



# YUKON TERRITORIAL COUNCIL

FIRST SESSION 1962

## Votes and Proceedings

Volume 1.

I N D E X

VOTES AND PROCEEDINGS - 1962 FIRST SESSION.

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Bill No.	Chapter No.		First & Second Reading	Discussions	THIRD Reading	Assented to date
1	1	Low Cost Housing as amended	43 362	114 347	362	May 11th.
2	2	Loan Agreement (1962) no. 1	43	352	362	May 11th.
3	12	Amend the Yukon Housing Ord.	44	116	117	April 30th.
4	13	Amend the Companies Ord.	44	51	110	April 30th.
5	14	Amend the Legal Profession Ord.	44	116,157	162	April 30th.
6	26	Appropriation Ordinance 1962-63	58	118,122,210, 231,254,258, 389,395.	408	May 11th.
7	15	Amend the Labour Provisions Ord.	58	353,375,387	408	May 11th.
8	5	Repeal the Poll Tax Ord.	58	158	162	April 30th.
9	24	Second Supp. Appropriation 61-62	58	177	196	April 30th.
10	6	Fuel Oil Tax Ord.	122	158,170	231	April 30th.
11	16	Amend the Disabled Persons Allowance Ord.	122	174	182	April 30th.
12	7	Ordinance Respecting Schools	55	55,81,83,93, 100,144,162, 169,285,290,337, 363,387,391	391	May 11th.
13	nil	Loan Agreement (1962)No. 2	122	322,327	nil	nil

I N D E X

<u>Bill No.</u>	<u>Chapt. No.</u>		<u>First &amp; Second Reading</u>	<u>Discussions</u>	<u>THIRD Reading</u>	<u>Assented to date</u>
14	17	Amend the Old Age Assistance & Blind Persons Allowance Ord.	122	174	182	April 30t
15	25	Interim Supp Approp. 1962	29	30	31	April 30t
16	18	Amend the Liquor Ordinance	122	391,400		
		As amended	408	406,409	414	May 11th
17	8	Lord's Day (Yukon) Ord.	58	111	141	April 30t
18	27	First Supplementary Approp. 62-63	122	358,398	408	May 11th.
19	19	Amend the Intestate Succession Ord.	122	174	182	April 30t
20	3	Low Rental Housing Agreement	122	175, 329		
		As Amended	362		362	May 11th.
21	20	Amend the Public Service Ord.	141	174	182	April 30t
22	9	Dependants' Relief Ord.	210	334	362	May 11th.
23	nil	Amend the Petroleum Products Ord.	210	404	nil	nil
24	10	An Ordinance Respecting the Inco <sup>rp.</sup> of Yukon Social Service Society	210	340		
		As amended	408		408	May 11th.
25	21	Amend the Motor Vehicles Ord.	210	404	409	May 11th.
26	22	Amend the Municipal Ord.	231	339,375		
		As amended	408		409	May 11th.
27	4	Financial Agreement Ord. 1962	231	306,322	362	May 11th.
28	23	Amend the Public Service Ord.	346	364	387	May 11th.
29	11	Cancer Diagnosis Ordinance	363	365	387	May 11th.

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VOTES AND PROCEEDINGS  
of the  
COUNCIL OF THE YUKON TERRITORY

Wednesday, March 28th, 1962.  
3:00 O'clock P.M.

The first session of the Council for the year 1962, being the second 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, March 28th, 1962, the Members having previously been sworn and taken the Oath of Allegiance.

The members present were:

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

The members absent were:

Mr. George O. Shaw, Dawson

The Speaker was ushered into the Council Chambers by the Sergeant-at-Arms. Mr. Speaker stated that there was a stranger present and asked the stranger to withdraw. The stranger withdrew from Council.

The Commissioner was ushered into the Council Chambers by the Sergeant-at-Arms and gave his address. The Commissioner's address is set forth in Sessional Paper No. 1.

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

Thank you Mr. Commissioner for your very informative address. Council will give every consideration to all the interesting points which have been brought up in your address.

Mr. Taylor moved, seconded by Mr. Boyd, that the Commissioner's address be taken into consideration on the following day.  
Motion Carried.

Mr. McKinnon begged leave, seconded by Mr. McKamey, to introduce a Bill to Amend the Companies Ordinance.  
Motion Carried.

Mr. Speaker brought to the attention of the Council a message with regard to the Yukon Travel Bureau, dated March 27th, 1962, and addressed to Mr. J. O. Livesey, Speaker, Territorial Council, which read as follows:-

Due to shortness of time we have been unable to contact each member of the Territorial Council individually, to invite them to the Yukon Travel Bureau Annual Banquet to be held in the Blue Room of the Whitehorse Inn, tomorrow, March 28th, at 6:30 P.M.

Page 2.

We would appreciate it very much if you would extend this invitation, on our behalf to the members of Council and their wives.

Thanking you in anticipation of your help and looking forward to your company tomorrow evening,

Sincerely yours,  
Mrs. R. B. Cousins - Manager

On motion Council adjourned until 10:00 o'clock a.m.  
Thursday, March 29th, 1962.



Thursday, March 29th, 1962.  
10:00 o'clock A.M.

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

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

	Sessional Papers
S.P. No. 2 - Game Ordinance	2
S.P. No. 3 - Grant to Boy Scouts & Girl Guides	3
S.P. No. 4 - Migratory Bird Sanctuary	4
S.P. No. 5 - Civil Defence Emergency Measures Planning	5
S.P. No. 6 - Teachers of the Territory	6
S.P. No. 7 - Mines Rescue Equipment	7
S.P. No. 8 - Territorial Government Scholarships	8

Mr. Speaker introduced Mr. H.E. Boyd, the newly-elected Councillor for Whitehorse East, to members of Council.

Mr. Shaw explained his absence from the first day of Council in that he was delayed in his return from the East by reason of having to travel some distance by car.

Mr. McKinnon noted that Mr. Shaw had been interviewed by the Ottawa "Citizen" during his stay in Eastern Canada, with regard to renovation of the Palace Grand Theatre. This was also mentioned on the "News of the North" radio program.

Mr. Speaker, in referring to the C.B.C. radio report that he had requested the house to be cleared due to the presence of a stranger in the House, stated that he had informed the C.B.C. that he had not requested the House to be cleared, but had asked the stranger to leave.

Mr. Speaker read the Orders of the Day.

Mr. Shaw stated that before members go into Committee, he would like to introduce visitors from Old Crow - Mrs. Effie Linklater, Mrs. Jessie Thomas and Miss Alice Frost.

Mr. Speaker welcomed visitors on behalf of Council.

Mr. McKinnon gave Notice of Motion for Production of Papers regarding the Lord's Day Act.

Production  
of Papers  
No. 1.

Mr. Speaker asked whether members had prepared any thoughts on the agenda.

Mr. McKamey suggested that Friday, March 30th, at 3:30 P.M., the Interdepartmental Report be discussed with Dr. Munroe.

Council agreed.

Mr. Taylor, in considering the agenda, wondered if the granting of Banquet permits in the Territory would be discussed. He also asked if it would be possible for Council to take this under advisement in the next day or so.

Mr. McKinnon requested that they study of the Financial Report and Health Services Plan, as the fiscal year ends March 31st, 1962, and both these matters require immediate attention.

Mr. McKamey suggested that the first item be that Council hear the report from the Financial Committee.

Mr. McKinnon stated that some discussion of the report on Federal-Territorial Financial Relations was very important.

Mr. McKamey requested that the Interdepartmental Report be discussed following discussion of the Financial Report.

Mr. Taylor agreed with Mr. McKinnon that financial matters should be dealt with as soon as possible, and concurred with the member from Mayo re carrying on with the Interdepartmental Report until Dr. Munroe arrived.

Council agreed.

Mr. Speaker then asked for suggestions for discussion during the morning.

Mr. McKinnon commented regarding discussion of the Liquor Regulations. He claimed that this subject would be one of the most contentious and controversial subjects Council would be faced with. He recommended that House business be disposed of as quickly as possible and at termination of business Council should sit down and study thoroughly the Liquor Ordinance with a view to revising this Ordinance.

Mr. Shaw stated that if the Interdepartmental Report, Health Services Plan, the School Ordinance (with 165 recommendations) and the Liquor Ordinance were all studied thoroughly, Council would be sitting until August. The Liquor Ordinance definitely requires revision, but it would appear that a Committee report, is required out of Council respecting the Ordinance, should be made for the next Fall Session, that the view-point of the Administration and all other interested persons, be integrated into same.

Mr. McKinnon agreed that discussion of the Liquor Ordinance be extended to the Fall Session. He then directed a question to Mr. Shaw - "In view of the fact that the Dawson City Festival would open soon would the Liquor Ordinance in its present form be adequate?"

Mr. Shaw replied that the Liquor Ordinance is too long and involved to amend any sections that are unworkable at the present time.

Mr. McKamey stated regarding the Liquor Ordinance that it would take a minimum of two years to completely revise and that this is impossible at this Session. He agreed with Mr. Shaw that a committee should deal with the situation, which will take a year to consider. A report will have to be sent to Ottawa, and it will then take 6 months to a year to have legislation drafted. The present Liquor Ordinance is now workable but amendments are required with regard to the Dawson City Festival. Mr. McKamey suggested that the Regulations be considered and the Liquor Ordinance be amended, and only then should complete revision of the Ordinance be considered.

Mr. Taylor agreed that Mr. McKamey summed up the situation well regarding the hours of opening of premises and the granting of banquet permits. Two years at least should bring better liquor laws.

Moved by Mr. Shaw, seconded by Mr. McKamey that Council resolve into Committee of the Whole to discuss messages from the Commissioner.

Motion Carried.

In Committee of the Whole:

Mr. Shaw, Chairman, read a letter re revision of the Game Ordinance. (See Sessional Paper # 2)



Mr. McKamey stated that the reasons for not allowing wild meat during the Dawson Festival have been exaggerated. Information concerning this has been circulated in Canada and the United States. He stated he could see no reason why this could not have a firm control and he did not see any relation to wholesale slaughter by Indians and an appointee of the Government to hunt meat for the Dawson City Festival.

Mr. McKinnon replied that Mr. Shaw being closer to the scene at this time, could give a resume of what he would require from Council now and in the future.

Mr. Shaw replied that he did not think it important that game be shot to sell in Dawson for the Festival, as there is not enough game in the country.

Mr. Livesey felt that there were too many people for the amount of game in the country and he was against serving wild meat in restaurants. When a precedent is established something is often added to it later.

Mr. Taylor stated that he was against serving of wild meat in public places unless the meat is Government inspected. He disagreed with wholesale slaughter of wild meat and felt that restrictions on hunting it would not affect the tourist industry.

Mr. Watt stated that <sup>under</sup> subsection (g), section 79, game can be served in public places on special occasions, if the game has been shot legally at the right time of year and the Commissioner has given permission.

Mr. McKamey stated that the game hunting industry nets the Territory ninety to one hundred thousand dollars a year, permitting the slaughter of game for heads alone.

Mr. Shaw stated that when an Ordinance is changed, or special privileges are granted, the value of these must be weighed against the liabilities. If the Ordinance is changed the season would have to be changed (opening August 1st) as the Dawson Festival would be half over by that time.

Mr. McKamey stated that the Festival will last only 6 weeks and control could be placed on the hunting of game. In Alaska with its greater population, the hunting of game has not depleted the wild animal population.

Mr. Boyd questioned how much meat was expected to be brought from Northwest Territories.

Mr. McKamey replied that plans have been made to transport 23 tons of reindeer meat from N.W.T.

Mr. Livesey stated that Council had requested that the line of demarcation be lowered so that people living in the Dawson area could shoot meat as they require it. This was brought to Ottawa's attention, and the Department there disagreed.

Mr. Shaw remarked that the question was whether wild game should be shot and sold commercially in public places in the Territory.

Mr. McKamey agreed that it should provided proper control was exercised.

Moved by Mr. McKamey, seconded by Mr. Watt that proper control be put on killing of game animals for Dawson Festival and it only be extended during Festival season.

Mr. McKamey requested that this matter be referred to the Legal Advisor under subsection (g), section 79.

Mr. Livesey stated that Mr. Erik Nielsen had requested that the Game Ordinance be amended and broadened with respect to the Dawson Festival.

Mr. Boyd asked if bear and sheep were the only meat to be considered.

Mr. McKamey replied that moose and caribou were to be considered also.

Mr. Livesey felt that Council should not come to a decision. Official responsible, the Game Director, should be asked to attend Council.

Mr. Shaw asked if Mr. McKamey would agree to withdraw his motion.

Mr. McKamey withdrew his motion, and all agreed that the subject of killing of game be held in abeyance for further consideration.

Mr. Shaw suggested a discussion of a grant to Girl Guides and Boy Scouts. (See Sessional Paper # 3).

Mr. Taylor felt this was a very worthwhile grant, and that a \$250.00 increase was required.

Moved by Mr. Taylor, seconded by Mr. Livesey that this grant be increased from \$750.00 to \$1,000.00.

Motion Carried.

Committee recessed at 12:00 o'clock noon.

Thursday, 2:00 o'clock P.M.

Committee resumed discussions of the Report of the Chairman of the Financial Advisory Committee which met last January.

Mr. Livesey, Chairman of the Financial Advisory Committee, asked permission to have Mr. MacKenzie, Territorial Treasurer, to attend Committee, as he could answer a good many questions regarding the results of the January meeting.

With Mr. MacKenzie in attendance, Mr. Livesey proceeded with an explanation of his report. (See Sessional Paper #9).

Sessional  
Paper  
9.

Mr. Livesey requested from the Territorial Treasurer copies of the proceedings of the January meeting along with certain other aspects of certain problems discussed by the Financial Advisory Committee. The committee was elected from members of the newly elected Council last year during the Fall Session. The members of the committee were Mr. Livesey, Carmacks-Kluane; Mr. Shaw, Dawson; Mr. McKinnon, Whitehorse North. They were called together by the Commissioner on January 9th or 10th. When the members came to Whitehorse, they discussed very little with the Administration, but did agree to meet in the Commissioner's Office to discuss the various preliminaries which had to take place with respect to this new organization. There was no precedent and no plan which could be taken into consideration. The committee did decide which was the best way to proceed in order to assist the Council and the Committee. The first thing they did was to elect Mr. Livesey as Chairman of the Committee. The first item of business was to elect a permanent chairman of this Committee, subject to any constitution which may be brought up at a later date. The Constitution of the Committee was then discussed and at that time it was thought far better to make it as simple and short as possible, as there was no telling which way things would go and what things would be most important.



On page C-1 you will see listed a simple Constitution. The question of having an Advisory Committee here stemmed from the original work in Council from 1951 to 1958. This is the situation which the House of Commons and Parliament saw fit to establish when they repealed the old Yukon Act. We now have two items which affect us. One is the Yukon Council and the other is the Advisory Committee on Finance.

No. 2 - The reason why this was placed in this particular way is that it was agreed upon by us so that at the end of one year, if the Council deemed fit to continue with the same Committee they could do so and if they wished another Committee they would still be at liberty to do so, so that the new Chairman need not necessarily be the same.

No. 3 - When we discussed this question, as our meeting was called by the Commissioner, we felt that we would be giving the Committee the power, if something came up between Sessions, where we thought there was a necessity for some discussion without calling Council together, or if the Council pointed out that they thought certain questions should be taken up with the Administration, this could be done. We put this in here as a vehicle, so that it could be used if Council so desires.

No. 4 - This was a principle based on our own rules of procedure here in the House. These rules are, as you know, not laid down in any Ordinance or Act, but these are the rules we decided we were going to follow and not what someone else told us to follow and by their usage, we can come to some reasonable decision which we consider to be right and proper in fulfilling our duties to the people. You just cannot stay away from attendance of the Committee by some whim or fancy.

No. 5 - The only difference between these hours for the sitting of the Committee is the extra hour in the morning and we thought, being a smaller group, there was not the same unwieldy characteristics.

No. 6 - This was placed principally because the Commissioner called the meeting and we followed the principle that the Commissioner may wish to close the meeting, which he did.

No. 7 - This is following the same principle as we are following in the House. It is more difficult with only three members, but it brings order to our meetings.

No. 8 - This is a specific requirement and we thought the situation over very carefully and this No. 8 came into a lot of focus during the last six months and this proves beyond question of doubt that the conduct of the members must be exemplary at all times.

No. 9 - We thought this was an absolute necessity, because each group definitely decides on the regulations by which it will govern itself. The necessity for this has also been proven and shown that each group has its own reason for its own rules and you cannot formulate the decision on the rules which someone else thought were good for you. This is why the Court cannot decide what the rules of the House shall be and therefore they cannot adjudicate on them and this is what has been laid down here.

After we had drawn up our constitution we presented it to Mr. Frank Smith who was acting temporarily as legal advisor and asked for his help in the finalization before you.

Next we went to the office of Mr. MacKenzie, Territorial Treasurer, and we spent most of our time discussing the object which is before you. There is considerable difference between what we saw and what you are discussing at this session. We looked over the short form which was not what you are going to get and I had some comments on this. Next, I would like to go over with you the principles that we followed. There was no action to be followed and we had to decide the best course of action. We have to consider most of the time what the group thinking

is on any problem. We each may think differently about any one particular item. We arrived here with a certain amount of toleration. We decided we should each take a good look at the decisions of the Legislative Council which were passed in November of the previous year. If you will look at A-1 and A-2, you will see a list of the motions made by the Council in connection with the Federal Territorial Financial Agreement. We obtained a proper list of all these motions and went over them very carefully. These are taken from the Votes and Proceedings of the Council, Fall Session 1961. On the following page, motions made by Council with regard to the Yukon Health Plan, Fall Session 1961, also were taken from the Votes and Proceedings and were carefully gone over.

Mr. Livesey, Chairman of the Financial Advisory Committee then read the minutes of the first meeting.

Mr. Livesey stated he could see that this was the start of a very important phase of a move toward a more responsible form of Government. We may not agree that the aspects of what we had discussed would be approved of or not by Ottawa. This depends on the type of people in Ottawa and their views on the Yukon. It was an initial experience of work that must be done. We must proceed in this or we will only be another colony for Ottawa and it is going to take us quite some time to arrive at a position whereby we take our own responsibility.

Mr. Livesey felt that the Committee did its very best to serve the Yukon and to serve Council and he hoped the results of what may come from Ottawa in relation to the Administration will be good. If you feel that the Committee attempted to help you, although they are not infallible, and did a good job and if Ottawa is not in 100% agreement with their suggestions, you will agree the Committee did its best.

Mr. McKamey stated this is a new experience for all the members and he realizes that perhaps there will be changes in the future. The first question he would like to put to Mr. Livesey is that perhaps he could, for the benefit of the new member and also the rest of Council tell Council what the purpose of the Financial Advisory Committee is and does the Chairman of the Committee feel that they accomplished anything during their trip here in January and if they did, he would like to know what it was.

Mr. Livesey answered that it did not finally emerge in the same condition as the Council thought it should be. Council had ideas as to how far it should go and what Council thought it should be. It was discussed with parliament and they came up with a somewhat different solution and the only position the Financial Advisory Committee has is what was decided by the repeal of the Yukon Act and the Committee has only an advisory status. The Committee cannot demand. It can object, it can discuss, but it has not arrived at the position yet where it can make a decision. However, your question was, under the circumstances, and irrespective of the actual position, you want to know what we accomplished. The Committee accomplished a great deal and rather than make an attempt to give you a detailed list of what was accomplished Mr. Livesey thought that when the estimates are gone through, with Mr. MacKenzie, as he was present at the meeting during all the discussions, he will show Council point by point, if necessary, where Council gained in some places and lost in others. This would, in Mr. Livesey's opinion, be the best way to draw all the conclusions. Mr. Livesey thought it best to have the recommendations of Council before him during this meeting or he thought more than likely someone would be asking him why he had contradicted himself, but at the second meeting it might be gone about in a different way.

Mr. Shaw, with Mr. McKamey in the Chair, said this Committee had an extremely difficult task to perform. Being the first Committee of this type, it involved not only the normal budget, but also complications



of a new Interdepartmental Agreement. The Yukon Health Plan, also interrelated, which fell somewhat flat last fall. In the case of this Committee, we were not in a position to get the answers we wanted. The Budget, in small form, was put before us. It was our duty to accept or reject and the Committee followed the various resolutions which are in Paper A-1. The Committee has compromised on some, but whatever the Committee did was no final drafting of this agreement. It was merely our recommendations the same as Council made in the fall. There was no answer to it until we came to Council today. Mr. Shaw's observations were that this did not work out as it was anticipated, but at the same time this was the first time this had happened and in starting anything new there are always many parts that cannot be worked out at the moment and it was very difficult to come up with something substantial. Mr. Shaw had grave doubts as to whether Council will get something substantial this session. The Committee did try to follow along with the recommendations of Council. What we have come up with is a start on something new and will probably work out a lot more substantially.

Mr. Taylor, in commenting on the report of the Advisory Committee stated that the other members of Council were not informed of the date the Committee was to sit. It was new to the Advisory Committee, but he recommended that in the future the Advisory Committee or Administration advise the members of Council prior to the sitting of this Committee when it is starting, so that we may contact one of the members of the Committee if necessary. Mr. Taylor's second point was that this was a very complex sort of deal, with the Interdepartmental Agreement and the Health Plan, the Financial Advisory Committee and the Estimates. It would appear from a glance at this material it has been agreed upon by Council, The Financial Advisory Committee, the Department Heads, and been forgotten by Ottawa. Mr. Taylor could not see where Council had gained anything. Council was also told that it was not a Responsible Government. Council had put a lot of work into this matter and the people of the Territory are very much concerned and he recommended that Mr. Carter come and discuss this with Council and also that the Director of Northern Health Services come and discuss the Health Plan with Council. If they can give any good reason to Council why the Territory should not have these things, fine, but these two men should come.

Mr. McKamey said he was of the belief that the Advisory Committee was to give the people of the Yukon Territory representation on the Administration, that we would have something to say about the administration of the Yukon Territory. He was not criticizing, as this was the first effort, but he felt there was not too much accomplished, because Council will have lack of representation. In the Provinces you have Cabinet Ministers and elected representatives who can go to the Minister who is in charge of a certain department, or get consent of everyone in Parliament. It seems here the Financial Advisory Committee is the same thing. Mr. McKamey felt the same way as Mr. Taylor, that the Council members should be advised of Committee Meetings, so that the Committee can represent the Members of Council. Mr. McKamey did not think the Committee would amount to anything until the day comes that the Financial Advisory Committee can go to Ottawa with the Commissioner and have access to all departments concerned. Mr. McKamey offered this as a suggestion and said it was something that should really be considered and possibly embodied in the constitution.

Mr. Livesey agreed that the question of representation is true and said he had written several letters to the Minister of the Department of Northern Affairs and Natural Resources and pointed out that the people had no representation in Ottawa because there was no personal contact with these Gentlemen back east. No member of Council has ever gone back to Ottawa on a trip representing this group. One of our very worthy members recently made a personal trip back there. Council comes up with a decision, but no one in Ottawa heard the discussion and if there

was closer liason it would help. This discussion has been going on with the Minister by mail since last fall.

Mr. Taylor stated Council is nothing, it can recommend, it can speak and can debate but it is getting nowhere and is just more or less a laughing stock.

Mr. Livesey said there will be several meetings of the Financial Advisory Committee and he agrees with Mr. McKamey's suggestion that members of Council should be advised when the Committee is going to meet. During the in-between periods it would be a good idea if the members brought to the attention of the Committee anything they wish to have discussed, this would help the Committee to fulfil its requirements. Mr. Livesey suggested to the Administration that when the Commissioner or the Administration wishes to call a meeting of the Financial Advisory Committee, sufficient time be allowed so that the Committee can contact the individual members of Council.

Mr. McKamey suggested that Council carry on with the discussion of the Health Plan, due to the fact that Dr. Munroe would be leaving soon and Friday would be the latest day Council could contact him. Council could then bring to the attention of Dr. Munroe anything they felt needed to be discussed.

Mr. Livesey wondered if Mr. Carter should be asked to attend discussions of the Interdepartmental Report.

Mr. Watt suggested that Council could go through both plans before contacting Mr. Carter.

Mr. McKamey suggested that perhaps the Financial Advisory Committee could advise whether it would be advisable for Mr. Carter to come.

Mr. Livesey suggested that Mr. Carter should come.

All members agreed.

Mr. Taylor suggested that Dr. Moore should attend with respect to the Health Plan, as he believed nothing could be gained by discussing the plan with Dr. Munroe. This is a problem for the Director himself.

Mr. McKinnon said that Council's requests along the Health Plan line were completely ignored. It was recommended by Council that one of the Senior Health Department Officials should come and discuss this with Council and Mr. McKinnon did not think Council was going to get one. Members of the Financial Advisory Committee were told that Dr. Munroe would handle all things connected with the Health Plan.

Mr. McKamey felt this was another attempt to deny Council the right to direct representation. If they deny us representation in Ottawa, Council should demand that Ottawa send representation here.

Mr. Taylor moved, seconded by Mr. McKamey that Dr. Moore be sent for, to attend Council to discuss the Health Services Plan.

Motion Carried.

Mr. Livesey remarked that if the Financial Agreement is going to be discussed, Mr. MacKenzie, should be present as he can give Council the answers and the financial implications of the health plan.

Mr. MacKenzie was asked to attend Committee during the discussions.

Mr. Livesey asked if Mr. MacKenzie could give us the comparisons between what Council wanted and what we have received.

Mr. MacKenzie said the health plan has been changed to meet Council's wishes to the extent of an additional expense to the Territory over the

five years of \$234,000.00, so that many of Council's recommendations have been acted upon. If you do not see what you want in these two books it simply means that the questions are still being considered. Letters went off to Ottawa that several of Council's recommendations had not been embodied in the report. The \$2.00 per capita levy is out, although it appears in the report. When asked why Council was not informed of these things Mr. MacKenzie replied that Council will be informed when the amended sheet appears.

Mr. McKinnon asked if the Territory went before the City asking for this charge.

Mr. MacKenzie said he wrote to the City Clerk, but Ottawa have decided not to insist upon it being levied. They described it as being optional.

Mr. McKinnon said Council was against this unanimously. It was still in the estimates. How long ago did this come into effect.

Mr. MacKenzie advised that this came into effect two weeks ago.

Mr. Taylor said additional costs embodied in the Health Plan on page 26. On the new cost sharing basis the Territory pays 74% of this Federal Responsibility.

Mr. Shaw said the percentage of Federal is far lower in every case and he cannot understand this.

Mr. Taylor asked on Page 16, Recommendations, why there will be no Federal participation in the Watson Lake and Mayo Hospitals.

Mr. MacKenzie explained that there will be a construction grant of \$2,000.00 per bed.

Mr. Taylor said this would only give \$20,000.00 and this would represent 1/8th of the cost of the building. Is the Federal Government not more responsible due to the fact that there are many Indians.

Mr. MacKenzie replied that in effect this will not cost the Territory anything because the Federal Government will loan the Territory the money and then give us the money to pay the loan.

Mr. McKamey said that at the Fall session there was considerable discussion concerning the \$3.00 outpatients charge at the Mayo Hospital. This is still being charged, but the Indian Affairs Department refuses to pay this. Mr. McKamey agreed that if the hospital facilities are used you should pay, but if the tax payers have to pay then Mr. McKamey insists that the Federal Department pay their rates in this hospital.

Mr. Taylor suggested that the people living outside Whitehorse have to pay their own ambulance services into Whitehorse. It is very expensive and could this matter be taken up by Council with Mr. Carter and Dr. Moore. This matter had been brought to Mr. Taylor by his constituents.

Mr. MacKenzie stated that transportation is not, at the present time, part of the Hospital Insurance Service, but if Council wanted to change it, it is up to them. Ottawa would either agree or not agree to share it. They probably would not share it and the Territorial Government would have to pay it.

Mr. Taylor said the Army ambulance when it brings Indians in to Whitehorse sends the bill to Northern Health Services. The Army Camps get this service, but the residents of the Yukon do not.

Mr. Shaw said the Hospital Insurance is the system that is exactly the same in every Province. The areas of responsibility in that plan are definite and cannot be changed. If any province wishes to go further than that, they meet any other benefits from their own



revenue. If we wish to provide ambulance service it will need to come out of the general revenue of the Territory and taxes would have to be applied accordingly. Rather than get these extra benefits Council should take the benefits as they are in order that no additional taxation be necessary.

Mr. MacKenzie was thanked for attending Committee.

Moved by Mr. McKinnon, seconded by Mr. Watt that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee.

Motion Carried.

Mr. Speaker announced that members of the Financial Advisory Committee are asked to meet in the Commissioner's office at 5:00 o'clock, P.M.

Mr. Shaw, Chairman of the Committee of the Whole gave his report as follows :

Committee convened at 10:45 A.M. with discussion on the matter of selling wild meat in the restaurants during the Dawson City Festival. In that matter Mr. Shaw reported progress.

Committee discussed an increase in the grant from \$750.00 to \$1,000.00 for the Boy Scout and Girl Guide Associations, and the Committee favoured the increase.

At 2:00 o'clock P.M. the Committee met with Mr. MacKenzie, Territorial Treasurer, in relation to the Advisory Committee on Finance in which Councillor Livesey, as Chairman of this Committee gave the report, including the rules of the Committee. During discussion of the Yukon Health Plan it was agreed that Mr. F.A.G. Carter attend Council as soon as possible. It was agreed that Dr. Moore, Director of Northern Health be asked to attend Council to discuss the Health Plan.

Council accepted the report of the Committee.

A discussion of the agenda followed.

Council adjourned at 5:00 o'clock P.M., until 10:00 o'clock A.M., Friday, March 30th, 1962.

Friday, March 30th, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker tabled the following letters:

- (1) From Miss M. Gartside, Dawson City, inviting Council members to visit Dawson on April 6, 7 and 8th.
- (2) From Mr. F.H. Collins, Commissioner, with regard to banquet permits. (Set out as Sessional Paper No. 10)
- (3) From Maryhouse, Whitehorse dated March 25th, 1962, regarding financial aid from Council to build hostel.

Sessional  
Paper  
10.

Moved by Mr. Watt and seconded by Mr. McKimmon that Mr. Speaker leave the Chair for the purpose of convening in Committee of the Whole to discuss the Interdepartmental Committee on Federal-Territorial Financial Relations Report and the Health Services Plan 1962-67.

Motion Carried.

In Committee of the Whole:

Mr. Livesey requested Commissioner Collins and Mr. MacKenzie, Territorial Treasurer, be present to discuss the Financial Report. As neither could appear it was decided to discuss instead the Health Plan.

Mr. Livesey then enquired whether the Territorial Government had any voice in how the money was to be spent.

Mr. Shaw replied that it would appear not.

Mr. McKamey regarding paragraph 4 felt that Watson Lake and Mayo Hospitals were excluded from this plan and requested an interpretation.

Mr. Shaw stated he felt these questions should be directed to Dr. Munroe and he did not feel that he could give a proper interpretation of this paragraph.

Mr. McKinnon stated that his interpretation was that if Northern Health Services felt that the Territory required these hospitals then the Territory should operate them.

Mr. Taylor's view was that a group of Territorial Officials should handle administration of these institutions.

It was decided that this question should be put to Dr. Munroe and Dr. Moore.

Mr. Taylor stated regarding paragraph 7, that the population figures were the same as submitted in the Health Plan in the Spring of 1961, and were based on the best available information at that time. With regard to paragraph 8, Mr. Taylor stressed the need at Watson Lake for a hospital as soon as possible.

It was decided to refer this question to Dr. Munroe.

Mr. McKamey stated that Watson Lake was not under the jurisdiction of Dr. Munroe and felt that the question should be directed to Dr. Moore. He also requested that Commissioner Collins be present to discuss this question.

Commissioner Collins and Mr. MacKenzie attended Committee to continue the discussion of the Health Plan.

Mr. McKamey asked regarding paragraph 4 if a hospital would be Territorial responsibility. He also enquired if this document applied only to those coming under the jurisdiction of the Northern Health Services or did it cover everyone living in the Territory.

Commissioner Collins replied that the plan embodies operation of the Whitehorse General Hospital, all Territorial nursing stations, all Public Health clinics in the Territory, such new structures in connection with Health Services as outlined in the brochure, the caring for patients suffering from cancer, tuberculosis, mental illness, etc. The Territorial Welfare Department at present has jurisdiction over Cancer, T.B. and Mentally ill patients.

Mr. McKamey asked if St. Mary's Hospital, Dawson City, was operated by Northern Health Services, and if not, he felt that it should be shown in the report as being excluded.

Commissioner Collins stated that the reason for its not being shown was the fact that this, all other private hospitals, were shown in the Financial Report as being Territorially-operated.

Mr. McKamey then asked Mr. MacKenzie if Mayo Hospital was to be a hospital or a nursing station.

Mr. MacKenzie replied that the hospital will be operated by the Territory, and there will also be a health centre.

Commissioner Collins stated that there is no danger of Mayo Hospital being converted to a Health Centre. The difference between a health centre and a health station is explained fully in the Health Plan Report (Appendix c-1). He stated that the purpose of a health station is primarily that of preventive care.

Mr. Taylor then asked if it would not be possible to set up a Territorial Health Department, in order to avoid a division of administrative responsibility.

Mr. Shaw's view was that Northern Health did not operate hospitals or give treatment but exercised care by way of preventive medicine.

Mr. Taylor enquired if the Watson Lake Hospital would be administered by Northern Health Services.

Commissioner Collins replied that operation of this hospital would be by the Territory. Whitehorse General Hospital, he further stated, is a large general hospital to care for the needs of the whole Territory, this being due to building and operation costs, and that funds for this purpose have been embodied in the Federal-Territorial Agreement.

Mr. Taylor stated that Watson Lake requires a hospital, Teslin requires nursing services, and Ross River requires a nursing station. As Northern Health Services have refused to build these structures, Mr. Taylor wished to know whether the Territorial or Federal Governments would undertake this construction.

Commissioner Collins replied that patients would probably be sent to Whitehorse from Watson Lake, and that the Territorial Administration does not believe that Watson Lake requires a hospital, although he admitted that a comprehensive survey of the situation had not been made. He also stated that he did not believe that the population was great enough to warrant a hospital.



Mr. Taylor stated that he felt that 1,300 population did require a hospital.

Commissioner Collins remarked that Northern Health Services Officials are hospital experts and had given an expert assessment of the situation. He felt that the mines near Watson Lake would set up a hospital similar to the U.K.H.M. had set up. The U.K.H.M. plan is that anyone with a serious injury or illness is flown out to Vancouver to have his case assessed by a panel of 6 doctors employed by U.K.H.M.

Mr. Taylor stated that he felt a proper assessment had not been made by Northern Health Services of the situation in the whole of the Territory. and that one doctor, as is the case in Watson Lake, cannot cope with the situation.

Commissioner Collins replied that the number of patients coming into Whitehorse Hospital has been very small during the last few years.

Mr. Taylor replied that most of these patients went to Cassiar or Vancouver, and he felt that the need for adequate hospital facilities was desperate. His view was that if the Territorial Government was responsible for hospitals, then the onus of building a hospital at Watson Lake is on the Territorial Council.

Commissioner Collins enquired about the kind of qualified person Mr. Taylor would wish to survey the hospital situation.

Mr. Taylor replied that any well-qualified doctor in the Territory would be able to give a comprehensive study of the situation.

Commissioner Collins stated that there will be considerable mineral development at Ross River and Teslin, but due to its extreme isolation Ross River in particular was very hard to get to at present. He further stated that the extreme isolation requires someone resident there to administer emergency aid, that is the reason a health station is to be built there. He also felt that respecting Teslin, it has an ambulance service supplied by the Army, is within a 2 or 3 hour drive of the Public Health Nurse and is easily visited at any time.

Mr. Taylor stated that Ross River has a permanent population of 110 and Teslin a permanent population of 500, which in the summer is increased. Should population increase at Teslin then a nursing station will be required. He felt that Ross River does not require a Health Centre, but that Father Rigaud does require a medicine chest, well stocked and with a lock, also a building used or otherwise to care for emergency patients, but not a new \$15,000 structure.

Commissioner Collins replied that as Dr. Munroe would appear before Council in the afternoon these problems should be put to him on a question and answer basis.

Mr. McKamey then enquired of Mr. MacKenzie how present figures were arrived at.

Mr. MacKenzie replied that an average of figures for the whole area were taken.

Mr. Livesey stated that, in referring to paragraph 4, as administration was Federal Government's responsibility and health was Territorial Government's responsibility, there was a basic difference of opinion as to the Territory's needs, and he felt that these differences could eventually be reconciled.

Commissioner Collins stated that the report covered treatment and

prevention for Indians and Whites. Page 3 refers to personnel increases, to which the Territorial Government will contribute and the welfare aspect is not taken into consideration.

Mr. Livesey stated that preventive medicine is beneficial, but felt that in rural and isolated areas preventive medicine was not of much assistance in the case of an accident or sudden illness. He felt that people are not looking at past benefits, or future benefits, but immediate benefits.

Mr. Taylor wished to know if the proposal referred to in paragraph 11 had been deleted from the plan.

Mr. MacKenzie replied that it had.

Mr. Taylor stated that Canada Tungsten Mines have expressed a willingness to contribute towards the erection of an infirmary with dispensary at Watson Lake.

Commissioner Collins wished to know whether this was on a pro rate basis.

Mr. Taylor replied that this was to be on any basis suitable to the Territorial Government.

Commissioner Collins wanted to know if they had furnished any definite proposition.

Mr. Taylor said no.

Mr. Shaw felt that if Canada Tungsten Mines were willing to co-operate in building the Hospital then Administration should write a letter advising that the Territorial Government is willing to co-operate.

Commissioner Collins stated that during Dr. Willis' visit to the Territory this subject had been brought up and no definite conclusion had been reached at that time, and Dr. Munroe could possibly clarify this.

Mr. Shaw stated that he felt a meeting should be arranged to discuss this matter.

Mr. Taylor stated that Tungsten Mines population at present consisted of 67 and that when the mill is in full operation there will be a population of 225. He also stated that as Watson Lake is close to the B.C. border, a large number of northern B.C. residents would also use the hospital. He felt that some arrangement could be made with the Government of B.C. regarding the building of the hospital.

Mr. Shaw wished to know if the population figures were final with respect to Watson Lake.

Commissioner Collins replied that northern B.C. should also be included and he felt that the situation should be re-surveyed by Northern Health Services as the figures taken from the last census appeared to be out-of-date. He also felt that perhaps a flying ambulance service is required for the area for emergency accident or sickness, but that a doctor is definitely required now.

Mr. McKamey stated that from his personal knowledge of uncertain weather conditions near Mayo, helicopters could not always get to the scene of an accident, and he felt that a nursing station should be established at Watson Lake.

Commissioner Collins stated that the matter should be discussed with Northern Health Services Department. He also felt that as some of the statistics were compiled about a year ago, some aspects are out-of-date, and that a comprehensive survey of the situation regarding transportation of patients, nursing stations, doctors etc. is required.



Mr. Taylor agreed with Commissioner Collins and felt that instead of building completely new structures, old buildings could be renovated.

Commissioner Collins stated that the Territory seemed to be going ahead but with mineral development there is always an element of risk, and he felt that there is a possibility that we may be trying to accomplish too much. He also stated that Northern Health Services Department should be informed fully of Territorial views and opinions.

Committee recessed at 12:00 o'clock noon.

Friday, 2:00 o'clock P.M.

Committee resumed discussion of the Health Plan.

Mr. Livesey stated that the Health Plan has been gone through once or twice already and there is a tremendous amount of work ahead. He asked if Committee could get from the Administration the essential differences in what is in this plan compared with what was in the plan last November. This would bring Council to its final decision much sooner, as the essential differences are what should be dealt with at this Session. This will give Council more time for the final battle which will take up quite a little time.

Mr. McKamey said he would agree and perhaps the Chairman of the Financial Advisory Committee could enlighten the members on the changes they agreed to during the meeting in January.

The Chairman, Mr. Shaw, asked if all members would agree to this and all agreed.

Mr. Livesey suggested that the Clerk of the Council could perhaps tell Council who would be the people in the Administration who could supply this information.

The Clerk of the Council replied that the people who could supply the answers Council required would be Commissioner Collins and Mr. MacKenzie, Territorial Treasurer.

The Chairman, Mr. Shaw, suggested that since Dr. Munroe would be attending Committee at 3:30 P.M., perhaps Commissioner Collins and Mr. MacKenzie could be present also and answers to all the questions could be received.

Mr. Watt suggested that Council go through the motions made by Council in the Fall Session and notes could be taken on questions which could require answers from Dr. Munroe, Commissioner Collins and Mr. MacKenzie. He suggested that the Financial Advisory Committee could enlighten Council on some of the questions in the meantime.

Mr. McKinnon stated that the Financial Advisory Committee asked at the meeting in January what steps had been taken on these motions and he was sure the Chairman of the Advisory Committee could tell the rest of Council exactly what answers were given on these motions and this would be quite enlightening to the rest of the members of Council.

With regard to the subject of the first motion, Mr. Livesey said he believed the Federal Government was at the moment giving assistance in this matter.

Mr. Taylor said at long last they are now placing it in the basement of the Health Centre at Watson Lake. It amounts to a four bed in-patient sick bay.



Mr. McKamey asked if this is what the Financial Advisory Committee agreed to.

Mr. Livesey did not believe they met with any difficulty on this one. He explained that this was very involved and the proper answers cannot be given until the Administration is present. When the Financial Advisory Committee attended their meeting in January they were there to discuss the five year agreement and the health plan and the motions of the Council were in contradiction to these. The Committee talked the matters over with Mr. MacKenzie with regard to what Council planned, what Ottawa planned and what was laid down and it would be impossible to answer all these questions without the Administration. In order to proceed in a business like manner it would save time to have the Administration here to discuss the differences. They know what is in this book. The Financial Advisory Committee were there to discuss the budget rather than what was before Council today.

Mr. McKamey said the first motion concerns the budget and Mr. Livesey should know if this is the result of any of the recommendations that the Financial Advisory Committee made in January. In the Yukon Act the Financial Advisory Committee are supposed to sit in on the budget and the Commissioner is supposed to consult with them on expenditures and this would be an expenditure.

Mr. Shaw explained that the Financial Advisory Committee is an Advisory Committee and they can advise and if the Administration does not agree to include that money in that vote you just do not get that money. There was an amount put in this to re-activate the hospital in Watson Lake.

Mr. Taylor stated the assistance, after local people had gone ahead on their own and built an emergency centre, was that Ottawa decided they could not have them doing that and Dr. Moore said this is no good the people are taking matters into their own hands and they came down and said they would build something in the basement of the nursing centre. Consequently Watson Lake is still without beds.

Mr. McKamey said the Financial Advisory Committee must have come to some agreement with the Commissioner in this respect and Council should know what progress has been made if it is put into the budget or thrown out in Ottawa. Then we know where we stand. There should be notes on these meetings.

Mr. Livesey wished to know if Mr. McKamey was more interested in trying to find out about the Financial Committee or in the Health Plan. He did not suggest a debate regarding the Financial Advisory Committee, but suggested that Council get someone who could give Council the differences between the Interdepartmental Agreement and the Health Plan as they are now from what they were last November.

Mr. McKimmon stated Council made motions at the fall Session concerning the Health Plan. The Financial Advisory Committee found out what had happened to these motions in the interim. On some points they accepted and on some they compromised and he did not see how any progress could be made until Council knows what compromises had been made at the Financial Advisory Committee meeting. Motion no. 1 was made concerning the hospital at Watson Lake - the Advisory Committee found out that they were not going to give financial assistance for this, but the compromise was made that work would start on an Emergency Centre and the hospital plan was being stepped up a few years.

Mr. McKamey remarked that this was exactly what he wanted to find out.

Mr. Livesey stated this was not what he suggested or what Council agreed to and all this will all evolve when the budget is discussed and every member will expect to know what came out of the Financial Advisory Committee meeting.

Mr. Watt stated that he was in the dark completely about no. 1 and he had found this discussion very enlightening and he would like to discuss <sup>the</sup> motions in this way.

The Chairman, Mr. Shaw, stated that most of the health plan has been agreed to with the exception of these parts which if we do not get answers by the Financial Advisory Committee, we will ask Dr. Munroe and the Administration.

Mr. McKamey wished to have an idea of which ones were compromised.

It was agreed that motion no. 1 would be asked about.

Mr. McKinnon reported that the Financial Advisory Committee found out that Council's request on motion no. 2 was completely ignored so the Advisory Committee just repeated Council's wishes.

Mr. Taylor wished a question put to Dr. Munroe regarding motion no. 2.

Mr. McKinnon, with regard to motion no. 7, remembered that the motion was ignored completely by the Health Department.

Mr. Taylor recommended that this question be put before the Northern Health Services.

It was decided that motion no. 11 be listed for discussion with Dr. Munroe, Commissioner Collins and Mr. MacKenzie.

Dr. Munroe attended Committee at this time and solicited Council's help in changing the Liquor Ordinance in order to make it such that the Police could lay charges for infractions with some degree of assurance that the charges would stick and the person charged would not be set free on a technicality. Dr. Munroe stated that the Indians in the Territory needed the protection of a stronger Liquor Ordinance in order to help to eliminate the abuse and child neglect and desertion which was in many cases a direct result of drunkenness.

Mr. Shaw stated there is no easy solution to this matter.

Mr. Taylor understood there had been a petition by Dr. Munroe and wished to know if this was what the petition was about.

Dr. Munroe stated that this was merely an expression of his own opinion and could be taken as nothing more than that. He said he recently solicited an opinion from a small group and was astonished to find their awareness to this problem and their desire to have something done about it.

Mr. McKinnon stated he appreciated the problem and assured Dr. Munroe that all the Councillors were aware of the situation and he hoped to see a complete study and revision made which will put some teeth into it.

Mr. Livesey did not think legislation would eliminate the problem of drunkenness in the Yukon. Proper legislation would help a great deal but what the Yukon needs is education to know the difference between abnormal and normal consumption of alcohol.

Mr. McKamey thought the Yukon's problem has only started as the new Bill of Rights has really opened the doors for over expenditures along this line. The Bill of Rights supercedes anything we do in this House.

Mr. McKinnon stated education should be brought into the legislation in the Yukon as it has been in the Provinces.

Mr. Taylor asked if it would be possible for Dr. Munroe to table his brief as given for Council's perusal and discussion.

Dr. Munroe agreed.

Mr. Shaw stated there were certain matters relative to the new Health Agreement which Council would like to receive some answers on. Council would like to know what is happening to some of their recommendations and why they were rejected.

Mr. Taylor wished to know why, with regard to Ross River, the Northern Health Services were opposed to a reasonable suggestion of the people of the South East Yukon for a complete reversal, namely a Health Station to be provided at Teslin and a Nursing Service at Ross River.

Dr. Munroe stated no one had written him a letter changing anything which is in this book. Mr. Taylor did come to show him some papers briefly, but that is all he had heard about it. He further stated that these are directions which he has received and he regrets that he is unable to give any further light on the subject as he has not been in the confidence of the Director.

Mr. Taylor asked Dr. Munroe his opinion regarding this change.

Dr. Munroe stated this was an unfair question as it is not for him to question his superiors.

Mr. Livesey stated it was recommended to Council last fall that Dr. Munroe come to Council to explain the Health Plan to Council.

Mr. Shaw said that this was to be according to the policy of the Director and Dr. Munroe has stated very clearly that this comes from the Department of Health and he is hardly in a position to question their expert judgement on these matters and that is the reason we had Dr. Willis here.

Mr. Taylor stated that Council was told last fall by Dr. Willis that this plan was hammered out in the hospital in Whitehorse last summer by Dr. Willis and Dr. Munroe. These recommendations must have come from somewhere, so it must be up to the local Administrator, who is Dr. Munroe. That is why Mr. Taylor directed the question to Dr. Munroe. He felt that there should be someone who can answer the questions of the people.

Mr. McKinnon appreciated Dr. Munroe's position, but it was requested that a Senior Officer come before Council every year and Council has been told that this suggestion was completely ignored and any matters could be taken up with Dr. Munroe and this is a typical example of buck passing.

At this time Commissioner Collins attended Committee.

Mr. Shaw asked Dr. Munroe if he did not feel that he could answer Mr. Taylor's question.

Dr. Munroe stated he could give his opinion on this and he felt that the arrangements that have been considered and outlined in this program are adequate.

Mr. Livesey asked the question as to whether the Yukon has nothing to say about what is going to go on as far as the health plan is concerned. Do we or do we not have someone here in the Yukon who is presenting the Yukon's side of this thing? Did we have any assistance from the Members of the Administration who can express opinions on behalf of the actual situation in the Yukon?



Dr. Munroe asked where the resolutions of Council go to.

Commissioner Collins stated we went through this health plan and brought to the attention of the Department certain resolutions of Council which were not embodied and so far we have not received anything from Ottawa in this regard.

Mr. Livesey wished to know what suggestions came from the Administration on this plan or if this was a strict Ottawa plan directed to the Officer Dr. Munroe of Northern Health Services.

Dr. Munroe said he assisted in the preparation of this plan as a result of his tours up and down the Yukon and they relied upon Dr. Munroe's knowledge and his experience as to the size and needs of the settlements and Dr. Munroe gave advice which he thought was correct at the time.

Mr. McKamey said as far as the people in the Yukon are concerned their stated needs were ignored and if that is all the representation the Yukon gets, the Council may as well stay home.

Commissioner Collins asked Mr. McKamey whose advice he would rely on, as there was at the time no Dr. Prouse in Watson Lake? Would Mr. McKamey have the experience to do this?

Mr. McKamey said he represents the Mayo District. They have a hospital which the previous administration saw fit to build. The present administration wishes to shut it down. If Ottawa ignores the demands of the Mayo constituents Mr. McKamey would like to know what is the need of his representation.

Commissioner Collins stated the hospital was not to be closed down. Its status was to be reduced, calling it a nursing station which is smaller staffed than a hospital.

Mr. McKamey stated it is impossible to operate any kind of an institution with a smaller staff than there is at the hospital at Mayo.

Mr. Taylor said Council was dealing with Question no. 2 and no. 1 and he was going to ask Dr. Munroe's opinion, but since he is not allowed to give his opinion, he would withdraw the question.

Commissioner Collins said he believed Dr. Willis favoured bringing the hospital date forward from 1964-65 to 63-64 and it would seem that on his return to Ottawa that this was not approved of in view of the unsettled situation with the Tungston Mine etc. and it was agreed that an emergency treatment centre would be set up in Watson Lake and the hospital would be built later and the nursing station would be closed down. It was agreed as evidenced in the report that a four room health clinic would be an interim centre until completion of the hospital and this would be revised to meet the needs of the people in the area, and turned into nurses quarters.

Mr. Taylor said, from the Annual plan presented here, it would seem that the hospital would not get into operation until 1966. The people of Watson Lake proposed and Council agreed that this is a serious situation. Council proposed that construction of hospital facilities be started in 1962-63 and Council found the money to institute these proposals. Dr. Willis did not go to Watson Lake and does not realize the situation. In the population figures taken by myself, there are 1261 people within the radius of Watson Lake and the hotels accommodate a basic minimum of 42,000 people annually. These are facts that Northern Health Services have not taken into consideration. Watson Lake has a very capable Doctor who has informed me that as soon as Watson Lake gets a hospital he can get another Doctor to come to Watson Lake. Dr. Prouse would be only too happy to come before Council

to explain the necessity of what Mr. Taylor asks. This is what the South East Yukon desires and needs.

Commissioner Collins informed Council that he had asked Dr. Moore and Mr. Carter to come to Council. Dr. Moore is unable to come, but Dr. Willis will be coming. Commissioner Collins would like to suggest that Dr. Willis and Dr. Munroe make a trip to Watson Lake during their stay here in the Yukon. He did not think it would be advisable to build a hospital in Watson Lake in 1962 as he did not think that anyone could decide at this moment, how many beds should be in this hospital.

Mr. Taylor pointed out that Watson Lake has a very capable doctor who has been going all winter. He is asking for something in the way of 12 beds, which may be too small, but it is a start. They have shipped seventy cases outside from Watson Lake since Mr. Taylor was in Whitehorse in the fall. If there had been a hospital at Watson Lake it would have been full all winter. The doctor certainly would know, being the only doctor in the area.

Mr. Shaw said perhaps all these intelligent persons could get together in Watson Lake and come up with some answers. He asked the members if it would be acceptable to have Dr. Willis come here instead of Dr. Moore.

Committee agreed to this.

Mr. Livesey mentioned the problems he has had since 1958 to get medical supplies in the Carmacks-Kluane area, where there is three hundred miles of highway without a doctor or a resident nurse. After a long battle we got a health centre at Haines Junction which was built and heated but stood empty.

Dr. Munroe remarked that the Health Station is going to be staffed this year on the second of April at Haines Junction with a registered nurse.

With regard to motion no. 7, senior health officials, Dr. Munroe said his senior officers agreed with Council's proposal for separation of duties and as soon as another medical officer can be obtained he will be sent. Dr. Munroe said this will be very necessary for their expanding program.

Mr. Taylor wished to know if now that there will be a division of responsibility, would the Territorial hospitals and nursing stations and the Superintendent of Health and Welfare be covered by a Zone Superintendent.

Commissioner Collins explained that if this is decided, separation between health and welfare, this portion will remain with the Territory in respect to the various hospitals. However, Commissioner Collins said over these Junior Health Officers, who are the doctors in the various hospitals, will be a senior Medical Health Officer and they will be answerable to the Territorial or Federal Governments. The Territorial Government pays the Medical Health Officers and they are responsible to the Territorial Government.

Mr. Livesey asked if Dr. Munroe had mentioned that he was coming to the end of his tour of duty.

Dr. Munroe said they operate on two year tours and his time is finished and his successor has been named. This is merely rotation.

Commissioner Collins said Dr. Schaeffer is also going and he felt it would be better to have these two year terms split between the two doctors as it is not good for both doctors to leave at once.

Dr. Munroe agreed with this and said this could easily be arranged.



Mr. Taylor said apparently these Junior Health Officers are hired and fired by the Territorial Government. He asked Dr. Munroe to tell Council why he had, on March 19th, 1962, asked for the resignation of Dr. Prouse.

Commissioner Collins stated that it is on Dr. Munroe's recommendation that these men are appointed and discharged.

Dr. Munroe said he regarded this as a very personal thing and he gave Dr. Prouse the reasons. Dr. Munroe did not think it would be fair to air this in Council.

With regard to page 19 of the Health plan Mr. Livesey asked the manner of disposal of the services established at mile 1202. He wished to know if the Customs Officers would be dispensers of the drugs.

Dr. Munroe said he intended to ask the nurse to determine herself as to whom she could work with, as she will be in constant touch with these people and will be in the best position to decide who should be dispensers of the drugs. It would be better if she works with the people of her choice.

Mr. Livesey felt that it would depend on the qualifications as you would not want anyone handling the medicines who did not know what they are.

Dr. Munroe said these medicines are nothing other than first aid measures which will be used on consultation with the nurse. They were thinking of Mrs. Lindsay as a dispenser.

Mr. McKamey wished to know if the person in charge of the medicine chest will be allowed to use this in outlying places.

Dr. Munroe explained that there are many peace officers who become experienced in the use of penicillin and they do the work very well. If we have such a person we certainly give him the drugs to use. Drugs will not be given, or injectables, to any person we feel has not the knowledge to use them. It will be the nurses decision.

At this time Commissioner Collins, Dr. Munroe and Mr. MacKenzie were excused from Council.

Mr. Taylor suggested that Committee of the Whole continue with the draft of the Interdepartmental Agreement.

Mr. McKimmon asked if it was necessary to go through the whole program again as Council could find out from Mr. MacKenzie the differences in the report.

Mr. Livesey believed Mr. MacKenzie could give Council all the outstanding matters which the Federal Government have not agreed to .

It was moved that Mr. Speaker resume the Chair to hear the report of the Chairman of the Committee of the Whole.

