the following assistance from territorial funds is recommended to encourage and support local societies and organizations in

- (1) the establishment of natural and human history museums in the Yukon Territory;
- (2) ensuring continuity of their operations;
- (3) making museum facilities available to the general public;
- (4) encouraging high standards of display and presentation.

To meet these varied requirements more than one type of grant or contribution would be desirable and the following three classes are suggested:

- (1) capital or building grants of approximately \$1.00 per head of population up to a maximum of \$5,000 for any one community. The usual conditions for Territorial Construction Grants would apply, such as the approval of plans in advance and adequate fire insurance coverage;
- (2) annual operating grants up to a maximum of \$1,000, based on the number of days the museum exhibits would be available for public viewing;
- (3) grants of up to 50% of the operating grants to be used for building displays, with a limit on the number of displays per museum for grant purposes.

As this assistance would be to encourage and support local initiative, the grants would only be made when the sponsoring society or organization contributed a matching amount. To further safeguard the investment of the Territorial Government and to ensure the right of the public to view museum collections, the Territorial Government should be named the Trustee in the event that the sponsoring group disbands.

In general, museums are a provincial responsibility because provincial governments are best suited to assess local requirements and supervise operations. In Ontario alone, 32 annual grants are made to municipal or regional authorities to operate museums. For the same reasons, the Territorial Government is in the best position in the Yukon to determine requirements and to apply a uniform policy. It is obvious, however, that the Territorial Government cannot support local museums for an unlimited number of communities or on a scale comparable with the provinces. It is recommended, therefore, that territorial assistance be available only for museums situated in organized communities. These grants should, however, be available for organized districts, if these are established (see paper on proposed legislation for unorganized urban areas.)

The Council should note that no provision has been made for territorial

grants to museums in the report of the Interdepartmental Committee on Federal-Territorial Financial Relations on which the federal payments to the Territories will be based. Expenditures for museums will have to be met, therefore, from increased revenue during the coming five year period. It is not likely, however, that more than one museum will be started in any one year and not more than four or five throughout the Territory during the five year period.

Recommendations:

- (1) That the Council approve the principle of capital, operating and display grants to encourage the establishment and maintenance of museums in organized communities in the Territory.
- (2) That provision be made for operating grants to the Whitehorse and Dawson Historical Societies, beginning in the fiscal year 1962-63.
- (3) That a building grant be made to the McBride Museum during 1962-63 for the construction of a new fireproof building.
- (4) That other capital requirements be dealt with by the Council as applications are received.

Disaster planning, in its broadest sense, consists of preparing a community for different kinds of catastrophe. Although only one of these is nuclear attack, this type of disaster is the one most capable of widespread loss of life throughout the Territory as a whole. Forest fires, floods, etc., are causes of disaster usually only on a comparatively local scale. A plan of defence against nuclear attack would, therefore, be territory-wide, but it is intended that this plan should be put into effect, if necessary, in the event of lesser local disaster.

The purpose of this paper is to outline a plan of defence against nuclear attack which could, if necessary, be put into effect for a particular area devastated by some other type of catastrophe. Since the Yukon is not considered a target area, civil defence, for the purpose of this paper, is considered primarily as defence against nuclear fallout, although explosions resulting from indiscriminate bombing or interception cannot be discounted. This does not mean that the plan cannot be put into effect in the event of nuclear explosion, but it does mean that emphasis will be put on the most expected type of danger for the Yukon Territory if a war should start, i.e. nuclear fallout.

The whole object of adopting and putting into effect a plan of civil defence for the Yukon Territory is to ensure the continuity of civil government at all levels, to prevent unnecessary loss of life, and to assist the Army in ensuring that each citizen is warned immediately of impending disaster. The role of the Territorial Government in putting into effect such a scheme may best be seen in relation to the role of the Federal Government as defined in Order-in-Council P.C. 1959-656. In this Order-in-Council, the responsibilities of the Minister of National Defence are set out as follows:

- (a) provision of technical facilities and operation of a system to give warning to the public of the likelihood and imminence of an attack;
- (b) determining the location of a nuclear explosion and the patterns of fallout, and giving the necessary warning of fallout to the public;
- (c) assessment of damage and casualties from attack and fallout;
- (d) controlling, directing and carrying out re-entry into areas damaged by a nuclear explosion or contaminated by serious radioactive fallout, decontamination work in those areas, and the rescue and provision of first aid to those trapped or injured;
- (e) direction of police and fire services in seriously damaged or contaminated areas which are the object of re-entry operations, including the control of traffic and people in those areas;
- (f) direction of municipal and other services for the maintenance and repair of water and sewer systems in seriously damaged or contaminated areas;
- (g) provision of emergency support to provincial and municipal authorities in the maintenance of law and order and in dealing with panic or the breakdown of civilian authority; and
- (h) maintenance and operation of emergency communication facilities.

The duties and functions of the Minister of National Health and Welfare are to provide assistance to provincial and municipal governments and to others in connection with organization, preparation and operation of medical, nursing, hospital and public health services, and services providing emergency accommodation, emergency feeding, emergency supplies, guidance and welfare assistance for persons who have lost or left their homes because of acts of war or apprehended acts of war.

The Minister of Justice has, through the Royal Canadian Mounted Police, the responsibility of assisting provincial governments and municipalities and their police forces in maintaining law and order, and controlling and directing traffic in connection with civil defence exercises and operations.

The Prime Minister, through the Emergency Measures Organization, exercises the following civil defence powers, duties and functions:

- (a) The co-ordination of civil defence planning by departments and agencies of the Government of Canada;
- (b) The preparation of civil defence plans in relation to matters that are not the responsibility of any other department or agency of the Government of Canada;
- (c) Assistance to provincial governments and municipalities in respect of preparation for civil defence where assistance is not the responsibility of any other department or agency of the Government of Canada;
- (d) General liaison with other countries, with the North Atlantic Treaty Organization, and with provincial governments, on matters relating to civil defence.

Under the Emergency Measures Organization, the responsibility for the Yukon Territory lies with the Regional Co-ordinator in Edmonton, Alberta. It is the responsibility of the Territorial Government to appoint a co-ordinator for the Yukon Territory who will work in close liaison with the Regional Co-ordinator of EMO in Edmonton. For organizational purposes, the preparation of an adequate civil defence plan falls into two major categories, as follows:

- (1) The information network which comprises the collection and dissemination of fallout information, and the warning of the possibility of nuclear attack; and
- (2) Organization of civil government at all levels to ensure continuity of government and the preparation of plans to meet any emergency.

The Information Network

As stated above, this consists of two parts, one of which is the gathering of data relating to nuclear explosion and fallout for local and national use; the other is the operation of a warning system linked with the national network. Both these matters are the responsibility of the Canadian Army.

(a) The reporting system.

The Canadian Army is currently arranging the establishment of a nuclear analysis and prediction centre and a series of fallout reporting posts throughout the Yukon Territory. This is part of a nationwide scheme, and in the first year of this program, emphasis is being placed on that part of Canada lying south of the 55th parallel. In the second year, the network will be extended north of the 55th parallel. The purpose of these stations is to gather fallout data and report it to a central screening headquarters in Whitehorse, where the data will be analyzed and passed on to the National Headquarters in Ottawa as well as provincial and regional warning centres. In the event of an emergency situation being reported from these fallout stations, the machinery for communicating a warning throughout the Territory and over the national network would go into operation.

(b) The warning system.

The transmittal of warnings received over the national warning network have been practised from time to time, and Exercise Toccin B, which took place on Friday, October 27, 1961, was one of these practices. As soon as a warning is received over the national network, the Army immediately passes the warning directly to the Canadian National Telecommunications by a direct telephone line, and the warning is then further disseminated to the fullest possible limits of the C.N.T. system. The Army also passes the warning to all other media of communications such as the R.C.M. Police, the Yukon Forestry, etc. Plans are currently being extended to have the warning broadcast over C.B.C. and Whitehorse T.V. station. It is the responsibility

of the civilian authorities to follow up the initial warning given by the Army by broadcasting instructions to the population over the radio stations in the Territory.

It will be the responsibility of the Territorial Government under the proposed program to make sure that once a warning reaches the extremities of existing communication systems, there is an effective civil defence organization in existence to which the warning can be transmitted, and which will be capable of putting into effect a pre-arranged plan of defensive action for the community concerned.

Emergency Defence Measures

It will be the responsibility of the Territorial Government to establish an effective civil defence organization and to establish a plan to be implemented by the organization once a warning of nuclear attack has been received.

(a) Emergency Government Headquarters

The Canadian Army, in Camp Takhini, already has a central emergency headquarters to which the government heads can repair in the event of nuclear disaster. The responsibility of this emergency government will be as follows:

- (1) Keep existing transportation and communication systems in operation as far as possible, and to devise emergency alternatives, as required.
- (2) To ensure the continuation of other essential services such as supplies of food, water, medical equipment and supplies, etc.
- (3) To make sure that such basic services as police protection, fire protection, water and sewer services continue to function.
- (4) To make sure that a plan of action goes into effect for the continued operation of hospitals and other medical facilities and to put into effect such emergency measures as may be required in this connection for refugees.
- (5) To effectively co-ordinate the activities of all agencies of government, and maintain effective liaison with the Canadian Army.

In the initial stages, it is proposed that a small planning group be established for the purpose of staffing an emergency Territorial headquarters. It is proposed that this group consist of a civil defence co-ordinator representing the Territorial Government, a representative from the Department of National Defence, a representative of the R.C.M. Police, and a representative of the Yukon Forestry Division. This would bring together the military and semi-military units within the Territory which would form the nucleus of a broader emergency government apparatus to include representatives from such other agencies of government as National Health and Welfare, Northern Canada Power Commission, the Department of Public Works, Canadian National Telecommunications, the Canadian Broadcasting Corporation and such other agencies as might be deemed necessary.

(b) Civil Defence at the Local Level

It will be the responsibility of the Territorial Government to organize and maintain effective liaison with civil defence organizations at the local level. In the municipalities of Whitehorse and Dawson City, the municipal government will be responsible for the establishment of a suitable civil defence organization for their respective communities. These organizations, like those organized by the Territorial Government at the local level in other communities, will consist of a control committee with the mayor or president of the local advisory committee, or other suitable citizen, in charge. Directly under this committee should be a director to

to whom the various component organizations within the community will be responsible for civil defence planning and operations. These component organizations will be responsible for ensuring that the civil defence plan for the community is put into effect when a warning is received, and to make sure that, in the event of disaster, essential local services are kept in operation. It will also be the responsibility of the local organizations to disseminate information, to supply the public with informative literature and other helpful data received from the Territorial organization to enable people to build fallout shelters and to train themselves for the implementation of a defensive plan of action in the event of a nuclear disaster.

If the foregoing summary of the proposed civil defence plan for the Yukon Territory is acceptable to the Council, it is recommended that appropriate civil defence legislation be prepared and submitted to the Council and that the municipalities pass suitable by-laws to put into effect this civil defence scheme. There is model legislation recommended by the Emergency Measures Organization, and in Alberta, this legislation is already in effect (Civil Defence and Disaster Act, Chapter 43, RSA, 1955). Should it be the wish of the Council to proceed with the implementation of this plan, and the passage of appropriate legislation, arrangements will be made to have this done.

1st November, 1961

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

7 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

Proposed New Fire Prevention Ordinance

1. Earlier during the Session, there was handed you a copy containing explanatory details of this proposed legislation in order that you might assess the same and suggest such revisions or deletions as local knowledge of members would provide.
2. To date, we have relied upon the Department of National Defence Fire Chief for some of the services outlined. This accommodation has been freely provided by the Department of National Defence at little expense to the Territory, the program consisting of semi-annual inspections of all firefighting apparatus, equipment, etcetera outside of organized municipalities and the repairing, in some cases, of such equipment, suggestions for replacing obsolete hose and other ancillary equipment, the carrying out of fire drills and other kindred duties. However, up to now, these services have been performed on a more or less ad hoc basis and it is felt that, with the progress in settlement in the Territory, with the large capital investment of citizens thereby involved, the time has come to bring in suitable legislation and regulations with a view to the carrying out of closer supervision, inspection and more frequent personal contact with volunteer fire brigades and the citizens of settlements.

Once the required legislation is approved, the initial step would be to obtain the services of the employee of the Department of Public Works mentioned for a specified period. This officer would be able to travel throughout the Territory assessing the fire prevention and fighting needs of each settlement in every respect, recruiting and training the required firemen. As soon as possible, a full-time Fire Marshal would be appointed as an employee of the Territorial Government, whose permanent duties would be as outlined in the details which have been submitted to you.

A member of the staff more fully acquainted with this project than I would appear before Council to give any necessary explanations.



F.H. Collins,
Commissioner.