The Chairman of Committee reported as follows: -

At 10:45 A.M. Committee met with Commissioner Collins and Mr. MacKenzie to discuss the Interdepartmental report with particular reference to the Health plan and in this matter the Chairman could report progress.

At 2:00 P.M. Committee continued the discussion of the Health plan and Commissioner Collins, Dr. Munroe, and Mr. MacKenzie were present at 3:00 P.M. Mr. Shaw, Chairman reported progress. Committee was also informed by the Commissioner that he was making every effort to contact Dr. Willis to attend Council. He has also requested Mr. Carter to appear before Council to discuss the Interdepartmental Report.

Council adjourned at 5:00 o'clock P.M. until 10:00 A.M. Saturday, March 31, 1962.



Saturday, March 31st, 1962.  
10:00 o'clock A.M.

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

Mr. McKamey, seconded by Mr. Taylor, requested leave to introduce an Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Interim Supply Appropriation Ordinance 1962 - Bill No. 15) Bill  
No. 15

Motion Carried.

Council resolved into Committee of the Whole with Mr. MacKenzie, Territorial Treasurer, present to discuss the Financial Report.

In Committee of the Whole:

Mr. Shaw wished to know the basic difference between the present edition of the Report and the unrevised edition.

Mr. MacKenzie stated that he had written to Ottawa regarding Council's recommendations, but has made no specific comparison between each item in the two Reports.

A discussion followed of the Report by all members and it was decided that the following items would be brought to the attention of Mr. Carter when he appears before Council.

Mr. Shaw suggested that regarding Item #1 of the Council Recommendations re Interdepartmental Agreement, that the Federal Department of Health be asked to give information as to approximate date of installation of water and sewer system in Porter Creek.

Mr. McKinnon stated that at the 1961 Fall Session of Council the recommendation to Ottawa had been that a partial water and sewer system be installed, i.e. - piped in water supply and individual septic tanks. This question is to be directed to Mr. Carter when he appears before Council. He stated that Mr. Starr, Territorial Engineer had been requested to quote a figure for installation of water and sewer system and he had claimed that the figure would be extremely high.

Mr. Livesey enquired of Mr. MacKenzie whether any money had been provided in the 1962-63 estimates to cover installation of a partial sewer and water system in two communities in the Territory which could contribute towards the cost of this system.

Mr. MacKenzie replied that there was.

Mr. Taylor disagreed with installation of partial water and sewer system and cited Watson Lake's example of too many septic tanks polluting the water.

Mr. Livesey stated that his motion of 1958-61 had been answered in allocation of funds for the purposes of installation of water system, but that this motion had not actually been finalized.

Mr. Watt stated that he did not disagree with the plan completely but would like to see it experimented upon so that the Territory would not be expending more money on the project than was necessary.

Mr. McKinnon felt that the benefits of even a partial water system outweighed the disadvantages, as the fire hazard was then reduced and consequently the insurance rates were reduced. He also stated that the figures quoted in the report were out of date due to the increase in population.



Mr. Livesey stated that the motion before Council is a motion from the Fall Session regarding Ottawa's request for full information concerning water and sewer requirements in the Territory.

Mr. McKamey recommended that Mr. Carter be asked this question.

Mr. McKenzie stated that this question had been embodied in his letter to Ottawa.

Mr. McKamey felt that figures should be sent to Ottawa regarding the cost of installation of water and sewer system in Porter Creek.

Mr. Shaw then read motion no. 2 of the Financial Advisory Committee report.

Mr. Livesey stated that this item re-iterated what is contained in motion no. 2 of the Fall Session 1961. He also stated that he had written a letter to the Minister of Northern Affairs recommending that there be more personal contact with officials of the Department and members of the Territorial Council. He felt that the Advisory Committee should be considered as something more than a statistic. He stated that the Advisory Committee was formed to offer useful suggestions to the Administration here.

Mr. McKamey disagreed with the allocation of tax for education in the rural districts.

Mr. Shaw stated that he thought Ottawa felt that Council exceeded their authority in the allocation of this money which actually comes from Ottawa.

Mr. Livesey stated that he felt if Council had not been firm in its recommendations the tax would not have been set up in the first place.

Mr. Shaw enquired if this should be brought to Mr. Carter's attention.

Mr. MacKenzie stated that Ottawa had merely placed this money in a fund and did not want the grant restricted to a figure placed in the estimates but felt that the figure should be in line with the amount ear-marked for education. The amount will be increased as the Territory grows. \$56,000.00 had been allowed in the agreement and \$40,000.00 in the estimates.

Mr. McKamey disagreed with placing the tax for one reason and then using it for another reason. He wished to know how the figure of \$56,000.00 was arrived at.

Mr. MacKenzie stated that this figure was decided upon in Ottawa.

Mr. Livesey stated that this was covered in motion no. 2, 1961 Fall Session. This money was to be allocated in exactly the same way as previously agreed to. With reference to distribution of money, Council is interested in seeing the money distributed equitably, and if this money was put into the budget as a grant, Ottawa could bring it up or down, whereas before it was dependent upon the amount of money received from the Liquor Tax Fund.

Mr. Livesey stated that he wished to continue with the distribution of monies as set out in motion no. 2.

Mr. Taylor felt that this was correlated with motion no. 9.

Mr. Livesey stated that Council had previously protested lack of attention by Ottawa re Council's suggestion regarding this motion. He stated also in regard to motion no. 10 that the original draft stated that some attention should be paid to development of resources in the Yukon,

Mr. Taylor stated that there had been no change in the revised draft, page 34, and that no provision had been made regarding timber.

Mr. Shaw stated that this had been covered in the Commissioner's address.

Mr. Livesey remarked that no mention had been made under Natural Resources relative to Council's motion, nothing which would appear in the Votes & Proceedings as concrete evidence.

Mr. McKamey asked Mr. MacKenzie, regarding classification of roads, if there is a paper containing detailed definitions.

Mr. MacKenzie replied that there is a definition of this on page 65.

Mr. McKamey stated that this should be shown as appendix G under Tote Trail Program.

Mr. MacKenzie replied that this should appear in Natural Resources and the one on roads, section 2, page 65.

Mr. Livesey referred to assisting an area not as a municipality but as a municipal area. This reference did not appear in the old draft but in the new plan and concerned the distribution of money to various communities. He stated that there is a difference between development of a municipality and a community development fund.

Mr. Taylor enquired if the cost of townsite planning would come under this section.

Mr. MacKenzie stated that there is provision made in the 1963-64 estimates for townsite planning.

Mr. McKinnon enquired regarding the approval of costs for planning in municipalities.

Mr. Shaw replied that this is a Territorial responsibility and as Mr. MacKenzie stated, this is covered by a grant.

Mr. Shaw read motion no. 12 and enquired if this had been done.

Mr. MacKenzie replied in the affirmative.

Mr. Livesey expressed the view that discussion on fuel tax would involve the above item.

Mr. Shaw read motion no. 13 and asked Mr. MacKenzie if this had been covered.

Mr. MacKenzie replied that it had not as this would mean submitting the estimates to the Treasury Board in Ottawa.

Mr. McKinnon wished to know if this resolution could provide installation of water and sewer system.

Mr. MacKenzie replied that it could.

Mr. Shaw wished to know if the Territorial Council could allocate any revenue raised.

Mr. MacKenzie replied that it could.

Mr. Livesey recommended that this question be taken up with Mr. Carter.

Mr. Taylor stated that the words "The Committee did not anticipate any need for any new systems in the 1962-67 period" had not been deleted as recommended by Council, as they appeared in the revised edition on page 31.



Mr. MacKenzie stated that this had been brought to the attention of Ottawa in his letter.

Mr. Shaw asked Mr. MacKenzie whether any advice had been received from Ottawa regarding motion no. 16.

Mr. MacKenzie replied that he is still awaiting advice from Ottawa and planned on wiring Mr. Carter.

Mr. McKinnon enquired whether Mr. MacKenzie was prepared to accept some plan offered by a private company, should the Federal Government refuse to set up a superannuation plan for Territorial employees.

Mr. MacKenzie replied that he was.

Mr. McKinnon then wished to know if money had been provided for this purpose.

Mr. MacKenzie replied that it had.

Mr. McKinnon wished to know whether figures on the superannuation plan would be ready for this Session.

Mr. MacKenzie replied that they would not but that they would be ready for next Fall Session.

Mr. Shaw referring to page 35, remarked that it would appear that the Federal Government has accepted a plan for Superannuation of Territorial Employees.

Mr. MacKenzie stated that this does not include casual employees.

Mr. Shaw read motion no. 17.

Mr. Taylor stated that an interpretation of this item is to be found on page 67 but that it has not been adhered to in the revised report.

Mr. Livesey stated that in the explanation, as set forth on page 67, the Federal Government will be involved.

Mr. McKamey questioned paragraph (b) under Tote Roads.

Mr. Taylor stated that the reason for the motion by Council was to include reconstruction by means of culverts or relocation of roads. He wished this referred to Mr. Carter.

Mr. Livesey, referring to motion 18, stated that it was essentially the same as motion 10, and concerned the lack of recommendation re Timber being classified as a resource.

After further discussion it was moved by Mr. Watt, seconded Mr. McKamey, 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

- (a) item 1 - Mr. MacKenzie offered to provide Mr. Carter with data on the Porter Creek area estimates for a partial water system and that this should be discussed with Mr. Carter when he appears before Council.
- (b) item 2-- The Committee was not agreeable to any agreement other than the original agreement of the Fall Session 1961. This is to be discussed with Mr. Carter as this Committee

wishes to have the security of the past agreement and to protest the lack of attention to this recommendation. Council is to enquire as to the policy of the Federal Government re emergency airstrips.

- (c) item 10 - The Committee noted that no specific recommendations were contained in the Report allowing agriculture and forest products to be classified as a resource and wished this to be included.
- (d) item 13 - This item concerns variations of expenditures in case of unknown factors requiring additional money, called the "saving factor."
- (e) item 14 - The last paragraph of subsection (b) section C, page 31, the words "The Committee did not anticipate the need for any new full systems in 1962-67 period" be deleted.
- (f) item 17 - Mr. Carter will be asked to define whether reconstructions is considered as construction.
- (g) item 22 - Categories of fuel are to be determined when Council reviews the Ordinance covering same.

Council accepted the report of the Committee.

Moved by Mr. McKamey, seconded Mr. Shaw, that five bills be given first and second reading each day beginning Monday, April 2nd.

Council adjourned 12:00 o'clock noon, until 10:00 o'clock A.M., Monday, April 2nd, 1962.

Monday, April 2nd, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker tabled a reference for advice received from Commissioner Collins regarding C.P.A. Staff House. (Set out as Sessional Paper number 11) Sessional Paper No. 11.

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of the following motions:

- |  |         |
|--|---------|
|  | Motions |
| No. 1 - Invitation to visit Dawson City by Festival Foundation | 1.      |
| No. 2 - Civil Defence.   | 2.      |
| No. 3 - Study of Draft Legislation                             | 3.      |
| No. 4 - Beaver Creek School - New School Paper.                | 4.      |

Moved by Mr. McKamey and seconded by Mr. Shaw that first reading be given the following bill " An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory" (Interim Supply Appropriation Ordinance 1962 - Bill No. 15) First Reading Bill 15.  
Motion Carried.

Moved by Mr. Shaw, seconded Mr. Taylor, that second reading be given to Bill No. 15. Second Reading Bill 15.  
Motion Carried.

Mr. McKamey, seconded Mr. Shaw, requested leave to introduce an Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory (Low Cost Housing Ordinance - Bill No. 1) Bill No. 1.  
Motion Carried.

Mr. Taylor, seconded by Mr. Shaw, requested leave to introduce an "Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Three Hundred and Sixty Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement Relating thereto." (Loan Agreement Ordinance 1962 No. 1 - Bill No. 2.) Bill No. 2.  
Motion Carried.

Mr. Boyd, seconded by Mr. Taylor, requested leave to introduce an "Ordinance to Amend the Yukon Housing Ordinance," (Bill No. 3) Bill No. 3  
Motion Carried.

Mr. Shaw, seconded by Mr. McKamey, requested leave to introduce an "Ordinance to Amend the Companies Ordinance." (Bill No. 4) Bill No. 4  
Motion Carried.

Mr. McKamey, seconded by Mr. Boyd requested leave to introduce an "Ordinance to Amend the Legal Profession Ordinance." (Bill No. 5). Bill No. 5

Motion Carried.



Council resolved into Committee of the Whole for the purpose of discussing Bill 15 "An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory." (Interim Supply Appropriation Ordinance 1962)

In Committee of the Whole:

Mr. Shaw requested that Mr. MacKenzie, Territorial Treasurer, attend.

Mr. McKamey asked Mr. MacKenzie to elaborate on the need for the Interim Supply Appropriation Ordinance 1962.

Mr. MacKenzie replied that this Ordinance covered only the month of April, until the main supply bill can be passed.

Mr. Livesey wished to know how binding this Interim Supply Ordinance was.

Mr. MacKenzie replied that the details of the bill were to be considered when the main estimates were discussed, but that Council was not forced to accept.

Mr. Livesey questioned whether Council should give tentative acceptance of money without binding itself to pass the budget.

Mr. Shaw, in replying to Mr. Livesey's question, asked whether Council wished to give tentative acceptance of the Ordinance subject to approval of the whole bill. Committee Agreed.

Of Bill No. 15 - the first seven items were approved by Committee.

Mr. McKamey, regarding vote 8, stated that the telephone company in Mayo had threatened to cut off telephone service to the Government offices there due to non-payment of the account.

Mr. MacKenzie stated that a \$500,000.00 cheque had that morning been received from the Federal Government and that a cheque to the telephone company Mayo would be going out very shortly.

Mr. McKamey wished to know if the Territorial Government had had to pay for some construction ordered by the Federal Government in the Yukon Territory from the Yukon Consolidated Revenue Fund.

Mr. MacKenzie replied that there were some but that they were very small and had been taken care of.

Vote 9, 11 and 12 were accepted by Committee.

Mr. McKamey asked Mr. MacKenzie for an explanation of the money requirements for vote 10.

Mr. MacKenzie replied that this amount was 1/12 of estimated cost.

Committee accepted this explanation.

Mr. McKamey stated that he was opposed to accepting any of this Interim Supply Ordinance as he felt that it bound Council to vote for main estimates in principle. He also wished to know if this amount would be 100% recoverable from the Federal Government.

Mr. MacKenzie replied that it would.

Mr. Livesey stated that the Administration should be notified that although Council had accepted this Interim Supply Ordinance, this did not necessarily mean that they would vote for the main supply bill in principle.

Mr. McKamey reiterated that he felt that if acceptance of this Ordinance by Council meant voting for the main supply bill and discussion of this Ordinance should be left in abeyance until the main bill was voted on.

Mr. MacKenzie remarked that he felt Council should remember that the money was being voted for maintenance of a Department, not for any individual item.

Mr. Taylor stated that if Council were voting on the bill in principle the bill should be re-submitted.

Mr. Livesey felt the Ordinance should be voted on and discussion of it left until the main estimates came up for discussion.

Mr. McKamey then asked the Legal Advisor whether an amendment or rider should be attached to this Ordinance.

Mr. Hughes, Legal Advisor, stated that he preferred that a rider be attached, rather than an amendment.

Mr. McKamey stated he was willing to accept a rider as long as it had the same effect as an amendment.

Mr. Livesey remarked that if this Ordinance represented 1/12th of the operating costs of the Territorial Government, then 12 times this amount would give a larger budget.

Mr. MacKenzie replied that in certain cases more money was required and in other cases less, i.e. although an expenditure is shown for items in vote 10, there will be repayment by the Federal Government on these, therefore, no money will actually be spent on them.

Mr. Boyd stated that monies were allowed for bills that have not been passed and he wished to know if any portion of money would be paid out before the bill was passed.

Mr. MacKenzie replied that in cases where expenditure of any monies was controversial, this expenditure would not be made.

Mr. Livesey reiterated that this Ordinance is just an interim supply appropriation to facilitate operation of the Government, not an acceptance of principle.

Mr. MacKenzie stated that as provision for mine rescue equipment is completely new no expense will be incurred until the main estimates have passed. He stated that on the other hand capital expenditure on the Dawson-Stewart Crossing Road happens every year and should be carried on.

Mr. Speaker then resumed the Chair for the purpose of hearing the report of the Committee.

Mr. Shaw, Chairman of the Committee, reported as follows:

On Bill No. 15, the Committee approved expenditure of this amount, They agreed on an interim basis to provide interim expenditures only, without voting on any particular item and they felt the money should not be spent for bills of a controversial nature that were not yet passed.

Council accepted the report of the Committee.

Moved by Mr. Taylor, seconded by Mr. Shaw, that Bill No. 15, "An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory" be given third reading. Motion Carried.

Third Reading Bill 15.

Mr. Speaker left the Chair and Council resolved into Committee of the Whole to discuss, with Mr. MacKenzie, Territorial Treasurer present, the Interdepartmental Agreement.

Mr. Hughes, the Legal Advisor, asked to be excused for the purpose of working on the Lord's Day Act legislation.

Mr. Taylor, referring to page 28 of the Interdepartmental Report, stated that the amount of \$56,000 was set out for community centres, which was contrary to the wishes of the Committee in the Fall Session.

Mr. Shaw replied that this question was to be referred to Mr. Carter.

Mr. Taylor, referring to section (b) page 29, pointed out that no money had been provided for town planning of smaller communities which await planning before incorporation.

Mr. Shaw stated that this document is an agreement between the Federal and Territorial Governments in which the Federal Government indicates its policy which it favours, but does not refer to any specific amount of money to be expended.

Mr. Taylor agreed with this view but still felt that this section does not contain any indication of policy as it does not allow for any town planning anywhere in the Yukon in unorganized communities.

Mr. Livesey stated that he felt Mr. Taylor was referring to the difference between the budget and the agreement and that this difference is due to a time lag. This agreement has not yet been agreed to and will not be until Mr. Carter appears before Council and he also felt that while it may not affect the present budget it could have an effect on future budgets.

Mr. Taylor stated that as no recommendation had been made in the agreement regarding town planning he would like this question referred to Mr. Carter.

Mr. McKamey wished to know if recommendation no. 3 on page 30 covered town planning.

Mr. MacKenzie replied that it would not but that Council should discuss this matter further.

Mr. Livesey stated that he had brought this matter into a previous Council Session. There are only two communities that have a town planning program. Council requested in last Fall Session a form of program for encouraging outlying communities that are not in a position of becoming municipal areas. At that time he suggested a form of village municipalities. The case of Haines Junction was cited where the Federal Government had not released land soon enough.

Mr. Taylor felt that it was a necessity for any unorganized community to have town planning.

Mr. McKinnon asked Mr. Taylor why Watson Lake could not become eligible for grants by incorporating and thereby have a planned townsite.

Mr. Taylor replied that there is no provision in the Ordinance for this and only improvement in legislation which would allow for town planning would straighten out the matter.

Mr. McKamey stated that Mr. Spray, Area Development Officer, had stated that legislation for this purpose was being provided in Ottawa.

Mr. Taylor wanted to know whether allowance would be made for villages.

Mr. Shaw stated that the Agreement approved the spending of money for



development of the Territory, which he felt included townsites, and that Council must provide the measure whereby this project was put into action.

Mr. McKamey remarked that this agreement made no provision for finance.

Mr. Taylor felt that the principle which would allow expenditure of money for town planning has not been included in the agreement.

Mr. Livesey recommended that this matter be taken up with Mr. Carter.

Mr. Shaw pointed out that there has been provision made in the agreement for the orderly development of unorganized areas.

Mr. Taylor felt that this did not provide for town planning but only for town expansion.

Mr. Shaw then requested that a specific question be prepared for Mr. Carter.

Mr. Taylor suggested that Council recommend that Mr. Carter be asked that town planning be provided for in unorganized communities.

Committee recessed at 12:00 o'clock noon.

Monday, 2:00 o'clock P.M.

Committee resumed discussions on the Interdepartmental Report. It was decided that nothing more could be done until they could talk to Mr. Carter.

Mr. Taylor stated with regard to Tote Trail Assistance, the Interdepartmental report states the Federal Government will grant money for this each year, but in the Federal estimates for the fiscal year March 31st, 1963, under Grants to the Yukon Territorial Government for Tote Trail Assistance nothing is shown. He wished to know if Mr. MacKenzie could explain this item on page 24.

Mr. Shaw explained that this is a matter whereby it is not a direct line to the Territory, but it is part of the deficit grant to the Territory. The Territory now has a deficit Grant instead of these particular items. Mr. Shaw added that the deficit grant covers a multitude of sins.

Mr. Taylor asked if this question could be asked of Mr. Carter.

It was added to the list of questions.

Mr. McKamey moved, seconded by Mr. McKinnon, that Mr. Speaker resume the Chair to hear the report of the Committee.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of the Committee reported that discussion of the Interdepartmental Report had taken place since 11:00 A.M. and it was recommended that Mr. Carter be asked that town planning be provided for in the report for unorganized communities or unincorporated communities and that Mr. Carter be asked about the Tote Trail money not being included for 1963 in the agreement and could it be elsewhere in the report.

Council accepted the report of the Committee.

Mr. Shaw moved, seconded by Mr. McKamey that Council resolve into Committee of the Whole for the purpose of discussing various memoranda from Commissioner Collins.

Motion Carried.

..... / 34.

In Committee of the Whole:

Mr. Shaw, Chairman, read the memorandum concerning the Migratory Bird Sanctuary on Old Crow Flats. (See Sessional Paper No. 4)

Discussion  
of Sess.  
Paper # 4.

Mr. Taylor commented that this was basically a set up for the Northwest Territories and changes for the Yukon would be necessary. He stated he was acquainted with the area which is well infested with ducks. Ducks Unlimited had made a survey up there and felt that this should be a sanctuary, although so far no one has bothered the birds. Mr. Taylor reminded Council that they must bear in mind the residents of Old Crow and not impose any hardship on them.

Mr. Shaw said the point Mr. Taylor brought up was very important. This year the caribou did not go through that area and the people have not had fresh meat this winter. They have been living on rabbits and canned meat at \$1.25 per can, which is the cheapest they can get. It would be very hard for the people to refrain from having this fresh meat. It is ridiculous in the first place to put restrictions on the people who live there. They have lived up there for several hundred years and the ducks go there just the same. Mr. Shaw is a great believer in conservation, whether it is fish, forest products or fowl, but there are so many restrictions on fowl and all this would be doing is breeding these birds, so that they could shoot them in Mexico and U.S.A. If the Indians are restricted from getting their food, which they have been doing for years and years it is wrong. Providing it does not restrict the people who live in that country the Bird Sanctuary will be fine. Has this Council the right to restrict these people from hunting the necessities of life.

Mr. Boyd remarked that one thing contradicts itself with regard to diving ducks. They claim a decrease and yet the chart shows an increase.

Mr. Taylor said the people of the area should not be restricted to dire need before they are allowed to shoot birds.

Mr. Livesey said he remembered a discussion about a wilderness area. He believed we should have a game preserve, but Council is constantly under attack by Ottawa, if it isn't birds it is wildlife. There is a large area in his district tied up for a park, with all kinds of restrictions. Another is being asked for in the Watson Lake area. There seems to be a bird or animal war. When Council wanted to get the wild life service to bring down the restricted land in the north so that tribes could go out and hunt for food and clothing, this was refused. This situation to Ottawa is purely academic, but the people in the Yukon have to live with these restrictions. If a Bird Sanctuary is absolutely necessary - fine, but he felt the less restrictions the better.

Mr. Taylor stated he did not know why restrictions in this area would be required as there is nothing that bothers the water fowl in that area. The only people up there who are white are the oil companies in the summer doing Geology work and they are not in this bird sanctuary area as it is mostly swampy.

Mr. McKinnon stated that he believes in conservation but does not believe in too many restrictions. However, he does believe in providing legislation. He would hate to see the day that the finger could be put on Council for lack of interest in conservation. All across the States and Canada people have been wishing that previous administrations had been a little more interested in conservation. He believes in the sanctuary, but does not believe in restrictions on the people of Old Crow. He stated that every inch of land is taken up with oil leases and so long as it did not conflict with the oil and mining he was in full agreement.

Mr. Taylor believed that regulations should be drafted so that the people of Old Crow would be taken care of with permission for them to hunt at any time in the Sanctuary.

Mr. Shaw said the present regulations under the Game Ordinance prohibits anyone from shotting in that area except during the normal hunting seasons.

Mr. Taylor remarked that the Eskimos from the Delta also hunt in this area, they are not residents of the Territory, but provisions would have to be made for them.

Mr. Shaw said this proposed bird sanctuary is an international agreement between United States and Canada. They are asking the people in the Yukon to set aside a very large area for breeding grounds for these birds. He has been told that the people of this area have asked for the hunting season to start a little sooner up there because the ducks have started south by the time the season opens. This would tie up a very large portion of the area of the Yukon. We supply the whole of the U.S. and Mexico with ducks. We have only 14,000 people and surely with such a small population we do not need to tie up so much of the area.

Mr. Boyd could not see where this bird sanctuary is necessary at all as it is against the law to shoot birds in the spring during the breeding season.

Mr. Watt agreed with Mr. Boyd. As the figures show no decline in the number of birds, it would be merely placing restrictions on the residents of the area.

Mr. Shaw asked the Legal Advisor, Mr. Hughes, if this would prohibit all shooting in the fall.

Mr. Hughes replied it would be a blanket prohibition extending right through the year.

Mr. Boyd remarked that the birds leave there before the Yukon hunting season begins.

Mr. Taylor said the little lakes start freezing around the 15th of September.

Mr. McKamey stated that any lake north of the Ogilvie range can be frozen over by the 15th of September. He believes the birds all leave around the first of September.

Mr. Livesey asked if there is any way of obtaining figures on the number of ducks and geese which are shot per annum.

Clerk of the Council, Mr. Taylor, advised that the Game Department could possibly get these figures.

Mr. Livesey said he could suffer along with Council in this regard and he was in favour of conserving animals and game, but in a country so sparsely populated there seems no need for these restrictions. If the population were doubling itself every year he could see it, but with an increase of a couple of thousand in ten years, it does not seem necessary.

Mr. McKamey stated they are starting on the wrong end of this. If there is a decrease the problem does not lie here in the Yukon. It lies with the Federal Government not negotiating with Mexico etc., where they shoot these birds for the market with camouflaged boats and kill birds by the dozens. This is where they should start.

Mr. Shaw stated that Council is asked to make a sanctuary and by the time the hunting season opens the birds are gone, so it would seem unnecessary and as it would only create hardship for the people living in the area he is against this sanctuary.

Mr. Boyd moved, seconded by Mr. Taylor, that this Committee feels that further restrictions are unnecessary as the present Ordinance and



Regulations provide the asked for protection for migratory birds. The present shooting season from September 1st to October 31st gives adequate protection as the birds migrate from there the latter part of August to the first week in September.

Motion Carried with Mr. McKinnon against.

Mr. McKinnon wished to go on record as opposing the motion for the following reason. He believed a compromise could be reached between the inhabitants of the area, the Territorial Government, and the Federal Government governing the regulations affecting this migratory bird area which would result in long term benefits to all.

Mr. Shaw, Chairman read the memorandum from Commissioner Collins regarding Territorial Government Scholarships. (See Sess. Paper No. 8)

Mr. McKinnon made violent and vehement objection to some of the proposals. No. 1, page 3, the Science-Mathematics Scholarship - this scholarship came into being after the "Sputnik" when people were worried about where our scientists were. He believes the same scholarship should be offered to a student who wishes an Arts Course at a University. He feels this is very important and a student specializing in the Arts can make just as big a contribution to the Yukon as the people specializing in science and mathematics. The second thing Mr. McKinnon objected to was that not one of the teachers or the principles in the Yukon were on the scholarship committee. Scholarships in the past have been awarded to students who the teachers and principles knew would be of no credit to the Yukon in the University and it was proved by the people who accepted these scholarships to be true. He will never be a party to this plan until one of the principles of the schools is on this scholarship committee.

Discussion  
of Sess.  
Paper # 8.

Mr. Taylor thought Mr. McKinnon had a good point and it was odd that a principle was not on the scholarship committee, who has been acquainted with the nominee's work during the academic career in the Territory.

Mr. Boyd remarked that Mr. McKinnons remarks showed up a grave inadequacy in the scholarship committee set-up. He would go along with Mr. McKinnon on this matter.

Mr. Livesey thought the program to encourage Yukon students to take higher education is a very sensible plan. One of the great principles of education is to further education and although a number of our students in the Yukon may not go as far as we would like, perhaps a number someday will. It is a very unfortunate situation that the present trend is so much toward science, but Mr. Livesey would say that Council should do all in its power to encourage this further academic training. When we look at the facts, we see among our teachers not one who was a resident of the Yukon and went out to University and received the proper training and returned to the Territory and this is shown in the qualifications of the teachers we have now in the Territory. He is 100% for a program which will encourage the Yukon highschool students to continue to university. For the balance of students who do not feel they can go on to university we are establishing a vocational school and the more we help them the better.

Mr. Livesey agrees that we need prominent people in more subjects than science and mathematics. As the member from Whitehorse North pointed out, there are other areas of interest in life than science. The arts should not be left out.

Mr. McKinnon said he thought in the old five year agreement the committee recommended two scholarships - one in science and mathematics and the other in arts. A full scholarship in each for the full four year period should be available. Another point Mr. McKinnon wished to make was that Mr. Bugara, who has been teaching in the Yukon for half a dozen years, who is a fine educationist and takes particular

interest in his students, is the one who predicted the failure of the pupils. Mr. Bugara is the one Mr. McKinnon would like to see on the Territorial Scholarship Committee.

Mr. Shaw, Chairman, asked Committee if it would be acceptable to appoint a committee of three to study this scholarship paper.

Upon Committee's agreement, the Chairman chose Mr. McKinnon, Mr. Boyd and Mr. Livesey.

Mr. McKinnon said this is something he is extremely interested in and he is willing to serve on this Committee.

Mr. Shaw, Chairman read the memorandum from Commissioner Collins regarding Mine Rescue Equipment. (See Sessional Paper No. 7)

Discussion  
of Sess.  
Paper # 7.

Mr. McKamey wondered where they got the change of heart to make this 100% recoverable. He had pressed on this very strongly and the Government thought it was the responsibility of the Territorial Government. Mr. McKamey was highly opposed to this and now he sees it is 100% recoverable. He wondered if that is a mistake and suggested that Council ask Commissioner Collins if there was any mistake on this.

Mr. Taylor felt that this was a very important item and agreed with Mr. McKamey that this equipment, in view of the mines coming into their own, is a must but the Territory should not have been burdened with the cost. The Federal Government are recipients of all the resources and Mr. Taylor felt they are the ones to pay the shot.

Mr. McKamey suggested that Council see that this is part of the Financial Agreement to safeguard themselves for the next five years.

Mr. McKinnon asked if it is standard for the Provinces to supply the safety equipment for the mines.

Mr. McKamey replied that the mines are forced to have this equipment on hand. He said this bill was pushed through and he made sure everyone was aware of what was happening. Any mineral is a natural resource which comes under the Federal Government. The Territory has no jurisdiction over it at all, but Council saw fit to pass this Mine Safety Ordinance and it seemed to Mr. McKamey that Council voted money last year to purchase this equipment from United Keno Hill.

Mr. Boyd noticed this equipment was going to be set up at United Keno Hill Mine and wondered what would happen if the big centre turns out to be Watson Lake. Why would this not be in a more central location and what would happen if they were asked to move it to a more central location.

Mr. Taylor replied that this was a product of the Mining Inspector's work and perhaps he could come up and enlighten Council on some of these aspects.

Mr. Boyd said the compressor and the material could not normally be flown from one place to another, therefore it would have to go by truck.

Mr. McKamey stated that a new compressor is being purchased to be kept in Whitehorse. He believed the reason was good enough for having the equipment at United Keno Hill, because they have been the backbone of the whole Territory for many years.

Mr. McKinnon stated he is for anything that is going to bring about a great amount of mining activity in the Yukon and if one of the things is that the Government supplies rescue equipment at a cost to the Federal Government, he cannot be against it. He is afraid this will be starting a precedent. When mining gets going in the



Territory the Federal Government might wash their hands of it and the private Companies might come to the Territorial Government,

Mr. Taylor said small mines cannot afford to supply their portion of this type of equipment and provision could be made whereby a property after it has gone into production and has been in production for some time could be asked to provide their own rescue equipment, and trained men as outlined here.

Mr. Watt wanted to know, if there was a major mine catastrophe in the Territory, if the Territorial Government would be responsible for the cost of the rescue operation.

Mr. Taylor thought the Mining Inspector would be able to answer this but he believed it would be the responsibility of the party owning the mine. The answer would be in the Mine Safety Ordinance.

Mr. Livesey suggested that it would be a sensible plan to have the Mining Inspector present.

Mr. Hughes, Legal Advisor, stated the Ordinance puts the onus on the owner of every mine to supply safety equipment and trained men to run this.

Mr. Oliver, Mining Inspector, attended Committee.

Mr. McKamey asked Mr. Oliver whether this was the standard practice of the Provinces to provide the mine rescue equipment for a mine.

Mr. Oliver replied the standard procedure in the Provinces is that the Compensation Board purchase the equipment and supplies it in the form of a mine rescue station. Each Company is assessed a certain proportion to pay for this mine rescue equipment. In the Northwest Territories the Territorial Government have supplied the mine rescue equipment and the Companies are assessed for the maintenance and to provide a mine rescue man to train their men for the equipment.

Mr. Taylor asked Mr. Oliver what the Territorial Government here does with regard to the mining companies participating in the mine rescue training.

Mr. Oliver explained that they supply the men for the training and are assessed proportionately for the upkeep of the mine rescue equipment and they also pay the men a bonus when they have passed the qualifications and become qualified mine rescue men. Mr. Oliver added that United Keno Hill have four rescue teams consisting of five men each and they pay a bonus of about 50 cents a day for being a mine rescue man.

Mr. Livesey wished to know if it is the intention to purchase the mine rescue equipment for purposes of training in mining rescue or is it the intention to purchase mine rescue equipment for the purpose of rescue when disaster is present.

Mr. Oliver said the situation in the Yukon at the present time is that the equipment is now privately owned. The Company owns the equipment and controls the use of it. In a major disaster which it could be quite possible to have in the Yukon outside of their property, they can refuse to supply equipment if there is a disaster in another property. The purpose of this mine rescue equipment being owned by the Territorial Government is that this equipment can be used at any mine in the Territory that is in need and the control will be under Mr. Oliver's office as to its use.

Mr. Livesey said he is wondering, because mining is Federal and Mr. Oliver is a Federal Employee, the equipment is owned by the Territory, if the Territorial Government is purchasing this equipment for the



purpose of training, or is the Territorial Government purchasing this equipment for use by the mines in any disaster.

Mr. Oliver replied it is a combination of both.

Mr. McKinnon said the Legal Advisor had pointed out in the Mine Safety Ordinance where a Company was obligated to buy the necessary equipment. He asked Mr. Oliver if there had been an amendment.

Mr. Oliver replied not to his knowledge.

Mr. Livesey does not see how Council can continue with an act that is against the Ordinance. The Legal Advisor has not given us a definite decision on that, but if the Ordinance states one thing, we cannot very well proceed with anything in conflict with the Ordinance. He thought this should be resolved before Council proceeds.

Mr. Shaw said he recalls when this book was printed and submitted to Council and he has no recollection of any change in this Ordinance and he assumes that this is definitely current.

Mr. McKamey asked if Mr. Oliver could enlighten the members of Council if this is ultra vires - the Mining Act supercedes this and it is out of the Council's jurisdiction to legislate anything which is a Federal Act. It is his contention that a Mine Safety Ordinance is automatically ultra vires because there is an Act governing the same thing. If there is provision in the Ordinance that it is the responsibility of the Company, we could not vote the money to purchase this equipment when the Ordinance says it is the Company's responsibility.

Mr. Livesey wondered if this question could be taken up with the Commissioner or Mr. MacKenzie to get their views on why this has been presented in this form.

Mr. Hughes, the Legal Advisor, said that while this is here it may very well be that the Yukon Quartz Mining Act and regulations under it, are not superior in any way they are simply supplementary. The Federal Act would not furnish the terms of section 28 of the Yukon Ordinance. What troubles Mr. Hughes about the proposal to purchase the equipment of the United Keno Hill Mines is that they would be a mine owner which is supplying no equipment. They would not be providing this equipment and it was on that small point that Mr. Hughes was drawing attention to section 28 and perhaps the purchase of the equipment would put the United Keno Hill Mines out on a limb. Mr. Hughes understood that the purchase of this equipment was to provide a nucleus for emergency rescue, so that if there was equipment supplied by the owner, it would not be necessary to ask for this equipment.

Mr. Livesey said this was precisely why he asked the question about training of mine personnel for disaster in a mine. Whatever we do must comply with the Mine Safety Ordinance.

Mr. Shaw advised that it stated in this article that all the equipment is privately owned. He recalls that Council voted some money for this equipment a year or so ago and the reason for this was that there were many small mining companies starting up and these small mines could not afford a large enough amount of equipment which is required in the Ordinance. United Keno Hill Mines had a comprehensive amount of equipment. It would be paid for by the Government then in case of any disaster this could be immediately transported to where it was needed. This was the reason why Mr. Shaw and other members of the Council went along with this. It was something that was necessary and although it did not comply with the Ordinance it was something we could have available at a moments notice. The purpose behind this is that there will be the best equipment that it is possible to buy to use in an emergency. The Federal Government is putting up the

money. It seems to Mr. Shaw to be a very sensible thing to do as it would save a lot of lives. The mines might comply with what is required by the Ordinance, but they would not have a set up which would be necessary in the event of a large disaster.

Mr. Taylor agreed with Mr. Shaw and added that the mines would be required to train men to use this equipment and it would be a very good thing for the Territory.

Mr. McKamey asked if it would be possible to have this section of the Ordinance amended so that the Companies would not be forced to turn around and buy mine safety equipment, which would cause duplication.

Mr. Oliver replied that United Keno Hill has additional equipment to what is listed in this submission. The Y.C.G.C. would have additional equipment and this along with the Territorial Equipment would satisfy the requirements under this act. The equipment these mines have is over and above what the Territory may own. This equipment that Mr. Oliver is asking for would be for a major disaster where more up to date and proper equipment would be needed.

Mr. McKamey said then there would be a certain amount of this equipment on hand at all times.

Mr. Watt wished to know who pays for the rescue operation in case of a major disaster.

Mr. Oliver replied it would possibly be a combination of both, because if you look at your Ordinance, the Mining Inspector has complete charge of the operation and he can call on any equipment or materials or men that are required for mine rescue operation. It is in the Mining Inspectors power to control, take charge and be responsible for a mine rescue operation, so it could be both Government and Company expense, but the Company will pay the biggest portion of this.

Mr. Watt asked Mr. Oliver if we accepted this would we not be accepting more of the financial responsibility of a major disaster.

Mr. Oliver said it would be the same. Normally in the Provinces your mines are under insurance and this would probably be true in United Keno Hill Mines. The Government portion would be perhaps fire pumps or communication set-ups. Once the Territory has this apparatus under its control then Mr. Oliver can lay out a very good program for mine rescue in any part of the Yukon that will automatically go into effect when a call comes in.

Mr. McKinnon said it is still not clear in his mind and he would like an answer to the precedent being set. We are all in favour of mining development. If a mining industry develops Mr. McKinnon would like to know if the Territory will be held responsible for supplying rescue equipment.

Mr. Oliver said the answer to your question would depend on proper legislation as more mines are opened in the Yukon. The precedent has been set in the Northwest Territories where the mines can be assessed for their share of the cost of the rescue equipment.

Mr. Livesey felt it necessary to take up this question with the Administration before finalization.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of the Committee reported that at 2:30 P.M. the Committee resumed with discussion of a

**Migratory Bird Sanctuary.** The Committee felt that further restrictions are unnecessary as the present Ordinance and Regulations provide the asked for protection for migratory birds. The present shooting season from September 1st to October 31st gives adequate protection as the birds migrate from there the latter part of August to the first week in September. Mr. McKinnon wished to be recorded as opposed and he believes a compromise could be reached between the inhabitants of the area, the Territorial Government and the Federal Government, governing the regulations affecting this migratory bird area which would result in long term benefits to all.

With regard to Scholarships, a Committee of Mr. McKinnon, Mr. Livesey and Mr. Boyd were appointed to study the Scholarship memorandum and present their views to Council.

With regard to Mine Rescue Equipment this matter was discussed with Mr. Oliver and progress is reported. However, this matter is to be gone into further with the Administration.

Council accepted the report of the Committee.

After discussion of the agenda, Council adjourned at 5:10 P.M. until 10:00 A.M. Tuesday, April 3rd, 1962.



Tuesday, April 3rd, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker informed Council that he had been advised by Commissioner Collins that he would be leaving the Yukon Territory on June 11th, 1962, and will leave public service on July 15th, 1962. He stated that he could not give this information earlier as it was only recently this had been approved. The Commissioner did not wish to dwell on it at this time as he will deal more fully with the subject of his retirement when he gives his final address at the end of the Session.

Mr. McKinnon, seconded by Mr. Watt, requested leave to introduce an Ordinance Respecting the Lord's Day Act. (Bill No. 17.)

Introducing  
Bill  
No. 17

Motion Carried.

Mr. Watt, seconded by Mr. Shaw, requested leave to introduce an Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, (Appropriation Ordinance 1962-63 - Bill No. 6)

Bill  
No. 6.

Motion Carried.

Mr. Taylor, seconded by Mr. Boyd, requested leave to introduce an Ordinance to Amend the Labour Provisions Ordinance . (Bill No. 7)

Bill  
No. 7.

Motion Carried.

Mr. McKamey, seconded by Mr. Taylor, requested leave to introduce an Ordinance to Repeal the Poll Tax Ordinance. (Bill No. 8)

Bill  
No. 8.

Motion Carried.

Mr. Boyd, seconded by Mr. Watt, requested leave to introduce an Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory. (Second Supplementary Appropriation Ordinance 1961-62, Bill No. 9)

Bill  
No. 9.

Motion Carried.

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

Production  
of  
Papers:

- No. 2 - Experimental Measles Vaccine
- No. 3 - Tabling of Address on Alcohol by Chief Medical Health Officer
- No. 4 - Swift River School
- No. 5 - Requested Resignation of Local Medical Health Officer at Watson Lake, Yukon.

- No. 2
- No. 3
- No. 4
- No. 5

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of motions for the Production of Papers as follows :

Production  
of  
Papers

- No. 6 - Closing down of Snag and Aishihik Airports
- No. 7 - Copies of Hansard and Other Parliamentary Reports
- No. 8 - Fire Protection for Destruction Bay and Beaver Creek.

- No. 6
- No. 7
- No. 8

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. McKinnon that, Council extend a vote of thanks to Miss M. Gartside, President of the Dawson City Festival Foundation, for a most welcome invitation to visit the area of Festival preparation in Dawson City from April 6th to April 8th, and notify the Foundation of our acceptance and intended departure for Dawson on April 6th, weather and road conditions permitting.

Mr. Livesey stated that the motion specifically covered the invitation by Miss Gartside, and he felt that the Festival itself was important to the Territory as a whole, not only to Dawson, due to the power of attraction it will have upon all potential tourists who will come to the Yukon and I think our visit there will both encourage them and let them know we are very interested in this very worthwhile effort. By way of a reply to this invitation, Mr. Livesey felt that it should be accepted.

Mr. Taylor recommended that Council accept the invitation and that Council be convened on Friday morning at 9:00 and adjourned at 12:00 noon that same day so that Council could leave by car at noon.

Mr. McKamey felt the visit would be very effective but that due to road conditions, it would be better to make the trip by C.P.A. He also wondered whether the Administration would consider accepting the financial responsibility.

Mr. Watt agreed with Mr. McKamey's suggestion, but felt that this trip would be a good opportunity for Councillors to familiarize themselves with other points - i.e. Mayo, Elsa, Keno etc.

Mr. Boyd expressed the view that the road trip being a lengthy one Councillors would not have time to visit Mayo, Elsa and Keno.

Mr. Shaw stated that he felt that the invitation had merit aside from the Councillors merely visiting Dawson. He felt that the trip would give Councillors some idea of the distances involved in traveling from place to place in the northern part of the Yukon and also some idea of the problems people living along the Highway have to face. He also stated that in his opinion the invitation would give Councillors some idea of what those involved in the Festival are trying to do. He offered the use of his vehicle for the trip as well. Mr. Shaw stated that although this was not a good time of the year for road travel, it was a less busy time of year for those working on the Festival and consequently they would have more time to discuss the project with the Councillors.

Mr. McKinnon expressed the view that if the group left at noon on Friday, in view of the distance involved, there would be no time in which to meet anyone, and the trip would lose its value insofar as being an orientation trip. He stated he felt that an early morning departure would accomplish this purpose much better.

Mr. Taylor agreed with Mr. McKinnon's remarks regarding an early departure, although it would mean a 3 day lay-off from Council. However, he felt this could possibly be made up at a later date.

After further discussion, Mr. Taylor moved, seconded by Mr. Boyd the following amendment to the motion:

That Council leave Friday morning, April 6th, 1962 and return Sunday, April 8th, 1962.

Amendment Carried.

The following Bills were then given first and second reading:

Bill No. 1 - An Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory.

Bill No. 2 - An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Three Hundred and Sixty Thousand Dollars from the Government of Canada and to Authorize the Commissioner to Enter into an Agreement Relating Thereto. (Loan Agreement Ordinance 1962 No. 1)

Bills Given First & Second Reading No. 1

No. 2

- Bill No. 3 - An Ordinance to Amend the Yukon Housing Ordinance. No. 3  
Bill No. 4 - An Ordinance to Amend the Companies Ordinance. No. 4  
Bill No. 5 - An Ordinance to Amend the Legal Profession Ordinance. No. 5

Moved by Mr. McKinnon, seconded by Mr. Taylor, that Council resolve into Committee of the Whole to discuss further several memoranda from Commissioner Collins, and Bills numbers one to five.

Motion Carried.

In Committee of the Whole:

Clerk of Council, Mr. Taylor, informed the Committee that Mr. Carter was expected to arrive by plane Wednesday afternoon, April 4th and return to Ottawa on Monday April 6th.

Mr. Taylor stated that he felt Mr. Carter should be invited to make the Dawson trip with Council.

All members agreed.

Mr. McKinnon wished to know what the final decision had been on mine rescue equipment.

Further Discussion Sess. Paper #7.

Mr. Shaw stated that Council was to discuss this situation with the Administration and to bring the matter up with Mr. Carter.

Mr. Boyd requested permission to ask Mr. Oliver, the Mining Inspector one or two questions before the subject of mine rescue equipment was closed.

Mr. Oliver, Mining Inspector, was requested to attend Committee.

Mr. Boyd asked Mr. Oliver if the purchase of the equipment proposed by him was made by Council, would Keno Hill Mines have sufficient equipment independent of what would be owned by the Territory.

Mr. Oliver replied that they would not.

Mr. Boyd then wished to know how old the proposed equipment was, whether it was fully modern, would it have to be replaced in the near future because of its age.

Mr. Oliver replied that U.K.H.M. would maintain the equipment and replace any worn parts.

Mr. Boyd wished to know if this meant that the equipment was fully modern.

Mr. Oliver replied that the parts of the equipment were fully interchangeable. He also stated that change and deterioration in mine equipment is not as rapid as that of a car.

Mr. McKamey asked if this was a verbal agreement with U.K.H.M.

Mr. Oliver replied that it was but there will be no transactions until a written agreement is signed and as there had been a verbal agreement no additional equipment was listed but some will be needed.

Mr. Taylor wished to know where the additional equipment, that is not listed, will come from and who will pay for it.

Mr. Oliver stated that the equipment would be purchased by U.K.H.M. the verbal agreement was to purchase most of their equipment plus additional parts.



Mr. Taylor asked if Mr. Oliver could describe to Council the purpose of mine rescue competitions.

Mr. Oliver stated that throughout the Provinces of Canada, in order to keep the miners and rescue teams interested, competitions were held. In Ontario, for example, each mine would send a team to the competition and the winner would be declared a first-class team for that Province. Competition runs high, keeping the miners interested. He also stated that in the Province of Nova Scotia mine rescue teams had enough practical work to keep them keen.

Mr. Boyd asked whether the equipment listed is adequate or inadequate.

Mr. Oliver stated that this equipment, for the present state of mining in the Yukon, will be adequate. There will be enough mine rescue equipment for 2 teams and this equipment could also be used in case of a major disaster other than a mine accident. If mining in the Yukon develops and indications are that it will in the next year or so, it may be that we will need more equipment, but for the present this equipment will be sufficient.

Mr. McKamey, in referring to page 2, paragraph 2, asked if the amount stated was the total expenditure.

Mr. Oliver replied that it was.

Mr. McKamey wished to know the reason for the purchase of six sets of Scott Air Pak.

Mr. Oliver replied that altogether there are 12 sets of Scott Air Pak, 10 to be kept at U.K.H.M. in Elsa and 2 in Whitehorse. He stated that this equipment could be taken at any time to any part of the Yukon.

Mr. Livesey stated that the discussion could not actually be finalized until the matter is taken up with the Administration.

Mr. Watt wished to know if it would not be better for the Territorial Government to purchase new equipment for \$6,769.00 and have this equipment stationed in Whitehorse and the equipment now at U.K.H.M. will already be there. He felt that in this way further expense to the Yukon Territory would be avoided.

Mr. Oliver stated that his view was that there should be one centralized control of all mine rescue apparatus and the entire mining fraternity in the Yukon could be organized if one organization had control. This is a necessity in case of a disaster and Mr. Oliver stated that there must be a pre-arranged plan, which could only be done if they have control of the equipment and can organize mine rescue teams as quickly as possible.

Mr. Oliver was excused from Committee.

Mr. Shaw, Chairman of Committee, read the memorandum from Commissioner Collins regarding Civil Defence i.e. Emergency Measures Planning. (See Sessional Paper No. 5.)

Discussion  
of  
Sessional  
Paper # 5.

Mr. Livesey stated that during 1958-61 Council considered a motion regarding a Civil Defence program in the Yukon and that the Administration is now coming up with specific suggestions that the public can take cognizance of.

Mr. Taylor stated that although there was a motion before the House during the 1961 Fall Session concerning information for the public he had seen no move to distribute literature and has seen little data on Civil Defence. He wished to know whether the Clerk of the Council could add any further information.

Mr. Taylor, Clerk of Council, replied that he could not.

Mr. D. Taylor, Councillor for Watson Lake, then asked whether any pamphlets had arrived from Edmonton.

The Clerk of Council replied that there had not.

Mr. Shaw enquired as to the name of the Administrative Assistant.

Mr. Taylor, Clerk of Council, replied that the Administrative Assistant was Mr. Frank Fingland and the Executive Assistant was Mr. J.F. DeLaute.

Mr. Shaw wished to know if the Superintendent of Welfare, as referred to in paragraph (d) page 2, was the Territorial Superintendent of Welfare.

The Clerk of Council replied that it was, and that his name is Mr. C.B.H. Murphy. Referring to paragraph (f) page 3, the Clerk of Council advised that the word "Engineer" should be deleted and the word "Treasurer" inserted.

Mr. McKamey asked whether the Legal Advisor could enlighten Council as to whether in case of a nuclear attack any regulation could be made to prevent the Officials of the Administration from leaving the Yukon for a safer place.

Mr. Hughes, the Legal Advisor, replied that no legislation is going to keep people from escaping if that is their wish.

Mr. Livesey enquired whether the Legal Advisor could give Council any information as to legislation passed in other Provinces concerning Civil Defence.

Mr. Hughes, the Legal Advisor, replied that he could not without further investigation.

Mr. Livesey stated he was interested primarily in the reaction of the Provinces so that Council would be better informed as to procedure to be followed.

Mr. Hughes, Legal Advisor, recommended that the Clerk of Council write letters concerning this matter.

Mr. Shaw requested the Clerk of Council to obtain this information before Council prorogues.

Mr. Taylor again referred to the motion of the Fall Session re distribution of literature to the general public with regard to Civil Defence. He stated that he would like to put forth another motion before the Committee and moved that the Administration make further efforts to acquire and distribute literature on Civil Defence for distribution to residents of the Territory.

Mr. Livesey stated that there was already a Notice of Motion on the agenda. (see Motion No. 2 - page 29)

Mr. Shaw stated that discussions of this subject could not be carried on until information was received regarding the Provinces' enactment of legislation.

Committee recessed at 12:00 o'clock Noon.

Tuesday, 2:00 o'clock P.M.

Committee was called to order and proceeded with a memorandum from Commissioner Collins regarding Teachers of the Territory and Salary Negotiations. (See Sessional Paper No. 6)

Mr. Shaw, Chairman, explained that there were three proposals, one from the teachers, one from Commissioner Collins and one from the Superintendent of Schools.

Mr. McKinnon, referring to proposal no. 1, said the idea behind this proposal is because the teachers here have an especially hard time getting out to summer school and this is the practice of their profession.

Mr. Shaw stated the Commissioner's proposal is to include this in the salary and the Teachers Association want to call this Travelling Expense.

Mr. Livesey pointed out that the Superintendent of Schools, Mr. Thompson, also wished to call this Travelling Expense.

Mr. Shaw said the Commissioner's proposal comes in line with the reasoning of Council that the salaries be put in the right perspective instead of adding a lot of fringe benefits. The Commissioner's proposal is following Council's recommendations.

Mr. Watt asked who is in a position to negotiate with the teachers; the Superintendent of Schools or Commissioner Collins.

Mr. Livesey replied that the Commissioner is bringing to the attention of Council the opinions of three different groups.

Mr. McKinnon remarked that Mr. Livesey has pointed out a very basic flaw in the position of the teachers and the administration. He thought that this situation where the Superintendent of Schools is the direct link with Administration on salary negotiations and educational matters, he is also put in the impossible position whereby he must follow orders of the Commissioner and must maintain harmony and good relations with the teachers who are his employees. There is no really direct liason between the teachers and the Yukon Council and there should be. Mr. McKinnon believed this would cut down these four proposals, including the one Council will put forth. There was considerable discussion back and forth on this idea before and there were to be two committees which were to be the Financial Advisory Committee and the Education Committee. Here is one instance where the work of this Committee would be invaluable; where a direct link between teachers and Council could be formed. When teachers have difficulty with the Administration (and teachers and principals have recommended failing of a student but were pressured by Administration to pass that pupil) they complain to the Superintendent and the Commissioner and find themselves not invited back the next year. Mr. McKinnon hopes to see the formation of the much needed Education Committee.

Mr. Livesey stated that the 58-61 Council proposed that a Committee be set up to view the problem of Education in the Territory and this Committee was formed and it did its work. One recommendation was that Council set up, either within Council or the Council as a whole, a Committee to act as a Board of Education in the Territory, due to the fact that we have no school districts nor a Board of Education actually set up. However, this proposal was agreed to and this Committee set up with the hope it could create this liason, but the draftees of the new School Ordinance have the view it is something which is contrary to constitutional government. Council may hear something about this when it listens to the delegates from Ottawa. It would appear that something is wrong with the repeal of the School Ordinance when a request was made in 1959 and it is now 1962 and Council still does not have this very much needed repeal. Apparently the Legal Division is afraid that the suggestions of the Committee on Education have gone a little further than what they consider to be constitutional requirement. They are thinking in terms of separation of powers and he believes they think this is an encroachment of the legislative branch on the powers of the Administration. This was not meant to be that way. Mr. Livesey said this is the point which



Mr. McKimmon just brought up and here is something that can be thrashed out and this is what has held up the repeal of the School Ordinance.

Mr. McKamey said if Council will look at the Report of the Committee on Education, number 2 recommendation on page 19, Council was told by the Legal Advisor in Ottawa that this was contrary to the Yukon Act.

Mr. McKimmon said he believes this is very important and is something that should run smoothly and something Council can do without bickering and he believes the vehicle is the Committee on Education. Council should find out its legal status on this and do all in its power to see such a Committee established.