THE YUKON TERRITORY

1. The present Fire Prevention Ordinance for the Yukon Territory is no longer suitable for the circumstances presently prevailing in the Territory. The main purpose of such an Ordinance should be the provision of an effective inspection system, but the present Ordinance is a confusing jumble of matters which relate not only to inspection but also to building standards and fire safety precautions.

2. It is proposed that a new Ordinance be passed by the Council which would provide for the establishment of an appropriate fire inspection and prevention organization. With a view to putting a new Ordinance into effect, negotiations have been entered into with the Department of Public Works of Canada which would enable the Territorial Government to obtain the services of a properly qualified fire marshal. Subject to the approval of the Council of the Yukon Territory, the Department of Public Works has agreed to provide the services of such a person, and to pay his salary. It would be necessary for the Territorial Government to pay travelling and other incidental expenses only. It is proposed that existing fire protection and prevention organizations be integrated into an organization established under the new Ordinance with the advice and guidance of the new fire marshal.

3. In the new Ordinance, it is proposed that provision be made as follows:

(1) The Commissioner may appoint

- (a) a fire marshal,
- (b) deputy fire marshals,
- (c) inspectors,
- (d) local assistants.

The fire marshal shall

- (a) keep a record of fires reported to him,
- (b) investigate and hold enquiries respecting the cause, origin, extent and circumstances of fires,
- (c) inspect any property with a view to determining whether precautions against fire and the spread of fire, and the means of exit in case of fire or the alarm of fire are adequate and satisfactorily maintained, and with a view to directing such alterations or additions to be made, and such precautions to be taken as he deems necessary for the safeguarding of persons and property,
- (d) review plans and specifications for the construction, alteration or repair of structures, both public and private, and water works systems, with a view to determining that proper precautions are taken against fire and the spread of fire,
- (e) submit to the Commissioner on or before the 31st day of March in each year a detailed report for the 12 month period ending on the previous 31st day of December, setting out particulars of fires, fatalities or injuries by fire, investigations and enquiries into fires, prosecutions for arson or attempted arson and a summary of the administration and the fire prevention and fire protection activity of the office of the fire marshal, together with such other information as the Commissioner may require;
- (f) examine and make recommendations to the Commissioner with respect to
 - (i) the establishment of fire brigades and the organization and equipment of such brigades,
 - (ii) the provision of adequate water supply for fire fighting purposes,
 - (iii) the installation and maintenance of fire alarm systems and fire extinguishing equipment,

- (iv) the storage, use, sale or disposal of combustibles, explosives, or other inflammable material,
 - (v) the construction and maintenance of fire escapes and other exit facilities in the event of fire or the alarm of fire,
 - (vi) the types and adequacy of fire alarms in communities and in or upon any building or property,
 - (vii) fire prevention precautions in the construction or major alteration of or addition to any structure or property,
 - (viii) assessing fire hazards,
 - (ix) the enactment and enforcement by municipalities of regulations or by-laws for the prevention and suppression of fire and the safeguarding of persons and property in the event of fire or the alarm of fire,
 - (x) the co-ordination of government fire brigades, and
 - (xi) the organization of civil defence;
- (g) disseminate information and advice as to fire prevention and fire protection by means of public meetings, press articles, exhibitions, radio, moving pictures, or other publicity campaigns; and
- (h) perform such other related duties as the Commissioner may from time to time prescribe.
- (3) The fire marshal is to have jurisdiction throughout the whole Yukon Territory.
- (4) Each deputy fire marshal shall act under the direction of the fire marshal and in the absence or incapacity of the fire marshal, or in the case of a vacancy in the office of fire marshal, or when so ordered by the Commissioner, shall act in the place of the fire marshal and when so acting shall have complete jurisdiction and may exercise all the powers and authority of the fire marshal.
- (5) The chief or acting chief of the fire brigade of every municipality or settlement in which a fire brigade has been established and the town clerk or other employee appointed by the council of a municipality is, by virtue of his office, a local assistant to the fire marshal and is subject to the directions of the fire marshal in carrying out the provisions of the Ordinance within the limits of the municipality or settlement.
- (6) The fire marshal shall be immediately notified by the appropriate municipal council or other local authority of the full name, address and occupation of any person who, by virtue of his appointment, is or becomes a local assistant to the fire marshal.
- (7) In areas outside a municipality, a person appointed by the Commissioner for the purpose shall have all the powers and shall carry out all the functions and duties of a local assistant.
- (8) The fire marshal, deputy fire marshal, local assistant or inspector shall have authority at all times in the performance of his duties or exercise of the powers imposed or conferred upon him by the Ordinance or the Regulations to enter in and upon and examine any structure where a fire has occurred or is in progress and any structures or premises adjoining or in the vicinity of such structure in connection with an investigation.
- (9) A local assistant shall investigate or cause to be investigated in a general way the cause, origin and circumstances of every fire occurring within his jurisdiction by which property has been destroyed or damaged, with the special view of ascertaining whether the fire was the result of negligence, carelessness, accident or design.

- (10) Where any local assistant has reason to believe that a fire has been caused deliberately, he shall immediately inform the fire marshal to that effect.
- (11) The local assistant shall, immediately after the investigation, furnish to the fire marshal on a form to be supplied by the latter, a written statement of all the facts which can be ascertained relating to the cause and origin of the fire, and such further information as may be required by the fire marshal.
- (12) The fire marshal or at his request, the deputy fire marshal, inspector, or any other person designated by the fire marshal with the approval of the Commissioner, may make enquiry into the cause, origin and circumstances of any fire by which property has been destroyed or damaged.
- (13) The person conducting the enquiry may summon witnesses to appear before him, and may require such witnesses to give evidence upon oath, or, in the case of persons entitled to affirm in civil matters, upon solemn affirmation, and to produce such documents as he deems requisite to the full investigation of the matters under enquiry.
- (14) An enquiry may, in the discretion of the person conducting it, be made in camera, and persons other than those required to be present under the provisions of this Ordinance may be excluded from the place where the investigation is held.
- (15) The person conducting the enquiry may, for the purpose of obtaining further evidence, adjourn the investigation from time to time, but no such adjournment shall be for more than thirty days.
- (16) If upon an investigation of enquiry, the fire marshal is of the opinion that there is evidence sufficient to charge any person with the crime of arson, or an attempt to commit arson, he shall at once report to the nearest detachment of the Royal Canadian Mounted Police and furnish all the evidence, together with the names of witnesses and all information obtained by him.
- (17) Each fire insurance company shall furnish to the fire marshal a monthly statement of every fire that occurs in the Territory in which it is interested as insurer, showing in each case the name of the insured, his address, the location of the risk, the value of the structure and contents, the amount of insurance carried, the amount of loss sustained and the name and address of the person adjusting the claim; each such statement shall be furnished within fifteen days after the end of the month in which the fire occurs and if complete information is not then available, an interim report shall be submitted.
- (18) Every person adjusting a claim against an insurer in respect of a loss by fire of property in the Yukon Territory, whether that person represents the insurer or the insured, shall forward a report in writing to the fire marshal stating the date of the fire, the name and address of the owner and of the occupier of the property where the fire occurred, the location of the property, the name and address of the insured and each insurer, the value of the property insured, the amount of insurance placed with each insurer, the amount of loss which each insurer is to bear and such other particulars as the fire marshal may require.
- (19) The occupant of any property upon which any fatality or injury has been caused by fire shall forthwith report such fatality or injury to the fire marshal giving the name, age and sex of each and every person sustaining such fatality or injury, the cause of the fire and such other information as the fire marshal requires.

- (20) Where any fire insurance adjuster has reason to believe that a fire has been caused deliberately, he shall make a preliminary report to the fire marshal as soon as possible showing the name of the owner, the occupant of the premises burned, their location, use and occupancy, the date of the fire, and such facts and circumstances as come to his knowledge tending to establish the cause of origin of the fire; such report shall be in addition to, and not in lieu of, any other report required by the Ordinance.
- (21) The fire marshal, deputy fire marshal, local assistant or inspector may, in his discretion and upon complaint of any person interested, or without complaint when he deems it necessary, inspect any structures or premises within his jurisdiction, and for such purposes may at any reasonable hour enter into or upon such structures or premises.
- (22) Where the fire marshal, deputy fire marshal, or a local assistant finds
- (a) any structure that for want of proper repair or by reason of age and dilapidated condition or for any other cause, is especially liable to fire, and is so situated as to endanger other structures or property;
 - (b) any structure that is so used or occupied that any fire occurring therein would be likely to cause such structure to become a hazard to life or property;
 - (c) combustible or explosive material in any structure or upon any premises, or hazardous conditions therein or thereon dangerous to the safety of such structure or premises; or
 - (d) any structure lacking adequate provision for the safe evacuation of persons therefrom in case of fire or an alarm of fire;

the fire marshal, deputy fire marshal, or local assistant may in writing order the owner, his agent or the occupant of the building or premises,

- (e) in any case mentioned in paragraph (a), to repair, remove or destroy the structure;
 - (f) in any case mentioned in paragraph (b), to alter the use or occupancy of the structure;
 - (g) in any case mentioned in paragraph (c), to remove the combustible or explosive material or to remedy the hazardous conditions; and
 - (h) in any case mentioned in paragraph (d), to install safeguards by way of fire extinguishers, fire alarms, exit signs and other equipment and devices, and such fire escapes and exit doors as may be deemed necessary for safe evacuation in the event of fire or an alarm of fire.
- (23) Every such order shall specify the date within which the order shall be complied with.
- (24) Where any appliance, apparatus or place in or upon any structure or property is used or intended to be used for supplying fire or heat and in the opinion of the fire marshal, deputy fire marshal, or any local assistant the use of the appliance, apparatus, or place for that purpose is likely to be dangerous to persons or property, he may order in writing that a fire be not lighted or maintained in the appliance, apparatus or place until such dangerous condition has been remedied, and upon receipt of the order the owner or occupant of the structure or property in or upon which such appliance, apparatus or place is situated or contained, or the person in charge or control of the appliance or apparatus shall not light or maintain any fire in the appliance, apparatus or place until the order is rescinded by the person who made it or by the fire marshal.

- (25) Where in any church, school, hotel, store, restaurant, skating rink or other structure used as a place of public resort or amusement, there exists in the opinion of the fire marshal or the deputy fire marshal a danger to the safety of the public by reason of the lack of adequate fire exits or fire escapes or by reason of the presence of any inflammable material, the fire marshal or the deputy fire marshal may in writing order the owner to remedy the dangerous condition in the manner and within the period of time specified in the order, and may order the owner, his agent or the occupant to close the structure to the public until such time as the first mentioned order has been complied with to the satisfaction of the fire marshal.
- (26) Where any owner or his agent or any occupant deems himself aggrieved by an order made under Sections 22, 23, 24 or 25 by any other than the fire marshal, he may, within ten days from the date such order is made, appeal to the fire marshal, who shall forthwith consider the order, affirm, modify or revoke the same, and cause a copy of his decision to be served upon the appellant.
- (27) If the appellant is dissatisfied with the decision of the fire marshal given under Section 26, he may, within seven days after service upon him of a copy of the decision, appeal to a judge by notice of appeal filed with the clerk of the Court.
- (28) The appellant shall, within seven days after filing such notice of appeal or within such extended time as the judge may allow, file with the clerk of the Court a cash security in the sum of fifty dollars or a bond in an amount fixed by the judge, conditioned to pay all the costs of the appeal if he fails to sustain the same, or such costs as are awarded against him.
- (29) Where an order is made by the fire marshal under Section 22, the owner or occupant may within seven days after service upon him of a copy of the order, appeal to a judge to review the order, and in such case the provisions of this section shall apply mutatis mutandis.
- (30) Where any owner or his agent or any occupant fails to comply with an order made under Section 22 within the period of time specified in the order and no appeal has been taken, or where an appeal has been taken under Sections 26, 27, 28 or 29, and a decision has been rendered against the appellant, on the expiry of seven days after the date of the decision, the fire marshal or the deputy fire marshal may authorize the municipal council, if any, to take the necessary steps to perform the work required by the order, or, if there is no municipal council, the Commissioner.
- (31) The amounts of money expended in performance of work authorized may be recovered from the owner or occupant of the property in the same manner as taxes may be recovered and every such amount shall forthwith be added to and form part of the taxes upon the property on which the work was done; provided that in any year the amount so charged shall not exceed five percent of the assessed value of the property described in the order or fifty dollars whichever is greater.
- (32) Where an order is made under Section 22 and, after reasonable enquiries, the whereabouts of the owner or his agent, if any, is unknown to the fire marshal, or there is no occupant of the structure or, after reasonable enquiry, the whereabouts of the occupant is unknown to the fire marshal, then, upon obtaining leave under this section and upon compliance with any conditions prescribed thereunder, he may, by himself or any person or persons authorized by him in writing, enter into or upon the structure and carry out the order and, in case the carrying out of the order results in building material being obtained from the structure, may cause such building material that is saleable to be sold at such a price and in such manner as the fire marshal deems proper.

- (33) Upon ex parte application by the fire marshal for leave to proceed to carry out the order, the judge may grant such leave, upon such conditions with respect to notice of intention to do so and upon such other conditions as the judge deems fit.
- (34) The fire marshal shall apply the proceeds from any sale under Section 32 against the expense of complying with any conditions prescribed by the judge and expense actually and necessarily incurred in carrying out the order, and shall pay the surplus if any to the Commissioner.
- (35) The Commissioner shall pay the moneys so received, or any part thereof into the Consolidated Revenue Fund of the Yukon Territory and payment shall be made from the Consolidated Revenue Fund of the Yukon Territory to any person entitled thereto or to the municipality in which the structure is situated.
- (36) The outside doors and the main inside doors of every structure used as a theatre, dance hall or skating rink and of every structure used as a church, school or place of public resort or amusement having a seating capacity for more than fifty persons shall be so hung as to open freely outwards and, during the time when the structure is being publicly used, shall not be bolted, barred or locked in any manner other than with standard panic hardware; and the gates or outer fences if not so hung shall be kept open by proper fastenings during the time when such structure is being publicly used.
- (37) Congregations and societies possessing corporate powers and trustees, incumbents, church wardens and other persons holding church or school property or property used for churches or schools as trustees for such congregations, societies or school districts, are jointly and severally liable for any violation of Section 36.
- (38) Every person who violates Section 36 is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars and to a further fine of twenty-five dollars for every day after conviction upon which the violation continues, and in default of payment to imprisonment for a period not exceeding three months.
- (39) Every person who
- (a) hinders or disturbs the fire marshal, deputy fire marshal, local assistant or inspector in the performance of his powers or the execution of his duties,
 - (b) violates any of the provisions of the Ordinance or the Regulations, for which violation no other provision is made,
- is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars.
- (40) An owner or agent of an owner, or an occupant of any structure or premises who fails to comply with an order of the fire marshal, deputy fire marshal, or a local assistant, duly made under the authority of the Ordinance, is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five dollars for each day's neglect or failure to comply therewith.
- (41) A local assistant to the fire marshal who fails to comply with any of the requirements of the Ordinance or the Regulations is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five dollars.

(42) REGULATIONS

The Commissioner may make regulations

- (a) governing the establishment and operation of any plant and equipment in which inflammable gas or liquid is used;
- (b) governing the approval, sale, distribution, installation and maintenance of fire fighting and fire prevention equipment,

apparatus, material and supplies, including fire alarm systems, and for the licensing and control of manufacturers, agents, and jobbers, wholesale and retail vendors, and installers of such equipment, apparatus, material or supplies;

- (c) governing the approval, sale, installation and maintenance of gas or oil burners and gas or oil-burning equipment and also all appliances using inflammable gases or liquids as fuel, and for the licensing and control of manufacturers, agents and jobbers, wholesale and retail vendors, and installers of such burners, equipment and appliances;
- (d) governing the manufacture, storage, sale and use of inflammable gases or liquids;
- (e) respecting the prevention and extinguishing of fires, the provision and installation of safety devices and adequate means of exit in hotels, boarding houses, apartment blocks and other places of public accommodation;
- (f) respecting the prevention and extinguishing of fires, the provision and installation of safety devices and adequate means of exit in churches, schools and institutions;
- (g) establishing minimum building standards for fire prevention purposes and designating the areas within the Territory to which such minimum standards shall apply; and
- (h) generally for the enforcement and better carrying out of the intent and provisions of the Ordinance.

4. If the foregoing proposals are acceptable to the Council, instructions will be issued for the drafting of a bill to be presented at the Spring Session of the Council, 1962.

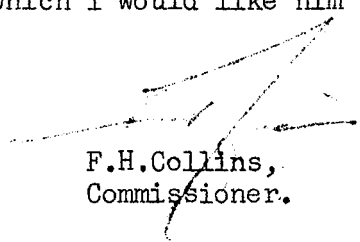
3 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council

Visit of Mr. F.A.G. Carter

1. Mr. F.A.G. Carter, Assistant Director, Northern Administration Branch, who played a leading part in the preparation of the Interdepartmental Report, now in your hands, and who was responsible for the drafting of the Federal Estimates applicable to the Yukon Territory, is making a short tour of the Yukon to familiarize himself with the general features and personalities of it.
2. His schedule will permit him to attend Council on Thursday and Friday, November 9 and 10, at which time Council could ask any questions in connection with the Interdepartmental Report and those of a more general nature relative to the assistance in financing of the Yukon Territory by the Department of Northern Affairs.
3. Will you please inform me if it is possible for Council to arrange its deliberations in order to have Mr. Carter appear before it on the dates mentioned? It may not be necessary for him to spend all of the two days with Council as there are many features in the Whitehorse area on which I would like him to be informed.


F.H. Collins,
Commissioner.

2 November, 1961.

Mr. Speaker,
Members of Council:

School Fees - Seperate Schools

1. It was agreed by both the administration and previous council that the annual per pupil rate to be paid to separate schools would be no greater than the average per pupil rate of all public schools in the Territory. This was considered fair because the figure would include all high school grades as well as primary grades and, also, the very high cost of operating such buildings in areas north of Whitehorse. For the fiscal year, 1960-61, this average public school figure was \$32.54. By comparison the per pupil operating cost of Christ the King School in Whitehorse was considerably less than \$25.00 monthly, mainly owing to the overcrowded condition of the school and the large classes resulting therefrom.
2. The per pupil operating cost of the Riverdale Seperate High School for the period mentioned above was \$50.12. This school was constructed on the basis of 40% by Indian Affairs Branch of the Department of Citizenship and Immigration, 30% by the Territorial Government and 30% by the Trustees, who are the Sisters of Providence and the Catholic Episcopal Corporation of Whitehorse. It had been anticipated that a greater number of Indians would be resident in the hostel and attending this school than actually did so. Also, even from those attending, a complete class from Lower Post who had been promoted to Grade VII at that point and sent to Whitehorse had to be returned to the Grade VI class at Lower Post, further reducing the classroom and hostel population. To teach this class which was returned, a teacher had been engaged for a year and her contract could not be broken nor could her salary be allocated except to the smaller classroom population of the school. These were the contributing factors which placed the annual enrolled per pupil cost of this school at \$50.12, which covers both white and Indian enrolment.
3. There were 517 white pupil enrolled months and 296 Indian pupil enrolled months, making a total of 813 pupil enrolled months at this school for the school year indicated above. Indian Affairs Branch is prepared to pay the full per pupil cost of operating the school for that period. To date, the Territory has paid the school, in respect of white pupils, only the \$32.54 average previously mentioned. The amount owing the school at the rate of \$50.12 less a bus subsidy for the period 1 September 1960 - 30 June 1961 is \$8,430.36.
4. I recommend to Council that, without creating a precedent and in view of the circumstances attending the first year's operation of this new school which were beyond the control of the Trustees, the Territory now pay the amount of \$8,430.36 to them. The payment of this sum will not entail a supplementary estimate as there are sufficient funds remaining in the main estimates to meet this obligation.
5. May I have your approval or otherwise of the above recommendation?

(Signed) F.H. Collins

F.H. Collins,
Commissioner.


8 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

SQUATTER RELOCATION

1. The decision of Whitehorse ratepayers as expressed in the recent Plebiscite is viewed with regret by the Administration which considered it offered a fair and reasonable opportunity for both the City of Whitehorse and the individuals directly concerned to effect an immediate and far-reaching improvement over existing conditions. In essence, it means that the integrated program proposed in connection with the purchase of Lot 19 is now stalemated and that the establishment of an historic park in Whiskey Flats utilizing the old river boats is indefinitely deferred.
2. Neither the federal or territorial governments can be expected to take on the role of subdivider for the purpose of purchasing and developing Lot 19. If the ratepayers of Whitehorse are not sufficiently interested in furthering steps towards the elimination of the squatter problem, of developing a vacant area within the boundaries of the City thereby increasing tax revenue and decreasing the cost of sewer and water operation, it hardly seems appropriate that senior governments should undertake this service.
3. Despite the expressed wish of the ratepayers in connection with the squatter relocation program it should be emphasized that there is still a substantial and positive program of federal and territorial aid available to squatters and others desirous of improving their housing conditions.
4. In the first place, anyone who is the owner of a building in any of the flats areas which meets the minimum standards required in a territorial subdivision, can have their building moved free of charge to a lot which they have purchased in one of these subdivisions. If the building they own does not meet the minimum standards of any of these subdivisions, it is proposed that they be moved to a transient area, free of charge, where a lot may be leased and where the only restrictions are those pertaining to sanitation, electric wiring and fire prevention. In addition to the foregoing, there are also programs which have now been adopted and are being put into effect to provide second mortgages to anyone in the Yukon Territory building a C.M.H.C. house, and to enable people in certain lower income brackets to build low-cost houses.


F.H. Collins,
Commissioner.

Sessional Paper No. 14 - 1961 Third Session.

7 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

NOTICE OF MOTION - Councillor Taylor
For the Production of Papers #1

1. The following has been obtained in answer to the abovementioned paper:

Item 1. Number of patients attended by Nurses at Watson Lake -
1 January 1961 to 31 October 1961.

House Visits Indian - 670
White - 525
Clinic Attendance by
Indian - 571
White - 552

Number of patients attended - Haines Junction
1 January 1961 to 31 October 1961.

House Visits - Indian - 67
White - 162

Clinic Attendance by
Indian - 0
White - 0

Item 2. In answer to this question we must use the Dominion Bureau of Statistics figures which break down into age groups 0-4, 5-14, 15-49, 50 plus as these are the accepted and available groupings in Canada. The Indian Department has used a different series of ages and these were of necessity converted to D.B.S. standards.

The figures are so small that the usual rates of per thousand do not apply and actual numbers are given.

January 1, 1959 - October 31, 1961

Indian Deaths 0-4 age group estimated population 49

1959 - 1
1960 - 5 due to an outbreak of Gastroenteritis.
1961 - 0

White Deaths 0-4 age group estimated population 222

1959 - 0
1960 - 1 (drowning)
1961 - 0

It is interesting to note that there have been no infant deaths in Watson Lake since the opening of the Health Centre there.

Item 3. Figures not available.

F. H. Collins,

Sessional Paper No. 15 - 1961 Third Session.

10 November, 1961

Mr. Speaker,
Members of Council:

Re: National Park for the Yukon

1. Please refer to the Notice of Motion for the Production of Papers No. 3 on the above subject.

2. The course of action outlined by the 1958-61 Council as set forth on page 13 of the Journals of Council, Second Session, 1961, reads as follows:-

"Mr. Smith moved, seconded by Mr. Shaw, that this Council go on record as favouring the establishment of a National Park in the Yukon Territory. In this regard we request the Federal Government to take immediate steps to bring this into being, taking into regard the peculiar conditions that exist in this area concerning future mineral development. The prompt solving of the problem in a manner that will satisfy the wishes of the mining industries and the tourist industry is in the best interests of the Territory's economic development and is deserving of the Federal Government's immediate attention.

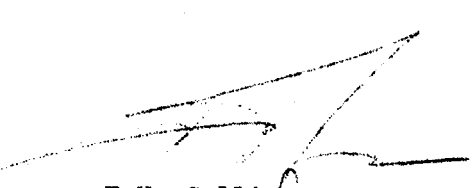
Mr. Shaw felt it was necessary to have a park but it was the problem of sufficient money. Mr. McKamey felt he was fully in favour of such a park only if it gave consideration to the mining industry.

Motion Carried."

3. It was not possible to deal with this Motion prior to the conclusion of the Session of Council. However, the text of the Motion was brought to the attention of the responsible authorities of the Government of Canada and we were subsequently advised by the National Parks Branch that the proposed investigation of potential National Park areas in the Yukon Territory had been postponed until 1962.

4. Notwithstanding this, I am pleased to inform you that I was recently told a special paper is being prepared on this whole question. It is hoped that within the next few days this document will be received and will be available to be placed before Members of Council.

4. You may rest assured that as soon as this paper is received, it will be placed before Members of Council with as little delay as possible.



F.H. Collins,
Commissioner.