Mr. McKamey stated he has documentary evidence where the Ottawa Government, on numerous occasions, has told us that the education is strictly something under the jurisdiction of the Territorial Council of the Yukon. We have documentary evidence to prove that this was said. Right now it is a problem for this Council. Council has the Financial Advisory Committee and Mr. McKamey would recommend that a member of the Financial Advisory Committee should be Chairman of the Education Committee. This would give representation to the rest of the Yukon with the budget set up.

Mr. Shaw, Chairman, said at present the focal point is in the matter of jurisdiction and necessitating a statutory change. Until Council has met with Mr. Olson, Legal Division, Department of Northern Affairs and National Resources, Ottawa, and found out whether the Yukon Council has that authority, there is nothing Council can do about it. At the present time it seems the Administration has seen fit to ask Council's advice on certain matters. If we could go back to this it is certainly a start in the direction of what Council has asked for.

Mr. Taylor felt, on proposal 3, that there should not be a maximum number of students in a class room, as it would mean that at some of these smaller schools, if there were two students over the maximum allowed, it would be necessary to hire an extra teacher to teach those two students.

Mr. McKamey did not agree with Mr. Taylor. If there was a class of 48 students he asked how could anyone possibly contend with it. It would be necessary to have another class.

Mr. Livesey said in the Teslin area, if there are over twenty five pupils the school employs two teachers. In the report of the Committee on Education, they have this very well set out. It specifies that where you have so many pupils you must have so many teachers.

Mr. Shaw remarked that the teachers are asking that this be in the salary negotiations and the Administration feel it is redundant.

Mr. McKimmon felt this should not enter into salary negotiations. The Superintendent has never seen this in a salary agreement, but he has seen it in a School Ordinance. He agrees with the Administration on this proposal. On proposal no. 4, Mr. McKimmon could not see any fairness in these teachers coming up for a one year fling in the Yukon. These are the ones that are pampered and fed out of the hands of the Government. They are living like Kings, whereas the person you want, the one who wants to bring his family up here and stay here, he is given no help whatever.

Mr. Livesey said this would be trying to place the salary scales on the basis of the regenerative process and he did not think the most proficient should be paid the highest salary. People receive a certain amount of stork bonus as it is but it is nothing like the proposals Council sees here. It is quite true there is a difficult position for a man with six children compared to a man with one, but this applies to all walks of life and it is no different for the teachers than for any other staff. He said we choose whether or not we want to have a large family and what this has to do with the employer he does not know.

Mr. McKamey agreed that the Superintendent's proposal is too extreme but he does not believe the Commissioner's proposal is fair either. He thought the teachers' proposal on this was extremely good.

Mr. Livesey said a man is the head of the family and if the head of the family wishes to add to the income of the house by having his wife work, that is fine, but a man should not be made a martyr if he does the job himself.

Mr. McKamey stated he must be consistent in his thinking here, because on previous occasions he has been opposed to any fringe benefits in the Yukon. He always felt that instead of the Territorial Government subsidising teachers the salaries should be raised in order to let them build their own homes in the Yukon. He stated he would be opposed to this proposal.

Mr. McKinnon said he cannot help but say how ridiculous this talk is. Council is wasting its time here. The Commissioner, Superintendent of Schools and the head of the Y.T.A. should be here to discuss this proposal.

Mr. Shaw replied there is one point in Mr. McKinnon's proposal he would be against and that is to have the Teachers Association here before Council. He does not feel that Council should have any group of employees of the Government. It is not Council's function to take over the Administration of the Territory. However, it would be a good idea to have Commissioner Collins and Mr. Thompson, Superintendent of Schools, here.

Mr. McKamey remarked that when school districts are formed in the Yukon, negotiations of salaries will be between the School Board and the Department of Education. The Yukon Teachers Association would make representation to the School Board and then this would be settled with the Department of Education. The way it is under the present situation there is no connection between education and the Yukon Council. There is a complete block there and this is one of the blocks which Council has to overcome. There is nothing in any Ordinance which would recognize any negotiations between the Yukon Council and the Yukon Teachers Association. Mr. McKamey said the only way Council could do this would be to form school districts, which would be a little premature.

Mr. Watt said in what Council is discussing at the moment, he does not think the teachers know who they are negotiating with, whether it is Council, the Superintendent of Schools or Commissioner Collins.

Mr. Shaw said the Commissioner appoints a Superintendent to settle all disputes between school, parents etc. He is the person who presents the views to the Administration. The Administration has given a decision. In this instance the Commissioner has said, in the first place, before any increase is given to the teachers the amount of money must be provided by this Council. The teachers could be given a 20% hike in salary, but it does not amount to anything until Council has voted that amount of money. Any difference in the amount of money must go through Council. This is a means of putting it before Council to get their opinion on it and whatever their opinion may be the amount in the estimates would be accordingly. This Council has stated itself clearly on many occasions. It is Council's opinion that the salary must be a sensible salary, it must be realistic and it must be put in its proper place. You give the person the salary he is entitled to and he pays accordingly for accommodation. This must apply to one employee as to the other. There should be no difference made and Council should not change this.

Mr. McKinnon said every year when Council goes through the budget it finds increases for the Territorial Treasurer's Office or the Territorial Secretary's Office and everyone approves of it, but it seems that in the

case of the teachers there is a definite abyss between teachers and Administration which does not go on between the departments of Administration. He does not want to get involved in salaries but he does want to serve to the best of his ability and he does not feel that Council can do its best until it hears all sides of the story. Mr. McKinnon did not believe any action should be taken on this until Council has a look at the School Ordinance Mr. Olson is bringing from Ottawa.

Mr. Livesey remarked that when Council does make a final decision Commissioner Collins and the Superintendent of Schools should be present in Committee.

Mr. McKinnon moved, seconded by Mr. Livesey, that Committee recommends that the memorandum on Teachers of the Territory be left in abeyance until Council has studied the new School Ordinance.

Motion Carried.

Mr. McKamey asked the Clerk of Council how long Mr. Olson will be in Whitehorse to attend Council with regard to the School Ordinance.

Mr. Taylor, Clerk of Council, after speaking to Commissioner Collins, reported that the School Ordinance was being prepared and would be before Council sometime that afternoon; Mr. Olson will be prepared to spend all day Wednesday with Council and Mr. Carter will be at Council on Thursday, at which time he will give Council the information on whether or not Dr. Willis will be at Council.

Mr. Livesey thought Council would be able to accommodate Mr. Olson and he hoped Mr. Olson would be able to accommodate Council in the matter of the long overdue School Ordinance.

Committee proceeded with discussions of a memorandum from Commissioner Collins regarding Banquet and Other Permits. (See Sessional Paper No. 10)

Discussion  
of  
Sess.  
Paper  
No. 10.

Mr. Livesey said before Council can adequately discuss this memorandum from the Commissioner we would have to peruse and have before us the previous regulation the Commissioner had issued. He also felt that perhaps the Commissioner should be present with Committee. As far as the Province are concerned that is their own business and how we operate in the Yukon is our business. The Yukon has a problem that they do not have anywhere else. This is on the frontier and in the outlying areas there are more problems than in Whitehorse. Due to the issuance of this contentious regulation Council should have proper documents before it and proper attendance.

Mr. Taylor agreed with the member from Carmacks-Kluane and asked the Commissioner Collins attend Committee for this discussion.

Mr. McKamey felt that Council should consider this problem after the Interdepartmental Report has been considered and this discussion be tabled until the Liquor part of the Interdepartmental Report has been discussed.

Mr. Watt agreed with Mr. McKamey as this Banquet regulation might curtail communities outside Whitehorse in raising money for community efforts.

Mr. McKinnon said he would go along with the decision to table this because he believes Council is going to get deeply involved in this.

Mr. McKamey moved, seconded by Mr. Taylor, that Sessional Paper no. 10 be tabled for a later date after Council has considered the Liquor portion of the Interdepartmental Report.

Motion Carried.

Moved by Mr. Livesey, seconded by Mr. Boyd, that Committee discuss Bills 1 to 5.

Motion Carried.



Mr. Taylor suggested that discussions start with "An Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory." (Bill No. 1)

Mr. Livesey, referring to subsection (c), questioned the position of the Commissioner with regard to making loans from the Territory to an individual. He pointed out that this had been taken up quite some time ago and he did not believe that the Yukon Act gave the Commissioner the power to loan money to individuals under that particular section of the Act which deals with that privilege. Under the Act the Commissioner may borrow sums of money for loans to Municipalities but it does not state that he can make a loan of the peoples money to an individual. Mr. Livesey took this question up with the Assistant Deputy Minister last May and he received a reply in December of last year and the Deputy Minister explained to Mr. Livesey that he had a lot of considering to do because of the questions which he had raised. In the reply Mr. Robertson pointed out that there were other ways of getting around this situation. Mr. Livesey thinks Mr. Robertson definitely admitted that he had a point there, but rather than go into all the areas of possible debate which may arise over this question, Mr. Livesey believes we now have a legal authority present and can get the answer from this gentleman as Mr. Livesey has not been satisfied.

Mr. McKamey said perhaps Mr. Olson could give us advice with respect to Bill No. 1.

Mr. Livesey said he wished to know the difference between what is in the Yukon Act and what is provided here and he thought this should be explained before Council tries to analyse this Bill.

Mr. McKamey moved, seconded by Mr. Taylor, that Council go on to Bill No. 4, "An Ordinance to Amend the Companies Ordinance", and leave this until such time that Council can ask for information from the Legal Department.

Motion Carried.

Mr. Watt requested that the Legal Advisor attend Committee to interpret Bill No. 4.

Mr. Livesey thought the legal advisor should attend as it is very important that Council have legal advice and if Council has him here the situation is being safeguarded.

Mr. Hughes, Legal Advisor, was asked to attend Committee.

Mr. Hughes explained the amendment as the essential difference is in the wording "publishing in the Yukon Gazette for one month." The Whitehorse Star publishes this Gazette and it has changed its publication and this would mean publishing this eight times. The Ordinance used to say for one month - now it says "published in the Yukon Gazette". Close scrutiny will reveal that the only difference is the number of publications. It will only have to appear once.

Mr. Livesey questioned the necessity of only one publication of this particular notice. He wished to know if this is merely to safeguard the meaning of the notice as it is now given, or if this is a means of informing the Company that this is going to happen.

Mr. Hughes replied by drawing Council's attention to subsections (1) and (2) of section 298 of the Companies Ordinance. They are sent a letter and if no answer is received to the letter after they have been given two months; then the Government proceeds to publish it in the Gazette. It was felt that it was costing too much money through innumerable publications in the Gazette. The Territorial Government is cutting down the advertising.

Mr. Livesey wondered why this was published.

Mr. Hughes, the Legal Advisor, replied that the reason for publication in such terms is so far as possible to put people who are shareholders and might be interested in the continued solvency of the Company, aware of their officers not filing these papers and their only opportunity of catching up with it is through the Gazette. It is an attempt to put them on notice.

Mr. Livesey asked if this would be sufficient for shareholders of a large Company who may or may not see the paper.

Mr. Shaw pointed out that the Government makes a modest attempt so that someone can complain if they desire to do so and the taxpayer has received a certain amount of notification.

Mr. Hughes said the point in mind has been provided for in subsection (4) where any such Company or member or creditor ever feels aggrieved by the name of such Company being struck off the register can apply to the Court to have the Company reinstated.

Mr. Watt asked what it costs for one publication of the Gazette.

The Clerk of the Court, Mr. Taylor, answered that it used to cost the Government in the neighborhood of \$30.00 for the four notices. It would have to be in eight times now. In view of section 4 it would be a good idea that it be published in the first and last issue of the month.

Mr. Hughes agreed to this suggestion and Committee requested that this Bill be amended.

Mr. Watt moved, seconded by Mr. Taylor, that this Bill be amended to read "first issue of the month and the last issue of the month of the Gazette."

Motion Carried.

Mr. Olson, Legal Division, Ottawa, attended Committee to discuss Bill No. 1, "An Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory."

Discussion  
of  
Bill No. 1

Mr. Shaw, Chairman, advised that a point had been raised as to the legality of whether the Commissioner has the power to loan money to individuals as in this Bill.

Mr. Olson said there are two questions, whether the Council has the authority to pass the Bill. We had the same problem last season because of the difficulties in amending the Yukon Act and rather than delay the two mortgage schemes, we used a device which is often used. That is we amended the Yukon Act to give the additional power, but the wording is found in another Federal Statute. You will find in the Appropriation Act for last year and this year under Department of Northern Affairs estimates, for the purpose of loan to the Yukon Territory to assist in the low cost mortgages for housing and notwithstanding the Yukon Act to empower the Commissioner to make loans for the Yukon Housing and that is the authority for you to pass a Bill such as this. The power of the Commissioner to do what he has to do to make this work comes from yourselves. When the Yukon Act is again being amended this authority that you now have to find in the Appropriation Act will be put into the Yukon Act, but please be assured that you do have authority to pass this Bill, but it is unfortunate that this device had to be used.

Mr. McKamey said the reasons are very obvious. They do not ever want to give that power to the Commissioner of the Yukon Territory through the Yukon Act. If they were to amend the Yukon Act so that the Commissioner had this power there would be nothing stopping him on other items that come up.

Mr. Olson said that was not one of the questions which lead up to the amendment of the Yukon Act. This was solely a matter of time. It was never brought up that it was unwise. Whether or not, at some time that would be the situation, I do not know, but it was not the situation at that time. We got Treasury Board approval of the whole scheme late in the year and we wanted to get this through so that people could take advantage of it during last summer's construction season if they wanted to. It was solely a question of availability of time and legislation. It is out of my field, but I will give you what help I can. Have you ever considered asking that the restriction on the investing power be removed. I have no idea what the answer would be, but it would get it cleared up.

Mr. McKamey said he thought that would be a good idea that such a communication be sent to Ottawa and he thought this would clear the air a great deal.

Mr. Livesey said he had communicated with the Deputy Minister and after many months received a similar explanation as Council heard this afternoon as to loaning the money. Mr. Livesey believes these loans require the approval of the Governor General in Council. What puzzled him was what the position of the Federal Government was in asking Yukon Council to pass something like this without the authority of the Yukon Act, because usually it is the Act that assists us. In this case it tells us we cannot do it, but another Ordinance was found that tells us we can. He asked Mr. Olson if anything in the Appropriations Act automatically amends any other Act in existence.

Mr. Olson replied if the wording and the intention of the Appropriations Act is clear it can have that effect. For example you have heard instances of the dollar vote. It was used in the thirties. They would tuck away in the Appropriations Act vote number 601 - \$1,00 to extend the life of the Wartime Trade Board, but this is an instance of using the device in the wrong way. The one we are using here is the right way to do it. This is one way parliament can control executive, so that the powers only go for two years and you have to find some other place to extend these powers and you use the Appropriations Act. I agree with you, what was done is not the best; you should not have to look through the list of appropriations items. It was the only way that we could invest proper authority in the Council to get the scheme going. There was nothing more to it than that. The question of policy of investing power in the Council was never considered.

Mr. McKamey said he would like to direct another question. Would they get this power under the Financial Administrations Act?

Mr. Olson replied no; under the Appropriations Act. You have powers in other statutes. You have powers under the Criminal Code, Disabled Persons Allowance Act, under the Old Age Security Act. You find your powers in many documents. When something is done that affects all Provinces and the Territories, they merely say that all Provinces will have the powers to do this. You have powers in the Yukon Act, in the Lord's Day Act and in the Appropriations Act.

Mr. Taylor said Mr. Olson has enlightened us on a very important problem and he still cannot understand why the Administration prior to sending Council a Bill for consideration does not give Council information required as we cannot expect to have Mr. Olson present during our deliberations.

Mr. Olson said he noticed Council did not have explanatory notes. The secretary, when making up the Bills could have an explanation and in this case there would be a reference to this item in the Appropriations Act. Do not think for a moment that I am the only one who know this, any competent person would know.



Mr. Taylor remarked he had often heard the phrase mentioned in Council which is termed "Rubber Stamp" and when you get legislation as important as the Bills we are dealing with, it makes us feel that we are assumed to be rubber stamps. It would save Council time and money if material explaining the Bills were supplied.

Mr. Olson replied that reference was made to the Territorial Government he assumed. The working arrangement between his office and the Territorial Government is that he is responsible for the legislation itself, but the explanation of the policy involved, he had never considered to be his responsibility, but he agreed that the Territorial Administration Staff should supply explanatory notes on the Bill itself. The Administration should know the background for each Bill and prepare notes to go with this Bill. These notes are generally read on the second reading.

Mr. Taylor stated he thought this very important and that some time during this Session, Council should make a definite motion to the effect that this be considered to be a feature of all Bills for legislation.

Mr. Livesey said he would question the Administration on this and recommend such action as was mentioned by Mr. Olson.

Mr. McKinnon moved, seconded by Mr. Taylor, that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of the Committee reported that Committee discussed the following:

- (1) At 9:30 A.M. the first subject was Mine Rescue with Mr. Oliver present. Progress was made and this subject is pending discussion with Mr. Carter when he arrives.
- (2) At 11:15 A.M. Civil Defence was the subject, and we are awaiting information to be obtained by the Clerk of Council as to what action various Provinces have taken.
- (3) At 2:00 P.M. the matter of the memorandum from Commissioner Collins regarding the Teachers of the Yukon was before Committee and it was recommended that this matter be left in abeyance until we have discussed the new School Ordinance. Also discussed was Banquet permits and this also was tabled until the Interdepartmental Report is discussed.
- (4) Bill No. 4 was discussed and is to be amended reading "publication in the first and last issue of each month of the Yukon Gazette."
- (5) At 4:25 P.M. Mr. Olson met with Committee pertaining to the Ordinance on Low Cost Housing Bill No. 1. Mr. Olson's opinion was that Council does have lawful authority to pass this Bill.

Council accepted the Report of the Committee.

Mr. Taylor, seconded by Mr. Shaw, requested leave to introduce "An Ordinance Respecting Schools." (Bill Number 12.)

Bill  
No. 12.

Motion Carried.

Mr. Speaker read an invitation for all the Councillors to a meeting of the Whitehorse Board of Trade for that evening.

Mr. Shaw moved, seconded by Mr. Boyd, that Council commence one half hour earlier on the morning of April 4th and perhaps work in the evenings in order to complete this discussions of the School Ordinance.

Motion Carried.

Following discussion of the agenda Council adjourned until 10:00 O'clock Wednesday, April 4th, 1962.

Wednesday, April 4th, 1962.  
10:00 o'clock A.M.

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

Mr. McKinnon moved, seconded by Mr. Watt, that Council adjourn for for the purpose of discussing informally an agreement between the Catholic Episcopalian Corporation of Whitehorse and the Government of the Yukon Territory, with the Commissioner, Mr. Nielser. M.P., Father Studer and other interested parties present.

Motion Carried.

Council adjourned.

Wednesday, 4:15 P.M.

Council was called to order.

Mr. McKamey moved, seconded by Mr. Taylor, that Bill No. 12, "An Ordinance Respecting Schools" be given first Reading.

First  
Reading  
Bill  
No. 12.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Taylor, that Bill No. 12, "An Ordinance Respecting Schools" be given second Reading.

Second  
Reading  
Bill  
No. 12.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey that Council resolve into Committee of the Whole to discuss the Ordinance Respecting Schools.

Discussion  
of Bill  
No. 12.

Motion Carried.

In Committee of the Whole:

Mr. Livesey asked if Mr. Olson and Mr. Nielsen could be present in Committee for discussion and these Gentlemen were invited to attend.

Mr. McKamey stated, in referring to the Agreement, that the word Roman was to be deleted.

Mr. Olson replied that was the legal name.

Mr. Livesey, referring to page 2, pointed out that the age at which children may attend school was left open.

Mr. Olson said the requirement is within the general framework of seven to fifteen, where everyone must go.

Mr. McKamey wished to know if there is provision further in the Ordinance covering hiring of teachers.

Mr. Olson answered that there was not.

Mr. Taylor, referring to subsection (10) section 8, Territorial Schools, wished to know if this would include land as well.

Mr. Olson replied yes.

Mr. Taylor said this should be expressed.

Mr. Olson suggested the following be inserted after school in the third last line "site together with school buildings and residential accommodation for lay teachers maintained in connection therewith and provided in that school district by the Government of the Yukon Territory".

Committee agreed.

Mr. Nielsen suggested that Mr. Thompson, Superintendent of Schools, be present for discussing the part regarding the hiring of teachers.

Mr. Thompson was invited to attend Committee.

Mr. Livesey, referring to subsection (2) section 12, page 4, thought this was departing from the suggestions made by the Committee on Education. He stated that the Committee who studied this situation agreed with the suggestions of the Committee on Education with regard to the number of teachers. His understanding was that 25 and under would require two teachers. There was also another suggestion made by the Committee on Education covering the minimum number of pupils in an area where there was going to be a new school, it was less than 15.

Mr. Olson said his opinion was that recommendation no. 78 was agreed to with Mr. Livesey dissenting, as it was and at the subsequent discussion during the July Session a different number was allowed.

Mr. Nielsen said normally the number of teachers to be provided is not set out in an Ordinance, the reason being that you tie yourself down and you need flexible relations in this and it is usually at the Superintendent's direction because he will not see schools without teachers when they are required. This should not be included in an Ordinance but should be left to the discretion of the Department of Education.

Mr. Thompson stated these figures in the Ordinance comes from a memorandum which stated " In respect to schools in which are unrolled elementary and secondary school pupils, in any school having over 25 pupils in regular attendance, there should be one teacher for each additional 25 pupils."

Mr. Olson said that clause was agreed to by Council in the comments that Mr. Secretary furnished him in Ottawa. On page 4, subsections 1, 2 and 3 is what is in the Ordinance and that is what was agreed to last August.

Mr. Livesey said this is not the case. Here is the copy of the report items 71 - 77 agreed, item 78 agreed with Mr. J.O. Livesey against. Item 77 which was agreed to says "That the following be used as a basis of entitlement of teachers for elementary schools, including those schools which teach Grades VII and VIII but not Grade IX: For 10-25 pupils, one teacher; For 26-55 pupils, two teachers; For 50-90 pupils, three teachers; for 91 or more pupils, one teacher for each 30 pupils or additional fraction thereof."

Mr. Thompson stated he believed <sup>what</sup> Mr. Livesey has spoken about refers to the elementary schools, ~~whereas~~ <sup>what</sup> what we are discussing, does it not refer to secondary schools?

Mr. Shaw stated that there has been so many draft agreements and memorandums that it has been very confusing. We had better start from scratch on this situation and read the recommendations on 1, 2 and 3 of section 12. Mr. Shaw, Chairman asked what suggestions there are on this subsection. He wished to know did Council wish to leave it in or not.

Mr. Livesey stated he would like to have time to study this further so that he could look back on his own notes to see what Council did agree to. If the new people can have any new suggestions this would be a good way to go about it. He thought if Council just looks at this generally and perhaps receives explanations from Mr. Olson about various items that would suffice for today.

Mr. McKinnor, pointed out, in view of the fact that there is going to be some debate on some of these sections, he would call committee's attention to the time. He thought it would be a good time for the Speaker to resume the Chair and listen to the report of the Committee and perhaps the Members could study this Bill tonight.



Mr. Livesey asked if there had been any consideration that the Committee may sit this evening.

Mr. McKinnon stated as Council has not had much time to study this Ordinance, perhaps there would be considerable time saved if we could spend one evening studying it and then we would get around this problem we have of holding certain sections in abeyance.

Mr. Taylor remarked as this is a long and weighty and important piece of legislation and in view of the fact that it was laid before us at 4:30, it would give us time to study this this evening.

Mr. Taylor moved, seconded by Mr. Livesey, 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, reported "Mr. Speaker I have the shortest report today I think I have ever had. We met at 4:15 P.M. to study the proposed new School Ordinance and we have progressed to section 12 and I can report progress in this matter."

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock A.M., Thursday, April 5th, 1962.

Thursday, April 5th, 1962.  
10:00 o'clock A.M.

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

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

Production of Papers No. 2.

- (1) the Administration be respectfully requested to produce for Council's benefit and perusal, literature relative to the nature, status and history of this new experimental measles vaccine;
- (2) information as to the number of inoculations of this vaccine given to Yukon residents, white and native, adult and children, and over what period of time these inoculations were given;
- (3) information as to how many cases of measles resulted from the use of this vaccine, upon those inoculated.
- (4) information as to how patients are selected, and in particular what authority is obtained where used on children, both white and native.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, the following motion for the Production of Papers: the Administration be respectfully requested to produce for Council's benefit, information as to when the Address on Alcohol, delivered to Council by the Chief Medical Health Officer on March 30th, will be delivered for tabling in its entirety.

Production of Papers No. 3.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Livesey, the following motion for Production of Papers: In view of the inadequate school facilities at Swift River, the Administration is respectfully requested to provide information to Council, respecting what plans have been made for the construction of new facilities by both the Administration and the Department of National Defence at Swift River.

Production of Papers No. 4.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Livesey, the following motion for the Production of Papers: The Administration is respectfully requested to produce for Councils benefit the specific reason why the Chief Medical Health Officer has asked in a letter dated March 19th, for the resignation of Dr. W. Prowse, Medical Health Officer for the Watson Lake District, and information as to whether the Commissioner of the Yukon Territory and the Director of Northern Health Service were advised of this request.

Production of Papers No. 5

Motion Carried.

The following Bills were given FIRST and SECOND Reading:

First and Second Reading:

- Bill No. 9 - 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. 6 - An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.
- Bill No. 7 - An Ordinance to Amend the Labour Provisions Ordinance.
- Bill No. 8 - An Ordinance to Repeal the Poll Tax Ordinance.
- Bill No. 17 - An Ordinance Respecting the Lord's Day Act.

- Bill # 9.
- Bill # 6.
- Bill # 7.
- Bill # 8.
- Bill # 17.

Mr. Taylor moved, seconded by Mr. McKamey, that Council resolve into Committee of the Whole, with Mr. Carter present, to discuss the Interdepartmental Agreement.

Motion Carried.

In Committee of the Whole:

Mr. Livesey, in welcoming Mr. Carter to Council, stated that Ottawa officials were coming to Whitehorse, and that in the future he hoped Council Members would be going to Ottawa as well.

Mr. McKamey questioned whether the expenditure incurred by the Territorial Government in the purchase of mine rescue equipment would be 100% recoverable from the Federal Government as this was not covered in the Interdepartmental Agreement.

Mr. Carter replied that the purchase of mine rescue equipment although it is not shown in the Report as being recoverable, is negotiated on the same basis as the low-cost housing loans, i.e. the Territory expends the money, which is 100% recoverable from the Federal Government.

Mr. Shaw questioned on behalf of Council, why no provision had been made in the Interdepartmental Agreement for town planning.

Mr. Carter replied that planning for unorganized communities is a Federal Government responsibility, but planning for organized municipalities is a Territorial responsibility. Town planning has been set up for Watson Lake.

Mr. Taylor noted that this was not taken into consideration in the provisions of the Agreement.

Mr. Livesey wished to know how Mr. Carter arrived at this assumption.

Mr. Carter replied that as most land is Crown Land, then the Federal Government has retained ownership of it, consequently has the right to plan for development of same. He also stated that as a result of a study being made by C.M.H.C. in the Whitehorse area the responsibility for development will probably be 1/3 Federal, 1/3 Territorial, 1/3 City of Whitehorse and that outside municipalities were within the area of Federal interests.

Mr. Taylor stated that where any member of this or any future Council has a request from his constituents that some community in his area desires town planning, and there is no provision made under this Agreement, and if it is a Federal responsibility, it would appear that Council has no authority to investigate the matter.

Mr. Carter replied by referring to paragraph 1 of page 29, of the Agreement.

Mr. Taylor's understanding was that this made provision for surveying of Crown Lands for townsites but makes no provision for other areas that are not Crown Land, i.e. surveying prior to setting up a townsite plan.

Mr. Carter stated a survey could not be made before a townsite had been planned. He remarked further that in the past the survey had been made first, but that at the present time a townsite is being planned for Watson Lake.

Mr. Livesey cited the instance of Haines Junction, where lots that were Crown Land were sold and the proceeds accrued to the Federal Government. In order to obtain money for maintenance and development subdivisions had to be created. He also stated that if a townsite is surveyed, the proceeds of the sale of lots should accrue to the Territorial Government in order to put the area into reliable operation, and as a result these areas will always be one step behind.



Mr. Carter referred to the first sentence in the first paragraph, page 29 of the Interdepartmental Agreement and stated that this recommendation would enable the Territorial Government or Council to benefit from area development.

Mr. Watt believed that when an area development plan is first started the Territorial Government has no control and that control comes after the townsite plan and the survey is made.

Mr. Taylor reiterated his view that no provision had been made in the Agreement in black and white, but stated that he was in favour of the plan outlined by Mr. Carter and that Watson Lake had suffered from such a lack of foresight. He stated that he thought the plan should go into more detail.

Mr. Carter explained that the Agreement between the Federal and Territorial Governments is not this volume; the actual Agreement is a much simpler document in which the Federal Government puts so much money into the "pot" and the Territorial Government spends it. The Federal Government does not wish to get involved in the expenditure of this money but takes the view that the expenditure should be in the hands of the Territorial Government as long as it does not exceed the amount set by Ottawa.

Mr. Taylor agreed but felt that the Report was not a true indication of the Committee's views on the matter.

Mr. Carter referred to the section on Community Planning and stated that, in accordance with the Committee report, the Federal Government is now conferring with C.M.H.C. Officials regarding town site planning for Haines Junction and other communities in the Territory. He felt that the Committee's report should have been more clear.

Mr. Taylor stated that he felt the question had been answered in the monies allowed for this expenditure in the 1963-64 Budget.

Mr. Watt's view was that although the area development plan was to be maintained and developed by the Territorial Government, it was being set up by the Federal Government which in turn would have to be sold the plan by C.M.H.C. and the Territory would not be consulted.

Mr. Carter replied that the Territorial Council would be consulted as much of the land is not Crown land and that C.M.H.C. is setting up the plan, not on the basis of instructions from Ottawa, but on the basis of recommendations from the Territorial Council. He stated that the Federal Government may ask for modifications but that the Territorial Government had the same right and the final plan should be a compromise.

Mr. Watt stated that it was the Federal Government who had developed the subdivisions in the larger metropolitan areas.

Mr. Carter admitted that this was true in the past, but stated that due to the growth of the Territory, this would be changed.

Mr. McKamey stated that he had approached the Area Development Officer about the purchase of a lot in the Mayo area but had been unable to buy one until certain legislation had been passed. He wished to know whether this would be a Territorial Ordinance or Federal Legislation and if it was Territorial when it would be introduced.

Mr. Carter replied that this would be a Territorial Ordinance with planning done by the Federal Government and the land turned over to the Territorial Government to dispose of.

Mr. Shaw wished to know whether the usual procedure would be for the Territorial Government to do the planning and surveys with these being financed by the Federal Government.

Mr. Carter replied that it would not, that in practise the Federal Government will do the actual planning; that it was up to the Territorial Government to request a plan.

Mr. Watt enquired whether the Federal Government would develop an area without the approval of the Territorial Government.

Mr. Carter replied that they might in cases where housing for Federal employees was required.

Mr. Watt asked whether the Federal Government would sell lots to individuals.

Mr. Carter replied that this had been done in the past but will not be done in the future. As soon as the plan is developed for any community the land will be turned over to the Territorial Government and administered by the Territorial Government.

Mr. Shaw asked if Council were satisfied and Council Members agreed.

Mr. Shaw questioned Mr. Carter concerning the fact that tote trail money was not included in the Federal Estimates.

Mr. Taylor stated that the Interdepartmental Draft Agreement states that \$50,000.00 will be provided in each of the five years for tote trail assistance but in the 1962-63 Federal Estimates no grant for this purpose to the Territory was authorized.

Mr. Carter replied that in 1961-62 there was no Financial Agreement but a vote had to be passed to grant money to the Territorial Government. In the 1962-63 Estimates provision has been made in the Federal Budget.

Regarding sewer and water systems in the Territory, Mr. McKinnon stated that at the Fall Session there were four recommendations made by Council that the view of the Committee was thought to be myopic - that there is a third type of partial system. Nothing had been done on the four motions that had been made at the Fall Session. Committee required a survey be made on a partial system. The study was to show the difference in cost between a full water and sewer system and a water system with septic tanks. He stated that this is the fifth motion to go to Ottawa and it still has not been provided for in the Report. A survey has been made on Porter Creek that shows this is a very practical system for that area.

Mr. Carter stated that the wording of the report could be interpreted literally. This system for areas such as Porter Creek is being contemplated by the Federal Government. He realized that a full system would be too expensive. In practise, the members of the Committee cannot foresee that there is any need for a full water and sewer system in the Yukon. As far as Porter Creek and other communities were concerned, the Territorial Government would be enabled to spend any amount they felt was needed on water and sewer systems provided the total expenditure allowed was not exceeded.

Mr. McKamey wished to know if this partial system could be incorporated into the Area Development Ordinance.

Mr. Carter replied that this was in the province of the Territorial Council, but he felt that it should. He stated that the Territorial Government should spend the money allotted along the lines indicated in the report, but not in every detail. He also stated that because this was not specifically stated in the report, it did not mean that the plan was not feasible.

Mr. MacKenzie was requested to attend Committee to discuss policy of Administration in expenditure of monies for partial sewer and water systems.

Mr. McKamey wished to know how a partial system could be financed if, as Mr. Carter stated, it was not necessary to have this recommendation embodied in the Report.

Mr. MacKenzie replied that it was-if the money was available and if the Commissioner and Council approved. He stated that the money is available in the amount of \$300,000.00

Mr. McKinnon asked whether or not this money would be loaned.

Mr. MacKenzie replied that it would.

Mr. McKinnon stated that this was not subsidized in the Report and he wished to know why.

Mr. Carter stated that 3/7ths of this amount is recoverable from the Federal Government and would depend on the number of Indians and Federal employees who would require it. In Porter Creek, where no Indians or Federal employees live the Federal Government is not interested. Installation of this system would be a Territorial responsibility. The estimated total expenditure in the Territory is \$80,000.00 per year, or about \$400,000.00 over a 5 year period. Mr. Carter stated again that 3/7ths of this amount is the Federal Government's contribution. In order to repay the full cost of capital expenditure, it would cost the individual in Porter Creek \$200.00 but subsidized cost would be \$150.00. The subsidy would be picked up in proportion to their interest in that particular community. The \$150.00 in Whitehorse would be 3/7ths recoverable, due to the population including Indians and Federal employees. In Porter Creek, dealing only with water, the principle behind the Report is that no individual should have to pay more than people in Whitehorse have to pay. He stated that the individual in Porter Creek should not be in a more advantageous position than an individual in Whitehorse.

Mr. Livesey wished to know whether that would apply to other areas in the Yukon.

Mr. Carter replied that this would be the set-up right across the board and would apply to communities that already have water and sewer systems. In the northern parts of Canada the cost of water and sewer is proportionately more than the rest of Canada, starting at a base rate that is approximately 50% higher than in the cities of Canada.

Mr. Taylor wished to know whether, after the Committee had reconvened in Ottawa to discuss the recommendations of the 1961 Fall Session of Council, whether any financial provision had been made, and how receptive the Committee was to the inclusion of the 3rd type of water and sewer system. He stated that Watson Lake water system was polluted through having a partial system and that the answer lies in installation of a full water system there. He wished to know whether funds were available.

Mr. Carter replied that no provision had been made during the next five years for installation of a full water and sewer system anywhere in the Yukon. Council will have to use its own judgement concerning this during the next five years. The growth of population in the area should decide just how much money is spent. If half-way through the five year period, a water and sewer system suddenly becomes contaminated, with no funds available, then the Federal Government will consider installation.

Mr. Taylor commented that this would apparently come under the "savings clause" that was requested in the Fall Session, whereby financial provision would be made by the Federal Government notwithstanding the Agreement. Does this "savings clause" appear.



Mr. Carter replied that it did not. Any attempt made to write in the "savings clause" would bring in the worst possible clause as the Federal Government must protect itself. By not writing it in, it is the unwritten understanding that the Committee has done its best to foresee the future. If an emergency arises Territorial Council should take responsibility - if the emergency is of a reasonably small nature and can be taken care of, but if it were of a nature that could not reasonably be taken care of by the Territorial Council, then the Federal Government could be approached. If Council has tried to do generally the things that were contemplated, then the Federal Government would be reasonable.

Committee recessed at 12:00 o'clock Noon.

Thursday, 2:00 o'clock P.M.

Committee resumed with discussions of the Interdepartmental Agreement regarding Liquor Tax for Community Recreational Development.

Mr. Taylor pointed out that in the first discussion on this subject the Committee very strongly recommended that the total portion of this revenue should be allocated to community development and it states in the revised draft that the Territorial Government only receives \$56,000 per year for all projects. He wished to know if Mr. Carter could explain this as to why this change came about and why the recommendations of the Council and the Financial Advisory Committee were not adhered to.

Mr. Carter explained that the expenditure of \$35,000 was considered as a fair figure by the committee. The Council said they would like to see this raised to \$75,000 and at the time Council discussed this with him when he was here last fall, he thought he said this would be an extremely hard thing to sell, because it was out of line with the methods practiced by the Department and Mr. Carter said he thought he would be able to sell the concept of putting it in for \$56,000.00 Mr. Carter said they started by asking for the \$75,000 as the formal request but he thought he had given Council a personal guarantee that the ceiling would turn out to be \$56,000.00

Mr. Taylor said at the time of the last Council session Mr. Carter had suggested that it would be more realistic to divert the total tax revenue to one specific thing rather than break it down into two.

Mr. Carter said the committee held the view that a tax for a specific purpose is not in line with the financial programs used by the Provinces. He further stated that normally the tax goes into general revenue, so in the original report it was recommended that all these taxes go into revenue and the schools and community halls be financed out of the general revenue.

Mr. Taylor quoted the Votes and Proceedings of the Fall Session 1961 Session, which showed Mr. Carter to be in favour of placing the whole liquor tax at the disposal of the Council to be divided equally among all the electoral districts. Mr. Taylor stated that he thought \$10,000 a year is not too much for Community development and these people are paying this tax in the form of liquor tax and he would feel this should go back into the community for recreational purposes.

Mr. Carter replied that the committee's original view was that \$35,000.00 would be ample. These views were brought very forcefully to the Interdepartmental committee's attention and the net that they would allow was \$8,000.00 for each electoral district.

Commissioner Collins remarked that is \$280,000.00 over the five years which is quite a bit.

Mr. McKinnon said he felt that \$35,000 supplied among the electoral districts would be much too small a sum. He thought at the time this was discussed in the fall that the \$75,000.00 was just a little too rich for the blood of the Committee and he thought the eventual solution would be a compromise on this situation. Mr. McKinnon could not take too much issue with this as he felt it was actually a reasonable compromise. He felt the big issue is the principle in the way the money was to be given. The Committee seemed to think this worked in a complex manner and evidently they still think this. Council had a statement from the Territorial Treasurer that this worked out entirely satisfactorily to the Treasury Department and was extremely simple and they saw no complications in any way whatsoever. Mr. McKinnon thought the real main bone of contention was that this was money that Council had a direct hand in the spending of and this is what they wanted to maintain.

Mr. Shaw stated he never expected to get the \$75,000.00 and he does not believe he insisted on the total amount. As far as he is concerned \$8,000.00 is what they received in Dawson last year and also in other Communities. When he first came to Council it was distributed on the basis of the liquor sales, but now it is divided equally among each of the electoral districts. Mr. Shaw stated that \$8,000.00 a year does seem reasonable. If this \$56,000 goes in each year and is distributed in the same manner as before, Mr. Shaw would have no issue with it.

Commissioner Collins explained to Mr. Carter how this \$56,000.00 a year is handled, that if one community wishes to spend more than the \$8,000.00 allotted to it in one year it may borrow from its neighbour one year and pay it back the next. The people of the community go to their representative with the estimates of their requirement and the representative submits this to the Administration. If the Administration feels that the estimates might be too low for the building that is contemplated, the Engineering Department checks it and if it is too much, it goes back to the representative, if the estimates are right then it is approved by Administration.

Mr. Livesey stated there had been a case where Dawson and Carmacks-Kluane saw eye to eye to help each other out - it was done and Carmacks-Kluane was paid back and it worked out very well.

Commissioner Collins stated that they only act on the recommendation of Council after investigating the project and the costs. It would be very easy for a Councillor to say we want a building costing \$3,000.00 and they know it will cost five, so we have our own people look into it and if it will cost \$5,000.00, we communicate with the Councillor and ask what they are going to do about it. Everyone works together - Councillor, Administration and Administrative staff.

Mr. Taylor said while we are on this subject another point would be the possibility that Council expressed at the last Fall Session, where we had \$56,000.00 a year for recreational purposes. If one community contemplates a new community hall and does not want to keep adding on to it, Council suggested a provision be made whereby the actual capital cost could be paid for out of this grant out of the next five or ten years. Is this possible within the framework of this report.

Mr. Carter replied the way it is set up at the moment, there is an allowance made in the total capital borrowing of the Territory for money for this purpose and you can certainly juggle this from year to year by yourselves, as long as over the total five year period you come out at an average of \$56,000.00, this would be acceptable. If you ended up with \$57,000.00 or \$58,000.00 this might be acceptable. You have a flexibility from year to year, plus flexibility in the way you divide it up, if two of these electoral districts want it one year and two another.

Mr. Taylor said what he doesn't understand right now is that apparently we can work an arrangement of this another way. If you are working on a figure of \$40,000.00 and if you have a community that requires a \$15,000.00 or \$20,000.00 expenditure, then this could be worked out between the communities.

Mr. Carter replied yes.

Mr. Taylor said these monies have been under the terms of this agreement and have been doled out on a yearly basis, so is this just a paper entry if your require these extra funds.

Mr. Carter answered that each year you pass a budget. You just pass your 62-63 estimates and these give authority to the Commissioner to borrow that much money from the Minister of Finance for capital purposes.

Commissioner Collins said he thinks the answer is quite simple. We only get our money quarterly from the Federal Government. Individual items are embodied in the annual estimates. There is always an unspent balance of money voted which is part of the quarterly amount available so nothing like that would hold you back.

Mr. Shaw said he is also of the understanding that for example in his area they want to renew the swimming pool. That will take large expenditure. Mr. Shaw wants to leave a balance over until the next year and this can be left over to the next year as long as they do not lose it. Mr. Shaw has X number of dollars that Council can recommend and if the Administration okays it fine. My district has a big project coming up next year for \$9,000.00, is the \$1,000.00 my district did not spend this year left over until the next year?

Commissioner Collins said yes these amounts are left over. There is one other thing Commissioner Collins said, they should not be carried over into another term of Council. What you can talk people into might be thrown into your face if you are defeated at the next election. You should try to get it done within the term of your Council. Another thing was knowing that this money will be forthcoming, you can borrow on this money.

Mr. McKamey remarked that 10% of the amount for each district can be used for maintenance.

Mr. Taylor said he only wanted the assurance that if his district did have a reasonable project, they could go ahead and build it and spread the cost into three years.

Commissioner Collins said what your trying to do is with \$8,000.00 a year, you want to build a \$24,000.00 structure and will not ask for anything else for the next three years. If you are entitled to do that Commissioner Collins said, where are you going to get your money from.

Mr. Taylor said Mr. Carter must be cogniscent of the fact that each district has \$40,000.00 potentially and if you want to go ahead and build a \$20,000.00 unit in your Community you dont want to tack on a little bit a year, you want to put up something reasonable. You cannot do it unless you can spread the cost on this. You might not want to divert your whole \$8,000.00 a year to this thing, so you would want to spread the cost over three years. Mr. Taylor wanted to know if there is an arrangement where you can do this.

Commissioner Collins said only from your colleagues, because they are entitled to do the same thing and supposing you all wanted to do this their projects would suffer, because the Government would not have the money to go around.



Mr. Boyd said it would seem Council has \$56,000.00 a year guaranteed and if you want to build a \$24,000.00 building, you could find a way to do this by using initiative.

Mr. Taylor said at the Fall Session of Council this subject was brought up and Council asked if this could be done and Council was assured the matter would be taken under advisement. On the basis of \$8,000.00 a year it leaves not too much for anybody and some consideration should be given to a system whereby this could be done without interfering with the \$56,000.00

Commissioner Collins said this is what he believes in himself and he wanted to throw the whole thing in the Consolidated Revenue Fund and vote the whole thing annually and this is the only way we could do this and if everything went into the Consolidated Revenue Fund and if you wanted a \$24,000.00 Community Project, this could be done but not the way it is now.

Mr. Taylor said this is a change in tune from the music at the Fall Session. Council was assured this could be done but had to be taken up with the Committee at Ottawa.

Mr. Carter said Council had quite a discussion on this subject here last fall and as he recalls it, he tried to point out what the practice was across Canada. These things are all thrown into a Consolidated Revenue Fund and each Member would have his amounts in and would then discuss this amongst themselves and decide which items would be voted for the coming year. As the Commissioner said you would have to limit this to the life of the present Council of course, but at that time I contemplated this. It was never planned that the Federal Government would loan the whole amount for the five years in the first year with nothing remaining for the next three or four.

Mr. Livesey said when Council discussed this they were afraid that this was just a little catch all. They were not too happy with this catch all and they looked back over the years before. At that time Council thought it would be placed in the position whereby someone was going to get more than they ordinarily could; when the wheels within wheels got turning Council would be back where it started and outlying communities would be just as short of community halls as they were before. The larger centres, which have places of amusement and education, are in a much superior position to those areas which are trying to grow and become worthwhile communities and although they are not at the moment financially flush to do what is being done in other areas, they thought that by following the system here, although it may be more expedient in some respect to draw funds from a Consolidated Revenue Fund, these various groups want to be able to build community centres and this way they would be assured of getting something toward it. If they want to build \$20,000.00 community centres and they can only get \$8,000.00 they can, themselves finance the program. Mr. Livesey thinks this system is going to work out alright.

Commissioner Collins agreed with Mr. Livesey that the community centres are almost as important to adults as schools are and if we could have had it the other way it would merely have been part of a program of our own but Council wanted control of this \$8,000.00

Mr. Shaw said he did not see anything that does not suit him in this proposal. It used to be the case of who hollers the loudest and the most gets the most, but Council evolved a system whereby each electoral district is to receive an equal amount. Mr. Shaw feels that this is very fair. Knowing we will get so much each year whereby the communities can lay out a program for a number of years is a very good thing.

Mr. McKamey in his comments regarding the \$56,000.00 said he thinks the Members know where they stand as far as this appropriation is concerned and as long as the members know where they stand they can

borrow this money if they wish to build something in one year, rather than spread it over two or three years. Mr. McKamey recalls a statement Mr. Carter made last fall. He suggested that Council take the total amount of this liquor tax money for community development for recreational purposes and it seems that the various departments of the Federal Government, it might have been confined to Indian Affairs, were making contributions for various things. He is wondering now whether this still holds. When Council agreed to accept this total amount of liquor tax money in the neighborhood of \$74,000.00 we also agreed that we would not approach the Government for appropriations from Indian Affairs. Mr. Carter planned on selling his superiors on it that this money be turned over totally for these purposes with the idea that we would not approach the Government for further appropriations from Indian Affairs. Since this amount has been whittled down, Mr. McKamey would like to know if the Territory can apply to Indian Affairs for a grant.

Mr. Carter said the answer is no. It has been whittled down but the Federal Government is contemplating that you will be constructing these buildings in communities which are mostly white and by the understanding we had last fall, these facilities will be of use to all the people of the community. Troubles with liquor etc. were pointed out but in making this \$56,000.00 allowance the Federal Government would not contribute for the Indian population but the Federal Government would construct a community hall in what would be considered an Indian community and the Territorial Government would not be asked to contribute by the Indian Affairs people.

Mr. Taylor said that Mr. Carter had said last fall that the Indian Affairs would do everything they could to co-operate, but Mr. Carter advised that the Federal Government would not be called upon to build separate halls for the Indians. You would not get two halls in one community.

Mr. Livesey said this definitely was brought up in connection with the matter of obtaining the whole of the tax and this was the situation that was going to make it easier to sell it to the Federal Government. However it is not in this agreement and we do have this \$56,000.00. He drew attention to the number of other items to be discussed with Mr. Carter.

Mr. Boyd felt that all the answers had been received on this and that Council should proceed with another question.

Mr. Shaw, Chairman, stated that the next item to be discussed with Mr. Carter was timber and agriculture to be classed as a resource.

Mr. Carter stated he had mentioned when he was up here before that the whole resource roads program would be for all kinds of resources. The Committee advised the wording was so general these things are included with the bulk being in connection with mining development and if we started mentioning these we would have to spell out the relative value of each resource. The instructions the Commissioner has are that resources are to be taken into consideration.

Mr. Livesey stated he thought the answer was most inadequate. Usually when Council sits down to discuss something the actual acceptance of a course of action is many times dependent on that which is laid down and although it is quite reasonable to suggest that we can discuss matters on areas of flexibility, where it is not laid down the position of those who may think in this particular way is never as successful and the results are not as easy to obtain as if we have something clearly stated. Lumber is hard to get in the Yukon and he feels we should give as much assistance as possible to agriculture. Mr. Livesey mentioned this in 1958, and at that time proposed a motion that the Federal Government consider setting up in the Yukon a committee to assess the agriculture potential in the Yukon. He has been hammering away at it ever since.

Mr. Livesey thought it would contribute a great deal to more land settlement in the Yukon, decrease unemployment, create another industry and make the Yukon more self-sufficient. If this is not done we are shutting our eyes to a potential booster of the economy and he felt these items should be included and he regrets that there is not a specific mention in the agreement.

Mr. Taylor most certainly concurred with Mr. Livesey and stated the prime reason for these tote trails and assistance to tote trails was the development of resources. He thought it must be specifically mentioned who is entitled to assistance under this program and if agriculture is considered a resource it must be given to these people, involved in lumber and agriculture, an opportunity to apply for assistance.

Mr. Carter said on the points that Mr. Livesey brought up, he would like to point out again that this book in front of Council is not an agreement. It makes no reference of any account to resources. It simply says the Federal Government will give you so much money for so many years. The granting of the money is contingent on this book but this book is not the agreement. It is simply a set of opinions expressed by a group of individuals from each department. This is really up to the Territorial Government as there are all kinds of road programs. There are many worthwhile resources which may come out of this type of work and since we do not know the situation it would be better to put the money in the hands of the Territorial Government; that you be the advisors. All that is asked is that help must be applied for. Agriculture can apply, mining can apply, but when you judge this you are going to judge it on the basis of the number of jobs which would be created, how big the industry is going to be, the value of the product that would come from here. These were the true factors. The Commissioner on the advice of Council will advance funds on the tote trail program. There is nothing to prevent tote trails for all kinds of resources.

Mr. Shaw, Chairman, stated the next item is number 13, saving factor. The Committee was quite concerned about something that might occur that would require additional funds.

Mr. Carter said the committee noted Council's views but made no change because it feels there is enough to cover reasonable costs. This leaves it open completely. The Committee felt it unwise for the Federal Government to attempt to work out in advance the actual circumstances under which would be considered extras. If such a saving clause were put into the agreement it would have to be very tough as the Federal Government must be protected. It would be to the Yukon's advantage not to have this spelled out too much. If the cost of living goes up 10%, it will throw our figures down the drain. If the cost of living does not go up too much you should be able to go along. If you are suddenly faced with an expenditure of half a million dollars, the Federal Government would have to consider it as an individual case on its merit. The Committee felt the report is sufficiently flexible and also sufficiently detailed in the explanation of what the Yukon Government would have to pay for. These things, if they are big enough would have to be taken into consideration as they arise. Mr. Carter said he did not realize how much the Porter Creek thing would cost. It would come close to \$100.00 per year per hundred foot lot. There is \$400,000.00 provided in the figures for the whole five year period for the sewer and water. If the Territorial Government say we are going ahead with Porter Creek, they would be spending on that area a very substantial part of the whole amount. If the Government decides they would like to do something better, it was a need that committee did not foresee. If the local people voted in favour and were willing to pay the shot then Mr. Carter thought the attitude of the Federal Government would be that they would loan the money, but they would tack on enough at the end of the five year period if you need more.

Mr. Watt failed to see where this clause is going to restrict the Federal Government.



Mr. Carter remarked if the Federal Government put in the formal agreement a provision which said where certain things arise the Federal Government would pay for them over and above the five year agreement, the Federal Government would have to be very tough about it. It is the same thing as a blank cheque - no Government would go for this. Even Northern Affairs could not recommend that such a clause be included. It would have to be spelled out in such a way that a little thing like Porter Creek would never be considered.

Mr. McKinnon said here is a particular instance that an estimated \$261,000.00 was not foreseen. The people are willing to borrow the money and pay it back. Where do we go from here.

Mr. Carter stated that as they agreed to pay it back the next thing would be for the Territorial Council to decide if this is a good thing to do. It is a very unusual thing to find 100 foot lots serviced. Normally it is set up by individuals but if there are health reasons or drainage problems that make septic tanks unhealthy and these reasons satisfy the Council that this is a reasonable expenditure, then the Commissioner, on Council's recommendation, write to Ottawa and say here is the problem. There is no money provided for this, we can finance it if you will lend us the money. Ottawa will look at it. He felt sure the answer at first would be to loan the money now, but you are still subject to that \$7,000,000.00 ceiling. If you find matters are getting too tight altogether, they might change it. The separate school item is not provided for. This is a case where he was quite certain the Federal Government will say they will loan the money and if at the end of four years you are stuck for money they might add more. The committee report, three days after it is written is outdated in some respects. The Territorial Council has stated that the Interdepartmental Committee has no saving clause, but the Committee felt that there is sufficient flexibility in the agreement to handle such emergency matters as far as can be anticipated. The Government is not going to open negotiation on little items.

Mr. Taylor asked Mr. Carter to define what is construction and what is reconstruction in regard to the construction in the tote trail program.

Mr. Carter felt that it was not committee's job to go into detail. There has been a policy prepared which has been approved by the Deputy Minister and has been passed to Mr. Collins.

Mr. Carter then tabled a copy of a memorandum to Mr. K.J. Christie from the Director concerning the tote trail program. (Set out as Sessional Paper No. 12)

Sessional  
Paper  
No. 12.

Mr. Boyd stated he knew of one road that is being used the year round, but occasionally there are snow slides in the winter and landslides in the summer which take out as much as a mile or two. He questioned if this is reconstruction.

Mr. Carter replied he would think this is reconstruction.

Mr. Boyd said he would like to have a confirmation of that.

Mr. Carter said there is a Territorial Committee. If this is a major slide that took out a mile of road then perhaps this sort of thing would be considered reconstruction.

Mr. Boyd asked what kind of an answer might he get when he comes to the people who write the cheque because this happens to be on what is classed as a tote trail and the mine is only in the form of development so far.

Mr. Carter replied Mr. Boyd is asking him what the committee would decide - he would refer it to the Territorial Engineer, Forestry and the committee here.

Mr. Shaw, Chairman, introduced the next item for discussion which was a motion that the categories of fuel be determined in the Fuel Ordinance.

Mr. McKinnon said this will fit in better with the health plan where they have not put in so many of our recommendations and yet accepted the increase in tax.

Mr. Taylor said prior to the questions regarding the health plan he had one question to ask Mr. Carter. He asked who were the representatives on the committee who looked after the revision and advised the Interdepartmental committee. In correspondence from the Minister of Northern Affairs, he had been notified that members of the Department of Northern Health and Welfare were present.

Mr. Carter replied Dr. Willis and a Mr. Carter, not F.A.G. Carter.

Mr. McKinnon questioned if it is up to the Territory to set up a vehicle whereby the nonorganized district can become a local improvement district and be entitled to the same grant as municipalities receive.

Mr. Carter replied this is up to the Territory.

Mr. Livesey, referring to page 46 of the old draft - the estimated annual amortization requirements 62-67 - paragraph 3 - amount outstanding on present operating costs from the Federal Government is \$2,237,263.00, he wished an explanation,

Mr. Carter replied that he believed that is the sum total the Territorial Government has borrowed up to the time the Committee made the report. This was put in to indicate that the Federal Government is from now on going to pay the cost of amortizing all capital loans which the Territorial Government not only gets in the next five years, but also the loans you made before. It is an amount of up to \$7,000,000.00 you can borrow for capital purposes. You do not pay the interest or principle for your debts. If in five years the Territory has reached the point where it could pay this this clause will not be needed.

Mr. Watt remarked that if Council accepts this report subject to certain amendments, it will go back to committee in Ottawa, and he asked Mr. Carter to explain this.

Mr. Carter stated the Committee produced a draft for the Territorial Government. The Yukon Council went through it very carefully and made certain recommendations. You are in the same position as a union bargaining with an employer. The things which the Yukon asked for were put again before the committee and were thrashed out with the Northern Affairs Representatives arguing for the things he promised he would argue for. We managed to get certain things. We did not manage certain things. The Ministers have to commit themselves to the financial report as it now stands and the chances of things being changed now are pretty remote.

Mr. Watt said the best thing we could possibly hope for now is the accepting of this report and stating the things which we think are not adequate,

Mr. Carter said the report is now a final report. This report cannot be changed. It would have to go back to Cabinet if we changed one word. The committee is finished with its job. The Federal Government has accepted these. The Territorial Government could say we don't want to sign the agreement because it does not provide us with enough money. You have that right. However, he questioned whether it would be a good course.

Mr. Boyd stated it seemed to him that all the questions and phases Council had asked have been answered by Mr. Carter and a lot is covered by flexibility. He felt Council could waste an awful lot of time by being too technical and that Council has nothing to worry about as we have come out very well.

Mr. Watt stated Mr. Carter had described the position that the blue book is in and wonders if his statement is also relative to the brown book.

Mr. Carter said yes, because it is in effect an appendix to the blue book. These two documents are simply the best assessment that a group of civil servants could put together at a given time. The Federal Government arrived at the position where it was willing to put so much into the pot, but the Territory took a look and they said we want some more. The Federal Government took a look and said we won't give you all of this we will give you this much more. The Territorial Government could say we are not satisfied, but you could by doing this prejudice your ability to operate. There are many points in this report which may well be proven false. Watson Lake might go right through the roof next summer and something will have to be done. We just don't know and these things must be looked at as they come.

Mr. Livesey thanked Mr. Carter for this adequate explanation and wondered if Committee could move on to discussion of health.

Mr. Taylor reminded Committee that Mr. Carter was going to try and provide an answer on mine rescue.

Mr. Carter said he had spoken with Commissioner Collins and Mr. MacKenzie, whose answers were a wee bit confusing. There was confusion on the part of the Federal people who insisted this was a Federal responsibility. In the spread sheet there is a provision for this \$12,000.00 as a Territorial expenditure. The Federal grant took into consideration the fact that there is \$12,000.00 in the Territorial Government for this expenditure, but when the estimates came before you and said 100% recoverable this is recoverable in the sense of the funds that are recoverable from the Federal Government. If you sign this agreement you could say this is a Federal responsibility.

Mr. McKamey said one way of solving this problem would be to repeal this Mine Safety Ordinance and the Territorial Government would not be responsible to buy mine safety equipment. They can leave the necessary portion of the Ordinance which would require any mine to buy this equipment. In B.C. there is a Mine Safety Ordinance in effect but the Province does not accept the cost of the mine safety equipment and why the Territorial Government ever took it upon themselves he does not know.

Mr. Taylor said the Territorial Government is purchasing this equipment but the Federal Government is paying the bill, provided for in their allowance.

Mr. McKamey said this is just for one year. The Committee indicated that the \$12,000.00 was all the equipment which was required. There is no provision in future years for this kind of expense. They may not need new equipment but there is going to be additional expenditure for transportation of trainers from the N.W.T. and expenditures of training men which could run into a considerable amount of money.

Mr. Taylor said out of the original amount of money \$250.00 was set aside for this. As far as equipment is concerned, Mr. Taylor was led to believe that the equipment would be purchased and it would be maintained by the mines and this would be all that would be required. This equipment represents a Government Supplementary Unit which could be taken anywhere in the Territory to smaller mines.



Mr. Shaw, Chairman introduced the first item of the Health plan to be discussed which was Watson Lake Hospital.

Mr. Taylor said in this regard he thought if Council considered Mr. Carter's remarks of some 15 to 20 minutes prior that this is it and the only thing Council can do with this health plan is that we are dealing with one specific lump figure which has been provided for five years and we can juggle it around. He could not see where Mr. Carter could answer what questions he has to ask and he further stated he is totally unhappy with the health plan.

Mr. Livesey, with regard to Ross River and Teslin, remarked that perhaps Mr. Carter could advise the Members why (when Council wanted facilities to distribute medicine at Ross River and a nursing station at Teslin) it appears that they switched it backwards.

Mr. Carter asked if they were getting what they wanted at Ross River.

Mr. Livesey said we are getting more than we wanted at Ross River and less for Teslin. Ross River is getting what we wanted at Teslin and Teslin is getting what we wanted at Ross River.

Mr. Carter stated he believed that part is open and there is no reason why you could not go on and change this.

Mr. Taylor pointed out there were eleven recommendations and it had meant there was an additional amount of money required. He recalled Council asked the Territorial Treasurer to outline what these obligations would be and the Territorial Treasurer came up with the figures. Council felt that to implement these additional expenditures we would have to find the money and Council put through the Motor Vehicles Fuel Tax for this specific purpose. It materially changes the picture because in the health plan they have not provided for their participation in the scheme although the Territory has. Mr. Taylor said he is attempting to see some sort of sanity returned to Northern Health Services and he wants to see a representative of that Department at this table.

Mr. McKamey said in respect to the financing of this health services plan, he thought whoever dreamed this up stayed up many hours dividing the Yukon into Health Districts. He would like to hear Mr. Carter's comments on how they arrived at the figures of the health station that was supposed to be built at Ross River. We have three whites and 107 indians at Ross River and on the percentage basis it is based 74.2% Territorial and 25.8% Federal.

Mr. Carter replied the percentage is taken on the whole health district. Sometimes the Territory wins and sometimes it loses, but in the overall picture they will not be out very far. Ross River happens to be in the Whitehorse district for administration purposes and in Whitehorse there is a large percentage of whites. When you add all the districts together the total would be much more accurate than each district.

Mr. Taylor said this is based on the 1961 census figures, but Council cannot get these figures. It would appear that Council has to agree to the health plan to get the figures.

Mr. Carter said the figures only became available within the last couple of weeks. When asked if he was representing Dr. Willis, Mr. Carter said he was after a fashion. The Government felt that he could give you the answers to the big questions just as well as Dr. Willis could. This is again only a guide line.

Mr. Taylor stated he had no idea that Mr. Carter was here to represent Dr. Willis. He had gathered that this is strictly cut and dried as far as the Federal Government is concerned and he had hoped that one of these people would be able to come here and discuss this plan because he felt

it was drawn up with no sense of reason at all and he would like to hear why Watson Lake is not to get its hospital this year.

Mr. Carter replied that quite a bit more went into this than the Department of National Health and Welfare. It is really a question of looking at the original health plan which came before you last fall and looking at the new one. The first draft did provide for certain things the Council accepted. It was criticized for the things that were not in it. These things that Council recommended to the Federal Government went back before the committee and were thrashed out and you should look at the things we got for both Dr. Willis and himself fought very hard. In the case of Watson Lake provisions were made for things to be put forward but because from a medical point of view they say they cannot justify it. We argued for it as Watson Lake is an up and coming place. If we were living there we would like to have these services. In the end a compromise was affected. It provided that a nursing station be put there and this was changed. The station is to be finished and the nursing station becomes a nurses residence when the hospital is completed in 1964-65. In practice this means we have pushed the hospital forward two and a half years and Council asked that it be constructed in '62. You gain two and a half years. You lost one year.

Mr. Taylor said he thought he had this reasonably figured out. He is mixed up as to who is going to build this hospital. Is the Territorial or the Federal Government going to build it. He said considering the way things have gone in the past, he cannot see this hospital being in a position to operate before 1965-66. He further said Watson Lake required that hospital some time ago and certainly requires it now. The people know what they require. They must have some recourse to medical aid. We are the only community in the Yukon that has a hospital board with no hospital. Watson Lake had over seventy emergency cases sent out from Watson Lake since last Fall when Mr. Carter was at this table. In the Teslin area they should have a nursing station and a permanent nurse. The total population of the Teslin area is 502 people plus the summer population which makes it 814 people depending upon Teslin but you build the nursing station at Ross River. The Territorial Council has made provision for their financial obligations respecting these proposals and the Federal Government has not. He said this must be accomplished. He has petitions which he hoped to present to Northern Health Services. He said this plan was drawn up by a man who was incompetent to draw it up and failed to realize the needs of the people of the Yukon.

Mr. Carter replied he could make no comment on that. The rough figures for the population of Watson Lake were, if anything, higher than the ones Mr. Taylor gives. The details given to the committee was by the best medical advice available and that is that the hospital is not fully justified as far as the population is concerned. If a man from Canada Tungsten comes in and says we will not build a hospital in Canada Tungsten and we will share the cost of the building of a hospital in Watson Lake, that will be different.

Mr. Taylor said Canada Tungsten do not want to build a hospital at Canada Tungsten, they want to build a hospital at Watson Lake.

Mr. Carter said at any moment when the Territorial Government wants to step in and build a hospital and satisfies Northern Affairs, who can satisfy the Financial Department, provided you will be doing the building by October of 1964, the hospital will be in operation. You try to pin Canada Tungsten down as to how much they will contribute and find out whether they are actually going to use it and not fly their patients out.

Mr. Taylor said this is a necessary facility. It is every bit as important as schools. We cant have it because we have people who say no- I dont like it, so you cant have it. He said this business of

centralization is not the answer. Canada Tungsten will go for anything reasonable. They were helping Watson Lake to build their emergency treatment centre. This is not a 4,000 people kind of thing this is a 200 or 300 people operation. These people are contributing a lot more than everyone else is. The citizens took this into their own hands and then Council agreed to give some assistance. Watson Lake went ahead and Dr. Moore said I will have nothing to do with it. Finally the Commissioner said alright, we will back it, the Red Cross helped and still not a nickel of Federal money. This spring they decided these people were taking this into their own hands and as a result all the work the citizens have done was undone and now they have moved us into three or four beds and say oh look what we did. He does not know where they go from here but he wanted to see some people here from Northern Health Services. This is a five year agreement and these people leave when it is time for us to accept this and give us a rubber stamp.

Mr. Carter asked Mr. Taylor if Health and Welfare should pull out and let the Yukon paddle its own canoe and take all their help with them.

Mr. Taylor said taking a look at this it would be a good idea.

Mr. McKamey stated the Territory did not need to necessarily follow the plan right out in constructing this hospital in 1964-65. If the residents of Watson Lake were to enter into an agreement with Canada Tungsten and the B.C. Government and all the parties involved were to get together and enter into an agreement to construct this hospital this could be accomplished at an earlier date.

Mr. Carter said you have rejected the whole health plan based on the Watson Lake program. He said a lot of thought has gone into it and there has been very little of the plan criticized with the exception of the motions Council made and Mr. Carter would suggest that the great majority were accepted. In the case of Watson Lake hospital Health and Welfare have said they cannot see that this is needed right now. If you think the local people have a good case, we will step aside. We had our scrap with the treasury board. If it were possible for an agreement to be reached it would seem reasonable to put money in for the hospital. In the case of Watson Lake it is provided for to be constructed and operated half way through the five year period instead of at the end. You have suggested that it be built this summer. All he could say is that they managed to get a compromise. There are people all across Canada who want hospitals. The capital money is in there, the only problem is the operating cost for one year. Maybe you could find it from within the whole appropriations from the Yukon.

Mr. Taylor said we found that with Mr. MacKenzie's draft. Advancing this two years does not improve this situation one bit, it was needed two years ago. All Council wanted at Ross River was a medicine chest and a building where patients could be isolated. We got a nurse with a car provided and a 15,000 dollar health centre. This is what is needed at Teslin. Mr. Taylor wanted to know who was responsible for this.

Mr. Carter said you would not get far with Dr. Willis, he has washed his hands of it. If you want to go ahead fine.

Mr. Taylor said in accepting this principle, we would be agreeing to the fact that we believe in all its embodies. This he could not do. The present arrangement whereby they put in this Health Station at Ross River did not follow the recommendations Council made last fall. He could not see where they could save money by putting the Health Station at Ross River instead of Teslin.

Mr. Carter wished to know if that one nurse is going to do work in the Whitehorse area.



Mr. Taylor replied that she probably is.

Mr. Carter said Dr. Willis made it quite clear that to put a nurse in Teslin would require one extra nurse, so we are talking about \$5,000.00 more. We are talking about extra costs in switching Ross River and Teslin around.

Mr. Taylor said Council found their part of the money for this.

Mr. Carter said there are many things this extra money is to cover. He was perfectly willing to accept the argument that the Mayo hospital should be left open and he was ready to fight for it. He argued that it was wrong for the Federal Government to charge up the deficit the Whitehorse hospital may have to Mayo. This Whitehorse hospital is capable of looking after the people of Watson Lake. The costs at the Whitehorse Hospital, if you build a hospital at Watson Lake, will go up.

Mr. Taylor said we are being penalized in the hinterland for building a big hospital in Whitehorse.

Mr. Livesey said he did not wish to rush this along, but he believed from the information received this afternoon, that Mr. Carter is not going to be able to assist in this and no doubt the Member from Watson Lake will continue in his quest to obtain the things he thinks are essential for this area. He would like to draw attention to the clock.

Mr. Carter said Northern Affairs had to take responsibility for the decision of the Federal Government. Had he been a better arguer he might have been able to get more.

Mr. McKinnon said he felt the Yukon's arguments were in good hands.

Mr. Shaw stated he thought it was a creditable performance.

Mr. McKamey moved, seconded by Mr. Watt that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman reported as follows: Committee met at 10:30 A.M. with Mr. Carter to discuss things in relation to the financial agreement. We discussed mine rescue equipment and inquired if this was a Federal Government policy to be continue. Mr. Carter could not supply an answer to this.

In regard to town planning in unorganized communities and unincorporated communities, Mr. Carter stated that the usual procedure would be that the Federal Government would do the planning and surveys financed by the Federal Government at the request of the Territorial Government and the development of the plan would be done in conjunction with the two governments.

With regard to tote trails, Mr. Carter stated that under the new agreement the money is provided in the general grant to the Yukon Territory.

Regarding the recommendations excluding the third type system for piped water and septic tank system, Mr. Carter stated that the Inter-departmental Committee report was not intended to preclude other types of systems within the capital provision of the monies available.

With regard to the distribution of liquor tax allotment for community recreational development fund, it was agreed to accept the committee on Interdepartmental relations offer of \$56,000.00 for each year of the five year agreement on the same basis of distribution as heretofore.

With regard to timber and agriculture to be classified as a resource, Mr. Carter stated that whether or not agriculture and timber were classified as a resource, the tote trail road assistance program did not preclude timber and agriculture from the same type of assistance in this matter and it was a Territorial decision.

With regard to the saving clause, Mr. Carter stated the Interdepartmental agreement has no such clause but feels there is sufficient flexibility in the agreement to handle emergency matters as far as can be anticipated and that negotiations are not precluded from time to time on the merits of each item of major expenditure. Mr. Carter has left a copy with this committee regarding tote trails.

Regarding the difference between construction and re-construction, applications must carry details to ensure this money is not used for maintenance, each application would need to be classified as to the category it belonged in whether construction in principle or maintenance to be appraised by the Territory.

With regard to further discussion on mine safety equipment, the financing of this is interwound between the Federal and Territorial Governments through grants.

With regard to the Health plan, discussions went on for over an hour regarding Watson Lake and as far as that is concerned Mr. Chairman's only alternative is that we made progress in the discussion, but not in results. Regarding Rege River and Teslin, Council can change this providing no further amount of money is expended than is in the estimates.

Council accepted the report of the Committee.

Following a discussion of the agenda, Council adjourned until 10:00 o'clock A.M., Monday, April 9th, 1962.

Monday, April 9th, 1962.  
10:00 o'clock A.M.

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

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

- (1) Application of Federal Superannuation Scheme to Territorial Employees. (Set out as Sessional Paper number 13.)
- (2) Territorial Property Tax owed by Alaska-Yukon Refiners and Distributors Limited. (Set out as Sessional Paper number 14.)

Sessional Paper No. 13.

Sessional Paper No. 14.

Mr. Livesey, (with Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that due to the circulation of persistent rumours in the electoral district of Carmacks-Kluane Lake to the effect that the Department of Transport contemplates the closing of the Snag and Aishihik Airports and the affect which such moves would have upon the Territorial residents of the area, it is respectfully requested that the Administration supply all available information on the subject to the Legislative Council for their information and perusal.

Production of Papers No. 6.

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that it is respectfully requested that the Administration provide Council with the reason why copies of the reports of sub-committees of the House of Commons and other Parliamentary information other than Hansard have not been distributed to Members of Council since the Fall of 1961.

Production of Papers No. 7.

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that it is respectfully requested that the Administration supply to Council any information or data which may now be available which would show what course of action is contemplated for the purpose of providing adequate fire protection for the aforementioned areas, (Destruction Bay and Beaver Creek) as a result of previous discussions with the Administration.

Production of Papers No. 8.

Motion Carried.

Moved by Mr. Watt, seconded by Mr. McKamey that Council resolve itself into Committee for the purpose of discussing certain specific questions concerning the Yukon Health Plan with Mr. Carter present.

Motion Carried.

In Committee of the Whole:

Mr. Taylor wished to know what the division of responsibility was between the Federal and Territorial Governments regarding implementation of the health plan. There is a provision made in the health plan for a hospital to be built at Watson Lake, but not in the Interdepartmental agreement.

Mr. Carter replied that the Department of National Health and Welfare proposed to offer health services to Indians as well as other people of the Territory on a joint basis. The original plan contemplated the Department of National Health and Welfare acting for the people of the Yukon in the implementation of the plan with regard to the Yukon. When at the last Session of Council it was decided that Mayo hospital should be kept open and that



Watson Lake needed a Hospital as early as possible, Northern Affairs in conjunction with the Department of National Health and Welfare, tried to reach an agreement. The collective and official view of the Department of National Health and Welfare was that it was reasonable to have people from all over the Territory go to the Whitehorse General Hospital. Northern Affairs took the view of the people of the Yukon that the Mayo Hospital should be kept open and that in the future there should be built a hospital at Watson Lake - to be built during the last year of the 5 year plan. While negotiations were being completed, National Health and Welfare would not try to press their view to the Treasury Board providing the Territorial Government operated the Mayo and Watson Lake Hospitals. This would leave Northern Affairs free to negotiate with the Board. Northern Affairs in working out this agreement had to anticipate that there had to be a compromise between themselves and the Treasury Board, i.e. there be an expenditure of \$110,000.00 allocated for operation of the plan in the Yukon. Mr. Carter stated that it was a matter of opinion as to whether this money was needed today or 5 years from now, bearing in mind that a large portion of the monies is Federal. Regarding the Whitehorse General Hospital, he stated that the Treasury Board has to consider the effect of the Mayo hospital on the operating costs of the Whitehorse Hospital. Regarding the Watson Lake Hospital, the time had been moved forward from 1967 to 1963, with completion in 1964-5.

Mr. Taylor then enquired whether the funds to build this hospital must come out of the Yukon Consolidated Revenue Fund.

Mr. Carter replied that they would, but he also pointed out that there is money provided for this to be operated.

Mr. Taylor expressed the view that this hospital serves an area containing a large number of Indians, D.N.D. and D.O.T. employees and many others in that district who are in effect wards of the Government.

Mr. Carter stated that under the present plan the Territory would pay 60% and the Federal Government 40%

Mr. Taylor said that in the original Health plan the participation was based on 66% Territory and 38% Federal.

Mr. Carter stated that this still pertained to operation of a nursing station.

Mr. Taylor then enquired whether this hospital would be operated by the Territory with no bond or tie with the Department of Health and Welfare.

Mr. Carter replied that it would.

Mr. Taylor asked if Northern Health Services would prefer to turn operation over to the Territory.

Mr. Carter replied that generally this was not the case, that the Watson Lake hospital would be operated the same as the Mayo hospital. Looking at it from a long-range view, at the same time there will be eventually a Health and Welfare Department in the Territorial Government. Watson Lake and Mayo Hospitals would be Territorial operated with the rest Federal.

Mr. Taylor asked if the hospital was to be constructed this year, rather than over the next 2 or 3 years, could the money be borrowed from the Federal Government with which to build and operate this facility.

Mr. Carter replied that theoretically this was so, but that there is a loan ceiling. As long as the need is stated, the Federal Government is quite reasonable, but the question here is that of operating costs, and there are two things to be taken into account if construction were started ahead of time: (1) Finding the money and (2) This proposal would step still more forward the time when the hospital is to be constructed and that the Department of Northern Affairs would look upon this as being carried too far forward. The Minister of Northern Affairs would feel duty-bound to take this proposal before the Department of Finance which feels at the moment that there is no evidence that this must be done at the present time. Council may have devised means of persuading the Department of Finance to the view that construction should be started right now.

Mr. Taylor stated that no representative had appeared at Watson Lake to survey the situation, i.e. - Dr. Moore or Dr. Willis and that he assumed the Federal Government has not the money for construction.

Mr. Carter said that the Federal Government will not increase the total amount of money now provided under the proposed agreement. It was up to the Territorial Government if it wished to cut down on one thing and go ahead with another. The Minister would need some kind of evidence different from that which he already has in order to give serious consideration to the proposal.

Mr. Taylor wished to know if the hospital was built by charitable organizations, could these organizations be reimbursed by the Federal Government.

Mr. Carter replied that more accurately the reimbursement would be made by the Territorial Government. On the basis that Canada Tungsten Mine would take some role in this, the hospital will be built in 1963-4. If some charitable organization took an interest in this also, less money would have to be borrowed from the Federal Government.

Mr. Taylor's view was that although charitable organizations may have to contribute toward the cost of construction of the hospital, they should not be asked to.

Mr. Carter stated that the problem was essentially one of time, of advancing the time from the fall of 1964 to say Christmas of 1963.

Mr. Taylor wished to know whether either Dr. Willis or Dr. Moore would be back by then.

Mr. Carter stated that Dr. Moore would not be available, but that he did not believe that Northern Health Services have anything further to add. A number of adjustments had been made and that is as far as the Health and Welfare will go. The Department of Health and Welfare and the Economics branch all had different views that had to be consolidated.

Mr. Taylor stated that he felt this plan did not answer the needs of the Territory.

Mr. Carter stated that if Council felt strongly that the National Health and Welfare Officials should return, a resolution to that effect should be forwarded to Ottawa through the Commissioner. Dr. Willis might come back, but nothing very much would be gained by his return. The Watson Lake hospital is dependent on Canada Tungsten, if the mine is willing to contribute.

Mr. Taylor replied that they were.

Mr. Carter then recommended that the amount of their contribution be put in writing.



Mr. Taylor stated that Northern Health Services have never given them enough information, although they had been asked for it, as to the building requirements. There are about 4,000 people in the area, Canada Tungsten have 250 people at their peak and he felt that their proportion should be relative to that. His view is that construction of the hospital is a Federal responsibility.

Mr. Carter stated that the Federal Government had reached the conclusion that a hospital was not immediately required. Up to this time there has never been any question of negotiating with the mine. According to the Agreement, money is provided, as soon as the Agreement is accepted the Territorial Government can begin negotiations with the mine.

Mr. Taylor stated that it would appear that recommendations must be made to the Territorial Council and Government as to starting this construction this summer. Canada Tungsten Mine is willing to cooperate, but no one from Northern Health and Welfare has ever taken the time to stop and assess the situation.

Mr. Shaw stated that it appears as though <sup>the</sup> Treasury Board have provided some answer, which is apparently not satisfactory and that the people involved could not get together. To finalize this, Council should have some basic knowledge of the situation. As Northern Health have not taken time to assess the true facts, would it be possible to request an independent survey of this particular situation. Following this, would it be possible for the parties concerned, the Territorial Government, Federal Government, Departments concerned and other parties using the hospital to get together and formulate a plan to submit to the next Session of Council. He suggested that Council pass a resolution to have an independent survey made, and a letter be sent to the Federal Government asking them to participate in this in order to come to some agreement. He felt the initial step must be taken by the Administration.

Mr. McKamey understood that a Royal Commission had been set up to undertake a study of the medical conditions and requirements in the whole of Canada and was to visit that area. He wished to know their recommendations.

Mr. Taylor stated that he had wired the Prime Minister, who had in turn wired him that Chief Justice Emmett Hall, would answer the original wire on his behalf. Chief Justice Hall replied that he would send a committee to study the situation in Watson Lake. The Commission had visited all other parts of Canada but not the Yukon. Mr. Taylor stated that he had received a letter from Mr. Hall dated March 29th, 1961, stating that he would be in touch to hear briefs from various parts of the Yukon. Mr. Taylor felt that instead of briefs from different people, the officials should go down to look at the situation.

Mr. Shaw stated that he felt the Territorial Government must find ways and means of assessing the requirements of the area, possibly in the next month or so.

Mr. Carter stated that Council was on the right track and he would suggest that Council recommend that a committee of three or a commission of three, have one official from Health & Welfare, and two doctors prominent in the public health field and whose work is known to Health and Welfare. Mr. Carter recommended further that Council authorize the Commissioner to enter into the Agreement and also pass a resolution concerning this Agreement, expressing in this resolution their misgivings regarding specific items, ask that this be viewed by the Commissioner. Northern Health will acknowledge their right to do this and if the Commissioner makes the recommendations the Treasury Board would be more amenable, but money must be found for operating costs as the Federal Government will not expand this estimate. There is enough money provided that if an independent group makes recommendations they will be considered.



Mr. Carter was excused from Committee and Mr. Shaw, Chairman, thanked him for his assistance.

Discussion  
of  
Bill  
No. 12.

Mr. Shaw, Chairman, requested that Bill No. 12, "An Ordinance Respecting Schools" be discussed, with Mr. Olson from the Legal Division, Ottawa being present.

Prior to discussion of the School Ordinance, Mr. Olson requested that any questions arising for debate on any section of this Ordinance, be put over until the next day in order for him to study the question.

Mr. Taylor wished to know the reason for the prospective deletion of subsections (2) and (3) of section 12.

Mr. Olson replied that the subject covered in these subsections was administrative policy rather than statutory law and one of the difficulties of a legislature is that all difficulties cannot be anticipated. He stated that in discussions held last summer (1961) Council had recommended a change and that it would be better not to legislate these rules. If it is found that not enough teachers have been allocated for an area, the Commissioner can be requested to vote an additional amount of money. This will maintain control of the Administration and will enable the Superintendent of Schools to operate a feasible plan. There is always difficulty in legislating an Administrative rule.

Mr. Shaw remarked that as there was not a full Committee present (Mr. Livesey being absent for a few moments) that it was Committee's wish that discussion of this section be left in abeyance. Referring to discussion of subsection (1) of section 13, he asked if the intention was that although a community was entitled to an Advisory Committee it was not necessarily mandatory for one to be formed.

Mr. Olson stated that the word "may" denotes the power to establish an Advisory Committee and that when an Advisory Committee is desired either by parents or Council, the Commissioner has no alternative.

Mr. McKamey questioned that under this section, if the Commissioner thought it wise for obvious reasons to dissolve an Advisory Committee he could do so.

Mr. Olson replied that this was true, but bad faith should not be imputed until it is shown. He could put a school where an Advisory Committee would not be required. If someone wanted a local Advisory Committee to be established, and it would not be in the interests of the school to establish one, Council would consider the question, ask the Commissioner and offer your own knowledge on the subject. He stated that the Territorial laws should not be filled with a lot of provisions that can cause trouble but wait for trouble to arise - i.e. if the Commissioner does not do as you wish, then legislate about that problem.

Mr. McKamey stated that he felt there should be other ways of solving this problem. Why could it not read "Commissioner in Council"?

Mr. Olson stated that it would read that way anyway and there would be no point in one of your enactments trying to give yourselves power as the power of Council does not arise from this enactment, it arises from the Yukon Act.

Mr. McKamey enquired whether the wording could be in such a manner that if the Commissioner refused, Council could act on their own. What would Mr. Olson's comments be on solving such a problem by passing legislation.

Mr. Olson replied there was a similar case in B.C. , except for the fact that the B.C. Government had enacted legislation. The the legislature created the problem, but here there does not seem to be a problem unless you are prepared to assume that the Commissioner will act in an irresponsible fashion. If it is Council's view that the Commissioner will be

irresponsible, the wording should be changed to "shall". Council should assess the situation and if his reasons for declining are insufficient, then the Council should establish the point themselves. A School Ordinance such as this can hope only to be a document written for the administrative level. If it is a document written for the public, the language used in it must be entirely different. If Council feels that a school will always need an Advisory Committee, the word should be changed to "shall".

Mr. Taylor agreed with the member from Mayo. He wished to know whether it would be possible to attach Regulations to the Ordinance.

Mr. Olson stated that normally regulations are required to make such a scheme workable (see page 26, section 92-93). These details must be covered by legislation.

Mr. Taylor remarked that the discretionary powers of the Commissioner are exclusive of recommendation or consideration of Council. If the Commissioner does not wish to have, or wishes to dissolve an Advisory Board, Council has no recourse.

Mr. Olson replied that this was fundamentally true but that if any resident in the Territory is dissatisfied, he tells his Council Member, who then must agree or disagree.

Mr. Taylor stated that there was no provision respecting disputes between teachers and children; that is no provision had been made empowering the Advisory Committee to deal with this.

Mr. Olson replied that in their function, the Advisory Committee can investigate but not be the final arbiters of any dispute. He referred to paragraph (n), section 6, page 2, and continued to say that the terms of reference should be broad enough to make the scope of the Committee comparable to a school board, and that the people on it would likely serve out of a desire to serve. In that case they can be a reliable group in that area, but if the Committee is one that Council has no confidence in, that is another matter.

Mr. Taylor remarked that in the Report of the Committee on Education for the Yukon Territory, page 17, that the local Advisory Committee was not given any real powers.

Mr. Olson replied that the Report was written in basic terms and that it contemplated a Territory-wide school system. What the Commission was looking for was something to supplant a Board of Trustees. With reference to employment contracts between a teacher and the Government the Advisory Board cannot be given the legal status that Council creates.

Mr. Taylor asked what an Advisory Committee could do.

Mr. Shaw replied that they would report any situation they felt should be corrected. They would report it to the Superintendent.

Mr. Olson stated that he felt that the function of the Advisory Committee as proposed by the Committee on Education would be the widest possible scope. He then stated that under district schools, section 14 (c), there was a cross reference and this should read section 19. Under section 15 (b) .5 square miles should be 25 square miles.

Mr. McKamey, referring to section 15(b) of page 5, wished to know how this is to be interpreted.

Mr. Olson replied that this was measured only in area - 25 square miles can be in any form as long as the total area does not exceed 25 square miles.

Moved by Mr. Taylor, seconded by Mr. Shaw, that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

Mr. Speaker announced that he had been advised by Commissioner Collins that Mr. Gordon Cameron of Whitehorse would be the next Commissioner of the Yukon Territory.

Mr. Shaw, Chairman, stated he would like to give his report all at once following further discussion of Bill No. 12, the School Ordinance. He then moved, seconded by Mr. Taylor, that Council resolve into Committee of the Whole for further discussion of the School Ordinance with Mr. Olson present.

Motion Carried.

Committee recessed at 12:00 o'clock noon.

Monday, 2:00 o'clock P.M. Discussion of Bill No. 12

In Committee of the Whole:

Committee resumed with discussions of the School Ordinance with Mr. Olson present.

Mr. Livesey, referring to subsection (b) section 18, page 6, said with respect to consistency with the agreement, second last line should read "he shall establish" instead of "he may establish".

Mr. Boyd questioned if this meant regardless of conditions? There could be conditions where it should not be done for another year. We are not leaving any leeway at all.

Mr. Olson stated when the agreement was discussed he understood the Members had agreed with the Church authorities that they would have the unqualified right to establish a separate school district and this right would never be held from them. It would be inconsistent with the undertaking to leave any discession at all.

Mr. Watt suggested that section 15 (a) could be changed.

Mr. Olson replied no. That is the empowering section that gives the Commissioner the capacity to do it, but in these sections if the requirements are met, he has no alternative.

Mr. Shaw referring to subsection (b) of section 21, stated that this is contrary to the present Ordinance for normal voting at municipal elections.

Mr. Olson said this is just taken from the old Ordinance. You gave no instructions so it was just brought forward. It depends on the local by-laws. The municipality has the right to tax people living on Crown owned property as the owners.

Mr. Shaw questioned is it not a fact that taxes being in arrears does not preclude a person from voting, except in certain money by-laws.

Mr. Olson replied that since it is the tax payers who are going to pay the money they are the ones that are going to vote in this instance.

Mr. Shaw asked if this should not be consistent with the local elections.

Mr. Olson thought it was consistent. This is a vote for tax payers because what is involved is financial responsibility.



Mr. Shaw said in voting in a normal election if a man's taxes are not paid it does not preclude him from voting.

Mr. Olson said if you are talking about election for Mayor or Alderman, you do not have to be a tax payer, but certain money by-laws require the consent of the majority of the tax payers and then he presumed the taxes must be paid up, but he was not too familiar with the local by-laws. On your general elections in a municipality if you are a resident for six months you can vote. Section 309 of the Municipal Ordinance says in the case of a vote on a by-law the word "elector" shall be read "ratepayer" and the word "election" shall be read "voting on a by-law". It is only the rate payers who vote on money by-laws. That is normal practice. It is consistent with the financial by-law of a municipality.

Mr. Olson said on page 7, section 24, the word "district" should be inserted in the last line.

Mr. Taylor, referring to section 24, stated it would appear there is some discrimination here. That would mean if you had people of the Catholic faith, who for some reason or other, wanted to put their children in a public school, this section would not allow this to be done. He did not think this was fair.

Mr. Olson pointed out that if the objection of the Catholic parent is to the separate school in general, his right is to persuade the other residents in the area not to vote for a separate school in that district. If his objection is that the public school is closer for the child there is a provision later that Catholic children may attend public schools and the Protestant children may attend the catholic schools. There is no reciprocity, but circumstances would arise when it would be better not to force this.

Mr. Taylor stated Committee is dealing with section 24 and he would sight section 25 as a reversal. Section 25 would be a better means of dealing with section 24.

Mr. Olson said then you would get it in the section where a public school is the first to be established. Everyone votes. It only applies in the place where the separate school is to be established following the establishment of a public school district.

Mr. McKamey said it seems this would be inconsistent with section 42 of the Committee on Education's recommendations, which Council did not agree with and which was deleted.

Mr. Olson said but you did agree that the attendance at the Roman Catholic school of a non Roman Catholic pupil would require the permission of the School Supervisor. That is not really a question under 24 and 25. You come to that later regarding responsibility.

Mr. Taylor felt that this section 24 is not right and he feels it must be changed. It still does not indicate any equality whatsoever. He still maintains that you are taking the rights of an individual away by adhering to this proposal. As was said, there could be a Roman Catholic family who do not wish to have their children in a separate school and these people should have the right to vote for the school that the child is attending.

Mr. Olson said such a system could not work. It has not worked elsewhere in Canada. Merely because you are a Roman Catholic means you automatically support the separate school and for the purposes of making a school system like this work, you must impose the rights of the majority on the minority. If you do not force the attending of Roman Catholic to schools in that area, the system breaks down. It follows the principle that if you are a Roman Catholic you must support

the separate schools and if you are a Roman Catholic you must pay to have your child attending another school. Mr. Olson suggested that Father Studer could perhaps enlighten Council further.

Mr. Taylor requested that Father Studer attend Committee and give his views.

Father Studer was invited to attend Committee and answer this important question. He stated there was one question he was not sure on. It was whether the Protestant or Roman Catholic would be obligated to pay taxes to their own school regardless of where their children were sent. It would work both ways. In the case where you have a Protestant who decided for reasons of his own to send his children to the separate school, never the less he would be paying his taxes to the public school and would the separate school then require special fees for him to do so.

Mr. Olson said it would be open to the school trustees to require fees for the children who are otherwise not allowed to attend that school. That is the standard practice in the rest of Canada.

Mr. Taylor said what we are doing here is taking the right of an individual to vote for a public school district away from him.

Mr. Olson said section 24 is only the case where there is a separate school district in existence and the public school district is established. Then we say Catholic voters cannot vote for the public school which will be formed. It is only in that event that section 24 starts to apply.

Mr. Taylor replied that if you vote for one you cannot vote for the other. One would exclude you from voting for the other. Because of your religion you cannot vote for a public school, even though you wish to have your children put in that school.

Mr. Olson said it is inherent in that faith that you support this idea. If he declined for reasons of his own, he is just one step from declining his religion. The man you are worried about is about to leave the church.

Mr. Livesey, referring to subsection (2), section 33, page 8, asked Mr. Olson to explain what is meant by subsection (2).

Mr. Olson said that if the school district in question coincides with the election for the municipal officers there is just one election.

Mr. Livesey, referring to subsection (2), section 53, was wondering why the necessity for this subsection because without a quorum it is unconstitutional to sit in any event.

Mr. Olson replied it is not necessary, what Mr. Livesey has said is quite correct, it is just there as an indication for some trustees who do not know what a quorum is. It is better to leave it in as it does no harm and is very explicit. With reference to paragraph (f) on page 15, he suggested the word "fiscal" be inserted before year.

Mr. Livesey, referring to paragraph 58 (a) 1 and 2, noticed the option at the beginning and stated this would leave an option. Is this desirable to the Committee?

Mr. Olson said he supposed there were two normal ways of recouping in respect of law suits on an embezzling employee. He expected the Yukon has the two ways. He did not know whether the choice should be that of the Secretary Treasurer or that of the Board, to decide which it wanted. It might result in unfair discrimination against the prospective treasurer and surities themselves should be equally

acceptable to the board. He thought it must be that way to suit the means of the Treasurer. He may have to pay money for the first one, but he may not have to pay money for the second.

Mr. Watt asked if payment of the bond would be out of board funds.

Mr. Olson said no. He would have to pay his own, but in negotiations for salary this could probably be included.

Mr. Livesey asked where would the direction come from with regard to what was required by way of amount.

Mr. Olson replied if it were a bond it would have to be put in a way that the obligation was to pay the total amount of the revenue accruing to the school board. There may be a maximum stated in the policy someplace, but once a Company agrees to bond an employee the amount does not affect the premium very much.

Mr. Watt, with regard to (f) describing the fiscal year, wanted to know if we should add that the fiscal year ends the end of June.

Mr. Olson said in the previous part, we said the fiscal year ending on the 30th day of June. This was on page 11.

Mr. Boyd said we have had some sad happenings in this particular line of treasurers and he was wondering if it would not be wise to leave out the option. The man has no trouble in getting a bond if he is worthy of getting a bond and people who might give security in good faith might find that they are left holding the bag. It has happened before and Mr. Boyd preferred to let it go through the proper channels.

Mr. McKamey stated in the old Ordinance it read that when the majority of the board refused or neglected to take security from the Treasurer on the demand of any trustee such demand shall be duly recorded in the minutes and such trustee shall be relieved from all personal liability in case of the default of such officer. There was provision made for it in the old School Ordinance, if it was drawn to the attention of the board.

Mr. Olson said that personal liability only arises when the school board is proposing to do something which is illegal. The tax payers of the City could recover from the trustees personally the amount of money that was appropriated. If one member knew this was happening he could require a release of the other members. It was a safeguard for them.

Mr. Watt said there is a question of availability of a bonding company. Mr. Boyd has a good point, but if there is no bonding Company in the Territory it is hard.

Mr. Boyd said the bonding Company can be anywhere in Canada and asked what Mr. Olson's opinion would be on this.

Mr. Olson said he did not think any reputable bonding Company would decline to enter into a bond. He thought the suggestion is a fine one as the idea of personal surety is perhaps a little out dated.

Mr. Boyd said if a man cannot get a Bonding Company to Bond him then he should not be the treasurer and why should individuals take these chances.

Mr. Watt suggested that this be deleted.

Mr. Boyd moved, seconded by Mr. Watt, that subsection 1 (a) of section 58 be eliminated and the bond be obtained from regular insurance sources.

Motion Carried.

..... / 87.



Mr. Watt stated, under section 56, it had been brought to his attention that this does not include anything in the way of hiring teachers. In the old Ordinance, section (o) read "engage a teacher or teachers duly qualified under the regulations of the Department to teach in the school or schools in its charge on such terms as it seems expedient and the contract with such teacher shall be in writing and must be in the form prescribed by the Superintendent of Schools and a certified copy of such contract shall be transmitted to the Department." He suggested that a section (q) be added and put it down as in section (o) of the old Ordinance.

Mr. Olson replied he was sure it was tucked away somewhere and if it was not it is an oversight and he would certainly add that.

Mr. Watt asked if Mr. Olson could consider (p) of the old Ordinance and give his opinion on the disciplining of teachers.

Mr. Olson replied this could also be included in section 56.

Mr. Shaw, referring to section 61, asked if he is forced to stay in office until someone else is elected.

Mr. Livesey said in effect the Trustee could resign and still be in office because no replacement could be found.

Mr. Olson said you have to do this, otherwise a Trustee could disagree with a policy and bring a boycott to any further action. He must stay there even if he is continually voted down.

Mr. Boyd asked, if he resigned in the last six months and there would not be an election, in the meantime could the Commissioner appoint someone in his place.

Mr. Shaw said as a matter of information on this paragraph, resignation will take effect on the election of another trustee.

Mr. Olson said election there means any person filling the vacancy, whether it is a vote or an appointment by the Commissioner.

Mr. Livesey, referring to clause (c) of section 62, read "absents himself from meetings of the board over three consecutive months", and asked if that is the way it is intended to be written?

Mr. Olson said that means that if he is going to be away for more than three months he must have the authority of the board. You could put it that way.

Mr. Watt said there would have to be personal finances for the members of the board, and asked if they would be able to claim that.

Mr. Olson replied he did not think any section such as this is ever interpreted to include disbursements on a reimbursable basis. There is no pecuniary interest provided or expected benefit in making expenditures for personal expenses advanced out of that fund. This is strictly for disbursements within the school district. There is no provision in the Ordinance for salaries.

Mr. Livesey questioned isn't it a fact that the remuneration that Council Members receive resolves in connection with a similar type of legislation which affects Members of the House. Isn't the receipt of this money justified somewhere else. He could not see where it would incur any liability which one might feel could be read into such a section as this. Where it is laid down in law that a payment is legal it is law.

Mr. Olson said that is an excellent example of what we talked about the other day. For example if you people appropriated money to Vote no. 36 to John Smith, Member of Council- the affect of that vote is to amend that other prohibition, in so far as that is concerned.

Mr. Livesey, referring to subsection (1), section 65, in regard to the amount of money, was wondering what the committee thought about this. This is a continuing amount the same as it was in the old Ordinance.

Mr. Boyd asked Mr. Livesey, what he meant by "continuing".

Mr. Livesey answered that it is the same as what Council had before. The question he had raised without specifically mentioning it was whether Council considers this to be adequate now, although it was adequate when the previous Ordinance was drafted.

Mr. McKamey said this amount could be left quite flexible. He did not think it could be specified as any amount for any school district.

Mr. Shaw replied perhaps there is a reason that Mr. Olson could explain.

Mr. Olson stated this ceiling of \$2,000.00 was set in 1910. This is borrowing with the approval of the Commissioner only. It is proper to allow a school board to borrow some amount for current expenses. He thought anything over some set amount should require the approval of Council. The group may plan to borrow an amount which you consider too much.

Mr. Watt wished to know if Council actually have to set a figure. He wondered if it could read a sum with consent of the Commissioner and Council.

Mr. Olson stated this should perhaps be \$50,000.00 instead of \$2,000.00. A figure that would be enough for improvement plans for a big school, but not enough for a whole new school, but enough for a school district just starting to build a small new school.

Mr. McKamey remarked it seems they have to have the approval of the Commissioner in the first place.

Mr. Boyd thought Council should set a figure or otherwise someone may need something and might be held up for a year when they could go ahead. He regarded Mr. Olson's figure as quite reasonable and he would move to change this to read \$40,00.00 instead of \$2,000.00

Mr. McKamey asked how would you make this apply to a small school district.

Mr. Boyd replied this gives them permission to go ahead without going through law and it is quite customary. You do not have a school board running a school and have their hands tied.

Mr. Taylor suggested it might be advisable to have the opinion of someone who has run across this before, perhaps the Superintendent of Schools. He might be able to give us his opinion as to what would be required under this classification for such purposes and how much money he felt would be necessary.

Mr. McKamey thought it could be anyone, because you could put anything in there. If a figure is used you have to know why that figure is used and he would be inclined to leave this flexible.

Mr. Olson said you have given the Commissioner no choice with respect to establishment of school districts. Once that school district is established, you are tying his hands and the trustees could come along with most grand ideas which they could not afford. You are putting it up to the Commissioner again and you must control the expenditure. Mr. Olson thought that is unfair. The figure must be for a reasonable amount to allow a small two room school to build the whole school, but anything more than that should give the Commissioner and Council some authority over a new school district. You put the whole thing on the

Commissioner's shoulders to say no and you have forced him before to say yes. You must accept the authority and it must be a figure for alterations of a big school or building a small new school. If it is anything bigger than that, it must come back to the Commissioner and Council for control.

Mr. Watt asked if Council is not responsible if it does not mention an amount at all.

Mr. Olson said Council does not have to vote any borrowings here. They do not have to come to Council. This is their own financing. It should be necessary to put in a certain amount for a small job, which is really remodelling appropriation. You should not require them to come to Council and perhaps wait a year. For convenience you should delegate a certain sum.

Mr. McKamey pointed out as an example, the separate school in Whitehorse. What would be applicable to the school in Whitehorse would also be applicable to a small school in the Mayo district. He does not see how you could make an Ordinance which would apply to both districts.

Mr. Olson replied in the schools in Whitehorse, it would allow them to build an extra room or two. In the other area, he presumed it to be sparsely populated, it would perhaps enable them to build a school. It should be only remodelling involved, but it should be enough for a small school district to get started on a small school building.

Mr. Taylor thought it would be very difficult to establish a fair figure if we have nothing to base our figure on. You just cannot grab a figure out of the air and plant it into the Ordinance.

Mr. Olson stated the figures are only ceilings. You are not trying to determine the cost of one school class room, you are only trying to find some figure that is reasonable. \$2,000.00 in 1910 would do what \$40,000.00 does today. You just want some figure that is not going to bankrupt anyone. If this figure is impractical, change it a year from now.

Mr. Taylor thought a basis was needed to arrive at some reasonable figure.

Mr. Livesey stated he thought Mr. Olson had explained the situation very well. This is reasonable and places a certain amount of restriction on it but nothing like the restriction in the old Ordinance. He thought Council could put in a figure of \$50,000.00 and let it go at that and if necessary amend the Ordinance.

Mr. Boyd moved, seconded by Mr. Watt, that subsection (1) of section 65 be changed from \$2,000.00 to \$40,000.00.

Motion Carried.

Mr. McKamey referred to section 67 and asked how this complies with the Municipal Ordinance. It seemed to him that the mill rate is set in the Municipal Ordinance for education.

Mr. Olson replied the Ordinance now, is for education purposes and this is whatever tax the people want to impose on themselves.

Mr. Taylor pointed out that under the Municipal Ordinance we are taxing municipalities at such a mill rate for education. We are also going to be taxing everybody in the Territory for education purposes so many mills on taxation of real property. This is what we have agreed to under this financial agreement. Could this amount be double taxation for educational purposes.



Mr. Olson said what is happening here is the people themselves are imposing this tax on themselves and it is not unfair. In areas where schools are already in existence it may be that you can pay for this without collecting this extra tax.

Mr. McKamey stated that anyone that is paying a mill rate for education under this Ordinance here will be excluded for the mill rate of the Territorial Tax Roll.

Mr. Olson replied not unless an Ordinance is passed excluding them. Merely by establishing a school district the rate payers do not exempt themselves from their responsibility to Territorial Taxes unless you wish to exempt them. He did not think Council could make that decision, because so many things can vary it. In referring to subsection (4) of section 69, Mr. Olson stated this is taken in substance from the old School Ordinance, but it does not deal with the situation where a corporation declines to file a notice. It does not deal with which of the two school boards is entitled to the tax. In some school ordinances it is provided that in such a case the public and separate schools share that tax from that Corporation. In some districts the onus is put on the corporation that it is a separate school supporter but if it does not do so, all monies go to the public school. In most places corporation taxes are split and if that is your wish I will prepare an additional subsection.

Committee Members agreed.

Mr. Olson pointed out a typing error in subsection (1) of section 69, it should read Separate School District.

Mr. Livesey, referring to section 72, asked if this places personal liability without any offsetting affects. He thought this a rather stringent measure.

Mr. Olson thought this fair because you are vesting powers in these people to levy taxes and the utmost devotion to duty must be required of them. In proper dealing with funds that you find in section 73, you must provide for the recovery of funds to the right power and they are trustees in the true sense of the word. Officers in a company have the same degree of responsibility. It does not do much good to soothe a school board, if half way you have spent all the money. In one way it is not fair to allow the contractor to sue the board, it is the responsibility of the members of the board to be liable on that contract. You must remember that what you are trying to protect is the tax payer, not the trustee. He did not think Council would have to invoke section 72 very often.

Mr. Livesey wished to know if there was going to be any mad rush to become a school board member. He said this is the point, does the member read this section 72 before or after he becomes a board member. He understood the reasoning but he thought it might be quite a deterrant.

Mr. Olson: You must remember it must be a wilful neglect. This is very important. Regarding section 74, possibly this could be changed to read "The members of the board failing to take a Guarantee Bond."

Committee agreed.

Mr. Olson: Section 75 is again taken from the old Ordinance - the \$20.00 fine today is simply nonsense. I suggest here a maximum fine of perhaps \$500.00 would be more in keeping.

Mr. McKamey: We dont impose this penalty on our assessor - this should be reasonable.

Mr. McKamey moved, seconded by Mr. Taylor, that in section 75, the amount of the maximum fine be changed from \$20.00 to read \$200.00

Mr. Boyd moved an amendment to the motion, seconded by Mr. Watt, that this motion be amended to read \$500.00 or 30 days.

Amendment defeated.

Motion Carried.

Mr. McKamey: Section 76 - should this specify that notice should be given by registered mail. I think Council will have to be a little more specific.

Mr. Olson: The Court, before convicting a person, would inquire very carefully into the notice given. These rules are well enforced and in order to get a conviction one would have to prove adequate notice.

Mr. Watt thought the word knowingly should be added.

Mr. Olson: If you add that you are making it impossible to prosecute. We generally shy away from a word like knowingly because the law implies that any act of a criminal nature must imply guilt of intention, but you can never prove a state of mind.

Mr. McKamey: This does allow it to arrive at the stage of Courts and this could cost a person money even if he was innocent of any notice.

Mr. Shaw: If a person wished to keep the records how else would you get them away from him?

Mr. Watt: We should have the word knowingly to protect a trustee, because he might be too busy to hand the books over.

Mr. Taylor: In the 4th line from the bottom the word wrongfully would probably qualify that.

Mr. Boyd: I think the wording was fine the way it is.

Committee agreed.

Mr. Shaw: Section 77 is much more serious than it would indicate.

Mr. Boyd: I would like to ask Mr. Olson if these figures were printed in 1910 too.

Mr. Olson: Yes. It was more or less agreed that \$500.00 or 30 days was a normal penalty. \$500.00 is the standard amount, but I have not taken it upon myself to change the Ordinance because I was not requested to do so. If you want my opinion I think the amounts of the fines are far too low. \$20.00 or 7 days is just nonsense. It is not consistent with the current idea of leaving the authorities to determine proper penalty. The circumstances differ so much that if you narrow the range you cause injustices, but \$500.00 or 30 days limits injustices.

Mr. Boyd: I would like to amend these figures to those which are normally applicable in Canada.

Mr. McKamey: It has been brought to Council's attention that in these elections it is very difficult to get anyone to run and we have the difficult problem here that you do not have in other parts of Canada where you have a larger population to draw from.

Mr. Shaw: This is the returning officer, not someone who runs. It is the person who looks after the votes.

Mr. Boyd: I think Mr. Olson is far more qualified to put in the figures than we are.

Mr. Livesey: To try to assist, could we get a list from the local justices covering what they feel appropriate for all these sections.

Mr. Watt: If there is intentional violation of this act by a trustee there should be a severe penalty. If it is unintentional by the trustee then he should be protected.

Mr. Olson: This is only the maximum. It could be anywhere from 50¢ to \$500.00

Mr. Watt: There should be guilty knowledge.

Mr. Olson: You cannot get a conviction without intention. The only instance in Canadian Law where prosecution does not have to prove guilt of intention is Narcotics, because in view of the seriousness of this you can be convicted on mere possession of narcotics. Prosecution must prove guilty intention.

Mr. Shaw: The matter we are dealing with here has nothing to do with books. This is someone who rigs an election which we are discussing and they do that, of course, knowingly.

Mr. Livesey: I suggest we adopt a similar penalty to that in the Canada Elections Act.

Mr. Boyd moved, seconded by Mr. Watt, that Committee leave the changing of the figures in section 77 to Mr. Olson to bring them up to date.

Motion Carried.

It was moved and seconded that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported: At 10:30 A.M. we met with Mr. Carter and discussed the Interdepartmental Agreement. I can report progress.

At 11:15 A.M. we met with Mr. Olson. Section 12 was to be left in abeyance.

At 2:00 P.M. we continued with the proposed School Ordinance with the following recommendations that the engaging of teachers be included in the duties of the board, also disciplining of teachers and that Mr. Olson prepare suitable legislation. That subparagraph (1) of subsection (a) of section 58 referring to securities by private persons be deleted. That subsection (1) of section 65 be changed from \$2,000.00 to \$40,000.00, It was agreed that Mr. Olson would prepare an addition to section 69 in relation to the distribution of taxes paid by Corporations. That in relation to section 75 the amount be changed from \$20.00 to \$200.00. Section 77 be referred to Mr. Olson for changes of fines and imprisonment to fit current day policies and refer it to committee.

Further there were matters of changing of small items which should be included and most members have it on their draft copy.

Council accepted the report of the Committee.

After discussion of the agenda, Council adjourned until 10:00 o'clock A.M. Tuesday, April 10th, 1962.



Tuesday, April 10th, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker read an invitation from the Whitehorse Board of Trade, dated April 9th, 1962, to Members of Council and their wives to attend the annual dinner on Thursday, April 12th, from 6 to 8:30 P.M.

Mr. Speaker read a memorandum from Commissioner Collins in answer to notice of motion for Production of Papers No. 2 regarding Experimental Measles Vaccine. He suggested this be transferred to Orders of the Day under Motions.

All Members Agreed.

Mr. Speaker tabled a reply to the notice of motion for the Production of Papers number 3 regarding the Tabling of Address on Alcohol by Chief Medical Health Officer. (Set out as Sessional Paper No. 15) Sessional Paper # 15.

Mr. Speaker tabled a reply to the notice of motion for the Production of Papers number 4, regarding Swift River School. (Set out as Sessional Paper No. 16) Sessional Paper # 16.

Mr. Speaker tabled a reply to the notice of motion for the Production of Papers number 5, regarding the Requested Resignation of Local Medical Health Officer at Watson Lake, Y.T. (set out as Sessional Paper No. 17) Sessional Paper # 17.

Mr. McKinnon moved, seconded by Mr. Watt, that Council resolve into Committee of the Whole with Mr. Olson present to discuss the School Ordinance.

Motion Carried.

In Committee of the Whole:

Mr. Olson made a report on results of the discussion of April 9th, and tabled suggested additions to section 56, page 15 as follows: Discussion of Bill No.12.