P.O. Box 2029,
Whitehorse, Yukon Territory

10 November, 1961

Mr. Speaker,
Members of Council:

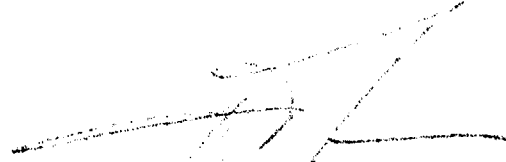
Re: Small Debts Officials

1. Please refer to Question No. 1 on the above subject which you ask as Member for Carmacks - Kluane Lake.
2. Appointments of Small Debts Officials are made pursuant to Section 41 of the Yukon Act by the Governor in Council on the recommendation of the Minister of Justice.
3. The matter of Small Debts Officials was the subject of a Motion passed by the Yukon Council at the second Session of 1959. On March 23, 1960, the Commissioner of the Yukon Territory addressed a memorandum to all Members of Council informing them that the authorities of the Federal Government had concurred in the recommendation that a number of individuals throughout the Territory be appointed as Small Debts Officials so that small debt matters might be handled locally by them rather than solely through the Magistrate at Whitehorse.
4. The Commissioner asked each Councillor to submit the name of the person in their respective electoral district who might be recommended for appointment. This information was duly obtained for Dawson district, Mayo district, Haines Junction and Watson Lake and passed to the federal authorities.
5. As a result of your enquiry, I have now ascertained that by Order-in-Council P.C. 1961-1529, dated October 26, 1961, the Governor in Council on the recommendation of the Minister of Justice and pursuant to Section 41 of the Yukon Act has been pleased to appoint the following persons as Small Debts Officials in and for the Yukon Territory:-

John Francis Sealey, Personnel Manager, Dawson City,
Gordon Alexander McIntyre, Mining Recorder, Mayo,
Joseph Rodolphe Couture, Merchant, Watson Lake, Y.T.
Robert Vaughn French, Liquor Vendor, Haines Junction,
Jack Fowlie Worsell, Clerk of Territorial Court, Whitehorse,
Harry Gordon-Cooper, Clerk of the Police Magistrate Court,
Whitehorse.

A copy of the Order-in-Council appointing these gentlemen has been sent to each one by the Department of Justice.

6. I trust that the above information will be found satisfactory.


F.H. Collins,
Commissioner.

Sessional Paper No. 17 - 1961 Third Session

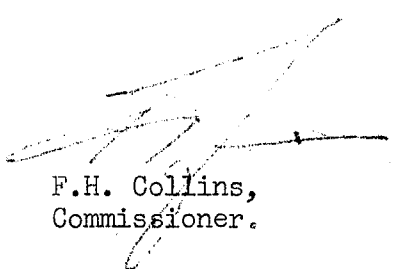
P.O. Box 2029,
Whitehorse, Yukon Territory

15 November, 1961

Mr. Speaker,
Members of Council:

Partial Sewer and Water Systems --
Notice of Motion for Production of
Papers #4

1. Please refer to the Notice of Motion for the Production of Papers No. 4 on the above subject.
2. Under date of June 26, 1961, I wrote to the Speaker and Members of the then Council forwarding a copy of the information attached to this memorandum.



F.H. Collins,
Commissioner.

Proposed Sewer and Water Services - Yukon Territory

There are ten communities (other than municipalities) in the Yukon of sufficient size to justify organized sewer and water services now or at some time in the near future to meet adequate health standards. In all these communities the requirement would be limited to a truck service and no piped installations are contemplated. Each community should have a good supply of potable water. Distribution of water and collection of sewage would be by truck. Sanitary disposal of sewage would require the development of lagoons in some areas, and other communities could continue without special disposal arrangements. Installation of these water and sewer facilities could be phased equally over the 5-year period of the 1962-67 agreement with two new communities being serviced each year.

Best available estimates of the population by ethnic groups in the ten communities are shown in Appendix "A". While an estimate of the cost of providing sewer and water services in these communities may be given on the approximate division of responsibility, four-sevenths Territorial, three-sevenths Federal, it will be necessary to verify this estimate at a later date when accurate population statistics are available. However, details of costs based on the population estimates in Appendix "A" are set out below:

Capital Costs

The basic equipment will consist of trucks plus water pumping and treatment equipment and the development of a sewage disposal facility where required, in the form of a lagoon or other dumping area. The cost of these are estimated at an average of \$70,000 per community giving a total capital requirement of \$140,000 per year for each year of the 1962-67 agreement.

On the basis that the Federal Government would be responsible for capital costs in respect to its own installations including Crown-owned housing and in respect to Indians, the total Federal share would be three-sevenths of \$140,000 = \$60,000 each year for five years = a total of \$300,000. The Territorial share would be the balance, i.e. \$80,000 a year for five years = a total of \$400,000. It is recommended that each Government provide its share of the capital expenditures in annual estimates over the five-year period.

Operating Costs

The annual average operating costs for the trucked systems proposed for the communities listed in the table below are based on a system designated to serve 300 families which would cost \$24,000 a year to operate. The amounts below have been adjusted to take into account the population variation below the 300 family figure.

<u>Summary Table</u>	<u>Capital</u>	<u>Operating</u>
Keno	\$70,000	\$13,000 (2 trucks and 1 man)
Mayo	70,000	\$16,000 (2 trucks and 2 men)
Haines Junction	70,000	\$11,000 (2 trucks and 1 man)
Carmacks	70,000	\$10,000 (2 trucks and 1 man)
Carcross	70,000	\$10,000 (2 trucks and 1 man)
Beaver Creek	70,000	\$10,000 (2 trucks, and 1 man)
Destruction Bay	70,000	\$10,000 (2 trucks and 1 man)
Teslin	70,000	\$16,000 (2 trucks and 2 men)
Watson Lake	70,000	\$16,000 (2 trucks and 2 men)
Subdivision 921	70,000	\$13,000 (2 trucks and 1 man)
	<hr/>	<hr/>
	\$700,000	\$125,000

Based on the population breakdown shown in Appendix "A", the operating costs will be shared three-sevenths Federal, four-sevenths Territorial. It is recommended that the Territorial Government provide the entire operating costs in its budget (i.e. \$125,000 in 1966-67) offset by revenues as detailed below:

Revenue

The Federal Government is contemplating a subsidy of 50% of water and sewer costs towards those for whom it is responsible (for example Indians). This subsidy would be provided by charging rates designed to bring in revenue equal to half the operating costs and half the capital amortization costs. It is recommended that the Yukon Government do the same. These subsidies by either Government would not apply in such a way as to reduce the rates paid by the average family below \$90 per year. Rates not paid by indigent families would be paid by the Government concerned from welfare funds.

Operating Revenues

On the above basis, operating costs would rise from \$25,000 in 1962-63 to \$125,000 in 1966-67, with the Yukon Government collecting three-sevenths from the Federal Government and 50% of the balance from users who are a Territorial responsibility. The Territorial subsidy would, therefore, come to 50% of four-sevenths of \$25,000 (= about \$7,150) in 1962-63 and to about \$35,700 in 1966-67. Total revenue would rise from about \$17,850 in 1962-63 to about \$89,300 in 1966-67. However, a small part (estimated 15%) of this revenue would come from Territorial welfare funds. The welfare contribution is estimated at about \$1,100 in 1962-63 rising to about \$5,300 in 1966-67 in respect of indigent whites.

Capital Revenues

The Yukon would be responsible for amortizing four-sevenths of the capital expenditure of \$140,000 per year. Amortization would be over fifteen years at an estimated 5 $\frac{2}{3}$ %. Amortization payments in the first year would be in respect of \$80,000 and in the fifth year, in respect of \$400,000. Payments on this basis would come to about \$8,000 in 1962-63 and to about \$40,000 in 1966-67. Revenues would offset these expenditures on the same basis as for operating costs, i.e. 50% would be paid by users. Territorial revenue in respect to capital costs would, therefore, rise from \$4,000 to \$20,000 over the five-year period and the subsidy would be in like amounts. As in the case of operating revenues, a small part (estimated 15%) of capital revenues would come from welfare funds rising from \$600 in 1962-63 to \$3,000 in 1966-67.

Estimated Average Cost Per Year Per Family

(In respect to users who are the responsibility of the Yukon Government).

<u>Expenditures on the Systems</u>	<u>1962-63</u>	<u>1963-64</u>	<u>1964-65</u>	<u>1965-66</u>	<u>1966-67</u>
Operating	\$14,300	\$28,600	\$42,900	\$57,100	\$71,400
Capital Amortization	8,000	16,000	24,000	32,000	40,000
	<u>\$22,300</u>	<u>\$44,600</u>	<u>\$66,900</u>	<u>\$89,100</u>	<u>\$111,400</u>
<u>Less Revenue</u>					
From Users	\$ 9,450	\$18,950	\$28,450	\$37,850	\$47,400
From Welfare Funds	1,700	3,350	5,000	6,700	8,300
	<u>\$11,150</u>	<u>\$22,300</u>	<u>\$33,450</u>	<u>\$44,550</u>	<u>\$55,700</u>
Deficit (subsidy)	\$11,150	\$22,300	\$33,450	\$44,550	\$55,700

On basis of Appendix "A" showing 2,087 people equalling about 520 families, the Yukon Government provides for four-sevenths, or about 300 families. These pay \$55,700 or an average of \$185 per year for sewer and water services.

Direct Effect on Territorial Budget

EXPENDITURES	<u>1962-63</u>	<u>1963-64</u>	<u>1964-65</u>	<u>1965-66</u>	<u>1966-67</u>	<u>Average Year</u>
Operating	\$25,000	\$50,000	\$75,000	\$100,000	\$125,000	\$75,000
Capital	80,000	80,000	80,000	80,000	80,000	80,000
Welfare	1,100	2,150	3,200	4,300	5,300	3,210
Operating						
Capital	100	1,200	1,800	2,400	3,000	1,800
TOTAL	\$106,700	\$133,350	\$160,000	\$186,700	\$213,300	\$160,010

REVENUES	<u>1962-63</u>	<u>1963-64</u>	<u>1964-65</u>	<u>1965-66</u>	<u>1966-67</u>	<u>Average Year</u>
Operating	\$16,750	\$33,550	\$53,600	\$71,400	\$84,000	\$51,860
Capital	3,400	6,800	10,200	13,600	17,000	10,200
Welfare	1,100	2,150	3,200	4,300	5,300	3,210
Operating						
Capital	600	1,200	1,800	2,400	3,000	1,800
	\$21,850	\$43,700	\$68,800	\$91,700	\$109,300	\$67,070

APPENDIX "A"

POPULATION OF YUKON COMMUNITIES

<u>Community</u>	<u>Residents</u>	<u>Federal Employees</u>	<u>Indians</u>	<u>Total</u>
Keno	149	1	-	150
Mayo	280	20	150	450
Haines Junction	113	11	13	137
Carmacks	43	7	50	100
Carcross	49	1	50	100
Beaver Creek	78	-	22	100
Destruction Bay	25	-	75	100
Teslin	260	25	115	400
Watson Lake	114	36	250	400
Subdivision 921	75	-	75	150
	<u>1,186</u>	<u>101</u>	<u>800</u>	<u>2,087</u>

16 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

Notices of Motion for the Production
of Papers - Nos. 6 and 7

1. Re: Motion No. 6 -

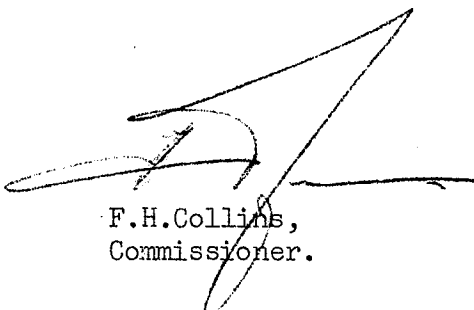
Total revenues for fiscal year 1960-61 from resources
in the Yukon paid to Department of Northern Affairs and
National Resources - \$187,669.00

To the Department of Fisheries - \$10,565.88

2. Re: Motion No. 7 -

Total revenues received from Yukon Territory, including
income and corporation taxes - \$5,625,322.73
including \$101,535.00 interest on Federal loans.
Expenditures by Federal
Departments in the Yukon for
the same period -\$22,159,743.00

which includes an amount of \$7,095,000.00
estimated as expended by the
Department of National
Defence on the operation and
maintenance of the Alaska
Highway in the Yukon Territory.



F.H. Collins,
Commissioner.

20 November, 1961

Sessional Paper No. 19 - 1961 Third Session.

Mr. Speaker,
Members of Council:

Notice of Motion No. 5 - Moved by Councillor Taylor,
Seconded by Councillor McKamey - Death of Mrs.
Liard Sambo, at Upper Liard, Y.T., November 1, 1961

1. The Chief Medical Health Officer reports as follows:

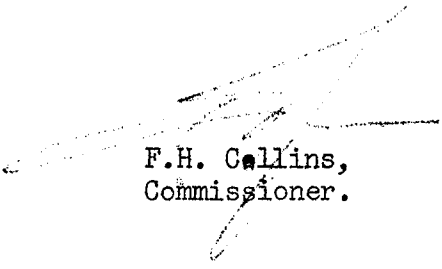
"Mrs. Sambo was treated for a superficial injury received during an alcoholic party held the previous night. This superficial injury did not require any treatment beyond that given by the public health nurse. The nurse administered the treatment in my presence and did it correctly and efficiently.

Maggie's principal difficulties at the time of her visit to the nurse stemmed, according to her husband Sambo, from the heavy drinking the night before concerning which he had many complaints. On being asked who supplied his liquor, he did not reply. Her general attitude agreed with Sambo's history of excessive drink and I did not consider that admission to a hospital was necessary for this condition. I had met her on previous occasions and last summer sent her to hospital for investigation.

If I had considered hospitalization necessary I would and could have easily taken her to Cassiar or to Whitehorse.

Her sudden death during the night of November 1 was a shock to all concerned. She was, however, of an age (born 1888) when such an event is not unexpected and it does occur in any stratum of society."

2. Indian patients who require hospitalization are sent to hospital. The Department of National Health and Welfare has the resources to provide needed care. The medical authorities will continue to provide this care, as they have in the past, to the best of their ability and judgement and to the best advantage of the Indian community.


F.H. Collins,
Commissioner.

20 November, 1961

Sessional Paper No. 20 - 1961 Third Session.

Mr. Speaker,
Members of Council:

Death of Mr. O. Petersen, Watson Lake

1. Please refer to Question No. 2, the reply to which is as follows:

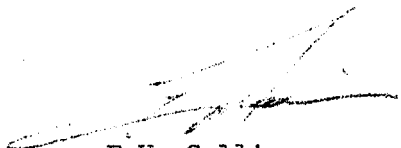
- (1) Prior to the release of Mr. O. Petersen from the Whitehorse General Hospital, the Superintendent of Welfare completed arrangements for Mr. Petersen to be accommodated in the Old People's Home in Dawson City. Mr. Petersen, however, refused to abide by this proposal, insisting that he wishes to go back to Watson Lake and be left there, without interference, to look after himself in his own home. The Welfare authorities had no alternative but to comply with Mr. Petersen's request. Consequently, arrangements were made for his return to Watson Lake.

The medical authorities report that, at the time Mr. Petersen was released from hospital, he was able to look after himself. The condition from which he suffered was incurable and everything that could have been done was done.

The R.C.M. Police in Watson Lake, who had custody of the key to Mr. Petersen's cabin, on the request of the Welfare Department, opened his cabin prior to his arrival ensuring that the heat was turned on. Arrangements were also made to have the Public Health Nurse at Watson Lake meet Mr. Petersen on his arrival by air from Whitehorse and escort him to his cabin -- which she did on October 30th, and ensured that he was made comfortable.

The Chief Medical Health Officer accompanied Mr. Petersen by air from Whitehorse to Watson Lake.

- (2) See answer to Question No. 1.
- (3) The Medical Superintendent for the area surrounding Watson Lake found the deceased when he visited Mr. Petersen's cabin on November 6 to check on the occupant's welfare. See also answer to Question No. 1.


F.H. Collins,
Commissioner.

20 November, 1961.

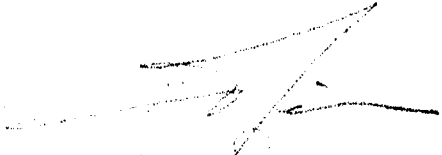
Sessional Paper No. 21 - 1961 Third Session.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

Reclassification of Yukon
Timber as a Resource

1. Please refer to Notice of Motion for the Production of Papers No. 2 on the above subject, moved by yourself as Member for Carmacks-Kluane and seconded by Mr. George Shaw.
2. The Motion concerning the classification of Yukon timber as a resource, to be found on page 15 of the Journals of the Council at its second Session, 1961, was duly brought to the attention of the appropriate authorities of the Federal Government.
3. Under date of November 14, 1961, information was received from the Director of the Northern Administration Branch, Department of Northern Affairs and National Resources to the effect that no policy decision has yet been made on the application of Tote Trail funds to agricultural or forestry operations. As soon as a decision has been reached, the Administration will be advised and I shall see that the information is brought to the attention of Council.



F.H. Collins,
Commissioner.

Sessional Paper No. 22 - 1961 Third Session.

21 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker, Members of Council:

Re: Question #3 - Storm Windows and Fluorescent
Lights, Carmacks School

1. The storm windows have been constructed and will be going up to Carmacks on the next truck. Mr. Lidon is to install them.
2. The fluorescent lights were installed on 12 November.

F.H. Collins,
Commissioner.

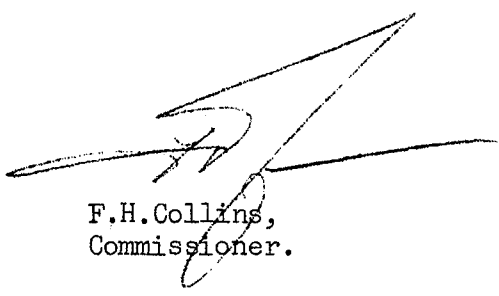
21 November, 1961

MEMORANDUM FOR COUNCIL:

Mr. Speaker, Members of Council:

Re: Notice of Motion for the Production
of Papers #8.
New School for Pelly River

1. The situation at this location is that there are only three white children of school age, all three, daughters of Mr. Holly MacDonald.
2. The two eldest are attending Christ the King School in Whitehorse, they being in Grades X and IX. This leaves one white child to attend a school at this point.
3. The Indian children are brought in to the several hostels in Whitehorse and Carcross and we have been discussing, as at Carmacks, with Indian Affairs Branch the possibility of these children attending a local school and living at home.. I think this can be done at Carmacks in order that ~~the~~ Territory may build a two-roomed school there next year but at Pelly River it will be most difficult.
4. I may say that, in the main, Indian families are most willing for their children to go to hostels as, there, they are fed, clothed and looked after for the major portion of the year.
5. The two factors involved in keeping Indian children attending a local school are:
 - (a) the reluctance of the parents, in many cases, to keep the children at home and,
 - (b) the hostel accommodation provided by Indian Affairs Branch for the purpose of accommodating Indian children away from home.


F.H. Collins,
Commissioner.

27 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

Proposed Agreement between the Government
of the Yukon Territory and the Roman Catholic
Ratepayers Trustees on the Construction and
Operation of Territorial Separate Schools.

I have had several consultations with Father Studer on the request of Council that I discuss with him the essentials for the abovementioned Agreement. These essentials, to which we are both agreed, follow.

1. MEANING OF TERMS: "Trustees" will mean the Catholic Episcopal Corporation of Whitehorse either alone in unorganized districts or together with the order or congregation which operates the school in organized districts.
2. GENERAL POLICY: Education, with or without school districts, separate or public is a territorial responsibility as to curricula, teaching qualifications, examination and passing standards, overall supervision and grant allocations. Within this framework exists an obligation to the religious Minority ratepayers as delineated in Section (r) of the Yukon Act.

In practice this obligation will be discharged only under certain conditions aimed at preventing the uneconomic duplication of school facilities in small settlements. By duplication is meant the building of a Separate School, where existing Public School classrooms are underpupilled to the extent of providing capacity for any Separate School pupils of the area requiring less than a two-classroom school. In other words, where, in small settlements, a Public School is in existence teaching up to Grade IX, there would need be 26 or more Grade 1 to IX separate school pupils for attendance before a separate two-room school would be constructed. In no case would a one-room Separate School be constructed where a Public School already existed. Full and free consultation on all aspects of planning and construction is to be held between the Territory and Trustees.

In practice the Trustees obligate themselves to act on behalf of the ratepayers, to inform the Administration of Separate School requirements in the Territory when these arise, to consult with the Administration in regard to location, design, construction and furnishing of Separate Schools, to hold such buildings and lands in trust for the ratepayers whenever they establish a Separate School District. Moreover the Trustees agree to follow the curriculum of the Department of Education and to operate the school doing all that this entails in a normal and efficient manner as has been done in the past with assistance from the Territorial Government as outlined below.

3. CAPITAL COSTS:

(a) New Separate Schools or Additions:

The capital costs of construction of Separate Schools including land, utilities, landscaping, equipment and furniture less sacred objects shall be paid from the Yukon Consolidated Revenue Fund in the same manner as if they were Public Schools less whatever amount is obtained by the Commissioner from Federal Departments involved with the ownership thereto held in escrow by the Trustees for the nominal sum of (\$1.00) until such time as a School District is established according to the Yukon School Ordinance. This agreement shall apply also to additions to existing Separate Schools.

The Territorial Government in consultation with the Trustees shall be responsible for the design of the school and grounds, the calling of tenders and award of contracts, major repairs, replacements, structural alterations, maintenance of grounds, extension of playgrounds, installation of playground equipment, etcetera.

(b) Existing Separate Schools:

The title to existing Separate Schools and lands on which they are built shall be retained by the Trustees and held in escrow until School Districts are established, at which time the titles will be transferred to the Separate School ratepayers for a nominal sum of \$1.00 provided that the capital contributions of the Trustees have been amortized at such time. Should School Districts be formed before the contributions of the Trustees be entirely refunded, a lump sum equal to the unpaid balance shall be paid to the Trustees by the Territory.

It is agreed in principle that the contributions of the Trustees shall be refunded to them, without interest as soon as possible. This shall be done on the basis of one-eighteenth of the original amount annually, or such larger fraction as would be provided by the difference in annual federal pupil fees and the average per pupil operating cost of the Separate Schools. Payments according to this formula shall be retroactive to 1 April, 1961, the first as of that date and thereafter at quarterly intervals until the capital contributions of the Trustees have been repaid. These arrangements shall apply only to the two Separate Schools in Whitehorse.

St. Mary's School in Dawson City shall be recognized as a Separate School within the meaning of Part 1 of the Yukon School Ordinance and shall be included in the present agreements, "mutatis mutandis", the sole Trustee being the Catholic Episcopal Corporation of Whitehorse or its duly appointed delegate. The Trustee shall not be entitled to any repayment of capital used for construction. Normal maintenance and repair costs shall be included in annual operating costs. Major repairs or structural alterations shall be met from territorial funds after consultations between the Administration and the Trustee.

(c) Teacher Accommodations:

It is agreed that furnished teacherages for Separate School lay teachers comparable to those provided for Public School teachers shall be provided by the Territory (and comparable rents shall be charged to the teachers through salary deductions made by the Trustees and applied solely to operation and maintenance costs of the teacherage through separate accounting). Ownership of such buildings and lands on which

they are situated shall rest with the Trustees for the consideration of \$1.00 with the obligation to transfer title to the Separate School ratepayers when School Districts are established.

The Trustees agree that when possible competent lay teachers shall be drawn from the community in order to keep teacher accommodation requirements to a minimum.

Public School teachers may be housed in vacant Separate School teachers' quarters and vice versa after consultation and agreement between the Trustees and the Administration.

4. OPERATION OF SEPARATE SCHOOLS:

(a) Administration -

The Trustees shall be responsible for the operation of the school and maintaining it in running order. The teacher staffing of separate schools would be made in consultation with the Superintendent of Schools and could consist of either members of a religious order or such lay teachers of the Roman Catholic faith required to augment teachers available from an Order. It would not be obligatory on the Trustees to confine the teaching staff to members of an Order; all teaching staff could be lay teachers if the Trustees so desired. All matters of teaching, policy, including curriculum and school hours, shall conform to the standard schedules applicable to Public Schools except as provided in No. 5 below.

(b) Operating Costs -

(i) these shall include the salaries of teachers, janitors' service, heating, lighting, text books for students and teachers, school supplies and other items incidental to normal operation. Religious hymn books, prayerbooks and sacred articles shall be the responsibility of the Trustees.

(ii) Separate Territorial Schools shall be paid by the Territory the total grant received from Federal Departments on behalf of their dependents attending Separate Schools conditional upon the provisions of Paragraph 3 (b).

(iii) In respect of non-federal children, the Territory agrees to pay to the Trustees a monthly per pupil operating grant based on costs per pupil. Until such time as it is possible to have separate cost accounting for public high school grades, the annual per pupil grant ceiling to separate schools shall be the average per pupil cost of their primary and high school class costs combined as against the average combined per pupil costs in all public schools.

(iv) The average monthly per pupil grant from the Territory shall be paid on the basis of the previous fiscal year's audited costs. If, when the current year's costs are audited, these are found to be on a higher per pupil basis than was actually paid, the difference would be paid by the Territory to the Trustees as soon as possible after 1 April.

(v) The audited statements of the expenditures made by the Trustees will be provided to the Territorial Government as soon as possible after the closing of the fiscal year, which is as of 31 March of each year.