- (q) Engage and employ, subject to any regulations made by the Commissioner relating to qualifications and working conditions, all teachers principals, vice-principals and other peronnel necessary for the efficient operation of the school.
- (r) Suspend or dismiss any teacher; principal, or vice-principal for gross misconduct, neglect of duty or refusal or neglect to obey any lawful order of the Board or Superintendent or any regulation of the Commissioner.

In respect of the penalties, Mr. Hughes and Mr. Olson had determined from looking at a number of Territorial and Provincial statutes, a number of alterations which would be in order.

Mr. Shaw then stated that Members had an option of discussing the amended sections and ratifying them accordingly or continuing with discussion of the whole Ordinance.

Mr. McKamey recommended that discussion of the Ordinance be continued.

Committee agreed.

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Mr. McKamey expressed the view that there is a lack of responsibility as far as the trustees of a school district are concerned. Under the old School Ordinance (1958 - 2nd Session) duties are set out from (a) to (x), while in the Northwest Territories Ordinance the duties are set out from (a) to (z) and from (ab) to (an). His view was this was placing the responsibility where it belongs. He felt that the present draft showed a lack regarding responsibilities where schools are concerned. He also wished to know whether the Northwest Territories School Ordinance was a new one.

Mr. Shaw enquired whether this draft was not a more recent and concise one than that of the Northwest Territories.

Mr. Olson stated the Northwest Territories Ordinance is not a new one.

Mr. McKamey felt that some sections in the Northwest Territories Ordinance should be incorporated into the Yukon Ordinance. The Yukon Ordinance should have more sections covering the responsibility of the trustees of a school district.

Mr. Boyd stated that discussion of penalties should be finalized before going on to other sections and he wished to make a motion that the new penalties be accepted.

Mr. McKamey stated that this was a matter of amendment.

Mr. Olson stated that as he was leaving on the plan at 1:00 P.M. and Mr. McKamey's questions were those of detail that could be disposed of in his absence, he would like to remain in Committee while the rest of the Ordinance was discussed.

Mr. Shaw read section 78. A correction was made in subsection (2). The words "Monday of the third week following the last day of the first term" were deleted and the following words inserted "commencing on the third day of January, or if the 3rd day of January in any year is a Saturday or a Sunday, on the 4th or 5th day of January in that year."

Mr. McKamey stated that it seemed children would have to attend school up to one day before Christmas.

Mr. Olson stated that this would apply only when Christmas is on a Saturday.

Mr. McKamey suggested that a specific date be substituted for the words "Christmas Day."

Mr. Shaw enquired whether, instead of the words "Friday of the week immediately preceding the week that includes Christmas Day" a date such as December 22nd could be substituted.

Mr. Olson replied that he felt that school would prefer to end on the last day of a week. These provisions are in accordance with what Council instructed him to do last July (1961).

Moved by Mr. McKamey, seconded by Mr. Watt, that Mr. Thompson, Superintendent of Schools, be requested to attend Committee to discuss amendments to section 78, subsection (2).

Motion Carried.

Mr. McKamey questioned what the usual practise was in respect to closing school down before Christmas.

Mr. Thompson replied that normally school is closed on Friday but if Friday is too close to Christmas Day, school is closed a few days before. He also remarked that it was difficult to keep school open 195 days in a school year.

Mr. Olson stated the reason for this was that the periods when school must be open must be stated in law in order to enforce truancy provisions.

Mr. Thompson stated that it was very difficult to get 195 prescribed school days within a 10 month limit. If subsection (2) of section 78 was followed, he was planning to start school on January 3rd, 1963, but if the original wording was followed, school would have to start on January 7th.

Mr. Olson, referring to subsection (2) of section 85, covering penalties, stated that if an offence is going to be created, the elements of the offence must be specified with certainty and that it must be shown what the school year is. If the law stated clearly that school starts on a certain day and ends on a certain day, then the offence is proved.

Mr. McKinnon referring to subsection (1) and (3) of section 80, stated the question of holidays is adequately covered.

Mr. Livesey stated that he realized that Dominion Day and Empire Day were included on the list of holidays so that any teacher on duty during the summer will have a holiday, thus helping the teacher-Commissioner relationship, and he felt that because of this that Discovery Day August 17th, should also be included, as it is the most important holiday to people in the Yukon Territory.

Mr. McKamey pointed out that provision is made in subsection (j) of section 80 for such holidays.

Mr. Livesey moved, seconded by Mr. Taylor that Discovery Day, August 17th be shown on the list of holidays under section 80, subsection (1),

Motion Carried.

Mr. Boyd wished to know whether Labour Day and Discovery Day could be combined as one holiday as they were very close on the calendar.

Mr. Thompson replied that this would not be practical and that these holidays would apply only if there were summer school in the Yukon.

Mr. Thompson referring to section 81, asked whether any language other than French could be taught.

Mr. Olson replied that courses could be given in any language but the lecturing must be done in English.

Subsection (1), section 82 was deleted and the following substituted: "(1) Religious instruction may be given to children in school during the first half hour of each school day or during such other period as the Commissioner may prescribe."

Subsection (1) of section 84, the words "in any school" were to be deleted.

Regarding subsection (2) of section 84, Mr. Livesey questioned the intention regarding the inclusion of kindergarten classes.

Mr. Olson replied that the reason was to avoid any feeling of coercion on the part of parents to send their children to kindergarten although it was of course compulsory for children between the ages of 6 and 16 years to attend school.

Mr. Livesey asked Mr. Olson for his interpretation of subsection (b) of section 85.

Mr. Olson replied that this subsection provides a defence to a charge of truancy. He stated that if transportation is paid by the Government and the nearest school is not more than 1½ miles from a passable road, then a conviction can be made.



Mr. Livesey stated that this clause could provide substantial grounds for defeat of the whole Ordinance. All children must go to school, provided either by the Government or other individuals or groups. This situation appears to bring the effect of the Ordinance in the radius of  $1\frac{1}{2}$  miles of the school, and beyond that the Ordinance is defeated. He felt that some uninterested parents may use this as an excuse for not sending a child to school.

Mr. Olson said that departing from the legal field and entering the policy field, he agreed with Mr. Livesey. If the parent feels that school is too far away, he must be made to feel a responsibility towards educating the child himself. If subsection (b) is deleted, then the situation described by Mr. Livesey will exist.

Mr. Taylor enquired if it was the wish of the Committee to delete subsection (b).

Mr. Livesey felt that subsection (b) defeats the Ordinance by providing a person with an out and that some other means should be provided. He recommended that it be deleted.

Mr. Taylor stated on checking the present School Ordinance the distance is shown to be one mile and he agreed with Mr. Livesey.

Moved by Mr. Livesey, seconded by Mr. McKamey, that clause (b), subsection (1) of section 85, be deleted and some other means be provided.

Motion Carried.

Mr. Olson, referring to subsection (2) of section 85, stated that regarding penalty for violation of subsection (1), modern thinking is that a fine or imprisonment is imposed, but the Magistrate can give time to pay the fine if he so wishes.

Mr. Taylor recommended that reading of the Ordinance continue until such time as the nature of the penalty is known.

Mr. Livesey, referring to subsection (3), felt that children in the Yukon could attend school earlier than they do at present. This question is now being discussed by educators and his view is that Council should not be too decisive about the starting age in order to avoid bright children being held back.

Mr. Thompson stated that most parents send their children to school at the age of 5 years 8 months and that no problems at all had been encountered.

Mr. McKamey remarked that there is a cut-off date coming at the end of December.

Mr. Shaw enquired if the starting age appeared in any of the Ordinances.

Mr. Olson replied that it appeared in subsection (o) of section 6 of the 1958 School Ordinance.

In section 88 the words "one day" were deleted and the words "one and one-quarter days" were inserted. In this section and several others throughout the draft ordinance the words "in a Territorial School" were inserted.

Referring to subsection (1) of section 89, Mr. McKamey noted that the Superintendent of Schools is the one empowered to dismiss a teacher under the Yukon Ordinance, whereas under other School Ordinances or Acts, the School Board is empowered.

Mr. Olson replied that this was covered under subsection (q) of section 56.

Mr. McKinnon, referring to subsection (2) of section 89, stated that as this was one of the recommendations agreed upon in its entirety, he wished to know what the debated point was.

Mr. Olson replied that an Advisory Committee was not a board of arbiters.

Mr. Taylor asked if the word "Superintendent" should not read "Commissioner in Council".

Mr. Olson stated that Council should not give itself power through any legislation as its power already exists. The power exists because of your very nature as a sovereign body.

Mr. Livesey stated that it would appear that some duplication has arisen. When Council was established under the Yukon Act all necessary powers were provided. This question was raised at that time and it was considered unconstitutional for a committee within a legislative branch to attempt to provide itself with the power of an executive body. Could Mr. Olson advise Council about this.

Mr. Olson replied that this was true. What has misled Council is the fact that the Committee on Education who wrote the report never fully understood the position in constitutional law and tended to look upon Council as a large school board. As a result, throughout the report many statements and recommendations are based on a false reason. This would result in much loss of dignity to Council. In the years to come it will be very important that the dignity attained through the right of powers given by the Yukon Act be maintained. At a formulative stage so much depends on what the rest of Canada thinks of Council.

Mr. Taylor stated that although the board of trustees have been granted the right of suspending teachers, the teachers themselves have no right of appeal.

Mr. Olson said that this right of appeal is dealt with when there is a contract between the teachers and the school board. There is a difference between a contract between a teacher and the Government and a teacher and the school.

Mr. McKinnon stated that in Provincial legislation concerning education there is a provision made whereby a Board of Appeal is set up for the teaching profession. Otherwise, there is no protection or recourse to anyone.

Mr. Thompson stated that the teachers are essentially concerned with the lack of tenure in the Yukon. In British Columbia and other Provinces a teacher can only be discredited for very urgent reasons and a teacher has the right of appeal. There is no provision in this Ordinance as far as tenure for teachers is concerned. If we are thinking in terms of helping teachers here, they must be given some security.

Mr. Livesey asked if this would not depend on the length of the contract.

Mr. Thompson stated that the Committee on Education had recommended a two year contract, which could be terminated thereafter.

Mr. Olson stated there is a model bill respecting labour relations being drawn up and when it is finalized, it will be offered to all the Provinces and Territories. There will be provision in this bill for establishing appeal tribunals. He recommended that at present any appeal by the teachers should be directed to the Commissioner or the Court and instructions given for preparation of a Labour Ordinance in the normal sense or an Arbitration Ordinance. In preparing this Ordinance, the Arbitration Act could be followed.

Mr. Watt moved, seconded by Mr. McKimmon, that the Legal Department set up appeal tribunal legislation for the Fall Session 1962.

Motion Carried.

Section 91 was to be changed to read "The Commissioner may classify schools in the Territory by such description as he deems appropriate."

Mr. Taylor, referring to clause (d) of section 92, stated that he would like to see the basic qualifications for teachers set out in the Ordinance.

Mr. Olson replied that this matter had been discussed last August. The Committee had set out certain standards but agreed that standards would have to vary or change because of qualifications of a certain person and to give the school system flexibility. Needs that are essentially administrative in nature are not written into law as this makes the law too rigid.

Mr. Taylor asked what the basic minimum qualifications were for a teacher, stating that at the discretion of the Commissioner or Superintendent unqualified teachers could be hired.

Mr. Olson replied that in an extreme case an unqualified person might be allowed to teach until a qualified teacher could be found.

Mr. Taylor stated that he would like to see provision made whereby no teacher would be allowed to teach without previous teaching experience. This would prevent teachers just out of school teaching in a small center.

Mr. Olson stated that Mr. Taylor was asking for better qualifications than one finds outside.

Clause (d) of section 93 was changed to read "pay to the parent, guardian or other person having the care or control of a child, who, in order to attend school is compelled to board away from his home, such amounts as he deems necessary to enable that child to attend school, but not exceeding \$22.00 per month for any child; and"

Mr. Livesey, referring to clause (e) felt this section went a little further than was originally intended. This was intended to be relative to the matter of transportation. The question of a child being forced to board away from home to attend the proper type of school arose out of the fact that some people in isolated areas were in a worse position than they would otherwise be if they were close to a school, and it was impossible to use the transportation allowance. Instead of this the normal transportation costs would be given to the parents in order that the child may attend school, but he felt this section has certain aspects which were not meant to apply. He stated that he feared this provision will raise a question of requests for payment other than under the circumstances that were provided. It changed the picture completely as more than one form of attachment may be made to a request and still be considered to be within the Ordinance.

Mr. Olson tabled a suggested addition to section 69. This would be subsection (5) and concerns distribution of Corporations tax in case the Corporation neglected to elect.

Mr. Livesey requested that Mr. Olson give the reasons for this addition.

Mr. Olson replied that when a separate school district is established in an area, acceptance of the principle in the Committee's report and the content of the Agreement discussed last week, would indicate that Council is prepared to allow the Roman Catholics to establish a school district and a fair share of taxes raised in that area. It is possible to determine whether a private person is a Roman Catholic supporter, but



not a corporation. A portion of the taxes coming from that corporation should go to the separate school board, and another portion to the public school board if there is one. A free choice is given to the corporation where its taxes go, but in the case of the failure to exercise that choice, tax revenues from that corporation's property are split between the school boards, in direct ratio of Catholic children over Protestant children.

Mr. Boyd stated that a corporation could state where it wished its taxes to go regardless of the population.

Mr. Olson replied that this was true if it happened that other companies should have branches or property here, and do not have an established view on separate schools. They would be likely to allow its taxes to be used in accordance with local custom.

Mr. Boyd wished to know why a provision was made for a corporation.

Mr. Olson replied that a corporation should be given a choice.

Mr. Boyd wished to know why a choice was needed.

Mr. Olson stated that this was because of the principle in law that a minority religious group can operate a school only with taxes they impose on themselves.

Mr. Boyd wished to know what the circumstances would be if another company was shown as a separate school supporter.

Mr. Olson stated that taxes accruing from its property are paid over to the separate school board. The control fraction is the number of children of Roman Catholic parents enrolled, as there may be children of parents who are non-Roman Catholic enrolled in the same school.

Mr. McKamey enquired whether something should be incorporated into this Ordinance dividing grants in the school districts, otherwise a school district would be restricted; the people in the area would have no idea how a school was to be financed.

Mr. Olson replied that the fore-going was a normal budgetary practice. Each time money is voted, it is known just how much money will be available.

Mr. McKamey stated that he made his enquiry on behalf of the native population as well as people employed by the Federal Government. He asked if people could be informed as to whether grants will be received.

Mr. Olson replied that when school districts are established, the practice of the Federal Government will be not to pay the whole grant to the Territory to be re-divided, but will probably pay a grant to the separate school districts with an equal grant going to the Territorial Schools.

Mr. McKamey remarked that the cost would be a different amount for each area per child, if different school districts are to be set up and he felt there should be some provision in the Ordinance whereby the Government would contribute towards the actual cost of the school.

Mr. Olson replied that this would not be constitutional and that the corporation was cognizant of this fact and had accepted it. Entitlement of a grant cannot be written into law, but the grant must be defined.

Mr. Shaw stated the next item for discussion was An Ordinance to Amend the Intestate Succession Ordinance. (Bill Number 19)

Discussion  
of  
Bill # 19.

Mr. Olson commented that there had never been enacted in the Territory any legislation providing for the relief of dependents of people who died

leaving estates but not making provision for dependents of these estates. The right to dispose of these estates should be limited in such a way as not to leave dependents as a charge on the state. In accordance with the new Ordinance, a dependent who has been cut out of an estate can apply to the Court and the Court can make an Order, the effect of which is to entitle this dependent to certain revenues arising out of the estate.

Committee recessed at 12:30 P.M.

Tuesday, 2:00 o'clock P.M.

Committee resumed with discussion of the School Ordinance, Bill No. 12.  
Subsection (e) section 93.

Discussion  
of  
Bill # 12.

Mr. Livesey: Does it make any difference at all to the situation as it stands at present. At the moment we have set stipulations with regard to what the transportation shall be, where it shall start and where it shall end. I do not see any of this incorporated in section (e). I suggest that the Superintendent of Schools attend Council as I would like to know the difference between the meaning of subsection (e) in the new School Ordinance and the way it is at the present time. Right now as far as remuneration is concerned we have a 10 mile limit and three miles of that 10 miles, the Administration pays nothing, but beyond that three miles we pay up to 10 miles to the parents on a percentage per mile. Council made suggestions here and the Committee on Education made suggestions and recommendations with respect to this which they have eliminated in this proposed new School Ordinance. This Ordinance makes provisions without stipulation. This leaves it open to everybody to get transportation for their children. It is a blanket situation.

Mr. Hughes, the Legal Advisor: It is always undesirable to attempt to fill out every detail because you become too rigidly involved. If today you say it is reasonable to take a child 10 miles, you are saying it is always going to be reasonable and transportation may change. I am unfamiliar with the history where you established this 10 mile stipulation, but there was discussion of the recommendations. It was not thought that these recommendations should be in the Ordinance, but the Ordinance should be administered in the light of the committee recommendations. You can always call the Commissioner if you are dissatisfied and tell him to stop authorizing such and such a thing.

Commissioner Collins was asked to attend Council and the situation regarding subsection (e) section 93 was explained to him.

Mr. Livesey: This is a blanket way of saying we will enable the Administration to perform certain duties. I do not believe we can presume to think it is possible to put every minute detail in here, but there are certain specific agreements not stated here as to just exactly what is meant. People are going to interpret this to mean that a system of transportation of children to and from their schools is in effect. It should be stated in here so there is no possible chance of this interpretation.

Commissioner Collins: How should we state this? The situation is at the moment, that we are not paying the cost within the City of Whitehorse or the City of Dawson. The R.C.'s are and the parents are paying \$5.00 per month per pupil and one of the reasons is, and it might change that once this agreement is signed, I intend to have a discussion with Mr. Thompson and the corporation to see if something could be done toward discontinuing this shuttle system. The Federal Government have had Canadian Coachways survey the area with a view to having private companies obtain a franchise and carry out a transportation system in Whitehorse. These people have sent in an interim report and they cannot see that it would pay any private bus company to do this. The Army is willing to relinquish their buses and pay a subsidy to a private company but the R.C.A.F. on the other hand have people on shift work at the site and have

to keep a number of buses in operation for this. There is no indication that the Army or the R.C.A.F. would be able to relinquish any services and we are now faced with the problem of transportation of pupils within metropolitan Whitehorse. In Dawson we transport children from Bear Creek. They are transported at Territorial expense. In other areas as you know, if the school is further than three miles, which is a pretty long distance in winter, we pay a maximum of \$1.00 per pupil per day to the parents for transporting the pupils in their own cars.

Mr. Livesey: The Committee suggested a two mile limit and that they pay approximately 5¢ per mile each way for transportation costs covering each school day in each school year, but this Ordinance just contains a blanket statement which gives no particulars whatsoever. We made suggestions to the Administration in Ottawa with regard to drafting the School Ordinance, based on our recommendations and the recommendations of the Committee on Education and in view of the work done on Education and the necessity for it, I feel we should make the best use of what came out of that study and that is what I am trying to bring up.

Mr. Shaw: I would like something concrete as to what is required and would Mr. Livesey read the section in the Committee recommendations covering this particular point.

Commissioner Collins: This is rather difficult to do. You say two miles, this is fine for a child 10 or 12 years old, but for a child of 6 or 7, one mile is too far. In Ottawa, I believe it is a mile and a quarter and everyone living outside of a mile and a quarter is entitled to bus transportation but the parents pay. \$5.00 a month for a person with four children going to school is too much and even a mile is too far in the winter for a small child to go on foot.

Mr. Livesey: I understand the last regulation was three miles, if this is reduced to two miles it would be better.

Mr. Livesey read section 28 of the recommendations of the Committee on Education as follows: "That, in cases where a pupil lives two or more miles by the nearest passable road from the school he must attend, and the parent undertakes to have him conveyed to school, a transportation allowance of 5¢ per pupil-mile travelled be paid the parents, but the total amount paid must not exceed \$1.00 per child for each day the child is in attendance at school. A written agreement on a form supplied by the Department of Education should cover each case."

Mr. Livesey: This, reading as it does in the Ordinance, the average person will look up the Ordinance and I would like to see something closer to what Council agreed to, so that we do not become involved in something that is going to cost us a great deal of money.

Mr. Hughes: We are not dealing with the average person - it is what the Commissioner thinks and what you think about it. If you are going to become too involved, when the drafter sits down and tries to evolve this in writing, it would be very hard to put down the attempt. The item is not deliberately evading the recommendation, it is trying to preserve the control which you wish to preserve. I do not recommend that you catalogue every little detail.

Mr. Livesey: I understand, before the Commissioner could set up a bus service and before he could even think of this, he would have to discuss it with the Financial Advisory Committee or get the consent of Council, because this is where we would head this off if we did not agree with what the Commissioner planned to do.

Commissioner Collins: I think what Mr. Hughes is trying to say is that this is legislation and if you put too much detail in legislation, you defeat the purposes of it. What Mr. Livesey is trying to do is to have the Commissioner do something to implement the spirit of this section. I agree with Mr. Hughes with regard to making legislation too strong. I suggest that if you wish something done in respect to paragraph 93 you should add that it is requested that the provisions of the Ordinance



with respect to children more than a mile and a half from school, are that they be transported from the first of October to the first of May in each school year. If the Committee would itemize exactly the distance what is to be done, the rate paid to parents in rural areas and what if any, the parent should pay, then a regulation could be issued with the true intent of this section.

Mr. Livesey: I fully agree with what Mr. Hughes says. It is quite correct. You cannot write everything into the Ordinance, but there is a principle that, that which is not written does not apply, and if you do not have it in the Ordinance you wind up where you started with - nothing. We do not always have the same Administrators and who is going to say that this is exactly what we wanted. I would not like to see all in detail, but this should be in there.

Commissioner Collins: In respect to the little children, I think the two mile limit is fine as a guide but it shouldn't be put in the Ordinance - for example, if you have a disabled child and he lives a mile and three quarters from the school he could not be transported to school.

Mr. Livesey: I cannot understand why this was brought up. It was not my intention where there are extenuating circumstances - Council Members are reasonable people and we do not expect regulations to be rigidly adhered to. On of the reasons why I wanted it in here is because this is what they are doing at the moment, but they are doing it on a three mile basis rather than the two mile basis. I am willing to listen to reason if there is some better way of doing this.

Commissioner Collins: It might take the Legal Advisor a little time to draft this and it would be advisable to leave it and go on to another part.

Mr. Livesey: Perhaps he could draft the intention of reason into this motion as well and show that certain deviations will take place.

Mr. Watt: I would like to add section 28 here because that gives the parent the right to ask for assistance. If some parent is living more than two miles from the school there is nothing in the present School Ordinance which says he has the right to ask.

Mr. Taylor: I agree with Commissioner Collins on this; we are going to get ourselves possibly into too rigid a position.

Mr. Hughes: It is difficult to draft legislation in order to become the keeper of someone else's conscience. I wonder if there has been any consideration given to what is meant by reasonable. I can use the word reasonable - but how am I going to define what is reasonable?

Mr. Livesey: I dont see why we have to get into so many diffuculties over this. The motion is that we authorize the Legal Advisor to draft a section for our comments covering clause (e) of section 93, to incorporate section 28 of the recommendations of the Committee on Education.

Commissioner Collins: It is not quite as simple as that. What we have been talking about is rural areas, but if you leave this as it is and implement this it means that everybody in the City of Whitehorse must be paid.

Mr. Livesey moved, seconded by Mr. Watt, that Council request the Legal Advisor to draft a new clause with reference to clause (e) of section 93 of the proposed draft of the new School Ordinance, for the perusal and consideration of the Committee which would include the purpose of recommendation no. 28 of the Committee on Education to be found on page 27 of the Report of the Committee on Education.

Motion Carried.

Section 94 - Penalties.

Mr. Taylor: It was suggested that we also include fine and imprisonment in all cases and that the penalty should be \$200.00 or 30 days. I would suggest that the penalties be left to the last until the Ordinance is finished and discuss all the penalties at once.

Commissioner Collins: Does this apply to a child? The way this reads a child could be fined \$200.00 and costs or thrown into jail for thirty days for making a noise in school.

Mr. Hughes: In Latin Countries they use a child to cause disturbances. While Commissioner Collins is right, you would never find the temper of the courts such that they would give it this interpretation.

Commissioner Collins: I agree with what you say at a meeting, but this is talking about is in the schools. There are other suitable penalties in the schools for misconduct, where the teacher suspends the child, but you cannot fine a child \$200.00 or 30 days in jail for making a noise.

Mr. Watt: I was under the impression that this was at any school meeting. I would recommend that "meeting" be put in.

Mr. Taylor: It is my understanding that the courts are not necessarily forced to give this fine of \$200.00 or 30 days. I don't think this is posing an unnecessary penalty. If a child or a teacher is found guilty he can be fined \$1.00.

Commissioner Collins: I have never heard of a child being fined by a court for causing a disturbance in school.

Mr. Boyd: What is the difference in being fined and in buying a window which you have broken?

Mr. Hughes: Suppose you were to take the converse where there is no such rule, what you are trying to legislate for is some irate parent who bursts into class during school hours and if you took this part out you would leave the school authorities without any weapon. You cannot take it away unless you are prepared to replace it. You balance the refusal of the courts to imply such harsh penalties against children against the possibility that you are leaving the authorities without any way of dealing with disturbances of the class.

Mr. Livesey: The intent would appear to be the control of adults rather than the children, but disrupt is what confused me - this must be a typographical error - it means disturb.

It was agreed that section 95 should be changed to read \$200.00 or 30 days.

Mr. Thompson: This reference to section 78 on page 21; paragraph 2 of section 78 and relating this again to section 80, paragraph 2, to put this into effect next year will mean that we will have to eliminate the Easter vacation period. If we are to get 195 days in and start school on January 7th. The Committee recommended that the days of attendance should be at least 190. Subsection (2) could be reworded so that there is some flexibility. We were planning to start school on January 3rd, but under this Ordinance we will not be able to. We can start school on January 3rd, which would be in line with the British Columbia schools. We cannot start school on January 3rd if we follow this Ordinance. If I don't follow it I get fined.

Commissioner Collins: Do you have, Mr. Thompson, any table or statement showing the number of days?

Mr. Thompson gave the Members of Committee and Commissioner Collins the present school calendar year and said it actually follows the B.C. School

Calendar, the first of September until the 30th of June.

Mr. Shaw: I believe the Committee on Education's recommendations were 190 days and Council agreed to this. If that was accepted I don't know why we have 195 days in the Ordinance, particularly in view of the fact that it cannot be fitted in. It would appear to me that perhaps this could be put down as a minimum of 190 days and then it could be juggled around with whatever fits the calendar. With regard to the Friday before Christmas, if Christmas day falls on a Saturday, we would not get any work out of the children the day before Christmas. If Christmas falls on Friday, we have a whole week. I cannot see why it could not be stated so many days before Christmas that the school be closed. We came across a like thing in this 195 days, if it is going to cause difficulties I cannot see that four or five days in a year can stop any of the students from becoming Rhodes scholars. It appears to be a little bit unwieldy. I would certainly advocate that serious consideration be given to having this changed to read a minimum of 190 days.

Commissioner Collins: It has nothing to do with the children - it is really the teachers.

Mr. Thompson: We also have to think of the end of the year and many teachers are going to summer sessions and if you have school to the 30th of June it is impossible for them to get out on time.

Commissioner Collins: Are we worried about students or teachers?

Mr. Thompson: We are worried about teachers in line with pupils. I think 190 days as the Committee on Education suggested would be best. It would still be possible most years to get in 192 or 3 days and in some cases 195, but to set these days you have suggested, we will have to teach through Easter to get the required days.

Mr. Taylor: I suggest that we follow the course of action outlined by the Member from Dawson; that we put in a minimum of 190 days.

Mr. Shaw: Some of the teachers wanted to go home for Christmas and the plane left at 2:30 P.M. and they could not leave until 4. That is not an unreasonable request. If we are too rigid in some of these matters it could give an adverse reaction to the purpose of what we are trying to do and that is why I would feel a minimum of 190 days would be fine and there could possibly be more days than that.

Commissioner Collins: I agree with Mr. Shaw but I do think that if teachers wish to be treated as Civil Servants they should accept some of the responsibilities and Civil Servants do not get all these holidays. I do not think we should run our educational system to please the teachers, our system is to teach the children. I agree that whatever can be done to keep a larger number of days should be done. I do not think we are bound to cater to teachers in every fashion.

Mr. McKinnon: Does this fit in with the minimum number of days in the Provinces.

Mr. Thompson: It is very much in line with the B.C. program. We follow their program of study; we use their departmental examinations and we must fit in our teaching days with theirs. It has always been the policy to get in as many teaching days as possible. The present Ordinance says 180 days, but we have continually used 190 to 195 days. Just because there is a minimum, this does not mean we will not go beyond that if we can.

Mr. Taylor moved, seconded by Mr. Boyd, that the words in section 80, subsection (2) be amended to read 190 instead of 195 as the minimum number of days in each year.

Motion Carried with Mr. Livesey contrary.



Mr. Livesey: These recommendations were to raise the number of days not lessen them. I wish to be recorded as contrary.

Mr. McKamey: To be consistant in my thinking I should disagree too, because I did agree to the original recommendation.

Commissioner Collins: Would it make any difference if you use a school year instead of a calendar year?

Mr. Thompson: Actually the school year was on the previous calendar.

Commissioner Collins: We have been changing our Ordinances to include Canadian Citizen Schedule (e) page 28. A person can be either a British Subject or a Canadian Citizen and I think we should follow this pattern in this matter, and say A Canadian Citizen or other British Subject.

Mr. Hughes: You are forced to use an or - why not use the alternative.

Commissioner Collins: We are trying to get away from this British Subject.

Mr. Livesey: We had the British Subject taken out by a previous Council and last Council put it back again. We have no problem because the Elections Act of Canada includes Canadian Citizen and British Subject.

Mr. Livesey moved, seconded by Mr. McKamey, that in all cases where it used the word British Subject it should be changed to read Canadian Citizen or other British Subject.

Motion Carried.

Subsection (2) of Section 60.

Mr. Shaw: The new proposal is that the penalty should be \$10.00 per week and it states Civil Remedy.

Mr. Hughes: This means they have to sue rather than prosecute. You are seeking to recover through the civil court rather than by way of prosecution. They are not in danger of imprisonment, they are being fined for inefficiency. This does not require a change.

Section 75, recommendation to change to \$500.00 or three months.

Mr. Taylor: The last time we dealt with 75, we altered this from \$20.00 to \$200.00 and a term not exceeding 7 days.

Mr. Shaw: We decided the whole thing should be brought up to conform.

Mr. Livesey: There was a motion to the affect and we agreed to it.

Mr. Shaw: We can have another motion. We changed some and a motion came forth to have the Legal Advisor study what he felt was reasonable and now I am asking what you wish in this regard.

Mr. Boyd: I would be happy to see number 75 recorded as Mr. Olson advised.

Mr. Taylor: I think that in the case of section 75, you are dealing with the trustees. It is important that a penalty should be levied here but we should be careful in the penalty we levy because if you get this too high you will scare people off from serving on a school board.

Mr. Livesey: I point out on a point of order that when the motion has been made it cannot be withdrawn unless the maker of the motion and the seconder and the whole committee agree to have it withdrawn.

Mr. Shaw: Either you want this or you do not.

Mr. McKamey: It is obvious that we are not trying to encourage school

boards by the penalties laid out in this draft. I don't think there is another Ordinance in Canada that exists like it.

Mr. Shaw: I would suggest that the courts determine how much they pay, these are maximums.

Mr. Boyd: We should be concerned about the caliber of the trustees that we elect and I do not know of any man that would worry about this office if he has the school board at heart and if he has not got it at heart then he should not be running for trustee. This is the top for everything, it probably would never happen.

Mr. Livesey: I brought the point of order to the attention of Committee and it must be considered and my reason for bringing it to your attention is the fact that before we have been checked on these constitutional requirements.

Mr. McKamey: To make this easier, I will withdraw my motion with the consent of the seconder.

Mr. Taylor: If Committee agrees I will withdraw.

Mr. Shaw: The recommendation from the Legal Department is that it should read \$500.00 or three months.

All Members Agreed.

Section 76 - the recommendations now are \$200.00 or 30 days.

Mr. Hughes: Section 76, district should be changed to "board" in two places.

It was agreed to accept the opinion of Mr. Olson on section 76 with Mr. McKamey contrary.

Section 77, Mr. Shaw said the fine not exceeding \$1,000.00 or a term not exceeding six months. This offence is commonly regarded as striking at the very roots of the democratic process.

All Members agreed with  
Mr. Taylor abstaining.

Section 12, page 4.

Mr. Taylor: Has anything been done with regard to student teacher ratio?

Mr. McKamey: Could we have comments from the Superintendent of Education on this section?

Mr. Thompson: One question that arises is - what is a definition of elementary school and secondary school pupil.

Mr. Shaw: The concern was one teacher for 10 pupils which is fine but if there are two teachers for more than 10 pupils - it might mean another teacher for eleven pupils.

Mr. Thompson: This is not unreasonable because of the fact that a teacher has to teach four or five grades in every subject and I think this is in line with the Committee on Education's suggestions as well.

Mr. Livesey: A point we could bring to Mr. Thompson's attention is that the teachers for elementary school is 25 and 10 in here might be a different thing. Why is there such a tremendous difference in the number of teachers employed?

Mr. Thompson: The person in charge of the secondary school would also be the principal of the school. At the secondary level the teachers are

specialists. It is very difficult to find a person who is equally efficient in all subjects at the secondary school level.

Mr. Shaw: If there were 11 pupils, or 12 or 15, would that mean there would be two teachers.

Mr. Thompson: Under this Ordinance that is the way it would be.

Mr. Watt: It does not define what is elementary and what is secondary. Should we specify where the cut off line is?

Mr. Thompson: You must of necessity define elementary and secondary; the original Ordinance defined elementary as Grades 1 to 9 and in B.C. the elementary is 1 to 7 inclusive and grades 8 to 13 are the secondary level.

Mr. McKamey: I would like a little time to study this as it seems this is a little inconsistent.

Mr. McKamey moved, seconded by Mr. Watt, that Mr. Speaker resume the Chair to hear the report of the Chairman of Committee.

Motion Carried.

The Chairman of Committee reported as follows:

At 10:30 this morning we went into Committee with Mr. Olson in attendance to discuss the proposed new School Ordinance. We added subsections (q) and (r) to section 56 with respect to duties of school boards in regard to engagement and disciplining of teachers. Subsection (5) was added to section 69 respecting choice of probable division of assessed taxes in relation to corporations. Subsection (1) of section 82 was amended to permit religious instruction at specified times and conditions. Subsection (2) of section 85 was amended to provide larger penalty maximum for infractions for truancy. Subsection (d) of section 93 was amended to provide only for children who are compelled to board away from home in order to attend school. At 2:00 o'clock Committee resumed discussions with Commissioner Collins and Mr. Thompson, Superintendent of Schools, in attendance. Mr. Olson had left. It was moved by Mr. Livesey and seconded by Mr. Watt, that we request the Legal Advisor to draft a new clause with reference to clause (e) of section 93 of the proposed draft of the new School Ordinance for the perusal and consideration of the Committee which would include the purpose of recommendation number 28 of the Committee on Education to be found on page 27 of the Report of the Committee on Education. The motion was carried. Regarding section 94, this is to be amended to read \$200.00 or 30 days or both. Regarding section 95 this is to be amended to carry the same penalty as section 94. Regarding subsection (2) of section 80, this is to be amended from 195 to 190 days. This was agreed to with Mr. Livesey contrary. It was recommended that in all cases the phrasing contained in the new School Ordinance be Canadian Citizen or Other British Subject instead of British Subject. Subsection (4) of section 69 was changed to 3 months imprisonment. Section 75, the penalty was changed from \$20.00 and 7 days to \$500.00 or 3 months imprisonment. Section 76, the penalty was changed for Trustees making a false report to a maximum fine of \$1,000.00 or six months imprisonment. Section 12 was referred to again and left in abeyance for further study.

Council accepted the report of the Committee.

Mr. McKamey moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss the Ordinance Respecting the Lord's Day Act. (Bill No. 17.)

Motion Carried.



In Committee of the Whole:

Discussion  
of  
Bill #17.

Mr. Livesey: Referring to page 5, I would like to ask the Legal Advisor where the provisions for legal aspect of such a subject exist and what these provisions are.

Mr. Hughes: It is nowhere allowed until this Council passes it. It is here in this Ordinance. The whole thing is justified for this purpose.

Mr. McKamey: I would take it then that there is provision made under the Lord's Day Act in the Criminal Code that each Province can make their own regulations to the Lord's Day Act.

Mr. Hughes: Under section (6) of the Federal Lord's Day Act it is up to the Provinces and the Yukon Territory has the status of a Province under this Ordinance, to introduce this bill. You do have the power under this section.

Mr. Livesey: (read section (6) of the Lord's Day Act): Mr. Hughes, under this section could reference be interpreted as meaning to any Territorial Ordinance.

Mr. Hughes: I have already given my opinion and I confirm it. Under (6) it is within the power of the Yukon Territorial Council to do this.

Mr. McKinnon: I introduced this as a private members bill. The question came up of course in the City of Whitehorse particularly, where we have for a long time, engaged in Sunday sports at the price of admission charged and there was nothing ever said. It was always accepted. It finally came to pass that the man running the shows wanted to get a share of this Sunday market also and it came as a result of this being done, the privilege of charging admission to hockey games was taken away and we decided to do something about it. The elected representatives of the Territorial Council and the Whitehorse City fathers were under pressure. The City fathers thought they could take the bull by the horns and the City solicitors gave them back the impression in their letter to them that they could hold a plebiscite any time they wanted but it had to be put before the Council before it goes into law. The Commissioner wrote them and told them they had misread the conditions in this letter. The City fathers could not see this point. They believed the Territorial Council had to give them the permission to hold a plebiscite. This is not true. The City people said it was up to the Territorial Council to take the next step and they all agreed that this letter was misread, but it was brought to my attention by Mr. Hughes that there was another way. We have a way for Council to take the initiative, still putting the onus on a plebiscite of what the people want to do but all these aspects were gone over by me through the solicitors and the Commissioner.

Mr. Hughes: In Ontario in the theatre business they were pressed hard for Sunday movies and this was the device which was used by the Ontario Provincial Government and this follows very closely on the Ontario Lord's Day Act. There are some local changes.

Mr. McKinnon: I would suggest that it is close to 5:00 o'clock and we could lay out a day certain in our agenda to discuss the amended draft.

Mr. Livesey: Mr. Hughes, in connection with section 4, in view of the fact that we do not have any by-laws in connection with this Act and that the Lord's Day Act is supposed to be an enforceable act, I would read section 4. Do I assume that we are all and have been for years and years in the Yukon, operating in total contradiction of the stipulations contained in this?

Mr. Hughes: Unless you have been going into a trance at midnight on Saturday, you have been. The question is not what we have been doing

wrong, but what we can allow ourselves to do by virtue of section 6. If a Councillor has been selling real estate on Sunday, he has committed an offence. I do many things on Sunday which are illegal. I do not blush for them. Unless it is an act of necessity it is an offence.

Mr. Livesey: This was a question raised by me as a Member for Carmacks-Kluane with reference to the entire Territory. Are all businesses operating on a Sunday acting legally or illegally.

Mr. Hughes: All I can offer is a generalization. This legislation was conceived at a time in history when things were quite different than those of today and we constantly see the erosion of what was an Act. The Act no longer represents the temper of the times.

Mr. McKamey moved, seconded by Mr. McKinnon, 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: Committee discussed the Lord's Day Act. Mr. McKinnon gave a resume of the reasons for bringing this matter to Council. I can report progress in this discussion.

Council accepted the report of Committee.

Following discussion of the agenda, Council adjourned until 10:00 o'clock Wednesday, April 11th, 1962.

Wednesday, April 11th, 1962.  
10:00 o'clock A.M.

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

Mr. Shaw moved, seconded by Mr. McKamey, for leave to introduce the the following Bills:

Introducing  
Bills

Bill No. 10 - An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil.

No. 10

Bill No. 11 - An Ordinance to Amend the Disabled Persons Allowance Ordinance.

No. 11

Bill No. 13 - An Ordinance to Authorize the Commissioner to Borrow A Sum Not Exceeding Seven Million, Three Hundred and Fifty Nine Thousand, One Hundred and Three Dollars from the Government of Canada and to Authorize the Commissioner to Execute an Agreement Relating Thereto (1962). (Loan Agreement (1962) No. 2.)

No. 13

Bill No. 14 - An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance.

No. 14

Bill No. 16 - An Ordinance to Amend the Liquor Ordinance.

No. 16

Bill No. 18 - An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory. (First Supplementary Appropriation Ordinance 1962-63)

No. 18

Bill No. 19 - An Ordinance to Amend the Intestate Succession Ordinance.

No. 19.

Bill No. 20 - An Ordinance Respecting an Agreement on a Project for the Development of Land For Housing Purposes Between the Yukon Territory and the Government of Canada. (Low Rental Housing Agreement).

No. 20

Motion Carried.

Mr. McKamey gave notice of motion regarding School Districts.

Motion  
No. 6

Mr. Watt gave notice of motion regarding proposed amendment to the Game Ordinance (Definition of Resident)

Motion  
No. 7

Mr. Speaker asked Mr. Taylor if he was prepared to discuss motion number 5 (Reply to motion for Production of Papers no. 2) regarding Experimental Measles Vaccine.

Motion  
No. 5

Mr. Taylor moved, seconded by Mr. McKamey, that this matter be discussed with Dr. Munroe in Committee on Friday morning April 13th, at 10:00 A.M.

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Watt, that Bill No. 4, an Ordinance to Amend the Companies Ordinance, be given THIRD reading.

Third  
Reading  
Bill # 4.

Motion Carried.

Moved by Mr. Taylor, seconded by Mr. McKamey, that Council resolve into Committee of the Whole for the purpose of discussing an Ordinance Respecting the Lord's Day Act. (Bill No. 17)

Motion Carried.



In Committee of the Whole:

Discussion  
of  
Bill # 17.

Mr. Shaw read sections 1 and 2.

Mr. Taylor directed a question to the Legal Advisor regarding clause (iii). He wished to know if this would present any legal problems in relation to settlements.

The Legal Advisor in return asked if Council wished to know whether "settlement" had a special meaning.

Mr. Taylor stated that regarding settled areas in the Yukon there was a 3-stage development - from village to municipality to metropolitan area. Does the word "settlement" include in effect "village".

Mr. Hughes replied that his attempt was to give a nucleus for legislation. "Settlement" and "village" could be similar. "Municipality" means an area established as a municipality under this or any other Ordinance. The idea was to give an element of choice to those areas not yet Municipalities, so long as there is a nucleus of population.

Mr. Taylor stated that this matter could be dealt with at a later date.

Mr. Livesey wished to know in referring to electors, why reference was made to the Municipal Ordinance rather than the Elections Ordinance.

Mr. Hughes replied that he had taken the definition of electors as defined in the Municipal Ordinance as this definition seemed to fall into the proper category. Definition of an elector is as follows: "Subject to the provisions of this Ordinance, every person resident within a municipality who is a Canadian Citizen or other British Subject and has attained the age of twenty-one years and who (a) is a ratepayer or spouse of a ratepayer, or (b) is a householder or spouse of a householder who (i) has resided within the municipality for not less than six months immediately prior to the date of the election; and (ii) is liable for payment, directly or indirectly, of a yearly rental of not less than one hundred and eighty dollars in respect of his occupation of real property within the municipality, is eligible to vote at an election.

Mr. Livesey, referring to subsection (2), stated that while this does not establish in any way a notice of change of authority, he does not know of any recognized authority in any area of the Yukon Territory that could be referred to as a village, or township.

Mr. Hughes replied that this could be left in and would cover Mr. Taylor's earlier remark. This actually is a matter for the Committee although it may become useful at a later date as there may be a time when the term town or municipality may apply to village or settlement.

Mr. Livesey wished to know if complications could arise by implication through the use of the terms, municipality, village or township.

Mr. Hughes replied they could not arise by implication; they would have to be created.

Mr. Watt, referring to sections 4 and 5, wished to know the reason for inclusion of subsection (2), section 5.

Mr. Hughes replied that this device had been used in Ontario with success and that if the petition was presented in September there would be time to include it in an election issue.

Mr. Livesey, referring to subsection (1) of section 5, questioned the definition of the word "council" as this could be very confusing.

Mr. Hughes replied that if the Committee felt this confusion could arise, the clause could be amended to read "municipal council".

Moved by Mr. Livesey, seconded by Mr. Watt that the word "council" as used in the Ordinance be defined.

Motion Carried.

Mr. Hughes drew the Committee's attention to an error on page 6 line 5, the word "Act" should be amended to read "Ordinance".

Mr. McKinnon wished still further clarification of the word "elector". He referred the Committee to the definition of the word "elector" in the Municipal Ordinance. He felt the proper definition should be that used in the Canada Elections Act.

Mr. Hughes stated that the electors the Committee are concerned with are only to be found in a municipality. Whereas only certain people can vote in elections; on a plebiscite the vote is expanded.

Mr. Livesey stated that the question of Sunday sport should be considered on a broad basis, and should not be confined to a select group. He referred Committee to section 49 of the B.N.A. Act.

Mr. Hughes stated he had attempted to show a situation which has already been accepted by the Legislature but this does not necessarily have to be accepted by Council. It may be expanded or contracted. If Council declares that it is lawful to have Sunday activities, there is no need for a by-law, this is the wish of Council. Each municipal area can decide for itself.

Mr. Shaw stated that insofar as he represents Dawson, he agrees with the Members regarding the definition of municipal. A Federal election differs from a Territorial election as the electors in a Territorial election have a definite monetary interest in that area. They support the churches and permit sports activities. These people have a primary concern in this matter. The majority of electors felt that the vote would go against having Sunday activities. When the vote is confined to electors, this vote is confined to the people who have a monetary interest in the community and this is confined to too small a group.

Mr. Taylor, with regard to Whitehorse, remarked there are people living outside the municipal area who would be interested and they should be considered.

Mr. McKinnon stated that as far as Porter Creek is concerned, the people can petition the Commissioner, so they are not concerned. All the highway crews converge on Whitehorse during the winter months and they support the Sunday activities, but under the terms of this Ordinance they have no say on this Sunday by-law.

Mr. Taylor asked Mr. Hughes if he could inform Council as to how a plebiscite is given. Is it given at the same time as a municipal election or is a voters list made up and dealt with as a separate item.

Mr. Hughes replied that it can be included as one of the points of a municipal election.

Mr. Taylor stated that this brought up another point for consideration. In classifying electors, one must consider whether electors and residents of a municipality are one and the same or whether a new voters list would have to be created to deal with the plebiscite alone. It would be wise to consider the terms of the Municipal Ordinance as far as the electors are concerned.

Mr. Shaw stated that under section 238 of the Municipal Ordinance a person who pays \$15.00 a month rent is eligible to vote.

Mr. McKinnon stated that in his view this is the broadest term of reference that could be used.

Mr. Livesey asked how the relationship between subsection (1) of section 8 and subsection (2) of section 3 would be defined; i.e. what would be the definition of a resident in connection with these 2 subsections.

Mr. Hughes replied that he had attempted to allow for a certain amount of flexibility regarding the definition of a resident, and has tried to leave this to the discretion of the Commissioner because in the last analysis one must assume that the Commissioner is a person who is responsible and furthermore a person who can be guided by this Council in these decisions. If he felt that he was being confronted with an irresponsible request by people who purport to be residents, the Commissioner would be well within his power in rejecting the petition. If an attempt is made to define a resident in a settlement area, it is possible that at the same time a privilege may be denied to residents of that area. He stated that a word should not be reduced to a hard and fast rule.

Mr. Livesey stated that Council seemed to be taking great pains to define a resident of a municipality and not enough pains in defining a resident of other areas. He felt that it was just as important to decide who can make decisions in small communities as it is in municipalities.

Mr. McKamey's view was that legislation should be passed and that this cannot be set down as a hard and fast rule. He was in full concurrence with this Ordinance.

Mr. Taylor stated he felt that settlement has been reasonably defined and the residents would be given a fair opportunity to vote on this matter.

Moved by Mr. McKamey, seconded by Mr. Taylor, 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 that at 10:30 A.M. discussion commenced on the Ordinance Respecting the Lord's Day and a motion was passed that the word "council" as used in the Ordinance be defined.

Council accepted the report of the Committee.

Moved by Mr. Taylor, seconded by Mr. Shaw, that Council resolve into Committee of the Whole for the purpose of discussing bills 1 to 5.

Motion Carried.

In Committee of the Whole:

Commissioner Collins and Mr. MacKenzie, Territorial Treasurer were asked to attend Committee for discussions of bills 1 to 5.

Committee recessed at 12:00 o'clock noon.

Wednesday, 2:00 o'clock P.M.

Committee resumed with discussions of Bill number 1, An Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory.



Mr. McKinnon; Could we have an explanation of subsection (2)(a) of section 2.

Commissioner Collins: This means the title is clear of all incumbrances and he must have the deed.

Mr. McKinnon: In the Porter Creek Sub-division, a holder has to have the \$2,500.00 worth of work done and be allowed title to his land and only then can he have a loan under this Ordinance. We found the biggest reason the people could not get money from the bank was because they have to get the title for the land.

Commissioner Collins: If we dont put in a limit, you would have title to the land and we would have another Whiskey Flats. They do not want a low standard of dwelling there and \$2,500.00 is the minimum. Other elements would move in there if the building standards were lower.

Mr. McKinnon: I am the representative of these people and they would like the regulation to be changed so that they can pay cash for the title, get the title to their land, then they could apply for the first mortgage. Some are investing 5 and 10 thousand on houses and they do not want cheaper dwellings.

Mr. Taylor: If you want a V.L.A. loan you go and purchase the land and our district regulations say we cannot have this land until we have done a certain amount of work on it. The way they overcome this is that the title of the land is in the V.L.A. until the house is completed and paid for. They do not require that you have actual title to the land. Could this arrangement be made in this Ordinance, so that if you purchased the lot and applied for the housing loan the title could be vested in the Territory and given to the man when the house is built.

Commissioner Collins: There are about twelve houses in the Dawson Area that owe in taxes about \$2,000.00 and you cannot collect the taxes as the title is in the name of the Queen and you cannot sue the Queen. You brought up something entirely different. What you are saying is this, there would be two types of people in Porter Creek; (a) the person who wants to proceed under the present regulations and (b) the person you would give an undertaking that if he paid cash for the lot the Territory would have control.

Mr. Taylor: What would in effect occur is that he would pay cash for the land but still not be entitled to his title as it would be retained by the Administration.

Commissioner Collins: I can see nothing wrong with this except that the terms of the V.L.A. are more advantageous than ours. A number of people would want this and you might have people who put \$1500.00 into their property who would then want to pay the balance to us in order to get under this plan. This would take more correspondence with the Federal Government because they have to loan the money.

Mr. Taylor: I sighted this because I believe this is directed at people in the lower income bracket who would like to build a home but do not have the funds.

Commissioner Collins: Actually this is a gimmick whereby a person can build a \$7,000.00 house for \$6,000.00 plus the land, because you will notice he gets the money back. If he lived in the house for over a year, he would have the \$100.00 forgiven and in 10 years, he would be free. He can borrow \$6,000.00 on the first mortgage and then he can turn around and borrow another thousand on the second mortgage and each year on a ten year mortgage he gets \$100.00 forgiven.

Mr. Shaw: Reference has been made to V.L.A. This Act has nothing to do with this. The V.L.A. is something to assist the returned men so

that would not be applicable. They insist that the land must be secure, therefore they take the title. What has happened in practise is the City can do nothing about the taxes. Persons who had supplied material to build the house found when they went to law to get their money, they were stuck. This bill we are studying is something whereby the only requirements in making negotiations for a loan are that you own the property and I feel that this must be so. The property must be secure and then they loan this money and then they give a further gift of \$1,000.00, so they are actually borrowing \$7,000.00 interest free, which is a great thing and should be a tremendous assistance to people in Porter Creek.

Commissioner Collins: The interest is  $7\frac{1}{2}$  percent on the \$6,000.00, or a lower amount. It is only on the \$1,000.00 that they get it without interest. The interest the first year would be \$450.00, so it would take  $4\frac{1}{2}$  years of living in the house. They will still have to pay something.

Mr. McKinnon: Under this plan as it stands now a person goes and buys his lot, but does not get the title to that land until he has done \$2500.00 worth of work on it. There are many people who have steady jobs and they go to the bank for a loan and the first thing the bank asks for is the title of the land. The people in these areas look at this as actually their salvation. The bank is willing to loan the money, but they cannot loan the money until you have title to the land. It is still an impossibility under this Ordinance.

Mr. Shaw: At Porter Creek to gain title to the land they must put up \$2500.00 worth of property. We are getting down to where we have some control right in this room. If a person of some means is going to take advantage of this to borrow this money could not the title be given to this person.

Commissioner Collins: Here is Mr. B. with a lot 100 by 200, purchased in June 1961, for the sum of \$250.00. In order to gain entry into the property he signs an agreement with us and within two years has spent \$2500.00 on placing buildings on this property. At the end of this time he will obtain title to the land and this is what they want. There are people in Porter Creek to whom this is a much better proposition than they have and they would like to get into this.

Mr. Taylor: If someone wants to build a small home, they may not have the money and would have to go to the bank and the bank cannot loan it to them. The only answer is the one we have just discussed and that is the matter of making some provision to hold the title to the land.

Commissioner Collins: You cannot do that. The man must have title to the land or the Federal Government will not loan the money. What we are trying to do is bring these other people in under this plan.

Mr. McKinnon: I want a \$7,000.00 house in Porter Creek; I am serious about building this house and I go and see the Area Development Officer. I sign an agreement with the Government and I go to the bank and want to borrow \$7,000.00. I cannot borrow because I have not got the title and I go back to the Commissioner and he cannot loan me the money.

Mr. Shaw: The person that wants the lot in Porter Creek goes to the Commissioner and says I have \$500.00 for the lot and he says yes if you will do the \$2,500.00 worth of work then I will hold the title subject to doing this work which you are getting the loan for. The Government still has the title to it. All the person that is getting the loan is subject to is putting up the building and in that way the loan would not be mortgaged to the Commissioner. It would just be sitting in escrow. The only condition is of course

that the person would have to put up the cash first for the lot and as soon as the \$2500.00 worth of construction was done he would get his title.

Mr. McKinnon: I have people who are sitting on their plans waiting for this and I cannot go back to those people with this plan.

Commissioner Collins: Could we go on with something else. I would like to go into this matter with Mr. Spray and Mr. Fingland, I think it can be done, but I think we would consume time trying to figure this out now.

Mr. McKinnon: Could we leave this to the Commissioner's discretion, as he has a very good insight into this and we could go on with something else.

Mr. Livesey: This problem as far as ownership of the lot is concerned concerns people in the rural areas as much as any other area and it has been a common problem in every land scheme. Every way you do it, it takes just as long to get on that land, so the result is that all these regulations and plans in relation to sale of crown land in the Yukon are so far out of date it is not even funny. They are thinking about stipulations rather than helping people to get land. Perhaps we could ask the Administration to consider some purpose by which people could, in the first instance, own the land by some other means and I would leave this to the Commissioner to decide.

Mr. Watt: When does Council intend to come back to this Bill number one. This will help people in my area and I want this Bill.

Mr. McKinnon: I have received the assurance from Commissioner Collins that it will be received within a week or before the session ends.

Mr. Shaw, Chairman, read Bill No. 3, An Ordinance to Amend the Yukon Housing Ordinance.

Discussion  
of  
Bill # 3.

Commissioner Collins explained that this is merely reducing the interest rate from  $7\frac{3}{4}\%$  to  $7\frac{1}{2}\%$ .