(vi) It is agreed that there shall be equality of treatment for public and separate school children in the matter of school bus transportation when such is generally instituted. The deficit resulting from the transportation of separate school children within the City of Whitehorse, not otherwise provided for, shall be given consideration when assessing the per pupil cost of operating the two separate schools in Whitehorse.

(vii) The rental of school premises shall be the privilege of the Trustees, with revenue so accruing placed against the operating costs of the school.

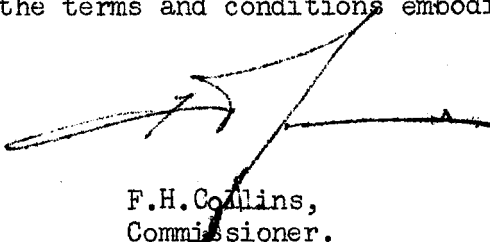
(viii) Rents comparable to those paid in public school teacherages shall be charged to teachers in Separate School teacherages through salary deductions made by the Trustees and applied solely to operation and maintenance costs of the teacherage through separate accounting. Any surplus of revenue over expenditure accruing to the Trustees thereby shall be refunded to the Territory at the end of each fiscal year after the annual audit has been completed.

(ix) Library grants, distinct from operating costs, shall continue to be given to Separate Schools on a per pupil basis as is done in Public Schools.

5. It is agreed by the Territory and the Trustees that religious instruction and training in morality in Separate Schools may and shall be given during the first half-hour of each school day, except on the first Friday of each month, on 1 November, 8 December, 6 January and Ascension Day, when it will be given at 11:15 a.m.

6. It is finally agreed that copies of the present agreements shall be signed by the Commissioner of the Yukon Territory representing the Territorial Government and by the head of the Catholic Episcopal Corporation of Whitehorse representing the Roman Catholic ratepayers to ensure their binding force and further that copies of the same be forwarded to the Minister of Northern Affairs and National Resources to serve as a guide in the drafting of the new Territorial School Ordinance.

7. I recommend that Council authorize me to enter into the proposed agreement on the terms and conditions embodied in the above.



F.H. Collins,
Commissioner.


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

27 November, 1961.

MEMORANDUM FOR COUNCIL:

Mr. Speaker,
Members of Council:

1. There are forwarded for the consideration of Council the following documents:
 - (a) A Reference Paper on a Proposed National Park in the Yukon Territory.
 - (b) "Appendix A" giving the results of a survey of potential National Parks in the Territory.
 - (c) "Appendix B" to be read in conjunction with an attached map. This appendix gives some reasons for the location of boundaries, etc., of the proposed National Park Reserve.
 - (d) "Appendix C" - a draft of a report to the Governor General in Council for the establishment of a National Park Reserve in the Yukon Territory, to which is attached a Schedule giving a description of the area as a basis for the Order-in-Council.
 - (e) "Appendix D" - a summary of proposed Regulations which would apply to the Reserve during the two-year period.
2. Council will note that this does not propose the immediate institution of a National Park which would come under the National Parks Act but provides only for the area shown on the map to be withdrawn from disposal and to constitute a National Park Reserve for a two-year period, during which time the location of the actual park site for the intensive use of the public might be allocated and other problems assessed in respect of the use of mineralized areas within the boundaries of the Reserve.
3. I strongly recommend to Council the adoption of a Resolution accepting the proposal of the Federal Government to establish a National Park Reserve in the Yukon Territory within the boundaries described on the map attached to "Appendix B". The implementation of the Resolution of the Council would permit an early start to be made on the facilities required for the convenience, etc., of the public resulting in a considerable capital investment providing accommodation and recreation in this area for the greatly increased tourist traffic which is predicted to ensue during the next few years.
4. The Resolution of Council, if accepting this reference, could contain such recommendations and would indicate features not presented in the attached documents.


F.H. Collins,
Commissioner.

PROPOSED NATIONAL PARK IN THE
YUKON TERRITORY

At its second session in 1961 the Council of the Yukon Territory by resolution requested the Federal Government to take immediate steps to bring a national park into being, taking into account the conditions prevailing in the Territory concerning future mineral development.

The Department of Northern Affairs and National Resources welcomes this initiative of the Council, which reflects in part the studies and discussions which have taken place in recent years on the possibility of establishing such a park.

Those connected with land management and land use are becoming increasingly concerned about the need for reserving and preserving outdoor living space of all kinds -- national parks, provincial parks and recreation areas, wilderness areas, etc., -- before it is too late. Every pertinent factor points to vastly increased needs for outdoor recreation space in Canada and increasing pressures on national and provincial parks and natural areas in general. The situation in the U.S.A. where there is already a critical shortage of outdoor living space constitutes a warning and at the same time points up our opportunity in Canada to set aside areas which meet National Park standards by taking action now.

As a relatively young country it may appear that we have plenty of wilderness and ample time to establish parks at some future date. In some parts of Canada this is still true but the situation is changing with dramatic swiftness. With the general development of Canada, particularly with increasing industrialisation, growing population and the constantly increasing mobility of our citizens, it is evident that wilderness as such will largely disappear from nearly all the accessible regions in the not too distant future. If we, as a nation, are to preserve outstanding natural areas for coming generations, it is necessary now to establish major blocks of suitable land as national parks, or as provincial or territorial parks.

It is clear that an adequate and well balanced National Parks System requires planning to see that areas for additional national parks are established while this is still possible. The longer this is left, the greater the difficulties since the areas which can meet the high standards and requirements of national parks are much scarcer than one would suppose, and almost impossible to find or to purchase near the more densely populated areas.

Experience clearly shows that park areas must be reserved for this purpose before other uses of the land become established. Otherwise the cost of land acquisition, and the dislocation caused to established residents and industries, may make it impossible to set up the park at all. For example, if the land around Banff had not been acquired late in the 19th century, it would probably prove impossible to secure it now. This year, more than one million people will visit Banff National Park -- some indication of its importance to the people and the tourist industry of Alberta.

It is widely accepted that for the future, the economy of the Yukon Territory will depend on two industries -- mining and tourism. The value of mineral production is now running at about thirteen million dollars a year. No firm figures are readily available for tourism, but the Alaska International Rail and Highway Commission has some pertinent comments on the growth prospects of this industry in the Pacific Northwest:

"The growing importance of visitors from outside the area, both now and in the future, cannot be overemphasized for a number of reasons: Northwest North America is the last remaining frontier on the North American Continent; its scenery is magnificent, its wildlife is a sportsman's dream; money spent by tourists is at the retail level, whether for goods or services, and filters down through the entire economy

....Tourism is a big business in many parts of the world, and it could become big in Northwest North America.

The Commission believes that tourism can be greatly expanded...Battelle forecasts almost a ~~five-fold~~ increase in expenditures by travellers of \$380 million annually by 1980, which would support an additional 20,000 workers and result in an increase in population of about 125,000."

This estimate of course applies to the whole area surveyed in the Battelle report; the share drawn to the Yukon Territory will depend in large measure on the action taken to attract and hold tourists. A national park, sited on the main tourist track, can in future be of great importance in persuading people, who would otherwise drive right through the territory, to spend time and money in the Yukon.

Recognizing this, and also the part which an attractive national park can play in the life of the Yukon itself, in 1958 the Department undertook an investigation and studies of areas in the Yukon with national park possibilities. These studies have resulted in general agreement that the area in the southwest corner of the Territory as indicated on the accompanying map meets the basic requirements for a national park and is undoubtedly the best for this purpose. In addition to the unique and attractive features of the area, its strategic location on the main overland tourist routes is of great importance.

The stage has now been reached where all concerned agree that the time has come to take action. Council's Resolution requesting the Federal Government to take immediate steps to bring a national park into being supports this view. However, everyone also recognizes the problem involved in establishing the chosen areas as a national park, i.e., that it cannot become a national park and still have mineral exploration carried on. In summary, the dilemma is this: is it worthwhile to withdraw 4% of the area of the Yukon from mining in order to establish the proposed park? This dilemma cannot be resolved without more information than we have now both about mineral prospects and about possible park development plans.

For its part the Federal Government has carried out geological surveys which show that the area has certain mineralized zones. However, such surveys have definite limitations and detailed prospecting and exploration is required to show whether or not there are commercial possibilities and the extent or value of such possibilities.

Considering the above it appears logical to adopt two principles:

- (a) to prevent any alienation of surface rights and so avoid compounding our difficulties:

- (b) to allow a limited period for mineral exploration in order to determine whether the mineral possibilities are or are not of sufficient importance to influence the establishment of the park or its boundaries.

Subject to the concurrence of the Council of the Yukon Territory, the Department accordingly proposes to establish the selected area as a National Park Reserve. This can be done by federal order-in-Council. Status as a National Park Reserve would be an interim measure designed to allow a reasonable period for further mineral investigation, so that a better informed final decision can be made.

It is suggested that status as a national park reserve be limited to two years. During this period no uses would be permitted that are inconsistent with National Parks Policy except exploration for minerals. For example there would be no alienation of land, no leases issued and no cutting of timber.

The two year period will also provide time for the National Parks Branch to prepare a broad development plan for the proposed park. This would include an estimate of costs and a tentative development schedule. All this information, together with the information on mineral potential, should be taken into account in reaching final decisions about a park in this area.

It should be clearly understood that concurrence by the Council in this proposal does not commit either the Council or the Federal Government to accept in two years the establishment of the proposed park. It may well be that the mineral potential of the area will then appear so great that use of the land for a national park would be uneconomic and undesirable. On the other hand, it might then appear that the value of this park, both to residents and to tourists, would fully justify giving up some possible mining revenues. Alternatively, it might be that the proposed boundaries could be adjusted in the light of the park development plan.

The immediate priority is the establishment of the reserve, which will greatly facilitate the establishment of the Park if the decision is taken to proceed.

It is accordingly recommended that the Council concur in this proposal.

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INVESTIGATION OF POTENTIAL
NATIONAL PARK AREAS IN THE
YUKON TERRITORY

In 1958, after consultation with the Commissioner, a survey team including L.C. Ward of the National Parks Planning Section and Dr. Fuller of the Canadian Wildlife Service made a survey of potential national park areas in the Yukon. They were guided by the criteria established under federal National Parks policy, namely:

1. To be considered as a potential National Park an area must be worthy of preservation. This means that it should:

- (i) be an outstanding example of the best scenery in a province, or
- (ii) have unique scenic, geographical or geological features of national interest, or
- (iii) have outstanding examples of flora and fauna of national interest, or
- (iv) provide outstanding opportunities for enjoying appropriate non-urban forms of outdoor recreation amid superb surroundings.

2. Preferably and in accordance with its purpose, it should be large enough to support indigenous flora and fauna.

3. Depending on the size of the area and the purposes of the proposed park, it is usually desirable that the area or part of it be suitable for recreational purposes and for accommodation or other visitor services.

4. It must be evident that the area is of sufficient value now or for the future to justify the expenditure required for preservation and development.

Factors used in applying these criteria were:

- (a) Quality and Variety of Scenery - mountains, lakes, rivers, glaciers, tundra, forests.
- (b) Wildlife - variety and numbers.
- (c) Potential Visitor Uses - camping, boating and fishing, hiking, riding, photography, climbing and skiing.
- (d) Miscellaneous - geological or historical values, relative importance of minerals as compared with park values, feasibility of forest fire protection.
- (e) Accessibility - present accessibility, feasibility of future construction.

The survey team felt that the Dezadeash-Donjek Area possessed the potential for a very fine national park and that no other area approached it in quality and variety of attractions or in overall suitability. Both the northern and southern portions of the Dezadeash-Donjek Area are not only outstanding from the standpoints of scenery and attractions but they also complement each other to quite an extent. The southern or Dezadeash portion

offers a wide variety of visitor appeal and is a good representation of the features of the Yukon Territory. It contains a variety of scenery from low hills, lakes and rivers, to broken and rugged mountains and tundra, and of course the high peaks and icefields. The main area is accessible quite easily and construction of access roads would not be difficult. With its attractive lakes it affords excellent possibilities for boating and fishing and for the development of visitor accommodation and facilities such as campgrounds. It also contains the representative wildlife species which due to accessibility and the nature of the area could be seen quite frequently by visitors. The geological features are representative of the best in the region. In a park remote from population centres it is important that part of the terrain be such that people can come to the park and enjoy a number of activities which will make the trip worthwhile and encourage them to stay for a number of days.

The northern or Donjek portion on the other hand is outstanding in the grandeur of its scenery. It rates very high in mountains, glaciers, wildlife (especially caribou), alpine tundra and wilderness type of use, but lacks lakes and possibilities for visitor accommodation.

As a unit the Dezadeash-Donjek Area possesses excellent potential as a national park and there is no doubt that it is the most outstanding and the most suitable area in the Yukon.

.....

PROPOSED YUKON NATIONAL PARK -
BOUNDARY FEATURES

In general, the aim in establishing the boundaries of the proposed National Park Reserve was to include those areas which meet the requirements for a national park and to exclude, if feasible, areas not required and areas containing mineral claims or other private developments. The boundaries first considered ideal have thus been adjusted to some extent in an attempt to minimize interference with the other resource-based industries.

Why the Dog Leg at the Northwest Corner?

The purpose here was to exclude from the reserve an area which would not add a great deal to a future park, but which is important for other purposes since it includes White River Lodge and some mining claims and is considered favourable for prospecting.

Why the 1,000 ft. Setback from the Highway?

This has been suggested in order to avoid problems associated with highways on park boundaries and to allow scope for private developments along the road.

Why was the area south and west of Kluane Lake excluded?

This area would not add major attractions to the park and has some mineral potential. It apparently has showings of copper, nickel, gold and gypsum.

It also has the Kashawulsh Glacier, which is an interesting natural feature. However, on close approach, the ice front disappears below the rubble of the terminal moraine. The proposed park reserve boundaries include three major glaciers -- the Klutlan, Donjek and Lowell. Both the Donjek and the Lowell are more interesting and more attractive than the Kashawulsh.

.....

D R A F T:

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT it is considered advisable to preserve for the benefit and enjoyment of future generations, a suitable area in the Yukon Territory for future development as a National Park;

THAT thorough investigations of potential park areas resulted in the selection of an area of approximately 8,500 square miles in the southwest corner of Yukon Territory adjoining the boundaries of the Province of British Columbia and the State of Alaska, described in schedule annexed;

THAT the desirability of establishing a National Park in Yukon Territory was underlined by a resolution passed at the June, 1961, session of the Council of the Yukon Territory requesting the Federal Government to take prompt action to establish a National Park in the Territory;

THE UNDERSIGNED, THEREFORE, has the honour to recommend that Your excellency in Council do, pursuant to the Territorial Lands Act, make the following order:

Order

The Territorial lands in the Yukon Territory described in the annexed Schedule are hereby withdrawn from disposal to constitute a National Park Reserve for a two year period ending on Order in Council P.C. 7101 of the 15th of September, 1944, is revoked.

Respectfully submitted,

Minister of Northern Affairs
and National Resources.

SCHEDULE

Description for Order in Council

In the Yukon Territory; all that tract in the vicinity of the St. Elias Mountains more particularly described as follows:

Commencing at a point on the north boundary of the Province of British Columbia perpendicularly distant 1000 feet westerly from the westerly limit of the Haines Cut-off Road; thence west along said boundary to its intersection with the boundary of Alaska; thence northerly, westerly and northerly along said boundary of Alaska to latitude $61^{\circ}30'$; thence east to longitude $140^{\circ}40'$; thence north to latitude $61^{\circ}40'$; thence east to a point on a line perpendicularly distant 1000 ft. westerly from the westerly limit of the Alaska Highway; thence southeasterly on a line conforming to the sinuosities of and 1000 ft. perpendicularly distant from the westerly limit of said Highway to a point on a line having a bearing of $342^{\circ}40'$ from a cairn marking the summit of a mountain having an elevation of 7310 ft. according to the St. Elias sheet of the Third Edition of the National Topographic Series of the Department of Mines and Technical Surveys at Ottawa; thence $162^{\circ}40'$ to said cairn; thence $188^{\circ}40'$ approximately to a cairn marking the summit of a mountain having an elevation of 7695 ft. according to said sheet; thence $135^{\circ}00'$ to a point at longitude $139^{\circ}20'$; thence south to a point at latitude $60^{\circ}40'$; thence east to the right bank of the Dezadeash River; thence northeasterly and easterly along the right bank of the most northerly channel of the Dezadeash River to a point perpendicularly distant 1000 ft. westerly from the westerly limit of the Haines Cut-off Road; thence southeasterly on a line conforming to the sinuosities of and 1000 ft. perpendicularly distant westerly from the westerly limit of the Haines Cut-off Road to the point of commencement;

said tract containing about 8515 square miles.

ADMINISTRATION AND CONTROL OF THE
PROPOSED PARK RESERVE

Preservation of the natural features and attractiveness of the Park Reserve would be achieved by regulations to be drafted by the legal officers in this Department and the Department of Justice.

The intent of the regulations would be to minimize disturbance and damage to the land, timber and water resources in the area. Companies and individuals engaged in resources exploration and development would be required to conduct their operations under conditions and by methods to ensure maximum preservation of the natural character and features of the reserved area. Subject to these aesthetic controls, the search for mineral resources would be encouraged in every way possible.

Land and timber dispositions would be withheld in the Park Reserve. The administration of game resources, a responsibility of the Government of Yukon Territory, would not be mentioned in the proposed regulations.

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COUNCIL RECOMMENDATIONS RE INTERDEPARTMENTAL AGREEMENT

1. Page 18 Mr. Chamberlist moved seconded by Mr. Taylor, that Council request the Department of Health (Federal) to give them information as to when a full water system would be required for the Porter Creek and Watson Lake Subdivisions.
2. Page 25 Mr. Chamberlist moved seconded by Mr. Livesey, that Committee in reviewing this report, especially in the portion dealing with the liquor tax fund, that the monies be allocated in exactly the same way as previously agreed upon by the prior Council of the Yukon.
3. Page 27 Mr. Chamberlist moved seconded by Mr. Taylor, that the policy of the Council in regard to Capital Expenditure in Section 41 of the Education Report be the course that the Yukon Council intends to take.
4. Page 27 Mr. McKamey moved seconded by Mr. Chamberlist, that Subsection (lll) of Section 2, Page 10, be deleted.
5. Page 27 Mr. McKinnon moved seconded by Mr. Taylor, that Council ask Mr. Carter for the Government policy with regard to emergency airstrips, if none, Council recommend that a policy be established and surveys conducted of emergency airports.
6. Page 27 Mr. Chamberlist moved seconded by Mr. McKamey, that Paragraph 3, Page 29 be deleted because of previous motion. (See Motion #2 this list).
7. Page 28 Mr. Livesey moved, seconded by Mr. Chamberlist, regarding Sub-section C (Page 31) that the recommendations of this committee are that sufficient scope be allowed for future expansion of villages or other communities and that no monetary limit be set by way of administrative grants to such communities.
8. Page 28 Mr. Chamberlist moved seconded by Mr. Livesey, that the committee do not agree with the comments by the Interdepartmental Committee as to the needs for full sewer and water systems during 1962-67.
9. Page 36 Committee recommended "That all tax revenue derived from the liquor tax be directed to Community Development during the period of this agreement on the same basis of distribution as heretofore."
10. Page 36 Timber to be classified as a resource. See Mr. Livesey's motion #2 for production of papers, Page 26.

11. Page 37 The Committee felt that the words "Up to \$3500.00" should be deleted from Page 31, Sub.(c) of the report.
12. Page 37 The Committee recommended that the present exemptions under the Motor Vehicle Fuel Tax Ordinance be considered by Council and that the amount of the tax be increased at the rate suggested.
13. Page 45 Moved by Mr. Watt seconded by Mr. McKamey
 1. It is understood the figures in this report are estimates only and that they are subject to variations insofar as major items of expenditure are concerned. Major items of expenditure should include major increases in administration costs as well as capital expenditures.
 2. This resolution could allow for expansion of sewage and water systems of Porter Creek and Watson Lake, sudden and substantial change in cost of living index or any other emergency that may arise.
14. Regarding sewer and water systems. It was moved by Mr. Shaw seconded by Mr. McKinnon that the words "The Committee did not anticipate any need for any new systems in the 1962-67 period", be deleted.
15. Mr. Shaw moved, seconded by Mr. McKamey that a classification be added to the recommendations to include piped water system as well as a full water and sewage system and the financial arrangement provided.
16. Moved by Mr. Shaw seconded by Mr. Livesey that the Territorial Civil Servants should be entitled to the same superannuation formula as is extended to Federal Civil Servants.
17. Moved by Mr. McKamey seconded by Mr. Taylor, that under the Tote Trail Classification, reconstruction be under the same classification and conditions as construction.
18. Moved by Mr. Livesey, seconded by Mr. Taylor, that Committee recommends that more attention be paid to the roads of the Lumber Industry relative to the building of roads into timber areas and mills in the Yukon Territory, when such assistance may be warranted during the life of the 1962-67 Interdepartmental Agreement.
19. Moved by Mr. Taylor, seconded by Mr. McKinnon, that paragraph on Page 29, referring to Liquor Tax, be not accepted and any further reference be deleted and further that the whole liquor tax revenue be used in an equal share for each Electoral District as a basis for Capital Cost purposes for community recreational activities.

Chairman of Committee, Mr. Shaw, stated it is agreed that this motion will obliterate any motions prior to this one on this particular regard.

20. Moved by Mr. Taylor, seconded by Mr. McKinnon that (a) Eliminate all exemptions except fuel used in stationery electric power plants and heating purposes, airplane fuel, and fuel used for mining, (b) increase tax rate from 6¢ to 9¢ beginning 1962-63 at the rate of 1¢ per annum.
21. Moved by Mr. McKamey, seconded by Mr. McKinnon, that the fuel tax ordinance be drafted to replace the sections applicable under the Motor Fuel Tax Ordinance.
22. Moved by Mr. Livesey, seconded by Mr. McKamey, that for purposes of taxation under the proposed Fuel Tax Ordinance, "Fuel" shall be gasoline, kerosine, diesel fuels all grades, naptha, solvent.
23. Moved by Mr. McKamey, seconded by Mr. Livesey, that the Community Development Fund be renamed the Community Recreational Development Fund.
24. Moved by Mr. Taylor, seconded by Mr. Watt that the Interdepartmental agreement be accepted, subject to recommendations submitted by this Council.

MR. TAYLOR'S REPLY TO THE SPEECH FROM THE THRONE

May I first say that this, my first session of Council, has been a most important and enlightening one indeed, and may I commend the efforts of both the Former Council and the Administration in making available to the residents of the south eastern Yukon, this seat in the Yukon Legislative Council. May I also say at this time that I have found the attitude shown by Mr. Commissioner, the administration and my fellow councillors, towards the problems of my district, most understanding and considerate indeed. I am confident that this relationship will prevail through the years ahead.

Over the past weeks we have dealt with some very important matters, such as the Interdepartmental Fiscal Agreement, a five year agreement, the Health Plan, and many other matters of great importance. We have debated all aspects of these proposals and have made our recommendations accordingly.

Among our deliberations were many proposals relative to the coming Dawson Festival, a truly outstanding project from which our Territory should benefit greatly. The people of Dawson City, focal point of the Festival, have put forth almost super-human effort, in preparing for the Festival year, and it appears that other communities throughout the Yukon are preparing to participate. It is apparent that we must all make an extra special effort in making our tourists feel welcome, and that the festival is a success.

The Interdepartmental Agreement was given our closest scrutiny and consideration. The proposed fiscal agreement, coupled with recommendations of this Council, will offer a better degree of financial assistance over the next five years, and capital cost proposals will reflect progress in both construction and administration. One most important step will be the appointment of a Senior Legal Advisor, who will act in the equivalent capacity of an Attorney General here in the Territory. This will mean that legislation will be drafted here in the Yukon instead of Ottawa, and indicates a great step forward in the future autonomy of the Territory.

The most contentious proposals of the session were contained in the Yukon Health Plan. Many of the recommendations made in this Plan were completely ill-founded and inadequate. Much debate ensued and many opinions were expressed. Dr. Willis, the Assistant Director of Northern Health Services attended Council and heard our criticisms and desires. As a result, the plan was amended to make available necessary facilities immediately where required in the Territory. During these discussions I strongly criticized the policy of the Northern Health Services Administration, based on the lack of cooperation and understanding as evidenced by the Watson Lake, Teslin and Haines Junction situations over the past few years.

Now the discussions are over, and we can only hope that the Department of Health and Welfare will adhere to our proposals and recommendations. If so, I am confident that the citizens of our Territory will receive a far better degree of medical assistance than has been available in the past.

During the latter part of this session, a matter of great importance arose respecting one of the members of Council. All aspects of the situation were taken into account and our decision as to the vacating of his seat was reached fairly and honestly. The law is clear as well as the principal involved, and it was with a great deal of regret that we reached our decision. Had we taken any other course in this matter, we would have betrayed the trust placed in us by our constituents, and opened the doors of this Legislative Assembly to both collusion and corruption. My decision in this regard is both firm and final, as I cannot condone such practice as prohibited by both Moral and Constitutional Law.

In closing, may I commend the fine work done by our Council stenographer as reflected both here in Council and in the Votes and Proceedings of this session. I am sure all members of Council will join me in expressing our thanks for a job well done.