All Members agreed to Bill No. 3.

Mr. Shaw, Chairman, read Bill No. 5, An Ordinance to Amend the Legal Profession Ordinance.

Discussion  
of  
Bill # 5.

Commissioner Collins: This is simply an amendment to permit Federal Government lawyers to practice law in the Yukon. It merely permits a barrister or solicitor who is the employee of the Government to come here to defend the crown and not have to pay a fee.

Mr. Hughes: Suppose you have an investigation going on, a man may be put on this for as many as two years in Ottawa. You cannot say this man has to come here and conduct his business before he can take this case. (Mr. Hughes read the prescribed oath)

Commissioner Collins: This makes him a member of the bar in the Yukon in good standing without the payment of a fee and he swears to carry out the duties of a barrister but does not pay a fee.

Mr. Watt: Is there any penalty for not complying with the oath?

Mr. Hughes: If you attempt to practice without complying with the oath you would be brought before the legal advisor and this naturally is something that I will be taking under advisement.

Mr. McKinnon: The legal advisor of the Territory is bound by nothing in the Legal Profession Ordinance, or are you bound by it by taking this oath. Our whole Legal Profession Ordinance does not apply to the legal advisor if he does not come under the oath.



Commissioner Collins: Mr. Hughes has to take the oath.

Mr. Shaw: Anything in the Ordinance applies to him.

Mr. Hughes: You are overlooking the word "and". How many of the local barristers and solicitors can say they are employees of the Government of Canada. How many local barristers will be in the course of their duties practising law as an employee of the Government in the Territory.

Mr. Livesey: The obvious thing here is - it just overcomes the necessity to join the local bar.

Commissioner Collins: It exempts them from paying their fee.

Mr. Livesey: I am wondering if the implications of this bill have been mentioned to the president or any other director or any person in connection with the local legal bar.

Mr. Hughes: It is not my vocation to talk about Ordinances with other people. It is perhaps for the Councillors themselves to go elsewhere but not up to me.

Commissioner Collins: The Administration has not, to my knowledge, I think your legal advisor means that before these Ordinances are approved by Council they are not discussed by him, but as soon as they are passed by Council, the bar will be informed and obviously copies of the Ordinances go to the court and crown prosecutor, etc. By this means they will be well acquainted of this fact, but you mean we should get the consent of these people to pass this.

Mr. Livesey: There has been considerable interest in the affairs of the Council and all matters pertaining to legislation. I was merely questioning if there was any information as to whether they knew of it or had objected to it and this is the only question I was raising at this time. It was just merely a matter of courtesy. I do not think they will say anything against it, but I merely raised the point.

The Members agreed to Bill No. 5, with Councillor McKinnon abstaining.

Moved by Mr. Watt, seconded by Mr. Boyd, that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee, reported: Mr. Speaker we met at 2:00 o'clock with Commissioner Collins and Mr. MacKenzie for discussion on Bill No. 1, An Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory and Bill No. 3, An Ordinance to Amend the Yukon Housing Ordinance. I can report Bill No. 3 out of Committee without amendment. Next we studied Bill No. 5, An Ordinance to Amend the Legal Profession Ordinance. I can also report this out of Committee without amendment.

Council accepted the report of the Committee.

Moved by Mr. Shaw, seconded by Mr. McKamey, that Bill No. 3, An Ordinance to Amend the Yukon Housing Ordinance, be given THIRD Reading.

THIRD  
Reading  
Bill # 3.

Motion Carried.

Moved by Mr. Shaw, seconded by Mr. Boyd, that Bill No. 5, An Ordinance to Amend the Legal Professions Ordinance be given THIRD Reading.

Mr. McKinnon: In all due respect, I admit I know of the intention of this Ordinance but I say it was drafted hastily and I do not

believe the intention comes through at all and I ask the house that we ask that the intention be made extremely clear.

Mr. Watt: I agree with Mr. McKimmon.

Mr. Shaw and Mr. Boyd agreed to withdraw the motion.

Motion Withdrawn.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 5, An Ordinance to Amend the Legal Profession Ordinance, remain in Committee stage.

Motion Carried.

Moved by Mr. Shaw, seconded by Mr. Boyd, that Council resolve into Committee of the Whole for the purpose of discussing Bill No. 6, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.

Motion Carried.

In Committee of the Whole:

Discussion  
of  
Bill # 6.

Mr. Livesey drew the attention of the Committee to the fact that Mr. Bell and students from Whitehorse Highschool were seated in the Gallery.

Mr. Shaw, Chairman, welcomed the teacher and students to Council.

Page 49, Vote 1:

Mr. Taylor: Mr. MacKenzie could you provide information as to, at the bottom of page 50, 7 Councillors at 6 days each?

Mr. MacKenzie: Since Council will meet in March before the end of the fiscal year, it was necessary to allow for the first part of the Session in the 1962-63 estimates.

Mr. McKimmon: Under Territorial Treasurer and Collector of Taxes, is the increase in salaries due to increases in personnel or ordinary raises?

Mr. MacKenzie: This is due to both.

Mr. Taylor: What does the second item "Commissions payable under Ordinances re game and motor vehicles" entail?

Mr. MacKenzie: We have various agents throughout the Territory selling these licences and this is the fee which they are entitled to.

Commissioner Collins: The R.C.M.P. are the people who pass on all people applying for new operators licence. One dollar is payable to the Territorial Government and one dollar is retained by the police. Under Employees Superannuation, this is the Administration's share. There would be the same amount paid by the employee.

Mr. Taylor: I was concerned with whether or not Council was going to accept this plan or a private plan and was wondering about this figure.

Commissioner Collins: I received a wire that this has been approved by Treasury Board and it is also extended to teachers and the finance department is working it out. To have this same benefit under a private insurance scheme would cost at least 3% more than the Federal Government 1 $\frac{1}{2}$ % employer and 1 $\frac{1}{2}$ % employee. As I have convinced

them that we should have this, there would be no gain in going to a private insurance company on this.

Mr. MacKenzie: I think it is going to work out around 9 or 10% cost to the Government. The employee would have to pay his own, whether this 6% of Federal is a hard and fast rate, I don't know, but I think we should find out and make sure we do not get charged somewhere around 12 or 15%.

Commissioner Collins: You have the 6% from the employee as well and you would have 12% altogether.

Mr. MacKenzie: I understand that the Government share will be 9 or 10% on top of the employees fee.

Mr. McKamey: If we were to accept the Federal Scheme, would we have to accept a part of this great deficit they have of \$276,000,000.00?

Mr. MacKenzie: I think Council should make it quite clear we are obliged to pay 6% and that is all.

Commissioner Collins: We are pressing for a decision in order that we can take either the Federal Scheme or the Insurance Scheme.

Mr. Shaw: You have the estimates here in the event you will use it.

Mr. McKamey: Would this be retroactive?

Commissioner Collins: It could be retroactive, but you would have to pay double for back years plus 4% simple interest, so that there is not much incentive to go back unless your salary was very low. This is another problem that will arise in respect to settlement on this.

Mr. McKamey: Has Council authorized the Commissioner to enter into any agreement in respect to this pension plan?

Commissioner Collins: Not that I know of. I think the Commissioner has so far only been authorized to investigate and it would come before the Financial Advisory Board and would have to be thoroughly discussed before Council. It could not possibly be instituted without reference to Council.

Mr. Watt: This figure of \$5,825,00 that is the Superannuation cost. How many people are involved?

Mr. MacKenzie: Twenty people.

Mr. McKamey: In vote 3, Education, under Operation and Maintenance, what is the \$1000,00 provision for - what unknown contingencies?

Commissioner Collins: It is really in there for supplement for a visit of the Governor General which would entail expense, or purchase of flags, or other unknown expenses.

Mr. Livesey: In relation to "In Service Training \$3,565.00" - is this projected on the basis of recommendations of the Committee on Education?

Mr. MacKenzie: It is in line with the Committee's recommendations but I am not able to confirm that.

Commissioner Collins: It also covers a paragraph written in by Council with regard to conventions and also knowing how the money is spent.

Mr. Livesey: What particularly does the treasury attribute the increase? Would that be the increase in the total expenditures or any particular item?



Commissioner Collins: It is an increase in the number of teachers mainly.

Mr. McKinnon: With regard to Primary 68, I notice that under the Separate Schools agreement, there is further replacement for furniture and fixtures.

Mr. MacKenzie: Certain amounts of furniture are recommended and it is not known what schools will get it but it will eventually be charged out.

Mr. McKinnon: With regard to Teachers Salaries, under Whitehorse High School, is it the practice to break down the salary in the schedule?

Mr. Taylor: I certainly feel that we should continue with the policy of including Territorial Employees and the status of these employees in the estimates.

Mr. Livesey: I fully agree. This is not designed to give efficient coverage of the budget.

Mr. McKinnon: I know these estimate books have had a tendency to become too public and I think a breakdown of the salaries should be given to each Councillor personally.

Mr. Livesey: I personally feel that we cannot possibly give an adequate answer to any expenditure without knowing the full details and I think this is an impossible situation and I do not feel we are getting enough information.

Mr. Taylor: I would like to see the page prepared in the same manner as it was last year.

Mr. McKinnon: I know personally that this black book has become all together too public. This is not something that should be made available to too many people.

Mr. McKamey: I agree with Mr. McKinnon in that regard.

Mr. MacKenzie: All that is needed is a breakdown of the salaries. I have a book which gives all the details.

Mr. Shaw: It has been agreed that Council be given a breakdown of the details of the financial program.

#### Public Utilities and Service:

Mr. Livesey: Is this projected on the present costs of light and power or on the new schedule?

Commissioner Collins: Lighting is normally deducted in corporation tax, therefore the introduction of rates was more benevolent to the individual than the Government.

Mr. McKamey: The cost of water per month for Whitehorse High School is \$63.00 and \$72.00, - I suppose that means a cost of \$63.00 in the existing high school and the \$72.00 will be for the new one.

Commissioner Collins: It is \$9.00 for the ordinary person's home and then it is so much for each hotel room and this formula is applied to all departments.

Mr. McKamey: The reason I raised this question is because it has become a very controversial subject in Whitehorse and it seems there are some big businesses paying a lot more than householders and we thought this was a little out of balance.

Commissioner Collins: There is a rumour to that effect.

Mr. McKamey: Under Subsidy for Room and Board in lieu of Transportation, how many children are enrolled at this time?

Mr. Thompson: was asked to attend Committee.

Commissioner Collins: Who are these people, if these are people coming from outside points and attending Whitehorse School the actual cost should go to the school which they would attend.

Mr. Thompson: In most cases they come from an area where they do not have a school, such as Stuart Crossing and Ross River.

Mr. Livesey: Could we have the information with regard to the number of children getting subsistence allowance for all schools?

Mr. Thompson: I could have the figures to be presented to Council tomorrow.

Operation and Maintenance for Whitehorse High School:

Mr. Watt: What is the reason for the increase? Is that Grade 13 and could you tell us where grade 13 is going to be and how many teachers you are going to hire?

Mr. Thompson: It will be part of the instruction in the Whitehorse High School and in the new F.H. Collins Secondary School.

Mr. McKinnon: Is this new school not going to be a high school?

Mr. Thompson: Secondary is a new terminology.

Mr. Livesey: How many children are attending?

Mr. Thompson: Whitehorse Elementary and High School, 736 elementary and 270 in the high school; there were 292 at the beginning of the year.

Commissioner Collins: Some of these children would be separate school pupils?

Mr. Thompson: Some of these pupils drop out and leave school for some reason, or their parents move out of town. We are expecting an enrollment of 360 students in the school next year, so it is a problem in working out the actual cost per pupil.

Mr. McKamey: In respect to the budget, it seems to me there is a lot of detail missing here and we do not know exactly what we are voting.

Mr. Shaw: We have these gentlemen here to supply what information we want and any member has the right to inquire into anything here.

Moved by Mr. Taylor, seconded by Mr. Watt, that Mr. Speaker resume the Chair to hear the report of Committee and that Commissioner Collins, Mr. Thompson and Mr. MacKenzie be excused.

Motion Carried.

Mr. Shaw, Chairman reported: Committee met at 3:30 P.M. with Commissioner Collins, Mr. MacKenzie, Territorial Treasurer, and Mr. Thompson, Superintendent of Schools in attendance, with regard to Bill No. 6, the Supply Bill. We have discussed Vote 1, 2 and 3, in which I can report progress and this Committee has requested that a salary breakdown be provided and also a list of the students receiving subsistence allowances.

Council accepted the report of the Committee.

Following discussion of the agenda, Council adjourned until 10:00 A.M. Thursday, April 12th, 1962.

Thursday, April 12th, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Collins regarding a letter received from United Keno Hill Mines Limited with reference to a National Park in the Yukon. (Set out as Sessional Paper No. 18)

Sessional  
Paper  
No. 18.

Mr. Speaker stated he had written a letter to Miss Gartside, President of the Dawson City Festival Foundation, thanking her on Council's behalf for her very kind attentions during their recent visit. He stated also that he had written a letter to Mr. Gordon Cameron, the newly appointed Commissioner of the Yukon Territory, congratulating him on his appointment and offering the assurances of Council's co-operation.

Mr. Boyd gave notice of motion for the Production of Papers regarding boat loading ramps.

Production  
of Papers  
No. 9.

Mr. McKinnon asked the following Question regarding the B.C.-Alaska-Yukon Conference. Having been made public throughout the rest of the Dominion and Alaska, could the Administration possibly see fit to provide the Yukon Legislative Council with some details of the Alaska, Yukon, B.C. Conference which, according to outside sources, on which I do not think we should have to defend, is imminent.

Question  
No. 1.

The following Bills were given FIRST and SECOND reading:

Bill 10 - An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil.

First &  
Second  
Reading:  
Bill #10.

Bill 11 - An Ordinance to Amend the Disabled Persons Allowance Ordinance.

Bill #11.

Bill 13 - An Ordinance to Authorize the Commissioner to Borrow a Sum Not Exceeding Seven Million, three hundred and fifty nine thousand, one hundred and three dollars from the Government of Canada and to Authorize the Commissioner to Execute an Agreement Relating thereto (1962).

Bill #13.

Bill 14 - An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance.

Bill #14.

Bill 16 - An Ordinance to Amend the Liquor Ordinance.

Bill #16.

Bill 18 - An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory.

Bill #18.

Bill 19 - An Ordinance to Amend the Intestate Succession Ordinance.

Bill #19.

Bill 20 - An Ordinance Respecting An Agreement on a Project for the Development of Land for Housing Purposes Between the Yukon Territory and the Government of Canada.

Bill #20.

Moved by Mr. Shaw, seconded by Mr. Boyd, for leave to introduce Bill Number 21, An Ordinance to Amend the Public Service Ordinance.

Introducing  
Bill #21.

Motion Carried.

Council resolved into Committee of the Whole to discuss the Supply Bill. (Bill No. 6)

Discussion  
of Bill  
#6.

Mr. McKinnon: Mr. Thompson, do teachers at present get any credit in the Provinces for their teaching experience inside the Yukon?

Mr. Thompson: I cannot give a complete answer as all the Provinces do not give the same credits, and individual school boards have different salary schedules and employment requirements.



Mr. McKinnon: Is this a new regulation.

Mr. Thompson: Yes it is.

Takhini Elementary School:

Mr. Thompson: Although the Department of Education had expected to teach grades 1 to 6 in this school but due to heavy enrollment, only grades 1 to 5 were taught.

Mr. McKamey: Is increased enrollment in the Yukon schools expected?

Mr. Thompson: It is, on the over-all picture.

Mr. Livesey: Regarding primary 51, will Members get a list of teachers and their salaries as they have done since 1958?

Mr. MacKenzie: The list is now being made up.

Mr. Shaw: Referring to primary 64 heating, is the Army not supplying free steam heat to Takhini Elementary School?

Mr. MacKenzie: An agreement was made whereby the Army supplied the heat and the Territorial Government paid a set rate.

Mr. Watt: Regarding Primary 82, why is the school supplies figure so high?

Mr. MacKenzie: There were 400 pupils @ \$25.00 per pupil for classroom textbooks and library books at \$300.00

Mr. Thompson: In this connection the library books cost about \$3.00 per pupil. Regarding Porter Creek school - there is expected an enrollment of 90 pupils in this school but if there is an increase in population in that area the enrollment could increase to 100 or more. The school will be a 4 room school.

Mr. McKinnon: What date is the contracts to be let on this school?

Mr. MacKenzie: This is not my concern - perhaps Mr. Thompson can answer you.

Mr. Thompson: We are waiting for official drawings from the architect. The school will be constructed similar to that at Watson Lake, with minor revisions based on experience at Watson Lake.

Mr. McKamey: Could this type of school be expanded?

Mr. Thompson: Yes up to 12 rooms.

Christ the King School:

Mr. Thompson: Christ the King Elementary school has an enrollment of 314.

Mr. Taylor: Does the Federal Government pay a grant for the one Indian pupil?

Mr. MacKenzie: Yes the Department of Indian Affairs pays for this pupil.

Hanson Street Teacherage:

Mr. Boyd: Mr. MacKenzie, could you give some details regarding primaries 63 and 64 estimates - public utilities & services?

Mr. MacKenzie: The following is the breakdown - Light and power \$900.00, the water \$216.00 and Scavenger \$48.00, a total of \$1,164.00

Mr. McKamey: How many teachers live in this teacherage?

Mr. Thompson: Eight or Nine.

Mr. McKamey: Do teachers pay rent?

Mr. Thompson: Yes, \$480.00 per school year.

Steele Street Teacherage:

Mr. McKamey: How many reside in this teacherage?

Mr. Thompson: The same, eight or nine.

Mr. Livesey: Is the contract - primary 79 - for cleaning windows the regular one granted every year?

Mr. Thompson: This has always been the policy. The Territorial Government has assumed the responsibility for putting up and removing storm windows. This cost has been included in the rent.

Lambert Street Teacherage:

Mr. Watt: How many teachers here?

Mr. Thompson: There's 12 teachers living there.

Mr. Taylor: Regarding primary 51, who receives the salaries?

Mr. Thompson: There are 6 apartments in this building and a caretaker is employed to look after general upkeep of the building.

Mr. McKamey: Is the rent for these apartments based on a set rate?

Mr. Thompson: To the increased privacy in this teacherage - the teachers are charged \$600.00 per year.

Hanson Street Married Teachers Apartments, page 75:

Mr. Thompson: This teacherage contains 4 suites with 3 apartments and 6 suites with 2 apartments. If there were any suites unoccupied by married teachers, 2 or 3 single teachers would likely be allocated these suites.

Mr. McKamey: Would a female teacher who married in the Yukon be given these accommodations?

Mr. Thompson: No she wouldn't. The only accommodation provided would be for a widow.

Mr. McKinnon: Is this to be on a 2-year basis or a permanent one?

Mr. Thompson: There are no definite regulations concerning this as yet. I feel that some accommodation should be provided for these teachers after the 2 years - something more permanent.

Mr. McKamey: Could Council give an opinion on laying down a policy regarding this matter of accommodation for teachers.

Mr. Shaw: I feel this should be left in abeyance.

Mr. McKamey: This has been previously discussed with the Commissioner who stated that accommodation would be provided up to 3 years and after the 2 year period, teachers should look for their own accommodation or build. This 3 year period would be to give them a chance to find additional accommodation or to build their own home. I feel there should be some policy laid down.

Mr. Shaw: Whatever arrangements are made with the Treasurer will not have any relation to the cost of operating and maintaining the building. The other matter would be a matter of policy. I do think there should be a policy but that this be set up at a later date.

Mr. McKemay: I will agree only if there is a policy laid down relating to items in this budget.

Mr. Shaw: Council was instructed to go through the estimates but nothing was said about laying down a policy.

Mr. Watt: Mr. Shaw, could you make a note that a policy be discussed later?

Mr. Taylor: Perhaps this matter could be gone into when Council deals with Vote 10, construction of buildings.

Mr. McKinnon: Has the contract for construction of this building been let?

Mr. MacKenzie: Some negotiations have been started.

Mr. McKamey: I understood no negotiations can be finalized until the budget is passed and I would like the discussion of this finalized for that reason.

Mr. Taylor: Is it the policy of the Administration to issue a contract before the money was appropriated?

Mr. MacKenzie: This was by no means the case. This project was not in last year's estimates although it is not a new one,

Mr. McKamey: Due to weather, which has to be considered and the fact that the taxpayers money is involved, I feel that there is nothing wrong in letting the contract out as soon as possible.

Mr. Shaw: The only question before Council is concerning the clarity of the estimates and a debate is not required at the present time.

Dawson Elementary-High School, page 76:

Mr. McKamey: Could we have a breakdown of primary 63?

Mr. MacKenzie: That is Light and Power - 12 months @ \$350.00 is \$4200.00, Water - 12 months @ \$75.00 is \$900.00, Scavenger - 12 months @ \$5.00 is \$60.00 a total of \$5160.00.

Mr. Shaw: What is primary 69?

Mr. Thompson: As there is no accommodation for male teachers they were subsidized in a hotel.

Mr. McKamey: Regarding primary 83, how many children are transported to this school?

Mr. Thompson: The children come from Bear Creek but I am not sure of the number.

Mr. Shaw: There are 18 children.

Mr. Thompson: There is no contract with a bus company but the Territorial Government pays the transportation allowance paid to any parent - 5¢ per mile per pupil,

Mr. Shaw: Bear Creek is entitled to a school due to the number of children living there but paying transportation for them into Dawson is cheaper than building a school.



Mr. McKamey: How many pupils are enrolled in this school?

Mr. Shaw: There are 174.

St. Mary's School, page 78:

Mr. Watt: How many teachers there?

Mr. Thompson: There were 2.

Mr. McKamey: Why are the utilities not included in the estimates for this school?

Mr. Shaw: In lieu of a grant the school pays all utilities.

Mr. Livesey: Why is \$60.00 shown as an increase when in reality it is a grant?

Mr. Shaw: Under the new agreement between the Territory and the Federal Government this grant is retroactive when made to other schools than Territorial Schools.

Mr. Livesey: I still want to know why this \$60.00 is shown as an increase when in reality it is a grant.

Mr. MacKenzie: Here Territorial expenses are being dealt with and this increase in grant was paid by the Territorial Government, consequently it is an increase in Territorial expenses.

Mr. Livesey: When talking about grant rate being increased from \$250.00 to \$350.00, I was thinking of pupils now attending school or going to attend school, not operation and maintenance dealing with cost items, but I would think that due to the increase in grant rate, the Territorial Government will now be receiving \$100.00 per year per pupil more than they were last year and I do not see why the increase in grants over and above the original grant would create an increase in expenditure.

Mr. Thompson: The Territory receives grants from certain Federal Departments but in turn the Territory also pays grants to separate schools and this increase is a grant paid by the Territory to the separate school authorities in Dawson.

Mr. Livesey: Does this have to do with money the Territorial Government pays and not with what it receives?

Mr. Thompson: Effective April 1st, 1962 the Territorial Government will be paying additional grants.

Mr. MacKenzie: \$60.00 is a net figure. Grants represent only one factor and I would have to compare last year's estimates individually to obtain a breakdown. This change is partially due to grants and partially due to other relevant school expenditures.

Dawson Teacherage, page 79:

Mr. Watt: How many teachers live there?

Mr. Thompson: There are 5 teachers and a public health nurse living there.

Mr. McKinnon: Could we have a breakdown of the increase of \$1,400.00

Mr. Shaw: The estimates are the same as last year, therefore the actual cost may have been less.

Mr. MacKenzie: A supplementary estimate of \$20,000.00 for education has yet to be considered. During the course of the year Treasury made allotment transfers from one establishment to another and \$1,400.00 has in fact been transferred from the Dawson teacherage to another establishment. This in effect reduced last year's vote by \$1,400.00 because the money was required for another establishment within the vote.

Watson Lake Elementary High School, page 80:

Mr. Watt: How many teachers in this school?

Mr. Thompson: There are 6 teachers and 135 pupils.

Mr. Taylor: Does this establishment include the operation of the old school as well?

Mr. Thompson: Yes, it includes the operation of the two schools and the new one did not go into operation until January.

Mr. Taylor: My reason for bringing up this point is that apparently it is not the Department of Education's intention to add the 2 required classrooms this year and that it is their intention to carry on with the old pan-abode school. I see no appropriation with which to install adequate and proper lighting in the old school.

Mr. Livesey: Mr. Thompson, how was primary 87 arrived at?

Mr. Thompson: This is just an estimate but it is possible that there might be 4 students attending that school whose homes are more than 13 miles from a school they can attend. There are 2 at present and there may be more next fall.

Mr. Taylor: Would it be possible to provide hostel facilities for these children who have to come to Watson Lake to school?

Mr. Thompson: Finding accommodation for teachers is going to be difficult and if hostel facilities were set up it would mean hiring a house mother etc. and this would be an uneconomical proposition for just 3 or 4 students.

Mr. Taylor: Due to the few pupils that come into Watson Lake, it is very hard to board these children, and if they could have a room in the teacherage it would help the students.

Mr. Thompson: I don't think it would be fair to the teachers to give them the added responsibility of caring for these students.

Watson Lake Teacherage, page 82:

Mr. Taylor: Could we have a breakdown of primary 64?

Mr. MacKenzie: Fuel Oil - 12 months, 3,000 gals. @ 36¢ a gallon is \$1,086.00 and propane 12 months, 18 tanks at \$13.75 a tank is \$247.50 a total of \$1,327.50.

Committee recessed at 12:00 o'clock Noon,

Thursday, 2:00 o'clock P.M.

Committee resumed with discussion of Bill No. 6, the Supply Bill with Mr. Thompson and Mr. MacKenzie present.

Teslin school:

Mr. Thompson: There are two teachers and 45 pupils and half of the pupils are Indians.

Public Utilities and Services:

Mr. Taylor: Could we have a breakdown of this amount?

Mr. MacKenzie: Light and power - 12 months at \$75.00 per month is \$900.00 a year.

Teslin Teacherage:

Mr. Taylor: The low fuel cost is probably the fact that the teacherage is above the classroom.

Brooks Brook School:

Mr. Thompson: There is 1 teacher and 15 pupils. This is a school in a highway maintenance camp.

Mr. Taylor: On my way up to Council this trip I had an opportunity of seeing this school. They are experiencing some difficulty with the blackboards. I wonder if the Educational Department could make a survey of this situation and possibly remedy it. The trouble seems to be the chalk.

Mr. Thompson: There are two types of chalk available, one white and one yellow, some teachers prefer white but this will be looked into.

Mr. Boyd: With regard to fuel, I presume the fuel is supplied.

Mr. Thompson: Yes, we have two of these schools now and the Army provides the building, heat and light gratis.

Swift River School:

Mr. Thompson: There is 1 teacher and 9 children - 5 D.N.D; 4 C.N.T dependents.

Mr. Taylor: I did raise in Council, as you will recall, the question respecting the Swift River school having to do with the classroom being inadequate and I received a reply to the effect that some reconstruction would be done on another building this year. It would be quite desirable for the Territorial Engineering Department and the Education Department to oversee this to see that it meets the required standards as far as lighting and blackboards are concerned.

Mr. Livesey: I was wondering if the Department had any plans for the future with respect to the change of both the two latter areas, covering possible realignment with the overall system we now have in the Territory.

Mr. Thompson: Actually we have not. At Brooks Brook the enrollment has been low, around eight or nine and you will recall they moved the headquarters from Brooks Brook to Watson Lake. This would appear to me to be a decrease, but Mr. Taylor has mentioned the military have improved the classroom and I would say it is adequate. At Swift River the situation is far from satisfactory, but as the Army proposes to construct a new school in the camp foreman's residence I think it should be satisfactory for the small enrollment. It would cost 35 to 40 thousand dollars for a school and teachers residence.

Mr. Taylor: It appears to be the policy of D.N.D. and C.N.T. people to try and base their employees to where there are reasonable school facilities and in Swift River they have attempted to keep single men, if possible, in order to get families with children in places where there are proper school facilities.

Mr. Thompson: Where the enrollment warrants, it is the policy of the Territory to build schools.



Carcross School: (15 pupils and 1 teacher).

Mr. Livesey: I notice 73 and 75 only total approximately \$848.00 yet the difference is \$1,544.80.

Mr. MacKenzie: As I have explained before lunch, allotment transferred had affected the main vote last year.

Mr. Thompson: We could have added additional reasons for expense. The teacher is experienced and gets extra money and also light costs more this year than last. We could have put in more exact figures for the utilities.

Mr. Livesey: Would these allotment transfers indicate that the original estimates were over estimated?

Mr. Thompson: For that year, yes. Actually the present teacher's salary is greater than the teacher as allotted for that school and we got a teacher who is at the maximum of her schedule.

Haines Junction School (34 pupils and 2 teachers):

Mr. Livesey: It says increased number of pupils, is that a fact Mr. Thompson?

Mr. Thompson: I have provided for 45 pupils for supplies. Actually there has not been an increase between last year and this year although that particular school is one that happens to have a high enrollment at the beginning of the term and then the parents seem to move out of that area. The enrollment is much greater in September than it is in January.

Mr. Livesey: Relative to reason number one, is this projected or factual?

Mr. Thompson: Projected.

Mr. Taylor: Is this projection based on the result of a survey or just a guess.

Mr. Thomspson: It is just a guess.

Mr. Shaw: Do children of American parents attend school the same as any other child?

Mr. Thompson: Yes.

Mr. Livesey: These people pay no school taxes either, not being owners of property.

Mr. Shaw: Do Canadian children have the same advantage in the States?

Mr. Thompson: I do not know.

Mr. Livesey: I wonder if I could ask Mr. Thompson if he would make an attempt to get the information as to whether there is any reciprocal agreement between the States and Canada because I know some of the students from the Yukon go to the University in Fairbanks. As a matter of fact one of the Whitehorse teachers is a previous resident of Beaver Creek and he obtained his university training in Fairbanks.

Mr. Thompson: The children going to University in Alaska are accepted as though they were living in Alaska. I am sorry I could not get the other information for you as it would vary from one area to another. It depends on the group operating the schools.

Mr. Livesey: I asked Mr. Thompson if he could obtain information regarding a reciprocal agreement and obviously the answer is no.

Mr. Watt: I would like to add, about Alaska, I did have the calendar at one time and the Yukon and Northern B.C. were given preference. A student from Northern B.C. or the Yukon would not be charged as much as a student from the States.

Kluane Lake School (25 pupils and 2 teachers)

Mr. Taylor: Is this an integrated school serving both Indian and White?

Mr. Thompson: It would be if there were any Indians but there are no Indians attending that school. We have no objection to Indians going to any school in Canada if they are in that district they can attend that school.

Mr. Taylor: Why is the power so high here \$1,200.00 a year?

Mr. Thompson: This is an amount we have estimated. We have to buy this from D.N.D. We are paying 6¢ per kilowatt hour at Destruction Bay and \$1.80 per thousand gallons of water. When this was provided in the estimates, I had no idea what the cost would actually be, but recently we have received an invoice from D.N.D. covering heat and water from the end of March for \$555.89, so spread over 12 months, I think the figure of \$1,200.00 will cover the amount.

Mr. Shaw: Is it mostly D.N.D. employees?

Mr. Thompson: Possibly slightly over half and C.N.T. children in that area. It serves that whole area.

Mr. Livesey: With respect to the ground on which this school is built, in my original motion and as a result of meeting with parents in that area, I requested that the ground be transferred from the Federal Government to the Territorial Government, so that it would be our own property.

Mr. Thompson: I do not know about these proceedings.

Mr. MacKenzie: I don't know either.

Mr. Livesey: I wish to receive an answer to this question.

Mr. Boyd: With 25 pupils and 2 teachers to grade 9, what number of pupils would each teacher be looking after.

Mr. Thompson: One teacher has grades one to four and the senior teacher has grades five to nine. The primary teacher has 13 students and the senior teacher or principal, has 12 pupils. There were 27 students when we started the year, two have since transferred.

Mr. McKamey: Back on page 85, Mayo Teacherage, what is the instance of increase here?

Mr. MacKenzie: \$1,500.00 transferred to some other allotment.

Mr. Shaw: That means that the actual costs were \$2,535.00?

Mr. Boyd: These heating figures at \$250.00 a month over 12 months. This seems fantastic. Is the building full of holes?

Mr. McKamey: When you said full of holes, you hit the nail on the head and I think the Territorial Government has stopped building this type of building.

Mr. Thompson: This fuel bill, I rather think, is an overestimate on my part.

Mr. McKamey: If I remember correctly, the teacherage was much higher than the school for heating.

Kluane Lake Teacherage:

Mr. Livesey: Is that calculated as being part of the overall costs of the whole school, because the teacherage is part of the building. Is that how it is projected?

Mr. Thompson: That figure of \$560.00 should <sup>be</sup> \$56.00 This is a mistake.

Elsa School (58 students and 3 teachers):

Mr. McKamey: I am wondering, the last trip I was up to Elsa, I noticed tons and tons of ice hanging off the end of the school. I wonder if there is any provision to have this removed, it could easily fall off and hit the children. This is a very treacherous situation.

Mr. Thompson: This should be removed. There was an instance in B.C. where a large icicle fell and killed a child.

Mr. McKamey: Who is responsible for removing this ice? Someone must see that this is done.

Mr. Thompson: I should think the Principal could get someone to do this work.

Mr. McKamey: I am wondering if they have some regulations which they have to abide by, but I think the responsibility should be put on someone to get this done.

Mr. Thompson: This is a matter of equipment too, we do not have the equipment there to get at these icicles. We do have a part time caretaker.

Mr. Boyd: Is this school a new building - and you are saying there is as much as 8 feet of ice hanging off the wall. If you had it properly insulated you would not have that problem.

Mr. Shaw: You get warm spells and heavy snow.

Mr. McKamey: It could be a mistake in construction, if there was some kind of airspace at each end, this would overcome it. It would be worth looking into.

Mr. McKinnon: The responsibility is outlined in the Ordinance. It is the responsibility of the teachers to look after the school property and submit in writing any injuries which take place.

Mr. Thompson: I could speak to Mr. Starr and look into the matter of insulation. He could have someone up there with equipment to do this if he was notified. Our caretaker at this school is a woman.

Mr. Boyd: I would like to suggest that it is not icicles. These conditions are tons of ice.

Beaver Creek School (28 children and 3 teachers).

Mr. Livesey: The student population next fall is due to rise to 33.

Mr. Thompson: I have not got the figures but it will grow, I know that.

Mr. Livesey: I would like to ask Mr. Thompson if the estimates include the cost of installing proper flagpole and flags in the schools in



at Kluane Lake and Beaver Creek; to teach the children the meaning of patriotism in Canada and the meaning of our country.

Mr. Thompson: Mr. Livesey asked that question at the last session and it was my understanding that the flagpoles for both these would be installed just as soon as the weather and ground permitted.

Mr. Shaw: Perhaps the amount for landscaping would provide for flags and flagpoles.

Carmacks School (19 students, one teacher):

Mr. McKamey: How many native children are included?

Mr. Thompson: There are 18 White and one Indian.

Carmacks Teacherage:

Mr. Shaw: It must be upstairs.

Mr. Thompson: No, but it is in the same building.

Whitehorse Vocational:

Mr. Watt: Could Mr. Thompson tell me how many people have used this course?

Mr. Thompson: This is taught in the Whitehorse High School and we have an agreement with the Union and they pay some of the cost. However, I cannot give the figures off hand as to the number of students majoring in commercial, but I could get them. They are well over 100 students taking typing in the school plus the evening program. There were 33 in the school program. This just includes business training - manual training is not taught in this school.

Whitehorse Night School:

Mr. McKinnon: What courses are being offered in the Whitehorse night school?

Mr. Thompson: There are two; citizenship instruction to new Canadians and typing, shorthand and mathematics. We are also operating one in Dawson, but it would be separate from Whitehorse, but we could amalgamate the two. We started in January and are running through to June at the request of the Dawson people.

Mr. McKamey: In respect to meetings and prospecting courses held in the schools, or anything to do with some industry in the Yukon there would be no rental charge from the school. Over something important in the mining legislation, we held a public meeting in the school at Mayo for half an hour and I received a bill. This was a segment of the Chamber of Mines but it was held in Mayo.

Mr. Thompson: When the Chamber of Mines in Whitehorse used the school, we did charge them. We did not charge them when they operated prospectors courses in Mayo or Dawson but we have charged these groups for meetings.

Mr. Taylor: Mr. Thompson, do you have the total number of teachers and pupils for the Territory and the projected total for the coming year?

Mr. Thompson: There were 2,728 students at the end of March and I expect we will have approximately 300 more students in our schools in September. There are 117 teachers and I believe we will have about 125 teachers.

Mr. McKinnon: I believe this is slightly digressing, but what is the policy of the Administration with regard to the use of the gymnasium in relation to basket ball practices etc. Is there a charge?

Mr. Thompson: Yes there is. It depends on the size of the facilities available. At the present time not too many groups are using the gym in our schools. In Dawson we charge \$3.75 per evening for badminton. In Whitehorse is is \$7.50 per evening for badminton.

Mr. McKinnon: We look for space for basket ball practice and the only place without charge is the Catholic school. I cannot see why these provisions are not made the best use of on a free basis under the supervision of the right people.

Mr. Thompson: Children use these free, but outside groups are charged what we consider nominal.

Mr. Shaw: In Dawson there are meetings and they always pay two or three dollars per evening.

Correspondence Courses:

Mr. Shaw: These would be for students who are away from school.

Mr. Thompson: Yes and some students who cannot get the courses in the school they attend.

University Training:

Mr. McKinnon: I believe this is going to be changed somewhat. I believe we will be taking to Mr. Thompson in this respect. There was some disagreement as to the way these scholarships were provided and we will be meeting with you later in this respect.

Citizenship Instruction for New Canadians:

Mr. Thompson: Half of this amount is recoverable from the Department of Citizenship and Immigration.

Mr. McKinnon: I believe some of your teachers give much time for a negligible return.

Mr. Thompson: This was one reason why the Chamber of Commerce wanted us to take it over, because they were unable to pay the salaries and because the Department of Citizenship and Immigration did not recognize them. We are paying adequate salaries now for this.

Totals - page 55:

Mr. Livesey: This would be subject to correction would it not. We found one error where it was \$560.00 instead of \$56,00 and it would be reflected in the totals. I was wondering why Kluane Lake School was \$560.00 and Beaver Creek School is going to be about \$61.00.

Mr. MacKenzie: This is 1000 gallons at 56¢ a gallon for Kluane Lake school which is \$560.00.

Mr. Thompson: It was a typing error. It should have read 100 gallons instead of 1000.

Mr. MacKenzie: We have more money than we need in Kluane Lake school.

Mr. Livesey: With reference to subsection (s) of section 5 of the present existing School Ordinance, wherein it states "It shall be the duty of the Superintendent to make annually for the information of

the Yukon Council a report of the actual state of the schools throughout the Territory, showing (i) the number of pupils taught in each school; (ii) the branches taught in each school; (iii) the average attendance in each school; (iv) the number of his official visits to each school; (v) the salaries of the teachers; (vi) the qualifications of each teacher; (vii) the number of teachers of each sex; (viii) any other information he may possess respecting the educational state and wants and advantages of each school; and (ix) any statements and suggestions for improving the schools and school laws and promoting education generally which he deems useful and expedient; which report shall be laid before the Yukon Council immediately after the opening of the next session thereof." Have you prepared such a statement Mr. Thompson?

Mr. Thompson: Yes, we have that prepared and the salaries are included in the estimates. Mr. MacKenzie mentioned he was going to have this for you.

Mr. Boyd: I notice \$255,000.00 increase, which is 25% higher than last year. I just make this remark percentagewise. It cannot go on too long on this basis.

Mr. Taylor: I would assume this reflects tremendous growth in the population and I can see nothing wrong with it.

Mr. Boyd: It seems to me that population will have to grow with it if we continue on this basis.

Mr. McKamey: I think the population is growing ahead of us and education is the most important.

Territorial Secretary and Assessor:

Mr. Watt: Under this boiler inspection policy, do they inspect boilers within the municipalities?

Mr. Taylor, Territorial Secretary and Clerk of Council: Yes, all boilers in the Territory including D.N.D. and D.O.T. The inspector is brought in every year from B.C.

Mr. McKamey: Can the Territorial Secretary inform us how many licence plates are sold in the Yukon?

Mr. Taylor, Territorial Secretary: Right now it is just about 4,000. It has just gone over 4,000 this year. That does not include truck plates. Truck plates will be a little less than that, which includes all kinds of trucks, it is about 3,000.

Mr. Taylor: In dealing with Public Health and Welfare, could we defer this to a later date when welfare and public health people are here.

Committee agreed.

Mr. McKinnon: Mr. Spray is now in Ottawa, but I think it would be very useful to have him here during this discussion of vote 5.

Mr. McKinnon: May I beg to be excused to attend a meeting of the Skookum Jim Memorial as I am to attend and it is the first meeting we have had to assess the value of this project and give a report to Council. I would like to take leave of Council to do this.

Mr. Shaw, Chairman of Committee, excused Mr. McKinnon.



Game:

Mr. Fitzgerald, Game Director, was asked to attend Committee to discuss the operation and maintenance appropriations for the Game Department.

Mr. Livesey: What is material and supplies, Mr. Fitzgerald?

Mr. Fitzgerald: The \$25.00 would cover items of camping equipment and there would be poison bate etc., used in remote areas.

Mr. McKamey: Perhaps you could give us an idea what success they have had with poison bait and where they have used it.

Mr. Fitzgerald: I think at this moment we have no exact count, but there has been over 30 wolves killed by poison bait and there has been fifty five bounties paid. There are still baits out in the districts which still have to be checked. There has been 157 wolves turned in for bounty since the bounty system started.

Mr. Shaw: How many have been poisoned?

Mr. Fitzgerald: Last year we had forty some. This year up to now we have had 32.

Mr. Livesey: The poisoning seems to be a more expensive operation.

Mr. Fitzgerald: I do not agree with that of course. I do not judge the expense of flying as only for poison bait. I think you should know the location of game and the numbers. There have been rumours of deer in the area since I have come here. People have seen deer in the Territory, but they could not tell us how many or what they were. On March 3rd, I spotted 10 of these mule deer in the district and without flying, I could not have known these were here. You could not say definitely that we had deer. I think all the deer are mule deer and I think this is a very good thing.

Mr. McKamey: I agree with Mr. Fitzgerald, you could not charge all of this flying up to poisoning. There was a rumour recently that the wolves were killing caribou and leaving them. I would like to know whether Mr. Fitzgerald has flown out in the Dawson district to check on the situation up there.

Mr. Fitzgerald: By the time we got the report the herd had moved and probably to the Northwest Territories. I was under the impression that the people in that area did not go along with poisoning and I did not have very much money left.

Mr. McKamey: How much is flying?

Mr. Fitzgerald: That comes under rental of equipment, but this amount is used too for inspection of big game outfitters camps in the fall.

Mr. McKamey: In view of that it would be wiser to spend a little more money in conservation of game rather than the big game hunter.

Mr. Fitzgerald: We had a lot of complaints last fall from hunters visiting the Territory. We had 17 and they all had to be investigated and this took a lot of time. It held me in the office. I am glad to say these 17 complaints were not very well founded. The maker was given an opportunity to give his side of the story and investigations were made and a great percentage of the hunters were not right. I think this fall we will probably have more hunters. We had over 200 last fall. There were 3,098 hunting days at \$75.00.

Mr. Watt: What was the profit to the Territorial Government in respect to these big game hunters? The money which accrued from licences, tariff fees, etc.?

Mr. Fitzgerald: I have no copy of my report here but I would like to get a copy if I could have a moment to get it. That is non-resident only, including sale of guides licences etc. The 3,098 days was the total days these people hunted in the Territory.

Mr. McKamey: The \$75.00 a day is high.

Mr. Fitzgerald: This is average.

Mr. McKamey: \$21,000.00 is the total revenue by the Government plus 1700 which would make it \$23,000.00.

Mr. Fitzgerald: The annual return is just being compiled now, but last year, our last annual return read \$25,955.75.

Mr. Watt: What number of these could be considered as resident of the Territory?

Mr. Fitzgerald: These were all people from the West Coast and Eastern Canada.

Mr. Watt: Could you give us the figure of Service Personnel who bought non-resident licences.

Mr. Fitzgerald: There were no \$50.00 licences, but quite a few non-resident bird licences at \$10.00.

Mr. Watt: Concerning the effectiveness of your predator control program could you estimate how much game a pack of five or six wolves would devour each season?

Mr. Fitzgerald: I know that nine ordinary sized wolves will eat a moose in two days. A hungry wolf can eat 35 lbs at one meal. Wolves do away with an awful lot of game. If we did not have hunters, we would not have to worry about wolves, but with hunters we must keep the wolves down.

Mr. McKamey: Will they be flying out of Dawson to check the wolf problem up there this year, as I understand there is quite a problem there?

Mr. Fitzgerald: We had one operator up there who got a permit to place poison but we have not had a report yet. I would like to have poison in all areas.

Mr. McKamey: I would say it would be almost too late to do it this winter but I would like to see it done next year.

Mr. Fitzgerald: In the Northwest Territories they have \$40,000.00 for predator control and we have three or four thousand dollars. They have no big game hunting in the N.W.T. If we eliminate all wolves along the Yukon border, they just overflow back in.

Mr. Shaw: If they have \$40,000.00 on the other side, this should be reversed.

Mr. Fitzgerald: I will try and find out what their program is.

Mr. McKamey: How do they raise the funds for this program?

Mr. Fitzgerald: It is Federal Funds as far as I know.

Mr. Taylor: My comments on the situation are that the amount of money we do spend annually on predator control is still inadequate and as far as the Game Department as a whole is concerned, We have a Game Ordinance and we take great pains to keep it up to date and I feel there are not enough Territorial Wardens and permanent staff to handle it. If we had more men in this Department, they could assess the game in the Territory. The Department is being kept pretty small.

Mr. McKamey: I think we have lots of Wardens well equipped, but I think there should be more emphasis on this wolf control. Is the game in the N.W.T. under the jurisdiction of the Territory or is it Federal?

Mr. Fitzgerald: I must disagree with you that there are lots of Wardens. These people you are talking about are primarily forestry. They do what they can to co-operate and they fall back on the mounted police as well. In the summer there is the odd tote road going in and the game that comes out of these places is hard to believe and where they are taken does not make the residents very happy. I heard Flat Creek did not get enough attention, but in the summer if we have a bad fire season the Game Department is strictly on its own.

Mr. Shaw: Would it be an expensive proposition if a man were stationed on that road? Would that alleviate a lot of the trouble?

Mr. Fitzgerald: Yes, if we could get the right man. I cannot help but agree with Mr. Taylor that sooner or later we will have to have more equipment and personnel. I am not trying to tell the Council what to do, I do what I am told, but we are going to have lots of roads in the Territory.

Mr. Shaw: If a man was on the Flat Creek road during the hunting season and there was a game station that they could not go past, it would locate a lot of the trouble.

Mr. Taylor: I think there should be provision made to add two men to this Department for the holiday season. As Mr. Fitzgerald pointed out with regard to the Federal Park Wardens, the game may soon become the third job of the Territorial Wardens. I have served with the Federal Warden Service and they just cannot spend their time on game. I have seen animals left in the bush shot and not touched and these are things created by white men and I think the people that do this thing should be tracked down.

Mr. Watt: Would you have any figures on the number of moose taken in any particular year and the number of sheep taken in any particular year?

Mr. Fitzgerald: It is shown on the chart Mr. Watt. It compares 1960 and 1961 for residents and if you go to the return that I passed down the table you will get the figures.

Mr. Taylor: I would assume these figures are based on those reported on licences, a total of 540 for the fall before last for moose by residents and 1202 caribou; sheep 126 the fall before last, goats 16, grizzly bear 73. Trappers - 999 caribou and non-resident - 166.

Mr. Shaw: Could Council get a copy of these figures.

Mr. Fitzgerald: Yes.

Mr. Livesey: Mr. Fitzgerald, when the veritable war broke out between Council and Administration with respect to the matter of poisoning wolves, we took various ways and means of settling the problem and



out of the discussions that took place it was decided that no poisoning would be laid down within an area of 75 miles radius from any settlement. Later on we had various letters and papers all produced from certain individuals and the case was discussed again that in order to more or less ameliorate the difference between those who said yes and those who said no, we thought that the Councillor for each area would be notified and discussions would take place with regard to the matter of relative necessity of laying poison bait in that area. Since that motion was passed and since it was decided on that basis, I have yet to receive a call in respect to laying poison bait, and I was wondering if the Director of Game was aware of this.

Mr. Fitzgerald: I think I was.

Mr. Livesey: I know for a fact there has been poison bait laid closer than that in my area.

Mr. Fitzgerald: It was not put out there by the Game Department.

Mr. Livesey: There was poison laid at the end of the old mine road into the mine. I did not actually see it myself, but I thought I would raise the question this afternoon to ascertain whether that is what the Department is considering.

Mr. Fitzgerald: I was under the impression that Mr. Joquot had been in communication with you. Later it was questioned whether the poison was legal having been placed in the park. There was poison again placed on the upper end of Lake Laberge but I took it for granted that once the authority was issued to use poison bait in this particular area, that it was not necessary to obtain authority time after time. Mr. Boyd was called about Marsh Lake.

Mr. Livesey: My understanding was that if the poison was going to be laid down in a 75 mile radius it would not be just anyone who would call us it would be the Department.

Mr. Fitzgerald: That would make it much easier for the Department.

Mr. Livesey: I do not know who is laying poison bait in my district it was my understanding that we would discuss the question with the Department.

Mr. Taylor: It is not the policy of any control officer to put poison in any settlement. Poisoning has always been handled in a reasonable manner, but I think it is being handled properly and I cannot see any reason for this 75 mile provision.

Mr. Livesey: This was a democratic decision and rightly or wrongly that decision stands until it is reversed. I think this is the proper way. That was a decision of this House.

Mr. McKamey: Perhaps you could give some breakdown on how this originated.

Mr. Shaw: We have to go back a number of years in this instance to the time when the predator control was thrown out by Council and the Government undertook a new system of controlling predators by poisoning. This poisoning was done in a most unsuitable manner. Without taking into consideration the cost of this they managed to get 55 wolves at a cost of \$55.00 each. Council felt at that time that to have a bounty on wolves would give extra money to trappers, etc., and at the same time, would give a certain amount of control. The Government felt that Council's proposals were entirely out of line. There was no wolf problem. It took quite a battle. I am for the bounty system. As I stated, there was conflict between Administration and Council and a compromise was reached. If you will note the amount of wolves destroyed by this bounty system at

\$15.00 a piece, has been twice the amount of wolves got by poisoning. I think you will find out also that the amount of bounty is about half of what the poisoning has cost. This was a case where the Administration and the representatives got together and said perhaps we will require both systems. Something had to be made out whereby the function of the Game Department would be to go to the outer areas and the trappers in the populated areas. Wolves got a little heavy and people could not shoot these wolves. Council got reasonable with this and decided the Game Department could discuss it with the local member and work out a solution. We are all concerned with the disposing of these wolves and if we can all work together there is no problem about getting rid of the wolves. I am willing to spend extra sums of money if necessary on the remote areas. I think this was one of the largest battles in the Council Chamber ever on a particular issue. It has worked out very well and I would be loathe to see any change in the present policy.

Mr. Taylor: I was aware of most of the situation with the exception of the 75 miles and I thank you for enlightening us on this. As to the manner in which this poison is being distributed, I recall when one of our former game keepers was very reckless but the method Mr. Fitzgerald has used where bait is frozen into the ice is very well controlled and this 75 mile clause is quite unnecessary under these circumstances.

Mr. Watt: Could you tell us the number of game wardens you have employed and whether they are all full time.

Mr. Fitzgerald: I do not have any. I am alone in the Department. I get no help. Certainly Forestry helps, but only when it does not interfere with the fire season, but unfortunately, during the heavy season these people are not available.

Mr. Livesey: Would it be possible to inform me where poison was laid in the electoral district?

Mr. Fitzgerald: I dont think there has been any this winter. There was last winter. I understand no poison was laid in the Carmacks-Kluane Lake area. There was one north and one south, two on Cassawa Lake and one on Marsh Lake.

Mr. Livesey: Could you give a list of where poison baits were laid?

Mr. McKamey: Could you provide this information at a future date?

Mr. Boyd: I think Mr. Livesey is referring to his own district. Is the park considered a part of Mr. Livesey's district?

Mr. Livesey: Yes it is.

Mr. Boyd: But as to the control over the game in this district is it the Territorial Council or the Game Department?

Mr. Livesey: We form policy and it is in this policy that I am interested as a Councillor. We have already come to the decision of the manner in which this bait should be placed and my question to the Game Director is simply asking him if it is possible to tell me where poison bait was placed in my district.

Mr. McKamey: I think this information is very vital, a few years ago we had people come before Council and condemning the Game Department for killing game around Watson Lake and if we want this information I see no reason why we should not have it.

Moved by Mr. Taylor, seconded by Mr. Watt, that Mr. Fitzgerald be excused and that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported:

At 10:30 Committee met with Mr. MacKenzie and Mr. Thompson regarding Bill No. 6, the Supply Bill. This Committee requires that policy be decided regarding the Hanson Street Married Apartments before arrangements be entered into with proposed occupants. Mr. Thompson was requested to check the blackboard situation at Brooks Brook and the proposed new quarters at Swift River School. Mr. Thompson was asked to attempt to ascertain whether a reciprocal agreement regarding teaching of children was in force between Canada and U.S. It was requested that information be supplied as to whether the Territorial School at Kluane Lake is on property owned by the Territorial Government. It was requested that the icing conditions on the roof of the Elsa school be looked into regarding insulation and ventilation.

It was noted that the subcommittee for Bursaries would investigate and report regarding establishment 154, University Training.

Mr. Thompson will submit school report.

At 4:00 o'clock we met with Mr. Fitzgerald regarding Vote 7, Game. Mr. Fitzgerald will submit a statistical game report, and provide information as to where bait was placed during the winter 1961-62.

After discussion of the agenda, Council adjourned until 10:00 o'clock Friday, April 13th, 1962.



Friday, April 13th, 1962.  
10:00 o'clock A.M.

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

Mr. Shaw gave notice of motion for the Production of Papers regarding subsection (1) of section 228, of the Municipal Ordinance.

Production of Papers No. 10.

First and Second reading was given to Bill number 21, An Ordinance to Amend the Public Service Ordinance.

First & Second Reading Bill #21.

Moved by Mr. McKamey, seconded by Mr. Watt, that THIRD reading be given to Bill number 17, An Ordinance Respecting the Lord's Day.

Third Reading Bill #17.

Moved by Mr. Taylor, seconded by Mr. Boyd, that Council resolve into Committee of the Whole for the purpose of discussing Motion Number 5 (anser to production of papers number 2) regarding Experimental Measles Vaccine with Dr. Munroe in attendance, to be followed by a discussion of the School Ordinance.

Motion Carried.

In Committee of the Whole:

Discussion of Motion # 5.

Mr. Shaw stated that the Committee would like to have information from Dr. Munroe concerning the above.

Dr. Munroe read an article from "Life" magazine concerning measles vaccine and its use. He went on to say that measles is a disease that is regarded too lightly due to its complications, i.e. pneumonia, deafness, etc., and that this article showed that it had passed the stage of being experimental as it is known that the Edmonston strain has been accepted as safe, and it is known that the disease can be prevented. He stated further that he wished to use this vaccine in Whitehorse especially due to the susceptibility of Indians to the disease. They have developed some immunity to the disease but this immunity is not as complete as that of the white population. Therefore, their need for this vaccine is the greater. It should be administered where there is the greatest need.

Mr. Taylor then read the questions contained in the motion and asked Dr. Munroe for his reply.

Dr. Munroe answered that he could reply more fully if given a little time. He stated that if doctors used it on their own children it had gone past the experimental stage.

Mr. Shaw asked at what period of time these inoculations were given.

Dr. Munroe replied that it was sometime in February.

Mr. Shaw wished to know how many cases of measles resulted from this vaccine.