SESSIONAL PAPER NO. 28 - 1961 Third Session.

MR. SHAW'S REPLY TO THE SPEECH FROM THE THRONE

Mr. Speaker: I am again pleased to be able to say a few words on this occasion, an occasion in which I am able to wander, on to various subjects, without being asked by you Mr. Speaker to not digress and confine myself to the question. I am happy with the overall implications of the Interdepartmental Financial Agreement in its draft form as it applies to the people of the Yukon. It is without doubt an arrangement that reflects the understanding of the Administration and the Federal Government, that the people of the Yukon are indeed in a financial position that is different to those of Canada that have a more favourable climate, more density of population and more diversified industry. The fact is also recognized, as to conform with Federal-Provincial relations, that separation must be made between the various departments of Government, in other words, instead of a loose arrangement, we now know that we will have a definite **contact** with the Department of Justice, with a direct representative of the Attorney General. This should greatly improve the drafting of Ordinances, which in turn, can amend some of our antiquated laws, to bring them up to date, that we can all understand and live with.

The possible construction of a new Territorial Jail will not make some people happy. However, I am sure that if a fellow has to go to jail, perhaps they would agree that it is better to patronize local industry, that say, British Columbia.

I think one of the biggest steps forward is the proposed Yukon Health Plan, this is designed for the purpose that no resident of the Yukon should want for a sound preventative health plan for want of money, particular attention being focussed on school children, as well as cancer, polio, etc. etc.. I will admit that the sections concerning the closing or reducing of the Northern Hospitals in size did create a slight eruption, but must admit that this was eventually settled by the support of all members for the districts concerned, and the Health Department, when they were advised of local conditions.

Emphasis has also been placed on Education, with the construction of the new High and Vocational School scheduled for next summer. Health and Education are of vital importance to Canada at this time, if we are behind in these very important matters to-day, the projected programs will very soon put us on par with the best. There is no doubt that there are many goodies in the new agreement that will benefit the people of the Yukon. On the debit side, we will be required to have to dig a little more for our gasoline tax and our property tax, which I feel sure no good citizen will object to when this money will assist their children to obtain a better education as well as looking after the health of the young and old.

I would like, at this time, Mr. Speaker, to touch a little on a National Park. I feel this is a very necessary project for the Yukon. I quite realize that mining is the number one industry that we have. Surely this does not mean that we should blind our eyes to developing other industries. We, through various sessions of Council, have played with this Park project, each time it has been shelved. I think it is about time that we came to grips with this and designated an area where a Park could be established. The mining fraternity have objections to taking over some of the potential mineral areas and perhaps rightfully so. However, we must give and take on occasions and this is one of these occasions. I would suggest Mr. Speaker, that the people who are so concerned with the mining aspects should present a brief to all Council Members of scenic parts of the Territory which they would approve of as a National Park within reasonable distance of our system of highways. I would ask that while preparing this brief they take under consideration the necessity of the Yukon having as diversified an industry as possible for the benefit of all of us. This is positive action which I am sure all members of this Council would very much appreciate.

I wish to thank you Mr. Speaker, as well as all members of Council, and the Administration, for the support you have given me in relation to matters concerning my Electoral District, particularly in relation to the Dawson City Festival. I am extremely pleased by your comments that we must all get behind this effort, that this will benefit all of the Yukon, and so on, you are right it will. Without your support, I would have a difficult job, as it is, I feel confident that I will have every co-operation from you in the future and can assure you that the people of my area are working very hard to make this a success and justify your confidence, with the object of making this part of the Yukon a must for tourists who in most cases will travel through your district in the Yukon to get to Dawson.

I cannot say that I am as happy to see our local Radio Station taken away from us, C.F.Y.T. was started as a community project in 1948, financed and operated by the community. To some people not conversant with the situation, this may not mean a great deal. However, this station was part and parcel of the community. If you wanted to find a lost dog, or the reassuring statement from the announcer to the parents in 50 below weather, that the school bus had arrived and so on, it had the wonderful faculty of bringing people closer together, my suggestion to C.B.C. that one announcer be there for local programs was turned down. I must say that this was pretty hard headed and also very short sighted in view of the upcoming Festival.

In conclusion, Mr. Speaker, I would say that this Session has been the most difficult that I have experienced, in that my feelings in the necessity of members of this Council, in the spending of the peoples money, should remain above reproach, the decision reached after hours of study was not pleasant, neither was the aftermath. All I can say is that there are times when the chips are down, that a man must stand up and be counted. Again I wish to thank all members for their courtesy to me at all times as well as the administration, in which I include Mr. Clerk and our very hard working stenographer.

SESSIONAL PAPER NO. 29 - 1961 Third Session.

MR. MCKINNON'S REPLY TO THE SPEECH FROM THE THRONE

I would just like to close by thanking you Mr. Speaker and all Members of Council, for all your help and encouragement that you have given to me. When I went to my chair and noticed the rows of books in front of me, I felt pretty discouraged. As I look back in retrospect now and I see that we have accomplished some very useful and good results for the Territory for the next five years, I must say that I am happy to have been associated during this Session and will be happy to associate with you over the next three years.

SESSIONAL PAPER NO. 30 - 1961 Third Session.

MR. WATT'S REPLY TO THE SPEECH FROM THE THRONE

As this, my first Territorial Council Session, comes to a close, I cannot help but reflect on those things we still must do to make the Yukon a better and more desirable place to live and raise families.

Next fall, we will be opening a vocational training school in Whitehorse. This school will help prepare many of our young people, and help them win a living, working as skilled and competent tradesmen, throughout the Territory. This new trades school is one more step the Government is taking to develop and utilize to the fullest, our greatest natural resource, our manpower. I would like to urge further development of our Educational System, both in vocational training programs and formal education, particularly at the high school level.

This Coming summer there will be, in Dawson City, a new and original plan to encourage the Tourist Industry of the Yukon. The Dawson City Festival has the full backing of myself and my constituents. I believe this Council should bend over backwards and legislate with the view of giving the Dawson City Festival every possible chance of success. I would like to congratulate the citizens of Dawson City, and the representative, to the Territorial Council, for the fine work they are doing to make this festival a success.

As I perused the Ordinances of the Yukon Territory, I came across, in the Legal Profession Ordinance, the Solemn Oath of a Barrister and Solicitor. They swear to, Quote, "Conduct all causes faithfully and to the best of your ability. You shall neglect no man's interest, nor seek to destroy any man's property. You shall not refuse causes of complaint reasonably founded, nor shall you promote suit upon frivolous pretense. You shall not pervert the law to favour or prejudice of any man, but in all things shall conduct yourself truly and with integrity". unquote. In the past we have had people both within and without the legal profession, abuse the privileges of the courts. I sincerely hope this practice is at an end, or this Council will have to legislate to safeguard our citizens from frivolous legislation and abuses of our courts, and small debt courts.

This Council has spent much of its time on a new Health Plan for the Yukon, and a new five year fiscal agreement with the Federal Government. I must say the Federal Government has been generous with its allowances for the operation and expansion of the Yukon Territory.

elected or to be or sit as a member of the Council." unquote. This information was brought to the attention of each Council Member by letter from the Administration, before the session commenced. On November 7th, after sitting with council for seven days, the then member for Whitehorse East submitted a bid as a sub contractor for electrical work on the Trades School as manager of the Whitehorse Electric Company Limited, in the amount of sixty one thousand, three hundred and twelve dollars.

On November 8th, in the afternoon, the bids were opened and Whitehorse Electric was found to be the lowest bidder. This bid became part of the main contract when the Territorial Administration formally accepted the bid of the main contractor which came about on November 22nd, 1961.

This was when the fat really was in the fire. A member of the Council had become involved with the spending of sixty one thousand dollars of the peoples money in the view of members of the House. This was considered to be a most intolerable situation, the explosive elements of which most assuredly brought about directly and indirectly, a series of unpleasant events which I am quite sure, the members of the house would have much preferred to avoid.

During the afternoon of the 22nd, the question was raised, and in accordance with the rules, the members was asked to explain and withdraw from the debate. A special committee of all remaining members then sat to discuss the various aspects of the situation and documents were called for and examined. One examination showed that the company concerned was still registered with the Registrar of Joint Stock Companies and that no recent change had taken place relative to its shareholders and that the member was one of the shareholders. The question of the main contract and the involvement of the sub-contract was discussed, as well as every other conceivable aspect which included letters from the member to the administration covering the claim of no further proprietary interest et cetera, in the firm which made the sub-contract bid.

After almost three hours of deliberation a unanimous decision was reached. Council was then reconvened and the member was made aware of the decision which was simply that he was asked to withdraw the contract, failing an affirmative answer, that he be respectfully asked to resign, and if both alternatives were refused that Mr. Speaker declare the seat vacant.

When the member was made aware of the decision the two methods left open for the member were refused and Mr. Speaker was left no alternative but to follow the express unanimous decision of the house and declare the seat vacant. The whole procedure took several hours and the temper and feeling of the House was such that no compromise with principles was possible, and it was a question of facing the fact that under the circumstances no continuation of sitting together was possible. Either one member resigned or six members resigned.

During the session the House considered the necessity to continue with such vital discussions as the new five year Interdepartmental Fiscal Agreement, the new Health Plan, proposals relative to a new draft of an Ordinance related to Fire Prevention, five public bills, discussions relative to the duties of a Yukon Tourist Director, proposed water and sewer services, civil defence, questions related to amending the Marriage Ordinance, Motor Vehicles, Dawson City Festival, safety regulations, Territorial Assistance to Museums, a number of Individual items from members of Council respecting their own electoral districts and a host of variables too numerous to mention. It was, in short, a trying, anxious and busy session.

I would like to thank all members of the Council for their exemplary contributions to the peace and good order maintained during deliberations, and sincere respect for the honour and dignity of this House during difficult days.

All the business before this Territorial Council will not be completed until the next session, because many of the drafts and suggestions we have been studying will go to Ottawa for redrafting before they are again presented to Council for approval.

This Council will adjourn with many problems left to investigate and analyze in time for the spring session not too many months from now. Among these problems already suggested are:- 1. Resident Hunting Licences for Service Personnel stationed in the Yukon Territory, 2. Alcoholic beverages served with meals in public restaurants. 3. A National Parks program for the Yukon.

I would like to solicit the advice and help of all Yukoners, particularly those living in Whitehorse West, to help me get a true picture of the wishes needs and aspirations.

SESSIONAL PAPER NO. 31 - 1961 Third Session.

MR. MCKAMEY'S REPLY TO THE SPEECH FROM THE THRONE

I wish to thank each and every member and for the assistance and co-operation for this last three or four weeks in this Council and I would also like to thank the various Departments of the Administration for the cooperation we have had in talking our business over this last session.

SESSIONAL PAPER NO. 32 - 1961 Third Session

MR. LIVESEY'S REPLY TO THE SPEECH FROM THE THRONE

Mr. Speaker, Honourable Members of Council: As you all know, this has been a most trying session, especially so, I feel, for the newly elected members sitting in Council for the first time.

You have asked me to specifically deal with one of the most serious issues ever to come before a Council of the Yukon Territory, and as your Speaker, and servant of the House, I will attempt to relate the facts as I saw them as impartially as I know how, and without malice aforethought toward anyone.

The First thing to come to my mind is the spirit and intent of the Elections Ordinance, which in my opinion clearly defines that which a Councillor may do and may not do, relative to Territorial Contracts, and the Section to which I refer reads as follows, quote, "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." unquote. Section 10 reads, Quote, "No person who is ineligible to be a candidate at an election is eligible to be

SESSIONAL PAPER NO. 33 - 1961 Third Session.
CLOSING ADDRESS

BY

COMMISSIONER F.H. COLLINS

29 November, 1961

Mr. Speaker,
Members of Council:

You have now reached the end of a prolonged session marked by trying circumstances and difficult decisions.

While no major items of legislation were presented for consideration, the Interdepartmental Report and Yukon Health Plan required painstaking review leading to suggested revisions in the light of the five-year period involved. The Report, which embodies the Health Plan, is of the utmost significance to each and every citizen of the Yukon. I would like to congratulate Council on the precise and fair-minded attitude of its deliberations on these important documents.

The Report, a blueprint by the federal government of the immediate future of the Territory, as it materializes into form and structure, will have a profound effect on the economic life of the Yukon for many years to come, establishing a pattern of approach to many of the problems besetting it. I consider the governing features most generous and entirely desirable.

Assent has been given to the Bills enumerated by the Clerk of the Council.

I would like to thank Mr. Speaker and Members of Council for the courtesy shown to me and the staff of the government, and to wish each one a happy and successful 1962.

Thank you, Mr. Speaker and Members of Council.



YUKON TERRITORIAL COUNCIL

THIRD SESSION 1961

Votes and Proceedings