Dr. Munroe replied that no cases had resulted at all, but that like all new things, it must be proved and improvements made if required.

Mr. Shaw requested an answer to question # 4 of the motion.

Dr. Munroe stated that the Indian is subject to all diseases that the white man is subject to. He had selected the Indian children at Carcross and stated that as the principal of the school is their guardian during the school year his permission was the only one required

Mr. Taylor read a letter written to Dr. Munroe and the reply to that letter and stated that this reply had prompted the motion. He enquired whether it was the policy of Northern Health Services to use the Indian children as guinea pigs.

Dr. Munroe stated that he had explained in some detail that the vaccine is not experimental and did not think it wise to cover the same ground again. He felt it essential that advantage be taken of the progress made in science to protect children from disease and offered to take full responsibility if the vaccine is not safe.

Mr. Taylor repeated the question.

Mr. McKinnon stated that Dr. Munroe had stated his case very clearly and he did not feel that anything could be gained by further questioning.

Mr. Taylor requested that Dr. Prowse be permitted to appear before Committee to discuss the medical situation in Watson Lake and the new hospital. He stated that Dr. Prowse was available at once if Committee so desired.

Mr. Shaw requested Dr. Prowse's attendance in Committee.

Mr. McKamey asked Dr. Prowse's opinion of experimental measles vaccine.

Dr. Prowse replied that essentially the same vaccine will be generally acceptable and generally used in the very near future. He recalled one other experimental vaccine, the Salk vaccine, and stated that all children had to go to school with written permission before it could be used. His objection to the use of the measles vaccine had been based on what was good public relations rather than on medical grounds, although he agreed with Dr. Munroe's attitude that the natives suffered more than white people. They should be the first to be protected, although his opinion was that the inoculations should proceed more slowly with them as their reactions to it were very strong. He stated that the vaccine sent to Watson Lake was labelled "Experimental" and the only literature received with it was a case history card. At Lower Post School, for which the vaccine was originally intended, out of 170 children 100 were ill at one time. He stated that according to law the consent of the parent of an Indian child must be obtained. He felt that public relations with the Indians would be impaired if this vaccine was used without the parent's consent.

Mr. Boyd, referring to Lower Post School, asked whether it was not enough to ask the principal's permission in order to inoculate a child.

Dr. Prowse stated that it is not enough and that each child's parent's consent should be obtained wherever possible.

Mr. Watt asked if the nurse had ever had any concrete results of the vaccine.

Dr. Prowse replied that she had not as Dr. Munroe had taken it back to Whitehorse and subsequently given it at Carcross school.

Mr. McKamey asked the Legal Advisor what legislation covered this subject in Canada.

Mr. Hughes replied that if a person, especially a child, is treated against his will, then consent should be obtained. In Ontario the standard procedure is to present a form to the parent at the start of the school for signature in regard to these inoculations.

Mr. Livesey stated that no one should attempt to interfere with a child in any way without the parents' consent.

Mr. Taylor then requested that Dr. Prowse give his opinion concerning the need for a hospital at Watson Lake.

Dr. Prowse stated that in the summer of 1961, the Red Cross had been sent a letter on the basis that they had supported hospitals at Atlin and other places. When the Red Cross heard the population figure at that time, their office in Vancouver told them that the project was too big for them to handle and that construction of the hospital should rightly be the responsibility of the Government. He could see no reason for any Royal Commissions; it has been established that minimum requirements across Canada for beds in a hospital are 7 per 1,000 population. Where there is a big city every 100 miles and a town or village every 30 or 40 miles. The further to a facility the greater the need. The Yukon has more beds per population, but these beds are too concentrated. Due to the great distances involved these beds should be distributed more evenly. Hospital costs in the Yukon should also include transportation costs. Dr. Prowse further stated that the high rate of hepatitis in the Yukon is due mostly to primitive sanitation, and he also mentioned that a hospital in Watson Lake would have been filled to capacity due to the high incidence of flu and pneumonia last winter (1961-62). Many people have died because of the lack of a hospital, although he claimed to have saved between 11 and 15 people, most of whom were Indians. Federal employees have free transportation at Government expense, but the settlers must pay their own way. To send a person by ambulance runs about \$90.00 or \$100.00. The new jet is not an advantage as there are only 2 planes a week. Dr. Prowse felt that Whitehorse people do not realize just what the situation is. Costs of medical care in Whitehorse are written off by the Government. The accepted minimum standards are hospitals every 40 or 50 miles. The whole situation boils down to a case of what and how the hospital at Watson Lake is to be provided. The problem is to balance the cost of transportation which does not appear in black and white but which the taxpayer pays.

Mr. Taylor requested Dr. Prowse's opinion of the general medical situation in Watson Lake.

Dr. Prowse replied that there are 2 bed wards just completed in the basement of the Health Center. Last year there was no place to take patients and sometimes he had to keep his patients in a heated ambulance up to 3 hours waiting for the plane to come. There will be 4 beds in the new nursing station but there has been no information as to what type of equipment or what provision has been made for staffing. There is at present a nurse staffing the 4 bed ward, but one person cannot work 24 hours a day. This 4 bed sick bay is almost completed, but is not activated. There are enough people in and around Watson Lake to warrant a hospital.

Mr. Watt then asked for Dr. Prowse's comments, assuming that this hospital cannot be built any sooner than 2 years. He stated that there is an R.C.A.F. plane with a pilot on call 24 hours a day and he suggested that this might mitigate the lack of a hospital.

Dr. Prowse admitted that this would help, but weather is a factor and a plane cannot replace on the spot facilities.

Mr. Watt then remarked that there are no facilities on the highway for people coming up to the Whitehorse hospital.

Mr. McKamey asked, regarding the flying of patients to Whitehorse, whether all medical cases could be flown.

Dr. Prowse remarked that although he had had one case too sick to move the cases going out of Watson Lake to hospital are the most seriously ill.



Mr. Watt wanted to know where the most seriously ill cases went.

Dr. Prowse replied that this depended on where the plan is going - north or south if the patients had to be flown. Most of the cases came to Whitehorse as the ambulance only brings them to Whitehorse. If the case was an eye injury or brain injury, that case must have specialized treatment in an outside hospital, but these are extreme cases. He stated that he had sent hundreds of cases to Whitehorse.

Mr. Watt wished to know approximately how many had flown to Whitehorse.

Dr. Prowse stated that they had all flown to Whitehorse except for the cases that had to come to the hospital at night or in bad weather.

Mr. Taylor asked whether, if a hospital is built in Watson Lake, it was Dr. Prowse's opinion that any other doctor might be required. If this was so, could Dr. Prowse give Council the reason for making this statement.

Dr. Prowse replied that by fall there will be several mining camps and construction camps. The men in these camps would appreciate a doctor coming in every two weeks for the sake of morale and health. There should be enough work to support two doctors and in the case of serious operations the protection that the presence of two doctors would give would benefit all concerned. If there were a hospital another doctor could be persuaded to come to Watson Lake.

Dr. Prowse was excused from Committee.

Mr. Taylor thanked Committee for having Dr. Prowse present.

Committee recessed at 12:00 o'clock Noon.

Friday, 2:00 o'clock P.M.

Committee resumed with regard to the proposed amendments to the new School Ordinance. It was requested that Commissioner Collins and Mr. Hughes, Legal Advisor, be present. Also Mr. Thompson, Superintendent of Schools.

Discussion  
of Bill #12.

Mr. McKinnon: There is something I could take up as Mr. Thompson is present. It was drawn to my attention in reading through this Committee on Education Report there are a couple of items that I thought were very good in it and which I have not seen any provisions for in this new Ordinance. The sections I am speaking of are section 57 on page 60 and section 64 on page 61, the latter was amended by Council but the intent still remains that the Yukon Teachers Association be recognized etc. The reason I bring this up is that I did a thorough study of legislations concerning School Ordinances across the Dominion and in other Provinces across Canada there is recognition made of these problems and machinery set up to provide for them. The Council agrees that this would take effect in this Ordinance and it has not. Speaking with Mr. Hughes and Mr. Olson, we discussed this problem and we decided it would be difficult to set up a salary negotiation legislation and we came to the conclusion that there was a vehicle provided for us where as these matters could be solved easily and I think to the benefit of all concerned, Council and teachers. I do not think it is right and necessary that we have presented for us for Council each year proposals and counter-proposals as far as salary agreements are concerned. The teachers are concerned that they are not protected by anything in writing. Mr. Thompson will agree that one of the difficulties in obtaining teachers in the Yukon is that there is nothing specific where they are even recognized as a body. The decision we arrived upon is that this full clause be written into the School Ordinance. (1) The Financial Advisory Committee of the Yukon Territorial Council may meet with the teaching body. (2) The Superintendent or his authorized representative be in attendance. This originally was read with the teachers or their properly authorized representatives. I think that in such negotiations, if the Financial

Advisory Committee was to meet, it would be with representatives of the teaching body of the Yukon and not with a Barrister or Solicitor representing the teachers of the Yukon.

Mr. McKamey: Would this be in line with the amendment to the Yukon Act as far as the Financial Advisory Committee is concerned?

Mr. Shaw: With reference to the Financial Advisory Committee, I am not discussing the pros and cons of the Committee in negotiating or discussing this matter, it would appear to me that the Financial Advisory Committee would be pretty busy working out financial matters without taking up anything extraneous to that particular subject. I would feel that the financial advisory committee will have its hands full in attending to those specific purposes in regard to the finances of the Territory and to have a subcommittee on top as a negotiating committee would be too much of an onus for one committee.

Mr. McKinnon: I think this would be a perfect vehicle as that is exactly what they are dealing with. I cannot see this happening that we get three proposals and have to sit and thrash this out in Council. I think this is ideal for this is a thing to be thrashed out before they are presented to Council and the Financial Committee could study this. You talk all the time that we should get in line with other Provinces and the new Ordinance comes out that is not up to date with the Provinces.

Mr. Thompson, you could elaborate on this, that there is no recognition at all to the teachers in this respect and it will be a difficulty in acquiring teachers for all time.

Mr. McKamey: I agree with Mr. McKinnon and this is what this Council and the last Council has been making a fight for. in the last few years. If we were to follow along the lines suggested by Mr. McKinnon, we would be delegating power to smaller organizations which would give them more atonomy as well and they would meet and decide on certain points, but we can only elevate it to the level of the power of the Territorial Council. As I see it the Financial Advisory Committee acts only in an advisory capacity to the Administration. You could have ten thousand meetings with any organization in the Territory and you could bring it up to this same level where we are blocked and this is at legislative level and this is the hurdle we must jump.

This is the hurdle which will probably kill this.

Mr. Shaw: I think everybody is getting on the wrong track here. I did not object to the desirability of a committee to study this particular subject, I merely went into the matter of the Financial Advisory Committee going into this. We have an Advisory Committee on the Hospital. We have an Advisory Committee on the Bursaries. We have seven members in this Council and if we are going to put the onus of all these decisions on the Financial Advisory Committee they might as well start on a steady occupation. I think it is very advisable that we have Committees to include each and all of the members it would be better than to give this to the Financial Advisory Committee, as they have their hands full.

Mr. Hughes: In answer to Mr. McKamey's question, I refer to section 12 of the Act amending the Yukon Act. It repealed section 12 which then existed. There is nothing which prohibits the Financial Committee from gathering information on the expenditures for the forthcoming year, to meet with these teachers and it could be conceived as a definite part of their function, or they may leave the mechanical details to another committee, but if this committee does meet at a time when Council is not in session, they must at least consult with the Commissioner beforehand or they may be money out of pocket. There is nothing against this Committee.

Mr. Livesey: I respectfully submit that the Advisory Committee has never been set up, nor has never been intended to be set up as a bargaining Committee for any group and there is no legislation that sets up any group as a bargaining group with any other group. The last Council took

it upon themselves to consider that these negotiations were a matter of administrative policy rather than legislative policy. I will admit we have come one step closer to obtaining a certain amount of recognition in a move toward a more responsible government. I admit the first time was, in my opinion, quite unsatisfactory in view of the fact that responsibility was not present and I do not think the continuance of this sort of thing is what we need. We need far more information. We have gone over this and talked about this, not only with Mr. Olson but here in Session. However, I would like to know just exactly what faction the Financial Committee would be attached to by accepting this. This could not possibly alter our position as an Advisory Body because the Yukon Act established us as only that. We could be a fact finding board.

Mr. Hughes: I did not use the expression that they shall operate as a bargaining committee, but to review and discuss and to review and discuss can only lead to informing themselves. I am not telling Council that they should clothe the subcommittee with a function which Parliament has not given them. They cannot enter into any agreement. They can honestly say to these people, we can meet you and discuss with you but we cannot make commitments and nothing we say here today can be taken as a commitment.

Mr. Livesey: That is an unfavourable position, the mutterings will continue and I might further add that the committee set up to study the situation on education did not suggest that the Advisory Committee on Finance meet with the teachers, but they did say that a committee should be set up within the framework of the Council and this has been a terrific problem as far as the legal branch responsible for the drafting of the legal part of the Ordinance is concerned. They have failed to see how a legislative body could perform the acts of an administrative body. In regard to recommendation number one of the Committee on Education it was the bone of contention that the policy making executive head of the Department of Education being the Commissioner in Council, it has not been explained to us but by attempting to permeate the legal fog, for those that are lacking, I would assume that this has been one of the problems and I would also point to no. 2 and no. 3. If you continue on through the various recommendations you will see that the teachers are also involved in this, so that the recommendations of the Committee on Education were not towards establishing the Advisory Committee on Finance as a body to deal with the teachers, but most certainly suggested that a committee within the framework of the body of the Council should certainly take on this responsibility.

Mr. McKinnon: It is a wonderful thing, lets establish it, I am all for it.

Mr. Taylor: I certainly agree. I think in dealing with the School Ordinance we must set up a subcommittee and this was recommended by the Committee on Education and I do not feel that it necessarily has to be the Financial Advisory Committee. It could be a separate Educational Committee and I agree that this would be a proper and good time to set up this Committee.

Mr. Watt: Are you suggesting that this committee be set up and that this committee hold monthly meetings.

Mr. Hughes: I do not know of any one form or treatment or anything, but I am bound to advise that if you hold monthly meetings you will be doing so at your own expense and you will have no authority for any payment of expense if you form a subcommittee.

Mr. Taylor: Mr. Hughes brought up one point I wished to make and that was I certainly feel that we are not bound by the recommendations of this committee and even though we create a subcommittee, or appoint the Financial Advisory Committee, we are not forced to have meetings every month. It would be impossible for some members to come in every month, but I certainly feel that this is a time to discuss it and come up with something that would give us an educational subcommittee.



Mr. Watt: In my opinion we are overlapping. We are taking upon ourselves the responsibilities of the Administration. This is in the hands of the Administration to get together with the teachers. If we set up the machinery for a meeting between the teachers and administration that is as far as I would want to participate.

Mr. Taylor: This committee would not be establishing power, it would be just a place where teachers could come and hold discussions and debate issues and tell the legislators what their problems are and we could discuss our problems with them. I certainly feel that this is a must and I cannot see anything other than this, whether it is the Advisory Committee or a separate committee. We must have this committee.

Mr. McKamey: If a committee of the Y.T.A. were to request a submission before Council it would be for a specific reason, more pay, or more fringe benefits, and I do not think this would be the right place to settle such problems. As laid down in the Yukon Act, we are a legislative body and not an administrative body. Mr. McKinnon said there is nothing to protect these teachers. As far as financial matters are concerned, when a teacher is hired, he is hired at a wage and he knows exactly what he is making up here and what he will get when he comes up here and this should be laid out in a contract that he has signed and the government is bound to this contract.

Mr. Thompson: Yes, that is true for the year in which they are going into, but the problem is for the following year and this is the headache. It is an annual headache.

Mr. Shaw: First we have a number of problems with this matter and actually it is quite involved. Personally I do not feel that this is a matter that Council should have to settle, in the way of a dispute between two factors. Each year, or for the last couple of years, we are presented with salary negotiations and if this Council enters into matters of negotiation on salaries and working conditions, I will submit that this will be a continuous effort that does not give a very good solution. It does not matter what this Council advises. It all boils down in the final analysis that it goes up to the administration and they say yes or no and we do not have the say in anything financial. It has to have the acceptance of the Administration. Maybe that is not desirable, but these are facts. In putting the members of Council in the position of having to determine what should be and what should not be it does not appear to me to be a function of this body. At the same time the teachers have an organization. They are a provisional committee. It is somewhat frustrating if they bring these problems to the administration and they say no. They feel they have not an opportunity to discuss problems they may have. They refer the problem to the Superintendent of Schools and he is put in the position whereby he has to put these views to the Administration and we are in the same position with regard to the Northern Affairs Department in Ottawa. I would offer a solution and the solution I would suggest would be that this matter be discussed by the Council with the Administration, with a view to getting an independent group to present these particular views and that be an established group to go on from year to year that these can be put in their proper line and then presented both to Administration and Council and the Council and Administration discuss the views of this particular board and that in the final analysis will be the only manner in which we can resolve this matter. In all due deference to these matters, our experiences are in many directions and not particularly in education and this should be a matter of people such as I have mentioned, but I do not believe that a subcommittee of Council would be effective in this case. It is soluble, but not in that particular matter. We have various and sundry problems indicated with it and it could mean that the engineers union would feel that they should have negotiations and I wonder where this would stop. I think it is advisable to think this over very carefully before we get involved in something.

Mr. Hughes: Mr. Shaw was thinking of investing some vehicle with powers that you do not have yourselves and you might find it very difficult to create this group of people who could sit down and negotiate with the teachers representatives. I detect an area of danger there.

Mr. Shaw: I will try and boil it down. This committee is formed, which would include Administration, teachers and perhaps a member of Council and then of course another body and my suggestion was that these people all together could submit their findings to the Administration and the Council and from there on it is a matter of what the Administration and Council I think should be administered in connection with these proposals. I merely say this independent group will study and make the proposals and then it is up to the Administration and Council to decide.

Mr. Hughes: You have no authority for paying expenses.

Mr. Shaw: This seems to be the nub of the trouble. They present their complaints to the Superintendent of Education and the Superintendent takes them to the Administration and if Administration refuses they have no place to go.

Mr. Thompson: I think Councillor Shaw has pointed out the problem. The teachers feel there is no procedure in the School Ordinance and that is what the teachers want to see. Procedures should be outlined in the School Ordinance. In B.C. the procedures for salary negotiation are listed right in the School Ordinance. There is consultation and arbitration and they list the dates on which each step must be concluded and this is what the teachers would like to have. They feel everything is left up in the air and it is unfortunate for me, the Commissioner, teachers and Council.

Mr. Livesey: I must reiterate that we do not have the Labour Act of British Columbia and what you have just been referring to is in the Labour Act. We do not have arbitration and consultation procedure in our Ordinance, and if you are talking about this particular method that the teachers have on the basis of being a trade union, it is a trade union becoming a legal bargaining agent with the employer and if they have enough people in their organization the employer must commence discussion with the representative group within ten days after the dates have been established. We do not have this in the Yukon Territory. We do not have the machinery to accomplish this sort of thing. I would like to ask Mr. Thompson if he considers the Y.T.A. as a trade union or if they are just an association of teachers who have joined together to look after their affairs, to assist each other and the teaching profession and work for the principles of education in its entirety. There are distinctions between trade union groups and associations. There are certain aspects of the exact position which do not apply to our present legislation. I am wondering, in the meantime, just how we are going to fit this in. I can see that they would like to acquire a certain amount of protection for themselves, but I cannot see how they can adopt the methods in the provinces when the system in the Yukon does not have the proper legislation. In connection with the Committee on Education, where they took up suggestions, an Education subcommittee of the legislative Council, if it was established, similar to recommendation no. 2, would not have the final say. I do not think it would be advisable that they do. They could discuss questions with the teachers and perhaps arrive at a solution amicable to the best interests of all concerned. This is quite possible and this to me seems to be a way out of the difficulty that we are discussing here this afternoon and I would recommend that some consideration of this be taken.

Mr. McKamey: I have a fool proof plan here that is worked from coast to coast and that is setting up public school districts. People say we cannot offer that, we will not be able to receive the tax to operate this but one thing we can give a little bit of consideration

and that is the fact that today education in the Yukon is costing us one million dollars and we are operating the whole system in the Yukon Territory for this much money. You set up school districts and it will not make any difference. When you do this you will solve one of your problems. Perhaps this system we are working under now has become so large it is unwieldy. I have this paper here to submit to Council and this puts the onus of responsibility where it belongs. This solves all your negotiating committees and it will be right at home where the problem lies and you do not have to worry about getting it in to this or that department.

Mr. Shaw: I do not know too much about school boards, but it would appear to me that the system we have right now is fine. I feel that if we had all these little small sections, we would have more problems and the taxes in these districts would go up accordingly to pay for these little luxuries. I would not recommend any school districts at this stage of the game, and also, in view of the difficulties we have in this Yukon Territory in getting members that will run for the office of alderman and mayor - to get men qualified to run as trustees in school boards would present a tremendous problem. I would have to acquire a lot more knowledge before I could agree to having school districts right now. We have a problem that needs to be solved. If you take an organization and put it into small groups your problem would multiply. They would still have the problems of getting teachers and salaries.

Mr. McKamey: I did not mean that we should have a school district at Carmacks or Teslin or Brooks Brook but there is no reason why we could not have a school district in Dawson, Mayo, Watson and Whitehorse. They have Municipal Governments to support this and they have laws you have to abide by in the book and that is it. You do not have to have school districts in the entire Yukon. If we are willing to pay for something it is our prerogative. If the school board wants to pay the teachers more money then they up the local taxes. In Whitehorse you have T.V. Shows, etc. You have everything to attract a teacher down here, so perhaps we will raise the mill rate and pay a teacher more dollars to keep her in this particular district and I do not think I should be deprived of this right.

Mr. Shaw: I will have to go back to two years ago and give you an illustration of what this may mean. In the City of Dawson they pay the same rate. The member from Mayo says I should not preclude him from having this and that. I quite agree. In Dawson City this 10 mill rate produced about \$4,800.00. That is what the people in Dawson paid toward their schools in 1959. The cost of education in the City of Dawson was about \$80,000.00. So you see the people themselves through their direct property tax, paid 6%. On a percentage like this, how could they possibly raise the money for these additional expenditures they want. In the City of Whitehorse, the people paid \$40,000.00, and education cost in Whitehorse was much higher. If they want all this autonomy in this and that section, where are they going to produce the money? I am talking of dollars and cents.

Mr. McKamey: I raised this point here a few moments ago. Within the financial framework of the cost of operating schools in the Yukon Territory, we have \$1,193,000.00 and we are supplying education and making a pretty fair job of it today for that amount of money. I cannot see where this is going to present any problem. I hardly think it would be necessary to raise the mill rate a great deal to provide the same education if we wanted to raise the salary scale for the teachers. We have this money here within the framework and I cannot see the problem.



Mr. Shaw: These things that we have for education are provided under a large expenditure of money and if it were a school district the Territorial Government would say we will pay so much per pupil per year and it would apply the same to all these school districts. Under such a system a school district with a large population would be in a preferred position. The small school district would be in quite a bit of trouble.

Mr. Livesey: These are not up to date figures in the matter of very recent times, but they do give an indication of our lack of property and if we lack property, we lack school tax. I would without attempting to be absolutely accurate, but assuming the situation is similar, I would think the lack of taxes is one of our largest problems, whereby we do not want to raise the taxes too high and at the same time we must have people. We want to get more people, so we have to watch the taxes and we have been trying to institute programs where-by people move into the Territory and buy property. We contribute far more to the Federal Government than we do to the Territorial Government. It is not in favour of the Territorial Government. This is one of our problems and although these figures are not up to date, we pay 12.24 percent tax on property and the mill rate is no great criteria on anything we do, we have to rely on grants in the Yukon Territory from various Departments of the Government. We are not in the same advantageous position as the Provinces in regard to local taxation.

Mr. McKimmon: We started on a very specific problem. I think this problem was recognized by Mr. Shaw, Mr. Livesey and Mr. McKamey. This problem up to this time has not been solved. I do not think it is our duty to skirt this problem. We must resolve it here and now. We have the problem that in the Yukon there is no actual recourse written for teachers in salary negotiations or in disputes of any nature. This problem has been recognized in every Province and it has been put into legislation. In the Yukon, with the completion of the new facilities, I would say we have the finest facilities in Canada. They are just buildings if they are not run by qualified staff. The only way to get staff here is to provide some link of legislation and protection. If I was a qualified teacher and saw there was no protection offered to me I would not come here. We speak on matters of responsibility. I think that recent changes of thinking in Ottawa are going to authorize more and more responsibility. I think we should accept this responsibility and I think we must solve this here and now.

Mr. Shaw: I would like to put forward a question to Commissioner Collins in this matter as a means of perhaps solving this problem. I do not feel that this is a matter that should be solved by the Council or a sub-committee of the Council in a direct manner, but as a suggestion for this meeting of minds, there be a committee set up to operate, the Administration, the Teachers and some other member, perhaps a member from Council, to discuss these things over a round table. They would all be equal in this discussion and then the proposals when they are finalized, could be further discussed with the Commissioner in Council. I ask Commissioner Collins his views in arranging something like this, so that then they will be in a sense a conciliation board and that will be the answer to the teachers. It will be done in a fair manner and they will not be able to say they have taken it to one man and it was rejected.

Commissioner Collins: Could I inquire what you propose to do in the event School Districts are formed? Are you going to superimpose anything on the School Districts? We hire teachers by contract the same as in any of the Provinces and this is normally not broken.

Mr. Thompson: There is provision in the Provinces for tenure. After two years of probation the job then becomes permanent and the board cannot remove the teacher from office.

Commissioner Collins: Why not put this in the Ordinance?

Mr. Thompson: That is what the Committee on Education suggested; that a clause of tenure be put in here. Recommendation No. 56 or 7.

Mr. Shaw: School districts are a supposition and I was not referring to a complaint the teachers might have. We are well aware this seems to be a continuing discussion. The last few Council meetings seemed to be having difficulties with the Teacher Association. They wish to make representations before Council. I do not feel that this is the place to have representation for such things, but I feel they should be able to make representations to some group to look at the facts. Another thing is regardless of how much representation was made before Council, if the Administration decided not to give these raises in salary, which they have the right to do, then these meetings would be somewhat useless and it would end in an uproar. If people can get together to talk it over in a considered businesslike manner, that is my proposal toward getting this into a committee stage and I think these matters can be solved. Is it possible to have such a committee formed so that we do not have this continual wrangling every year. This is the second year of asking and something will break out of the whole thing and I think now is the time. We could maybe solve it in this manner.

Commissioner Collins: It should be a united voice of the teachers profession in the whole of the Yukon. I think if you put this in the Ordinance you would have the reason for forming a committee such you say. In respect of discipline for the person being expelled for misconduct etc., no one is going to be suspended or fired without just cause. The force of public opinion would be such that you could not do this. If it is salaries, surely there could be appointed by the Commissioner, with the consent of the Councillor concerned, the Superintendent of Schools, one member of the Financial Advisory Committee and one other person of the public rather than of the teachers, because it is the teachers that are presenting the case, and therefore they should not have members on the committee investigating the case. They could make their recommendations, and the submissions of the teachers have got to be made by the teachers representing the voice of the teachers from one end of the Territory to the other. It would have to be the majority of the teachers. The Committee would look into these things in order to have equality of treatment to these people if they wanted money for summer courses etc. Following this meeting and compilation of the report submitted, a special meeting of the Advisory Committee could be held and the result of the investigations discussed with the Advisory Committee, of which the Commissioner would be a member, and this thing could be thrashed out, at which time the delegation from the union could come and discuss the matter with the Advisory Board and the Commissioner and their decision would be final and this would be what would be placed in the estimate and recommended by the Financial committee of the Council.

Mr. Shaw: That is exactly what I wanted to know. If we can reduce this to paper I think we are on the right track.

Mr. Thompson: This is what the teachers want and there will be some years there will be very little in the negotiations.

Mr. Livesey: This is a departure from the Education Committee's suggestions in section 57, and recommendation no. 2, which I discussed prior to recess. I submit that the Education Committee's suggestions were very good and these were adopted by previous Council in 1958-61 and there are further recommendations listed, as recommendation no. 3, I do not know how that could take place, but they did make this other suggestion in an effort to bring about closer co-operation between the Council and the Department of Education. They also suggested, which I do not see in the present Ordinance, that local advisory committees be elected in all areas where there are schools from the general public to create a closer understanding of the requirements and responsibilities of the parents with respect to the schools. This

is not a government institution run by a government body. This is a government institution run by a democratic body and I notice this has been ignored in the Ordinance. I do not feel we have established a subcommittee on education within the confines of the Council up to this moment.

Commissioner Collins: There are two parts of the responsibilities. Those which should be referred to their local Councillor and from the Councillor to the Commissioner and those which should be referred to the Administration or the Commissioner, so there is provision.

Mr. Livesey: I do not believe this is the way it is recommended by the Committee on Education.

Mr. Hughes: If the committee is going to spell out an Ordinance, I would like to include what people are going to be elected whether they are parents of children in school and when the election should take place. I would have to have that information before I could make an effective amendment.

Commissioner Collins: Those matters which the Councillors should be consulted on would be school grants, educational programs, certain facilities for cultural benefit. These are broad policy matters and could be referred, but when you come down to teachers, quite often we have found in these small communities a teacher goes in there and by some odd quirk of fate is loved devotedly by 40% and hated with the same devotion by the other 60%. This is sometimes a temporary thing and will be the opposite in two months. This is something that is required of Mr. Thompson, with a view to settling these matters, and on occasion we have to remove that teacher and transfer her to another school which will suit this person for emotional requirements etc.

Mr. Livesey: I would like to point out that this does not meet section 13. This is bad. I do not like this at all. This should be elected from parents of the community whose children attend school.

Mr. Hughes: There are factors that come from these committees which affect the Council etc. What is the direction in the matter of section 13, subsection (1)? Are there any desired changes which I can get to the effect that it shall be elected.

Commissioner Collins: What is necessary is a request to the Administration to amend section 13 in accordance with the discussion.

Mr. Watt: Perhaps it would be good to have a member of the teaching profession on any committee which has to do with education.

Mr. Livesey: Mr. Watt was not here when the previous Council covered this whole Ordinance and the idea behind this is to have three elected parents responsible for taking their plans to the Superintendent. They are going to be drawn from the parents of the children who attend schools from all over the Territory. The parents will then become acquainted with the problems of operation of the school which their children attend and they will have a tendency to take a greater part. When they are elected, if there is anything wrong with the school that was being overlooked, then they could bring this to the attention of the Superintendent of the Schools and it is in connection with the subcommittee in Council here.

Commissioner Collins: These people would normally belong to the P.T.A.

Mr. Livesey: I feel that responsible adults can be just as good as parents and from a group of people, some of whom may be parents, the public would be able to decide that for themselves.

Commissioner Collins: I think the Councillors should be brought into this, because in my opinion the expenditure in the way we use the liquor tax money has been a very satisfactory method and it has been good for everyone concerned. There are problems that could well be



There are problems that could well be referred to the elected representative and I see no harm in that. He will only recommend in any case and his opinion would balance that of the superintendent of schools who might visit these places. This is done in Provincial politics and Federal politics. If you are ever going to go towards political representations, you might as well creep up on it.

Mr. Livesey moved, seconded by Mr. Boyd, that this committee recommends to the Legal Advisor that section 13, to be found on page 4 of the draft of the School Ordinance, be revised to include the election of three responsible adults as an advisory committee for each area where a school may exist in accordance with recommendation 4 and further recommendations which may appear in the report of the committee on education.

Motion Carried.

Mr. Hughes: There is a very short point, Mr. Livesey has used the expression responsible adult. Am I to give any special test to ascertain whether they are responsible? Are they to be rate payers, or just adults?

Mr. Livesey: It was to indicate that I did not want irresponsible adults. However, I think that over qualification, we could consult with the Legal Advisor on all other extraneous issues which may be connected with this. I think that if you say rate payers, then you disqualify practically everyone in my area, I think I was the lone rate payer myself and I think there are now four of us. So if you say rate payer you are going to cause difficulties for Beaver Creek School. I would say resident adults, because I know several people who are over 21 and intensely interested in education. Those people who are not as yet parents. I think we should get the best we can. This will affect all schools and there are more schools outside Whitehorse than there are inside Whitehorse, so I would say resident adults.

Mr. McKamey: I feel I could make a comment in respect to the local advisory committee. I think the duties are restricted. They are a body set up because they are able to pull strings, but they are unable to ring the bell and this will amount to something more in the future.

Mr. Livesey: I would like to point out with respect to the motion on page 17, the Legal Advisor will be able to see what the local advisory committee consisted of.

Mr. Hughes: That report has no significance for me. It is your opinions I have to try and capture not the report of the committee of three.

Mr. McKamey: I have some proposed amendments for the School Ordinance and I think it is a very necessary item to be injected into this draft. This will be the duties of the school boards and treasurer and chairman and so forth. I think it is a very necessary thing and it is recognized in the N.W.T. and in our previous Ordinance, but I think there has been an oversight here and I think it is contrary to our committee on education's report. I have submitted these proposed amendments to Council and if you want to deal with it now it is fine with me. If you wish the Legal Advisor to consider this and possibly if you think there could be time saved, he could probably check this over and see that they are not ultra vires in any respect and report back to Council.

Mr. Shaw: I wanted to get what we have asked for from the Legal Advisor and I wanted to get this cleared up. We have one note here in relation to paying transportation.

Mr. Hughes: That was intended to be added to 93(e).

The Chairman read the amendment to 93(e).

Mr. Hughes: The object of the exercise was to capture the spirit of recommendation 28 on page 27 of the Committee's Report. If I might deal with the wording of this particular section, "The Commissioner may at his discretion" and watching the framework in which the Commissioner may exercise his discretion and we wanted some guide for the assistance of the Commissioner and when I considered how to reduce recommendation 28 to words - I was bearing in mind that the Commissioner himself said you might have a crippled child and a two mile radius would be too far - that is why I introduced the extra health or critical condition of the child concerned and not knowing too much of the circumstances I thought that possibly roads might be affected by wolves and some might be exposed to bears, so I introduced peculiar perils attached to the road. I recommend deletion of that portion so that it would read "To the extreme youth or physical condition of the children concerned, pay transportation etc." Said transportation should be paid to the person would be more adequate than parent. I do not know how to reduce it to the terms except to refer back to the fact that it is the Commissioner's discretion. I have no comment, I just draw the Committee's attention to the weakness of the word parent. I was a little troubled as to whether you wanted to exclude the first two miles of travel or to include it. I did not have the view of the Committee.

Mr. Thompson: The present practise is three mile limit, but if the family lives beyond that, we pay the whole mileage.

Mr. Shaw: You wish to change parent to person?

Committee agreed.

Mr. Shaw: The words "Or the peculiar perils attached to the road" should be deleted?

Committee agreed.

Commissioner Collins: Would it be better to say transport to school on a school day, so that we are not obligated to have the transported 365 days a year? It is in all the other regulations so it should be "On a school day".

Mr. Livesey: To quote some of the higher brackets of learning from the Administration, I would say that their argument would be that this would tidy up the Ordinance and add to it "on any school day."

Committee agreed.

Mr. Watt: Could we hear the comments from the Superintendent of Schools on section 12.

Mr. Thompson: I think if you are going to get involved with so many teachers for so many pupils, you must define your terms. You must define elementary and what you mean by secondary school. My thought is that if section 12 could be left and let the Administration, using the recommendations of the Committee on Education as a guide, make the establishment of teachers. Otherwise I think you will arrive at difficulties.

Commissioner Collins: The local advisory board would be free to look after this.

Mr. Thompson: The Committee Report on Education is a wonderful guide on this matter and we have been using it.

Mr. Boyd: I think this is a good idea and I would like to move that we accept the suggestion of Mr. Thompson.

Mr. McKamey: I think this is perhaps a fairly good idea. I think it provides flexibility, but I think that it should be put on paper here

that the Committee on Education Report should be followed as closely as possible for future Commissioners and so forth. Otherwise there is nothing to say here that the Commissioner has to follow what was laid down by the Committee on Education.

Mr. Livesey: It should be put here as the report was agreed to by Council, but the report does designate and point out quite clearly that the guidance is 25 shall be one and 26 shall be two and on up and it gives a fair picture of what they consider to be right. It also defines elementary school and secondary school and they projected one more which means interim school somewhere between junior and senior high and the committee did not agree to this and the more economical thing was junior and senior high school. We do have fair guidance in that respect.

Commissioner Collins: May I suggest the Commissioner shall on the recommendations of the Superintendent, appoint teachers to each Territorial School in the Territory, due consideration being given to the 1960 report of the Committee on Education. If we do not put the date on, everyone here will be gone and the Commissioner will not know what report is referred to.

Mr. McKamey moved, seconded by Mr. Watt, that this read "due consideration being given to the 1960 report of the Committee on Education."

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that this amendment be considered to replace subsection 2 and subsection 3 of section 12.

Motion Carried.

Mr. Livesey: I have one point and that is subsection (p) of section 6 where it states it shall be the duty of the Superintendent to report annually. I would like to inquire from the Superintendent if this section eliminates the section in the old Ordinance. It does not appear to comply. Is it intended to eliminate subsection (s) of section 5 of the present School Ordinance? "It shall be the duty of the Superintendent to report annually for the Yukon Council", and this one says to report annually to the Commissioner. I think they forgot about the Council. I was wondering about this question subsection (s) under section 5 of the Old Ordinance, or is this report strictly going to go to the Commissioner.

Commissioner Collins: I would like to suggest that added to section 6 there be the following subsection (h) to state that such report shall be presented to the Territorial Council at the next sitting of Council. Would that meet your requirements Mr. Livesey?

Mr. Livesey: In the old Ordinance it says Yukon Council. This wording is also being smothered all over the Yukon and some day we are going to have to change that, but my intent in bringing this to your attention is to make sure that this report will also include the Council of the Yukon Territory.

Commissioner Collins: As the Superintendent of Schools is under the direction of the Commissioner for practically all purposes he would necessarily report to the Commissioner and the Commissioner would be obligated by this subsection I recommended to bring it before Council.

Mr. Livesey: The old Ordinance is correct. It can go to both the Commissioner and the Council.

Mr. Taylor: It would appear that this information would be going to both the Commissioner and the Yukon Council and I see no reason why you cannot put the words "and the Yukon Legislative Council" following the word "Commissioner" in subsection (p).



Commissioner Collins: It would have to go to the Commissioner first; the Superintendent being on the staff of the Commissioner and the Commissioner would be obligated that the report would be shown to Council.

Mr. Hughes: I will draft something with your leave.

Mr. Taylor moved, seconded by Mr. McKamey that Commissioner Collins and Mr. Thompson be excused and Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported: Mr. Speaker we met this morning at 10:30 to discuss Measles Vaccine with Dr. Munroe. It was also in accordance with the Committee's wishes to meet with Dr. Prowse who gave his opinion in regard to the hospital facilities at Watson Lake. At 2:00 we met with Mr. Thompson and at 3:30 Commissioner Collins sat with the Committee and will submit the proposal for the Committee on Education. That section 13 to be found on page 4 be revised to include the election of three responsible resident adults as an advisory committee for each area where a school may exist in accordance with recommendation 4 and further recommendations which may appear in the report of the Committee on Education. Regarding section 12, this was amended to read "with due consideration being given to the recommendations of the Committee on Education for 1960." This to replace any further reference in section 12 to that subject. Regarding section 6 the Committee recommends that an amendment be made to insure that Council receives the annual report of the Superintendent of Schools.

Council accepted the report.

Following a discussion of the agenda, Council adjourned until 10:00 o'clock A.M. Saturday, April 14th, 1962.

Saturday, April 14th, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Collins replying to motion for production of papers number 8 regarding Fire Protection for Destruction Bay and Beaver Creek. (Set out as Sessional Paper # 19)

Sessional Paper #19.

Moved by Mr. Boyd, seconded by Mr. Watt, that I would respectfully request the Administration to supply the Members of Council, copies of plans and estimates of costs of installation of boat loading ramps at various locations in the Yukon. (For purposes of discussion this Production of Papers was transferred to Motion No. 9.)

Production of Papers No. 9 Motion No. 9.

Moved by Mr. Taylor, seconded by Mr. Boyd, that Council resolve into Committee of the Whole for the purpose of discussing Bills with the exception of Bill # 6.)

Motion Carried.

Discussion of Bill #5.

In Committee of the Whole:

The Legal Advisor stated that if a lawyer wished to practice in in the Yukon before the 2 week waiting period had expired, this exemption allows him to do so.

Mr. McKinnon asked if a real hardship was imposed on a lawyer coming from Ottawa as most appeared before the Courts.

Mr. Hughes stated that he had no experience in this matter.

Mr. Livesey asked if there was any local opposition to this and if so what was the opposition.

Mr. McKinnon said there was opposition because this regulation showed preference to people from Ottawa who did not require it.

Mr. Hughes said this was a matter of opinion.

Mr. Livesey asked if the opinion of the Chief Executive of the Legal Profession could be obtained and if there were any objection from this quarter it could be considered.

Mr. Hughes said that he was the Chief Executive but that they should have someone who is in practice locally.

Mr. Livesey stated that he believed the Legal Profession in Whitehorse had an association of their own and although it may not be recognized as the Legal Association is in B.C. he believed they have been operating in private practise and had appointed someone from among themselves who was acting as their Chief Executive. He understood this was Mr. Wylie and suggested that Council contact Mr. Wylie to obtain his opinion concerning this matter.

Mr. Boyd stated that Mr. Wylie was away and was expected back in the early part of June.

Mr. McKinnon objected that if a person commits a crime here and wishes to bring a lawyer from outside to defend him, he has to go through a waiting period whereas Ottawa can send someone here without any waiting period.

Mr. Shaw asked whether other Legal Advisors in the Government had the same regulation.

Mr. Hughes replied that the practice existed in other provinces.

Mr. Shaw stated that they were dealing with a matter of \$200.00 and a space period of 14 days. When this \$200.00 was paid it was paid from one Government department to another, thus creating bookkeeping which cost the taxpayer money and did not serve any useful purpose. If one had a case to bring up a specialized person might be chosen to do this and the Government has one person who attends to all of these particular functions but as a case progresses the specialist may be needed and this means that the whole case will have to be delayed for 2 weeks.

Mr. Livesey stated that it appeared quite obvious that this may be applied to the Federal or Territorial Government. If the Federal Government wished to defend itself it seemed to him that the Federal Government would prefer to have someone completely familiar with the case. The only unfairness involved would be that of unfairness to the defending party by delay of the case for 2 weeks.

Mr. McKamey agreed with the exemption as he felt that this was for the protection of the taxpayer as there would be no tax money spent in the 2 week delay.

Mr. Watt also agreed but if the Lawyers' Association disagreed, he would like to see that they had an opportunity of presenting their case. He stated he would feel more confident in his convictions if the other side was heard.

Regarding Bill # 8, An Ordinance to Repeal the Poll Tax Ordinance, Mr. Livesey stated that he had submitted a motion in the past asking for repeal of this Ordinance and the repeal was not made. He wished to know why the line of thinking was changed. He further stated that it was thought by the Committee that everyone in the Territory was paying something towards the upkeep of the Government and the Committee at that time wished to have a better cost-sharing program amongst the taxpayers who otherwise did not pay taxes. One particular point was the influx into and out of the Territory of people who did not otherwise contribute to the upkeep of the Territory.

Discussion of Bill #8.

Mr. Taylor wanted to know how much revenue was obtained from this.

Mr. Taylor, Clerk of Council, replied that the revenue section of the estimates showed that \$3,000.00 a year more or less was obtained.

Mr. McKinnon stated that this was similar to Provincial liquor permits - the cost was more to the Administration than was gained by it.

Regarding Bill # 10, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil, that under subsection (3) of section 3, Mr. Taylor stated that this was contrary to the recommendations of Council at the Fall Session. He quoted the words "but not in the processing or concentrating of such ore for placer mining as defined in the Yukon Placer Mining Act."

Discussion of Bill #10.

Mr. Shaw questioned whether this phrase meant that fuel used in this connection was taxed or whether it was not taxed.

Mr. Hughes, Legal Advisor, replied that while ore could be extracted from a mine with tax-exempt fuel, fuel used in the processing of such ore would be taxed. Mr. Hughes' interpretation of this subsection was that there was no tax payable in respect of fuel to be used for placer mining. Each was a separate compartment.

Mr. McKamey did not think it would work any hardship on anyone mining in the Territory as concentrators are mostly electrical. Fuel used for heating in a concentrator would be taxable, but this was not conducive



to attracting mining from other parts of the country. It would however create a hardship on a new mining industry.

Mr. Boyd wished to know the difference between getting ore out of the ground and into a shipping position. He felt that if fuel used in getting the ore into the concentrator was not taxable, but the fuel used in processing the ore was taxable, the cost of operating a concentrator would be prohibitive.

Mr. Taylor agreed with Messrs. Boyd and McKamey and he had asked that mining be excluded from this tax in order to encourage the development of the mining industry in the Territory. The extraction of ore from a mine has been exempted but not the processing of such ore and he felt that both of these exemptions should be granted.

Mr. Taylor said that revenues were also taxed after the first 3 years.

Mr. Livesey stated that there were two basic industries in the Yukon - mining and tourism. It came down to a question of attempting to find the amount of money needed when discussing the 5 year plan with Mr. Carter and if this money is to be found in the Territory, it should be in as many ways as possible. He felt that the mining industry should pay a certain amount of tax without creating too much of a burden.

Mr. Taylor remarked that an estimated 6.2% of the amount of fuel sold a year represented 31,000 gallons. Mining exploration must be exempted in order to encourage the mining industry to come into the Yukon. There was \$2,458,333.29 projected from the imposition of this tax for the first 3 years.

Mr. McKinnon commented that all proposals had been deleted from the Health Plan but the tax had not. We are getting taxes to pay for facilities that do not exist.

Mr. Watt stated that the mining industry had offered to contribute to the building of the Watson Lake Hospital saving the Federal Government \$200,000.00 and he felt that imposition of this tax would set the opening back 2 years. His opinion was that the tax should be cut down to the minimum that Ottawa would accept.

Mr. Shaw stated that this was contrary to the thinking of Council in one part. The tax obtained from fuel used in the processing or concentrating of ore would not amount to very much and he declared that he was in favour of deleting these words. He did not agree with Councillor Taylor's remarks regarding exploration; the amount of fuel used by exploration companies would not amount to a great deal.

Mr. Taylor asked if a cat can work and be exempt from tax could not the whole mining industry be exempt by doing their work with cats.

Mr. McKamey felt that the words "not in the" could be deleted and the meaning could still be retained.

Mr. Hughes, Legal Advisor, was of the opinion that this should be amended to read "no tax payable in respect of fuel oil that is used or to be used in the extraction of ore or in the processing or concentrating of such ore".

Mr. Livesey stated that the Legal Advisor meant where did mining extraction begin and end. He understood that extraction ended at the entrance to the concentrator if the shovel etc was going in that direction. In the matter of drafting the Ordinance, he felt that Mr. MacKenzie should be contacted to see if he could indicate what portion of taxes would likely be supplied by this method.

Mr. McKamey said that he was representing a segment of people dependent on the mining industry in the Territory and he intended to legislate for his mining people to the best of his ability, not for the Administration.

Mr. Watt stated this Ordinance in effect took the place of the Motor Vehicle Fuel Tax Ordinance.

Mr. Livesey said he believed the discussion of this bill included matters of solvent etc. which at the moment are not taxed. The tax is on straight fuel.

Mr. Shaw stated that any vehicle used on the public highways should pay this tax regardless of their purpose. The point that has been raised by Councillor Taylor was that tractors used for making ditches, roads etc. could well come under the mining category. In the past this exemption had been for mining but never for vehicles that travelled on the road and he would submit that exploration could be considered as part of this but this exemption would not extend to any such vehicle used on the roads only for exploration and development.

Mr. Livesey said that when the tax was discussed the question of using vehicles on a highway was not discussed. Subsection (a) of section 2 of this Ordinance listed all liquid products obtained from fuel oil. He understood that taxation on fuel oil would also apply to such liquids as naphtha. The intention was to tax fuel only. This meant not that Council wished to raise the road tax, but to raise money. It was decided that this fuel tax was the type of tax which would assist the Territory to obtain more money from people travelling through the Territory and was not a tax that would create any more of a hardship. Council was not trying to pay for the roads out of this tax, but to raise revenue to pay for other benefits. He did not feel that these other liquids would be used on the highway as fuel.

Mr. Boyd understood from Mr. Livesey's remarks that it was intended to tax fuel regardless of where it was used or for what purpose. What did the Government offer in exchange for the Territory getting itself in the position of terrific debt regarding mining companies. This would be money spent on a risk basis if companies were prepared to spend hundreds of dollars a year this would bring wealth to the country. He felt that they should be allowed to have fuel without tax as long as it was used off the roads.

Mr. Hughes, Legal Advisor, suggested the following "nothing herein shall be deemed to exempt the fuel consumed by a self-propelled vehicle when travelling over any road constructed or maintained wholly or in part out of moneys allocated from the Y.C.R.F." If the mine has the assistance of a substantial grant of a resource road, the mine has its choice of requesting assistance in building the road or paying the tax used in fuel. Would Committee review this as a basis of their project?

Mr. McKamey agreed with this.

Mr. Livesey stated that the question was one of raising so much capital to balance so much expenditure and the capital Council is considering is that which they are going to raise themselves. If the Federal Government is to give grants the Territory must assist by showing the Federal Government that the Territory is willing to raise a certain amount of revenue itself and if this condition is not satisfied the question will raise itself later. He felt that if an attempt were not made to raise money this would have a detrimental effect on receipt of these grants.

Mr. Taylor felt that mining over the years would be the Yukon's prime industry and he would move that the following words be inserted after the words "for heating" - "in exploring for and developing mines" and further that the recommendation as submitted by the Legal Advisor be also incorporated.

Mr. McKinnon wished to know the financial implications of this from the Territorial Treasurer before he voted on this amendment.

Mr. Shaw asked if in the past exploration companies paid tax on their fuel.

Mr. Hughes, Legal Advisor, quoted the old Ordinance, subsection (3) of section 3 which exempted fuel not used on a highway.

Mr. McKamey stated that he did not think the exploration companies knew what they would be spending until they actually did the exploring.

Mr. Shaw asked if the exploration companies knew what they expected to spend on resource roads even though they did not actually know what would happen.

Mr. Hughes, Legal Advisor, stated that a person could bring in 50 gallons of fuel without complying with these regulations. This would give a tremendous advantage to exploration companies working along the N.W.T.- Yukon border. He stated that these companies could cross either the N.W.T. or the Alaska border to purchase their fuel.

Mr. Taylor's view was that this could be possible but fuel on the southern border was used at the rate of 30 to 40,000 gallons at a time purchased at Whitehorse or Watson Lake.

Mr. Shaw stated that trucks travelling through the Territory did not bring in fuel illegally.

Mr. McKamey stated that Cassiar hauled ore to B.C. and could buy fuel at 18¢ a gallon at Taylor. At the moment fuel consumed at Cassiar was being hauled out of Whitehorse and placing this tax on them would deprive the Yukon of a large amount of revenue. The same applied to N.W.T. and fuel would be brought up the highway. Fuel could be bought in B.C. cheaper than here and even if the tax were 20¢ in B.C. the price would still be lower than in the Yukon.

Mr. Taylor stated that between Canada Tungsten and Cassiar this could result in a loss of sale of fuel oil amounting to \$500,000.00 a year.

Mr. Watt asked whether Cassiar received a refund on fuel bought in the Yukon and used in B.C.

Mr. Taylor, Clerk of Council, replied that this was not so.

Mr. McKamey stated that if it came to the point where Cassiar was forced to buy fuel oil from B.C. too much revenue would be lost.

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of the Committee, reported at at 10:30 Committee discussed Bill # 5, An Ordinance to amend the Legal Profession Ordinance which was passed out of Committee as amended. Bill # 8, An Ordinance to Repeal the Poll Tax Ordinance passed out of Committee without amendment and Bill # 10, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil. Committee recommended that fuel used in processing ore be exempt. Progress was made in discussions of this Bill.

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock A.M. Monday, April 16th, 1962.



Monday, April 16th, 1962.  
10:00 o'clock A.M.

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

Mr. McKinnon gave notice of motion for the Production Of Papers regarding Well's Subdivision (Marwell Area).

Production  
of Papers:  
No. 11.

Mr. Taylor gave notice of motion for the Production of Papers regarding Army Sewer Relocation, Watson Lake.

P. of P.  
No. 12  
P. of P.  
No. 10

Moved by Mr. Shaw, seconded by Mr. Boyd, that it is respectfully requested that the Administration provide information as to the progress or disposition of action in respect of motion no. 11, submitted to Council November 21st, 1961, pertaining to amendment of section 228, subsection (1), of the Municipal Ordinance to which Council gave its unanimous approval.

Motion Carried.

Moved by Mr. Watt, seconded by Mr. McKinnon, that in the opinion of Council section 2 (w) (iii) of the Game Ordinance be amended to include as follows: " Any member of Her Majesty's Forces and R.C.M.P. "

Motion  
No. 7.

After discussion this motion was defeated.

Moved by Mr. Shaw, seconded by Mr. Boyd, that Bill No. 5, An Ordinance to Amend the Legal Profession Ordinance be given THIRD reading.

THIRD  
Reading  
Bill # 5.

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Taylor, that Bill No. 8, An Ordinance to Repeal the Poll Tax Ordinance be given THIRD reading.

THIRD  
Reading  
Bill # 8.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole for the purpose of discussing Bill number 12, School Ordinance and further Bills (with the exception of Bill #6) with Commissioner Collins and Mr. Thompson, Superintendent of Schools, present.

Motion Carried.

In Committee of the Whole:

Discussion  
of  
Bill #12.

Regarding the amendment to subsection (1) and (2) of section 46, Mr. Livesey asked if this was not a submission by one of the members of Council.

Mr. Thompson stated that this amendment could constitute a problem regarding the issuing of cheques.

Commissioner Collins stated that while the Chairman might live in a place, there is always the possibility of not being able to locate him when cheques have to be signed. In a school board it is usual to have other officers who can sign cheques other than the Chairman.

Mr. Thompson suggested that there might be a Secretary-Treasurer and 2 or 3 other officers who could sign cheques.

Mr. McKamey wished to know if it would be advisable to have anyone of board members given the authority to sign cheques.

Mr. Thompson stated that most school boards have a subject department i.e. Finance Department, Building Department, etc. There are normal operating accounts such as utilities, but there also would be extraordinary

accounts such as repairs to buildings, etc.

Mr. Collins asked that this particular specification be left and Mr. Thompson submit a recommendation to Council.

Mr. McKamey stated that he believes this method of signing cheques parallels the method used in N.W.T. where school districts are in operation. He referred to subsection (c) of section 68 of the N.W.T. School Ordinance regarding the counter signing of cheques issued by the Treasurer on behalf of the district.

Mr. Collins stated that this method (that of requiring the chairman's signature) leads to the signing of cheques in advance, and leaving them with the Secretary-Treasurer, which is not a good procedure. He then suggested the following wording to be inserted after the words "Chairman of the Board" in subsection A, section 46, of the proposed amendment "some other member or members of the Board".

Mr. Livesey suggested that this was one way of checking one upon the other. The Chairman has general supervision of the district and if there were any dispute, the cheque might never be issued.

Mr. McKamey suggested that in the event that either the Treasurer or Chairman were not available, then the Superintendent of Schools could act as the one to countersign cheques.

Mr. Thompson stated that it was usually up to the Chairman of the Board with the approval of the Board to appoint alternate officers for the signing and countersigning of cheques.

Mr. McKamey, after agreeing that this is a reasonable suggestion, asked the Legal Advisor if this would present a problem.

Mr. Hughes replied that it would not.

All members agreed.

Clause (d), subsection (a) section 46.

Mr. Collins suggested that the words "30 days thereafter" be left off as a teacher's contract could be invalidated.

Mr. Hughes stated that he would delete the words "before they enter upon their duties or within 30 days thereafter" if it was believed that this deletion would make it a better working clause.

Subsection (b) section 58 - new section "To receive all monies payable to the district and to dispose of monies in the manner directed by the Boards."

Mr. Shaw then asked if this was not the same intent as the original subsection.

Mr. Hughes stated that all monies are payable to the district. It is the destination of the moneys that determines the ability of the Treasurer to receive whereas it is the source of the money that subsection (b) section 58 is concerned with. The sources are not to be revenue sources, the Treasurer will be given the power to receive the moneys received from public revenue. He then asked if Council wished to give the Treasurer this power.

Mr. McKamey asked if this would exclude grants.

Mr. Hughes replied that in the suggested form of this subsection undoubtedly grants could be received. He then asked that Council make its wishes known.

Mr. McKamey replied that grants would definitely be required within the present framework of financing education in the Yukon and he would like this new section attached.

Mr. Hughes asked if it were Council's intention that the Treasurer receive grants.

The Commissioner stated that it is intended that the Treasurer of a separate school district receive this grant.

Committee agreed to add paragraph (d) of section 70 of the N.W.T. Ordinance but altered to read "and to keep on file all supporting vouchers."

After further discussion Committee agreed to add paragraph (h) of section 70 of the N.W.T. Ordinance to read as follows:  
"At any annual or special meeting of the taxpayers to produce the account books of the district, completed to a date designated by the Chairman of the School Board and to give the taxpayers an opportunity to examine the same.

Committee recessed at 12:00 o'clock Noon.

Monday, 2:00 O'clock PM.

Committee resumed discussion of the School Ordinance.

After considerable discussion Committee decided to add several sections from the N.W.T. Ordinance, as well as several of the sections from the old Yukon Ordinance. The Legal Advisor was requested to prepare the requested amendments in draft form for presentation to Council in the near future. Further discussion followed.

Mr. Livesey: When do you think these school districts are going to come into being? We seem to be running into considerable difficulty on this. When we discussed the Educational Committee report, we did not touch the school districts at all and here we are talking about practically nothing but school districts. It seems they have introduced a matter which was not controversial and made it controversial.

Commissioner Collins: We would have been far better off to have this Ordinance cover only part of the School Ordinance and this would be enough to swallow. We are not operating under part two or three. We are only operating under part one and it seems to me that the great bulk of this is unnecessary. No matter what you do now Gentlemen, there will come a time with regard to part 2 when you are going to have to meet with various people and conditions will be changed then.

Mr. McKamey: What would we use to go by?

Commissioner Collins: There has to be an application for a school district by the tax payers and they might have some ideas at that time which might help.

Mr. McKamey: It seems to me we have waded through this to this point and I cannot see not completing this. There will come a point when it will have to be changed, but it would be a terrific waste of time and money and effort to drop this thing now.

Mr. Taylor: I agree with Mr. McKamey. It has caused a lot of work and it may be changed later on but I am opposed to leaving this out now.

Mr. McKamey: I would suggest that we leave these problems to the



Legal Advisor and he can come back with a change and we can discuss it at this time. I have asked all the questions I wish to put before Council in respect to this draft.

Mr. Shaw: There is one question here which was left in abeyance. That is subsection (5) of section 69. It was put up for amendment and the Legal Advisor said it was before the Commissioner.

Commissioner Collins: I had a talk with Mr. Olson this morning and he is quite prepared to let this stand the way it is as it was agreed to by Council. It is a case of what proportion of taxes of a corporation shall go to the separate school and what to the public school. It is quite clear except where the Company does not express a wish. You are basing it on the number of children who attend each school and it seems to me there is no reason why it should not be mandatory to make a corporation say which way his taxes are to go.

Mr. McKamey: I do not think this would be democratic. You start dictating to people what they are going to do with their money. I think it is good enough of them to pay it.

Commissioner Collins: You are deciding in general what allocation of fees you are going to make on the enrollment. The year ends in six months time and then you start a new school year the first of September and by that time the whole situation has changed and you cannot collect this. You pick up again next January. How are you going to budget for it?

Mr. Boyd: To the best of my knowledge this paragraph in regard to separate schools is not in operation in any other province. Is this something new?

Commissioner Collins: This is something new in the whole world, as to the agreement of the Council and the Episcopal Corporation and it is Council's desire to contribute to the support of the separate schools. I do not know about Quebec, but in Ontario it is not so. In many Provinces it is not so.

Agreement  
set out as  
Sessional  
Paper # 20.

Mr. Hughes: I have never met it elsewhere.

Commissioner Collins: It is unique but I do not see why we should conform. A private Company controls its own destiny. There are no shareholders outside the Company. They can say and rightly so, we want all our taxes to go to the public school. You take a public corporation. The majority of shareholders may be protestants or catholics and the shareholders cannot say where the taxes will go and they invariably go to the school district with the most children. They are in a district with 600 children attending separate schools and there are residing 200 children of protestant parents attending public schools. Two thirds of the taxes would go to the separate school district and one third would go to the public school. I do not know whether you understand what you are doing or not, but that is the basis of paying it on a basis of the enrollment of children. If we take an example, I would say roughly in the City of Whitehorse attendance would be public school district and separate school district. The separate school might form first and there would be 450 children attending separate schools and this includes all children at the hostel. Within that district there are 1600 public school children and if you go by enrollment the Company would pay 4/5ths of the taxes to the public school district and 1/5th to the Catholic.

Mr. Boyd: Using Whitehorse as an area there has got to be someone figuring out the taxes. It seems that the mill rate must be the same and I would say it is the Administration that should send out the notices and

put these taxes as to the amount required in each school and split it even. Surely the Administration can divide it by themselves. You just pointed out there is 1600 to 400. Obviously when the Administration gets down to pay the bills it would be automatic.

Commissioner Collins: The Administration does not pay the bills, the school district pays the bills. Right now the Administration pays the bills but once a school district is formed this board will have the control of the expenditures of fees in that district and the idea as I understand it was to have equality of treatment to separate school supporters and public school supporters. For a company which does not state its allocation we say your tax is \$4,000.00. We say \$1,000.00 will go to the separate school and \$3,000.00 will go to the public school.

Mr. Shaw: By the number of children enrolled not by the number of tax payers. If you wanted to be fair you would have to say the amount of tax payers not the amount of children, because one person could have one child and one could have 10 children. It should be based on the amount of taxable property. The equality is the amount each has in equity in that particular thing. However, we can spend two weeks working on this particular subject and I cannot guarantee that after the school board has been in existence for two days, these will have to be revamped. I would say that to get something like this and complete and say it is a good job is impossible because I can say that most of us in this room are pretty confused on this, because we do something and then we go back a day later and change it and go back a day later and change it again and I feel we should be as general as possible and when the time comes that these boards get into existence, the necessity will say where we go from there.

Mr. Watt: I cannot see how we could get a fairer way of distributing this tax and I would like Council to agree to this as it now stands.

Mr. Boyd: We have never agreed to this. We went through it with Mr. Olson and this was not discussed nor agreed. It is possible for there to be a separate school and a public school in one school district?

Commissioner Collins: It is possible for there to be, in an area which would constitute a separate school district, a large number of protestants living there and vice versa. This is bound to be because we have no ghettos where catholics live in one part of town and protestants live in another.

Mr. Boyd: Could we have two schools in one district?

Commissioner Collins: No. The school district is a term of description. The tax payers who have requested that they by a number of taxpayers form a school district. It does not necessarily mean an area of land, it constitutes a number of persons.

Mr. McKamey: A school district is 25 square miles. If you were to set up a school district in Whitehorse, it would consist of more than 25 square miles.

Commissioner Collins: No. It could extend in distance, because 25 square miles is the minimum. We could have a separate school district and a public school district whose boundaries would be exactly the same.

Mr. Boyd: With two school districts in one area their mill rate would be the same and there would be no necessity to have this section.

Mr. Hughes: Suppose the Capital Theatre is owned by a corporation and fails to say where its school tax is to go and the assessment is \$10,000.00. That assessment would be divided in the area in which this theatre is geographically located and there are 200 protestant children going to the school district and only one third of that number of catholic children, you would simply say to the Roman Catholic people you are entitled to levy a mill rate of one third of \$10,000.00 and to the public school you would say you are entitled to levy at the rate of two thirds of \$10,000.00.

Commissioner Collins: It is the assessor who does this and he would have to have these statistics supplied to him.

Mr. Livesey: Under section 15 (1), which means that the area could not be more than 25 square miles, there is a limit of the area of a school district which would be five miles by five miles.

Commissioner Collins: There are two catagories - one is a municipality and one is outside a municipality.

Mr. Watt moved, seconded by Mr. Taylor, that this is a fair way of distributing this tax and that Council accept this section 69, subsection (5) as it now stands.

Motion Carried.

Moved by Mr. Taylor, seconded by Mr. Watt, that Commissioner Collins and Mr. Thompson be excused and Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported:

Mr. Speaker we met this morning with Commissioner Collins and the Superintendent of Schools to discuss the proposed new School Ordinance and the proposed amendments thereto. I have the draft with all the pieces mapped out and various additions for the record and can report progress in the matter.

Council accepted the report.

After a discussion of the agenda, Council adjourned until 10:00 o'clock, A.M. Tuesday, April 17th, 1962.



Tuesday, April 17th, 1962.  
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Collins with the reply to Question no. 1 - Alaska, Yukon, B.C. Conference. (Set out as Sessional Paper number 21)

Sessional Paper No. 21.

Moved by Mr. McKimmon, seconded by Mr. Watt, that it is respectfully requested that the Administration furnish Council with any and all information specific to a very real problem which exists in the Marwell Area. This problem concerns a contract between the Territory and Mr. Wells which according to people of the subdivision is not being fulfilled.

Production of Papers No. 11.

Motion Carried.

Moved by Mr. Taylor, seconded by Mr. McKamey, that in view of the water contamination problem, the Administration is respectfully requested to provide Council with information respecting the relocation of the D.N.D. sewer outlet at Watson Lake.

Production of Papers No. 12.

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Shaw, that the Administration be respectfully requested to compile and make available to members of Council for distribution in their respective electoral districts, up to date information covering the progress of the Territory toward the establishment of adequate Emergency Civil Defence Measures in order to bring the general public up to date and acquaint the population with the need for their interest and co-operation.

Motion No. 2.

Mr. Livesey stated that he believed most of the organization had been done by the Government with the Army. He felt that the public had not been properly made aware of just what the situation is and he stated that he had received a number of requests for information. He suggested that information be made available to Councilors so they could distribute this if people write in for it.

Mr. McKamey asked if he was correct in saying that Mr. Livesey was suggesting that Council be responsible for passing out this information on Civil Defence.

Mr. Livesey stated that he did not know what the word responsibility referred to but the obvious answer is when Council is asked for information they cannot go to several people and give them a 1/2 hour speech. The obvious answer seemed to him to be to send literature out and thereby engender interest in Civil Defence.

Motion Carried.

Moved by Mr. Taylor, seconded by Mr. Boyd, that Council resolve into Committee of the Whole for the purpose of discussing Bills (with the exception of Bill # 6) and in particular Bill # 12, School Ordinance.

Motion Carried.

In Committee of the Whole:

Mr. McKamey stated that the School Ordinance has been referred to the Legal Advisor and he did not feel that one evening, when he is involved in other problems relating to the Yukon Territory, is sufficient to completely revise the Ordinance.

Mr. Livesey expressed the view that so much time had already been spent on the School Ordinance, the Spring Session would be much longer than anticipated if Council did not go on to other bills. He did not believe there was any immediate necessity before the Fall Session to consider part II of the School Ordinance. He felt that the draft had not been finalized sufficiently for Council to discuss. As Council does not know exactly how school districts are going to work and when they do begin it will take a great deal of flexibility to make them a workable feature of education.

Mr. McKamey stated that he would have been in complete concurrence with Mr. Livesey if he had suggested at the beginning that this part of the Ordinance be put over until Fall, but does not agree that the Ordinance has been only partially discussed. He felt that Council should lay out some sort of plan that people who will operate the school districts could follow. He felt that discussion is so close to the end of the Ordinance that it should be finished.

Mr. Livesey stated in reply that the sections he was referring to were the sections that Council has been dealing with for more than 2 years. He had made his first request to Mr. Robertson, Deputy Minister in 1958 to study the question of education. Council has been trying to get this draft since 1960 and did not receive it prior to the Session, but it was received during the Session, which did not give Council time to study it. This draft is concerned primarily with school districts, not with education. He felt that the question of education had not been answered in full and that postponement of discussion would have any effect.

Mr. Hughes, Legal Advisor, reminded Council that they had the Episcopal Agreement before them which should be discussed.

Mr. Livesey said that Council had had the matter of school districts in legislation for several years and they still did not have a school district. The focal point of his interest lay in actual education rather than in school districts. He stated further that the time for discussion of school districts was when Council felt they were feasible.

Mr. Taylor enquired of the Legal Advisor whether he could tell Council if there were any further questions regarding the proposed amendments before Council left discussion of the School Ordinance.

Mr. Hughes replied that he was hoping to discuss the Ordinance with Mr. Thompson before bringing his final draft before Council. He could not attend Council and review the position with Mr. Thompson at the same time. He asked to be excused from Council for this reason.

Mr. Shaw stated that Council had had Part II of the Ordinance for several years and while he had no objection to this, he felt that too much time was being spent on discussion of it. If school districts were to be set up he felt that the people sharing in that setting up would be taxed and would be as concerned as Council. He felt the whole draft was being rushed through and that Council was drafting the Ordinance, which was not its function and was too time consuming. If it was nearly completed he was ready to go ahead but was not prepared to go through all the ramifications and is ready to return it to the Legal Advisor so that he will have time to properly draft it. He summed up his feelings in the matter by saying that if discussion could be completed satisfactorily and in reasonable time, he was agreeable, and if not discussion should be put off until next fall.

Mr. Taylor agreed that it would be a waste of time to drop the School Ordinance half-way through but felt that it would be better to complete this particular section.

Mr. McKamey's view was that a bill was not being drafted and as Council had worked on this Ordinance for so many years, he would like to finish discussion of it.

Mr. Livesey said that he believed Council had not had the draft Ordinance long enough to study and Council should discuss other matters before the School Ordinance is finally discussed. He stated that administration details of school districts were not important at this Session. He did not feel that six months would bother the situation one way or the other except by giving it more time and at the Fall Session Council would be in a better position to discuss the Ordinance.

Mr. McKamey felt that Council was taking too much time in deciding whether this Ordinance should be passed. He had no more questions regarding it and it could be presented to the Legal Advisor.

Mr. Shaw reiterated his previous remarks, i.e. Council had spent from 10:30 a.m. until 5:00 p.m. deciding the duties of the School Board officials (Chairman, Secretary-Treasurer) which is not Council's function. It is the School Board's function. This is not legislation but a purely administrative matter. He wished to see that people are protected but did not feel that this was a matter for discussion in Council.

Mr. McKamey's opinion was that Council should pass an Ordinance in whole, not in part.

Mr. Taylor stated that further bills should be discussed in view of the fact that the Legal Advisor had been excused from Committee to discuss the School Ordinance with Mr. Thompson.

Committee then proceeded to discuss Bill # 10, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil, with Mr. MacKenzie Territorial Treasurer, present.

Discussion  
of Bill  
No. 10.

Mr. Taylor asked Mr. MacKenzie what the financial implication would be of subsection (3) section 3, if mining was excluded. He stated that what has been done to date is to include "the processing and concentrating of such ore." in the wording of the subsection. There has been provision made for extraction of ore but no provision was made for the exploration and development aspect of mining which is a very costly undertaking.

Mr. MacKenzie stated he understood that Council meant to include everything to do with mining.

Mr. McKamey stated that only trucking and hauling of ore was meant.

Mr. Boyd stated that any vehicles using the road would not be exempt from tax, but where vehicles used roads that were not public highways these should be exempt from tax.

Mr. MacKenzie stated that Council's wishes in the matter had not been made clear to Ottawa and the Ordinance should be amended to clarify this.

Mr. Taylor stated that in subsection (3) it reads only "the extraction of ore from mining" and he had recommended that exploration also be considered.

Mr. McKamey stated that due to U.K.H.M. being the only mine in operation who use coal from Carmacks for heating operations and the only fuel they use for development would be very small.



Mr. Shaw stated that if the mining industry paid the tax on fuel the difference would be less than \$4,000.00 a year. 4% of \$245,000.00 is \$20,000.00 over a 5 year period and this would amount to \$4,000.00 if all mining were exempt. The amount of money involved would be very small.

Mr. Livesey asked if Mr. MacKenzie had any idea of the total gallonage required in diesel fuel used in the Territory per year.

Mr. MacKenzie stated that he could obtain the figures.

Mr. McKinnon wished to know if the increase in the Health included the capital cost of the Watson Lake Hospital.

Mr. MacKenzie replied that it included everything.

Mr. Taylor wished to know if this was recoverable.

Mr. MacKenzie further stated that the net costs are included in the operating deficit grant. The capital is fully paid off and the Territory does not lose on the operating costs.

Mr. Shaw felt that fuel oil used in mining in any form not used on the road should be exempt.

All members agreed.

Mr. Livesey stated that he thought this new way of raising taxation was to be known as a Fuel Tax Ordinance rather than a Road Tax Ordinance. He would like to clarify this. The object to raise money so the Territory could contribute something towards the operating of the Territory. A Road Tax Ordinance is usually considered to be used for maintenance of roads although these taxes usually went into the Y.C.R. Fund. The question is how far can Council go before they have to raise taxes in some other way.

Mr. MacKenzie stated that no attempt was made to protect mining down into its component parts and he did not think it included any fuel used on a highway going to or from a mine. In other words, this figure of 8.4% is simply for fuel consumed in mining off a highway which is what Council wanted.

Mr. Livesey asked if this present situation would raise the amount of required capital.

Mr. MacKenzie answered yes. The 8.4% was based on this. Regarding the money that would be raised by taxing fuel used in "the processing or concentrating of ore" he felt the amount that would be involved would be very small.

Mr. Livesey wished to know whether the amount involved would be large or small if Council considered keeping subsection (3) and included the words "the processing or concentrating of such ore".

Mr. MacKenzie replied that it had been established that the amount would be very small. He added further that compared with the total sums involved it was negligible.

Mr. Livesey then asked if it was a small amount, why were there any objections to it.

Mr. Taylor pointed out that Council had already established the fact that by the time fuel had been brought into a mining property the costs of trucking in that fuel would amount to approximately \$90.00 per barrel and the cost to the mining people in the Territory would be very high.

Mr. Shaw asked the Committee if they agreed that no tax be payable in respect of fuel used in the exploration, development, extraction and processing of ore but not to include the use of fuel used on public roads and highways.

All Members agreed.

Mr. Taylor, regarding subsection (b) of section 4, wanted to bring to Committee's attention that here again was a case where villages would be established in the future. He enquired whether this should be discussed now or put over until such time as villages are in existence.

Mr. Shaw stated that this should wait until such time as villages exist.

Mr. McKamey, referring to subsection (b) of section 4, wondered when the U.S. Government performed an exercise in Alaska and transported through the various Provinces and the Yukon Territory, if it should be subject to this tax.

Mr. Shaw stated that this subsection was a repetition of a Statute of Canada.

Mr. McKamey stated that these forces would not be visiting but just travelling through.

Mr. Taylor stated that it would appear that N.A.T.O. forces travelling through would have to have prior authority from the Government of Canada.

Regarding subsection (4) of section 3, Mr. Shaw asked whether this was the same procedure that had been followed.

Mr. Taylor, Clerk of Council, replied that it was.

Mr. Livesey stated that he felt there should be an import bar on 50 gallons of motor vehicle fuel coming into the Territory because there is the question in his mind as to just when one became an importer. His opinion was that anyone who brought more than 50 gallons of fuel into the Territory was an importer.

Regarding section 10, Mr. Livesey directed a question to the Legal Advisor and asked if section 10 was within the meaning of the Constitution. He stated that this section shows that a person is guilty until proved innocent. In most cases one is innocent until proved guilty.

Mr. Hughes replied that it is within Council's power to impose this duty on the defendant. The technical reason for taking this line is that it is a very simple matter for a defendant to produce the receipt provided for earlier in the Ordinance.

Mr. Livesey wished to know if this would conflict with the Bill of Rights.

Mr. Hughes stated that he could see no conflict.

Mr. Livesey stated that when the Courts are dealing with an individual who is charged with an offence, British justice claims that the defendant is innocent until proved guilty, therefore the proof of innocence was not upon the defendant. He had always understood that the Courts were conducted along these lines.

Mr. Hughes remarked that this was not a question for the Legal Advisor but that it was a question of policy. He could only give them the choice of one course or the other, but was not there to tell Council what to do. It is Council's responsibility to decide what stand it wants to take. This may be a difficult Ordinance to put into effect and if section 10 is omitted it will be

very difficult to prove. He also said that Council would be headed for administrative difficulty if the Ordinance in this form is not accepted.

Mr. MacKenzie stated that unless this section was left in the Ordinance it would be very difficult to collect the taxes.

Mr. McKamey wished to know if this section 10 would make the defendant provide the information required.

Mr. Shaw remarked that this had been in the Ordinance for many years and he did not know of any hardship it had created. Referring to Mr. Livesey's remark about proving guilt, etc., he said it was generally accepted but in matters such as this there is a difference i.e. the Income Tax Act, whereby documents had to be produced to prove your case. As had been stated the matter of the Administration trying to prove guilt would be next to impossible and it would mean only that the honest persons would contribute but people who are a bit on the shady side can evade the tax with impunity. He advocated very strongly that section 10 remain in the Ordinance as the result would be nothing but chaos.

Mr. Livesey remarked that in other words this was the chairman's considered opinion as an individual that without this provision it would be impossible to collect the tax.

Mr. Shaw answered in the affirmative, stating that if he indulged in "skull-duggery" the Government would have every right to bring him to book for it. The money that this tax brings is one of the few forms of revenue received we have and is necessary for the operation of the Territory. This is the main source of taxation and all this does is make it fair. This section gives the Territory the opportunity of making dishonest persons pay their share.

Mr. McKamey stated that in principle he disagreed with the section as did the member from Carmacks-Kluane, but for administrative purposes felt the section should remain.

Mr. Taylor said he was left with the impression that section 10 would force the party who is prosecuted under the Ordinance to produce any papers relevant to the case at hand and if there were any bills that party must produce them but this did not make him guilty which is for the Court to decide.

Mr. Shaw stated that when purchasing anything for a large amount of money a receipt is usually requested and this is exactly the same situation. If an exemption form is signed in a wrong manner, i.e. if the fuel oil purchased was not used in mining procedure, but the purchaser travelled up and down the road on it, the Administration should bring the person to account.

All members agreed with the exception of Mr. Livesey, who abstained.

Council recessed at 12:00 o'clock Noon.



Tuesday, 2:00 o'clock P.M.

Committee resumed with discussion of Bill # 11, An Ordinance to Amend the Disabled Persons Allowance Ordinance.

Discussion of Bill #11.

Regarding section 1, Mr. Taylor remarked that the only difference between the old Ordinance and the amended Ordinance would be that the amount of \$55.00 had been changed to \$65.00. Regarding section 2 he also stated that the only change would be from \$55.00 to \$65.00.

Regarding Bill # 14, (An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance), Mr. Livesey asked if this was also the same as the previous Ordinance with the exception of the increase to \$65.00.

Discussion of Bill #14.

Mr. Taylor replied that it was exactly the same.

Mr. Livesey enquired when this increase would go into effect.

Mr. Taylor, Clerk of Council, replied that the same date is effective for both the previous amendment and this amendment, therefore these allowances would be retroactive.

Regarding Bill # 19, An Ordinance to Amend the Intestate Succession Ordinance, Mr. McKamey requested that some background be provided by the Legal Advisor.

Discussion of Bill #19.

Mr. Shaw remarked that the Legal Advisor was at present working on the School Ordinance and had been assured by Council that he would not be disturbed unless the matter was of vital concern.

During discussion it was explained that the word "Intestate" had been omitted from the section in error.

Regarding Bill # 21, An Ordinance to Amend the Public Service Ordinance discussion followed with Commissioner Collins in attendance.

Discussion of Bill # 21.

Commissioner Collins stated that he had written this Ordinance before his arrival in the Yukon as there was no Public Service Ordinance. Owing to the growth of the service he felt it should be completely rewritten but not at this Session. In order to protect the next Commissioner and employees he had put before Council these amendments to the original Ordinance. This is to ensure that employees can be suitably looked after by promotion where vacancies are concerned and also by appointment. Where a vacancy occurs the position would be advertised and a board would decide on the person to fill that vacancy. Where a vacancy occurs by someone leaving personnel in the employ of the Government can apply for this position. The Board is to be composed of Territorial employees although it does not altogether fulfill the Civil Service and Treasury Board requirements. It would be impossible for any Commissioner to "pick someone off the street" and put him into a particular job.

Mr. McKinnon felt that this would be a very good protection for all concerned.

Commissioner Collins stated that during the 7 years that he had been in the Yukon he had never done anything contrary to what is in the Ordinance. Boards had sat on positions and appointments and they had not been unduly influenced but such a condition could exist and he believed it is for the protection of others that this Ordinance should be made law.

All members agreed.

..... / 175.

Regarding Bill # 20, An Ordinance Respecting An Agreement on a Project for the Development of Land for Housing Purposes between the Yukon Territory and the Government of Canada, Commissioner Collins stated that in part it had come before a previous Council. He stated that 75% of the cost of this project would be borne by one party, 25% by someone else and that there was also a subsidy but the point to remember was that this low rental housing is confined to people of a certain income - \$4,500.00 to \$5,000.00. The previous Council had objected very strongly to this Ordinance because the Territory, in addition to sharing payment of the subsidy, would also share in the costs occasioned by negligence on the part of the tenants. There would be a Board that administered this project for the Territory and their word would be law. This is the body that appoints the tenants to the low rental project, carries out repairs, etc. Commissioner Collins pointed out one disadvantage to this type of housing by citing a hypothetical case where a family coming within the required income group becomes eligible for this project on the first of May. The family is composed of his wife and three children, the husband is a man of seasonal employment and can pay the rent until about the middle of October when the working season ends and he then has no income except for unemployment insurance. This unemployment insurance is insufficient to pay rent and maintain his family and his first duty is to his family. He would use this for food, probably run up a bill leaving his rent unpaid and allowing it to go into arrears. The problem is who will pay the rent and the consequent depreciation resulting from lack of repair and upkeep of the unit. In this Ordinance the City of Whitehorse says it will be responsible. This Ordinance is adequate where there is employment on a year round basis.

Mr. Shaw stated that the Territorial Government could hardly foresee a profit. Regarding clause (iv) he stated that  $17\frac{1}{2}\%$  was  $17\frac{1}{2}\%$  of the difference between the operating costs and the amortization costs of the building. The City of Whitehorse, who are to manage the affair will also look after the Territory's interest.

Commissioner Collins stated that the rents were supposed to repay the whole 100% less the subsidy.

Mr. McKamey asked who was responsible if the rents did not cover the capital costs plus the depreciation.

Commissioner Collins replied that C.M.H.C. were responsible for 75%, the Commissioner for  $17\frac{1}{2}\%$  and the City of Whitehorse for  $7\frac{1}{2}\%$ .

Mr. Fingland, Administrative Officer, was requested to attend Committee for the purpose of further elaborating on this subject. He stated that this was a 10 unit apartment block; would be handled by C.M.H.C. and was a standard arrangement available to municipalities throughout the whole of Canada. The terms are spelled out well in this Ordinance. The plans for the building were still incomplete, although C.M.H.C. will prepare plans once the Ordinance is approved and legislation passed. These plans will then be submitted to the Territorial Government for approval.

Mr. Boyd asked if it was intended that there would be 10 families living in one building.

Commissioner Collins replied that there will be 2 and 3 bedroom apartments and the more children there are the lower the rent would be. He did not think this Bill should be discussed any further until Mr. Fingland supplied the essential details.

Mr. McKamey enquired as to the method of operation.

Commissioner Collins stated that there would be a 3 to 5 man commission to look after maintenance and operating.

Mr. Taylor asked if Civil Servants would be allowed to use these facilities.

Commissioner Collins replied that they would not. He further stated that if a man got a raise putting him over the \$5,000.00 limit, he would have to leave.

Mr. Fingland stated that the success of the project depended on the commission's ability to run it and select the tenants. If they were lax and let the property depreciate, it would be a costly operation.

Mr. McKamey wished to know who set the rents.

The Commissioner replied that the authority did.

Mr. Taylor's view was that if this project was under C.M.H.C. it would be administered by the Federal Government.

Commissioner Collins replied that this scheme would be administered by the Housing Authority, composed of residents of the Territory.

Mr. Taylor asked if the members of the Authority would be selected by the Federal Government.

Commissioner Collins replied that selection would be made by the Commissioner .

Mr. Boyd asked whether the people comprising the Authority would be paid for their services.

Commissioner Collins stated that there was no provision for payment of these people or for any of their staff as a 10 unit apartment building would not require paid staff but if it were larger and had landscaped grounds etc. someone would have to pay. He presumed this would be charged to operating expense.

Mr. McKamey remarked that this seemed to be forcing people onto unemployment insurance.

Commissioner Collins expressed the view that no more time should be spent on this until Mr. Fingland had all the pertinent information.

Mr. Shaw asked Mr. Fingland to give a resume of the financial implications etc. of this project.

Mr. Fingland stated that this was covered by sections 23 to 36 of the National Housing Act. C.M.H.C. takes full responsibility for construction after the appropriate resolutions are passed by the City Council and the Province or Territory. This has already been done. Once the necessary legislation is passed, C.M.H.C. will then go ahead with completion of the plans, submit them to the Territory and the City of Whitehorse, then go ahead and build. For the operation of that building there will be established a Housing Authority consisting of 3 to 5 members who are local citizens appointed by the Commissioner. There will be someone representing the Territorial Council, City Council and some representing the Department of Public Works. This group of 3 will recommend that 3 or 5 local citizens comprise the members of this Authority which will operate under the Low Rental Housing Ordinance and will be subject to municipal taxes exactly the same way as any other corporate entity operating in the City.

Mr. Boyd's view was that the City of Whitehorse would then relinquish all responsibility and the Territory also as far as management was concerned.



Mr. Fingland replied that the Housing Authority would be responsible for the operation of the project. D.P.W. can terminate the establishment if it does not pay. The Federal Government rents this to the Housing Authority and it would fall back on them.

Mr. McKamey asked if this would then be turned into accommodation for Civil Servants.

Mr. Fingland replied that it could be or it could be sold.

Mr. McKamey then wished to know if the money spent by the Territory would then be returned.

Mr. Fingland replied that the amount of money loaned would have to be repaid.

Mr. McKinnon remarked that according to the Ordinance it was not the Corporation that will manage the project, it would be the City of Whitehorse.

Mr. Fingland stated that these are not the arrangements understood by C.M.H.C.

Mr. Taylor asked if Mr. Fingland could tell Council who did the actual drafting of the Ordinance.

Mr. Fingland replied the Department of Justice in Ottawa did the drafting.

Mr. McKinnon suggested that it be left until a future date as it is much too sketchy.

Mr. Taylor also recommended that further information be obtained to enable Council to finalize the Bill.

Mr. Fingland was excused from Committee.

Mr. Taylor requested Mr. MacKenzie's presence for the purpose of discussing Bill # 9, An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory.

Discussion  
of Bill # 9.

Referring to the breakdown on page 2, Mr. Livesey asked why this was an over-expenditure.

Mr. MacKenzie replied this was not an over-expenditure, but just was not provided for in the 1961-62 estimates. In reality this represented a change in policy.

Mr. McKamey said, regarding roads, bridges and public works, that he would like to know the total expense.

Mr. MacKenzie stated that Flat Creek-Eagle Plains Road was 100% recoverable and that these were all over-expenditures.

Mr. McKamey wished to know if all items were recoverable.

Mr. Shaw replied that just the last one - Y.H.I.S. was recoverable, the rest were Territorial responsibilities.

Mr. Boyd questioned the expenditure on the 2 mile hill.

Mr. MacKenzie said that the expenditure was estimated \$15,000.00 or less.

Mr. McKamey wished to know the reason for the additional expenditure on this road.

Mr. MacKenzie stated that last winter had been a heavy one with a great deal of snow and consequently more work must be done to clear the snow.

Mr. Boyd asked what it would cost to clear the rest of the Territorial roads of snow if it cost \$5,000.00 to clear the snow off 2 mile hill.

Mr. MacKenzie replied that the foundations of the road were peculiar with underground seepage and other factors involved. He felt a technical explanation should come from the Territorial Engineer.

Mr. McKinnon asked if there were enough flexibility in allotment transfers within votes to make up for this additional expense.

Mr. MacKenzie replied that there was.

Mr. Shaw cited the next item under vote 10 - Capital Account - Tote Trails Assistance.

Mr. McKamey asked Mr. MacKenzie to explain how the road was built into Tintina Silver Mine under the Tote Trails Assistance program. There was an expenditure of \$60,000.00. Under this Tote Trails program \$30,000.00 would have come from the Territory. In this budget there would be an amount of \$35,000.00 for one year. The total allotment has been spent and another \$30,000.00 have been spent on the road into Tintina.

Mr. MacKenzie replied that a portion of this money has been paid but he did not know exactly how much,

Mr. McKamey wished to know what would be paid.

Mr. MacKenzie said he did not know if it ever would be paid. In this case the person in charge of this tote trail program should be asked to attend, i.e. Mr. Merrill, Acting Superintendent of Resources.

Mr. Livesey asked if companies could go ahead with a road, spend money on it, and make a claim on something already done without prior agreement between that company and the Territorial Government. Would this be a way of getting around the powers of Council under the Yukon Act.

Mr. Shaw asked if this \$20,000.00 was a supplementary amount already voted and did the Federal Government later increase it to \$50,000.00.

Mr. MacKenzie stated that he agreed with Mr. Livesey. That it would be wrong for a company to spend money on a tote trail and present a bill for 50% but there should be a prior arrangement.

Mr. Shaw stated that regulations were such that the Commissioner asked people to apply for this assistance and on application this assistance was proportioned according to each applicant's merits.

Referring to vote 19, Y.H.I.S. - Mr. Taylor asked the reason for the expenditure of \$75,000.00 on hospitalization.

Mr. MacKenzie said that when the main estimates were prepared there was nothing to go on. He put in \$15,000.00 which was not adequate. This was for outside hospitalization.

Mr. Livesey asked that if you live here and become sick here, you could go outside to a hospital.

Mr. MacKenzie replied that you could not. You must be unable to obtain proper treatment here. If specialized treatment is unobtainable here you can go out.

Mr. McKamey asked how much the Territory would collect from the Provinces.

Mr. MacKenzie replied that the hospitals pay what the Yukon charged for hospitalization.

Mr. Boyd asked if the amount collected from other Provinces nearly offsets the amount paid out here for hospitalization.

Mr. MacKenzie could give no firm answer.

Mr. Livesey stated that this also included the fact that if a person went outside and intended to return, the Hospital Insurance Scheme would pay to the Provinces those amounts charged for hospitalization within a period of one year if that person's place of residence was not changed but if one went outside with the intention of transferring from the Yukon to some other Province one would be covered for only 3 months.

Mr. McKamey asked if there was any possibility of this decreasing in the future.

Mr. MacKenzie said no that if one required a serious operation and had to obtain the most experienced surgeon available and that surgeon was not in Whitehorse, then that person would be sent out.

Mr. McKamey felt that this would reflect on the operating costs here. He asked if there would ever be a decrease in operating costs here by people having medical treatment outside.

Mr. MacKenzie stated that it made no difference whether Y.H.I.S. paid any hospital in the Yukon or outside, they are still paying. There might be a reduction in some respects as in some outside hospitals the rates are lower.

Mr. Livesey stated that hospital costs are not necessarily equivalent to beds full but are equivalent to the number of beds in the hospital.

Mr. MacKenzie said that whether a Yukon hospital is full or empty is immaterial. Y.H.I.S. will still have to pay the costs. About 80% of hospital costs are fixed.

Mr. Shaw's opinion was that it actually did cost the Territory more money, because Council had been informed that the difference between a hospital being fully utilized and just a few patients in was about 15%. When people go outside it does cost more money as an additional 15% is not being paid on an additional 23%. Whether it increased or decreased it had to be accepted.

Mr. Boyd asked, regarding Tote Trails, if this was actual expenditure over and above what was allotted.

Mr. MacKenzie replied that it was partly incurred and partly to be incurred but they were over and above what was allotted. When the \$20,000.00 was put in, it had been spent.

Mr. Boyd understood from Ottawa the money was to be spread around where it was required. Was this another \$20,000.00 to be partly for 1962-63 and partly for 1961-62. \$30,000.00 was allotted and this \$20,000.00 brought the amount up to \$50,000.00

Mr. MacKenzie was excused from Committee.

Moved by Mr. McKamey, seconded by Mr. Boyd, that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee.



When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported that at 10:30 a.m. discussion took place re Bill # 12, the proposed new School Ordinance. At 10:45 a.m. discussion took place of Bill # 10, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil and the Committee agreed that no tax be payable in respect of fuel used in the exploration, development, extraction and processing of ore but not to include use of fuel used on public roads and highways. Bill # 10 out of Committee with amendment. At 2:00 pm Bill # 11, An Ordinance to amend the Disabled Persons Allowance was discussed and passed out of Committee without amendment. Bill # 19, An Ordinance to Amend the Intestate Succession Ordinance passed out of Committee without amendment and Bill # 14, An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance was discussed with Commissioner Collins and this Bill passed out of Committee without amendment. Also Bill # 21, An Ordinance to Amend the Public Service Ordinance passed out of Committee without amendment. Discussion followed with Mr. Fingland of Bill # 20, An Ordinance Respecting Development of Land for Housing Purposes. This Bill was referred back to the Administration for clarification. Discussion of Bill # 9, An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory, (Second Supplementary Appropriation Ordinance 1961-62) with Mr. MacKenzie present then followed. Committee agreed to items under votes 3 to 9 and 19. Committee wishes to set a day to discuss with Mr. Merrill vote 10 re Tote Trails.

Council accepted the report of the Committee.

Council adjourned until 10:00 A.M., Wednesday, April 18th, 1962.

Wednesday, April 18th, 1962.  
10:00 o'clock A.M.

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

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of motion respecting a National Park for the Yukon.

Motion  
No. 10.

Mr. Taylor gave notice of motion for the Production of Papers respecting a new wilderness area in the south-east Yukon.

Production  
of Papers  
No. 13.

Mr. Speaker tabled a memorandum from Commissioner Collins in reply to motion for Production of Papers # 9, which was transferred to motion # 9 regarding boat loading ramps in the Yukon. (Set out as Sessional Paper # 22.)

Sessional  
Paper # 22.

Mr. Boyd referring to his motion (number 9, Votes & Proceedings page 157) stated that there were about 700 boats in the vicinity of Whitehorse with outboard motors all of which use taxable fuel and the investment is \$350,000.00 or more. When people with boats loaded on trailers being towed behind a pickup or car, arrive at their destination they dare not go too far from shore as there is no place to land and it requires anywhere from 2 to 6 men to get a boat in and out of the water. The Whitehorse citizens are not too badly off as they usually go down on the weekend and help is usually available. Anyone from out of town i.e. tourists, have a great deal of trouble getting help. He felt a boat loading ramp should be placed at Carcross and one at Tagish for this year as a trial. Carcross is a very bad place to get a boat in the water, especially in the spring when it is very muddy. At Tagish the problem is not as bad but there is still a need for one. He suggested that a vote be made of \$250.00 each for construction of a ramp at Carcross and Tagish respectively. As far as construction was concerned, Mr. Boyd suggested that a qualified person advise as to the material to be used. The ramp should be at least 8 feet under water so trailers can be backed into the water to load the boats.

Motion # 9.

Mr. Boyd suggested that 2 ramps be constructed - one at Carcross and one at Tagish, at an approximate cost of \$250.00 each.

Mr. Speaker suggested that Mr. Boyd insert the words "in the opinion of Council" into his proposal.

Mr. McKamey objected on the grounds that the ramps would not work. A wooden ramp will not sink to the bottom in 8 feet of water. Boat ramps in B.C. were made of concrete slabs joined together, and extended into the water depending on the shoreline. He felt it was not necessary to back a trailer into the water more than about 3 feet to get a boat on to these ramps. They were also equipped with a small winch to make the operation easier. This would be impossible with planks and he added that reinforced concrete does not deteriorate as wood does.

Mr. Boyd stated that the portion of the ramp that would be in the water should be of cement but felt that the portion to be out of the water could easily be of wooden planks.

Mr. Taylor said, regarding boat ramps, that Watson Lake has a ramp for hauling aircraft out of the water that is made of heavy wooden planks weighted at one end. He would like consideration given to the possibility of placing one of these ramps at Teslin as it is a recreational area.

Mr. Shaw stated that there were two ways that these ramps could be financed. One by the grant that will be available to each district for tourist promotion. This is a matching grant i.e. Whitehorse area - \$3,000.00. The matching grant would likely come from persons using this ramp. It is a community recreational project, so this could be financed through the recreational fund.

Mr. Watt felt this was a good idea and that the proposed locations could be used as test areas. If this project proved itself then additional locations could be considered.

Mr. McKinnon thought there were more small boats put into the water in Marsh Lake than in any other place in the Yukon.

Mr. Boyd said that the concentration of boats in the Whitehorse area was in three places - Marsh Lake, Tagish and Carcross. Marsh Lake was too divided to find a good location for a boat ramp. Kathleen Lake and Laberge were also good locations. He felt there should be about 8.

Mr. McKamey's opinion was that there should be one at Mayo.

Mr. Taylor stated that the problem lay in whether finances are obtainable and recommended that the Treasury Department be asked if funds could be available.

Mr. Boyd commented that all motors used in boats use taxable fuel and the owners are aware of this fact. Because of this he felt that they should have this convenience.

Moved by Mr. Shaw, seconded by Mr. McKamey, that Bill # 11, An Ordinance to Amend the Disabled Persons Allowance Ordinance be given THIRD reading.

THIRD  
Reading  
Bill # 11.

Motion Carried.

Moved by Mr. Taylor, seconded by Mr. Shaw, that Bill # 14, An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance be given THIRD reading.

THIRD  
Reading  
Bill # 14.

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Boyd, that Bill # 19, An Ordinance to Amend the Intestate Succession Ordinance be given THIRD reading.

THIRD  
Reading  
Bill # 19.

Motion Carried.

Moved by Mr. Boyd, seconded by Mr. Taylor, that Bill # 21, An Ordinance to Amend the Public Service Ordinance be given THIRD reading.

THIRD  
Reading  
Bill # 21.

Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Shaw, that Council resolve into Committee of the Whole to discuss the Tote Road policy followed by discussion of the Supply Bill # 6 with Mr. Merrill present.

Motion Carried.

In Committee of the Whole:

Mr. McKamey stated that the Committee was concerned about this tote road assistance as this is something the Council fought for



and it is concerned about the future of the program. He understood that last fall one of the major mining companies in the Yukon Territory made application for \$60,000.00 for tote road assistance. Of the \$60,000.00 he assumed that \$30,000.00 would be a matching grant. It seemed that the total amount appropriated for this program last year was about \$30,000.00 and he believes it is the same this year. He also understood that \$30,000.00 would be deducted from this for Tintina Mines.

Mr. Merrill stated that the total amount set aside was \$50,000.00, of which \$30,000.00 was made available. In the case of the Tintina Mine road, they requested \$50,000.00, of which \$30,000.00 was made available by the Territory; \$20,000.00 from N.W.T. which had not been used, and the remaining \$10,000.00 to cover the \$30,000.00 was to come from the current estimates, the total being \$50,000.00.

Mr. McKamey stated that Council understood that when this money was appropriated from the Federal Government that application would be made for the estimated amount required to put the access road into shape and felt that the policy had been overstepped. He also felt that this would cause confusion and also that it was unfair that when a person makes an application and wants perhaps \$5,000.00 several dozen applications come in and each application is weighed on its merit. This is a good policy, but Council is critical of the fact that the policy has been overstepped.

Mr. Merrill said that last year the Yukon Territory received a total of 15 applications for tote trail assistance and some assistance was provided. One for \$75.00 and another was for a total amount of work worth \$20,000.00. So this used up the allotment for the tote trail program. In the case in question the fund paid last year did not go out of the Territory, and they did make application last year. On the basis of the mining prospects of this property from a development point of view the Resources Division of the Northern Affairs felt that this application warranted some assistance if the funds could be made available.

Mr. Boyd asked if the remaining commitment of \$10,000.00 would come out of the Y.C.R.F. if the \$30,000.00 allotted was used up and \$20,000.00 transferred from the N.W.T.

Mr. Merrill replied that those were his instructions.

Mr. Boyd asked if this was not contrary to past procedure.

Mr. Merrill replied that there was no precedent on which to work last year. The original policy established by this Department was that assistance would be for work done during the year and application on a fiscal year basis. It would appear that this was against this policy, although the policy is still in effect. All I can add is that my superiors have instructed that in the administration of this program a sum of \$20,000.00 has been ear-marked.

Mr. Taylor said that it was encouraging to learn that this fund was divided among 15 applicants. In Tintina there has been \$20,000.00 which has come from N.W.T. and we are asked to contribute \$10,000.00 and he agreed with Mr. Boyd and Mr. McKamey that Council would be making a mistake if they were to precommit themselves. After \$10,000.00 were removed this would leave \$40,000.00 but he felt that the expenditure was warranted because they had to assure the Federal Government that several hundred thousand dollars would be spent on the project. The road put in would likely be a well used road in the future.

Mr. McKamey felt that already in the first year they were losing sight of what this money was appropriated for. They decided last year through submissions to the Deputy Minister of Northern Affairs that this money should be allotted to small operators of mines in the Yukon Territory and suddenly a big chunk of this money was taken for a big company. The policy had been overstepped and what was to stop more large companies requesting tote road assistance as a result leaving the small miners without the assistance they have been promised.

Mr. Shaw stated that the original intention had been to help the small operators. He could understand that the Government had approved another \$20,000.00 for this program. The money that is spent is to develop mining, but he was alarmed at the \$10,000.00 over-expenditure to be taken from next year's allotment and he felt that the small operator would have to be cut down accordingly.

Mr. MacKenzie stated that the moneys that were in fact voted by Council for last year and what they will be asked for this year will be \$30,000.00 plus \$20,000.00 for the fiscal year ending March 31st, 1962 fully recoverable and another \$50,000.00 for 1962-63 estimates.

Mr. Boyd stated that this would not help the small operators if large amounts were spent on the big companies. There was a possibility that the small operator would be told the money is available and he felt that this was unfair to the small operator.

Mr. McKinnon stated that he is in accord with the original policy. He felt that it was the small operator, not the huge company, who needed the assistance and he would like to see a very definite policy laid down as to who should receive this assistance.

Mr. Merrill felt quite certain that during last year, the first year of operation of this program, that no one was sure just how it should apply, but the general procedure had been that an individual or company might apply and a certain sum of money was set aside, and in the fall if construction was started, papers were submitted and work inspected. There were 4 or 5 companies last year that were paid more than was specifically asked for; 50% was ear-marked for this and at the end of the season some companies put in a claim for a lesser amount. Every application that comes in will be given consideration, the point is that at the present moment, he had received 3 applications for tote trail assistance that had not been processed yet. The Mining Inspector, the Territorial Engineer and himself will review these and depending upon certain fringe benefits that will come to the Territory, and which he believed Mr. Carter discussed with you, money will be set aside and divided into as many allotments as possible. If other applications are received during the summer months, some money will be allotted if possible. He was very interested in the points of the small operators versus large operators. He wished to know Council's opinion as to the difference between a large operation and a small operation.

Mr. Livesey stated that he was on the last Council and certainly agreed with the other members that the tote trail assistance program was one which created a method of assisting small operators which was not provided for in any other type of agreement and this tote trail assistance program was therefore a means of creating this assistance to small mining operations. When one organization can walk in and use methods to eliminate the greater portion of the amount set aside per year it seemed to him that someone else was bound to suffer for this and he did not feel this was reasonable. Taking money from next year's appropriation is going beyond ethics. Council should decide yes or no on allotting this money. He felt from the standpoint of this body that it was quite fair for someone to say that \$10,000.00 had been taken from the budget before Council has had a chance to consider the situation and he hoped that the Administration would give earnest and serious consideration to the program which was originally decided upon.

Mr. Merrill said that the \$20,000.00 had already been paid. He assured Council that he would pass on their views to his superiors.

Mr. McKamey stated that he strongly recommended that the Resident Geologist sit on this Committee and assist in evaluating each application on its merits. Promoters could enter the Yukon with the intention of promoting only and a resident geologist on the committee would protect the Territory's money and there would be more consideration given to larger amounts set aside for any specific property.

Mr. Shaw asked if it would be possible for Council to get a list of the moneys paid out in the last year.

Mr. Merrill was excused from Committee.

Mr. Boyd asked that what had been included for roadwork be included on the list.

Mr. McKamey wished to know if the \$20,000.00 was the total amount allotted to this Company or had some already been allotted.

Mr. MacKenzie replied that this amount had already been paid and there was still some \$10,000.00 still to be paid out. Conwest was the recipient of this \$30,000.00.

Mr. Livesey requested Mr. Fitzgerald's presence in Committee concerning the aircraft accident that occurred on March 10th, re primary 70. He felt that Mr. Fitzgerald's views should be heard with respect to continuation of chartering of aircraft for this purpose and his account of the general conditions that occasioned the accident.

Mr. McKamey stated that in respect to the wolf bounty he thought this should be raised to \$25.00 due to the fact that the price of furs is going up and more trappers are going out into the Territory. He stated that Mr. Dalziell of Watson Lake reported sheep being killed by wolves. Flocks of 300 had been reduced to about 60 or 70 and in one place along the Yukon border there had been many deer killed by wolves. If necessary Mr. Dalziell could be asked to support the need for this.

Mr. Shaw stated that he knows each year \$3,000.00 is approved for wolf bounty. The number of wolves taken last year was about 65 and \$1,000.00 was expended for wolf bounty. When this was first introduced it was not known how many were killed. If the bounty is increased it will be on the same basis as originally; \$25.00 would not be unreasonable and further more it would still be cheaper than poison. He agreed with Councillor McKamey.

Mr. Watt asked Mr. MacKenzie if there was enough money to cover the increased bounty.

Mr. MacKenzie answered that he thought there would probably be enough although part of the year would have to pass before this was certain.

Mr. Watt stated that in that case he would support such a suggestion.

Mr. Livesey remarked that he heartily supported the move as this bounty would give support to the rural areas, give the people in those areas some incentive and give employment to the Indians and trappers. He asked Mr. Fitzgerald in connection with primary 70, page 183, vote 7, where aircraft are chartered for flights to remote areas, hunting camps, etc., if he could give Committee any particulars on the recent accident and inform the Committee as to the dangers of carrying out this particular type of program. Mr. Livesey also wished to know if Mr. Fitzgerald had any suggestions relating thereto.



Mr. Fitzgerald remarked that this had been rather a remote type of accident and not likely to be a common occurrence. He had done a lot of flying in the country, the day in question was not the best type for flying, and more care should be exercised in such matters but he felt the trip was necessary and does not think the hazard was very great.

Mr. Livesey asked Mr. Fitzgerald if he thought all necessary precautions had been taken or was it just a question of bad weather.

Mr. Fitzgerald replied that it was a freak storm on that particular day and there were 2 other aircraft in trouble at the same time although they were 100 miles apart. He had complete faith in the man he was flying with.

Mr. Taylor stated that he had experienced the same thing on many occasions i.e. a "whiteout" where it is impossible to distinguish sky from horizon. This kind of thing could be met at any time.

Mr. Livesey asked whether Mr. Fitzgerald would recommend continuation of this policy and the fact of the accident would not deter him in this respect.

Mr. Fitzgerald said that he would prefer to carry on in this manner.

Moved by Mr. McKamey, seconded by Mr. Livesey, that in the opinion of this Committee the wolf bounty should be increased from \$15.00 to \$25.00.

Motion Carried.

Mr. Taylor enquired regarding page 184, Search and Rescue Operations, what was entailed here.

Mr. Fitzgerald stated that this particular item was placed in the estimates after the Bonnetplume situation a few falls ago and it was thought wise to have this amount placed in the estimates where the Administration had occasion to help a visitor.

Mr. Taylor commented that this money normally would not be expended unless the Administration took part in search and rescue operations.

Mr. McKamey felt this was a good item but has had several complaints from guides in his area. A game guide who operated in Mayo a couple of years ago had not paid his Indian helpers as yet. He had a statement from the Indian of the days he worked, his commissary bill and other charges. These helpers were not paid for bringing horses in or out - only paid when the big game hunters were actually hunting and he felt that the Indians were being exploited.

Mr. Fitzgerald said the Indian was not in a position to institute any action for the recovery of his wages. There had been other cases similar to this one and he always advised the complainant to take the case to the Civil Court. He added that the outfitter had a letter saying that the Indians could take him to a certain area which they did not.

Mr. McKamey said that Lonny Johnnie was the man who had a major complaint and he thought that if this was allowed to go on the amount allotted for search operations would be used up as this man would not get one Indian to go out and guide for him. The Bonnetplume country is very wild and rugged and it is very easy to get lost there. He felt that if an outfitter did not live up to his obligations a policy should be laid down whereby the Game Department could cancel the outfitter's licence. The guides need assistance and protection along this line.

Mr. Fitzgerald stated that as there is a scarcity of proper guides in this country, unless these men are properly treated there is a chance of death. This particular outfitter is operating under certain conditions and if he does not live up <sup>to</sup> those conditions, the Commissioner has the last word as to disposition of this case. He would recommend that these men take their case to the Small Debts Court.

Mr. Shaw commented that he was not well acquainted with game guides but understood that many of them were illiterate - people who did not understand what their rights were, and it would be to their advantage if something was done to help them. He asked if it could be made necessary for an outfitter to submit a list of his last year's employees when applying for a new licence. The guides should state on the forms whether they received their last year's wages etc. The licence should be granted on the basis that the outfitter has done the right thing by his guides. The Game Director could then use his own discretion as to whether the new licence was granted, i.e. extenuating circumstances.

Mr. Taylor remarked that this was basically a sound idea but he felt that it just gives the outfitter a better opportunity to cheat the Indian by telling the Indian to say he had been paid when in effect he had not.

Mr. Shaw added that when an employer swore an affidavit that he had paid wages, it was a very serious offence to perjure himself.

Mr. Taylor stated that it would present a problem only if the native was required to sign, but not the outfitter, as the native will sign anything.

Mr. Fitzgerald felt that he was duty bound to say that he had a very close connection with outfitters and there had been only 2 cases where people had complained to him about not receiving wages. Most of the outfitters were a real asset to the Territory. They have clients returning to the Territory year after year to hunt with them. He has had serious complaints from hunters on occasion and when the outfitter was confronted with the complaint he had been able to make a satisfactory explanation.

Mr. McKimmon asked what type of complaints had been received.

Mr. Fitzgerald replied that the complaints consisted of such items as equipment not being ready to start in the morning, the horses not in, and general inefficiency.

Mr. McKimmon asked if these complaints were in connection with one outfitter.

Mr. Fitzgerald replied that they were and that this man had been warned.

Committee recessed at 12:00 o'clock Noon.

Wednesday, 2:00 o'clock P.M.

Committee resumed with discussion of the estimates.

Equipment Insurance, page 188:

Mr. McKamey: What type of insurance does this cover?

Mr. MacKenzie: It covers collision and upsett and specified perils, excluding collision. Public liability up to \$300,000.00, loss by fire, forced landing of aircraft etc.

Mr. McKamey: What about aircraft such as the Game Director's accident?

Mr. MacKenzie: We are covered there by our comprehensive liability up to \$200,000.00. We are covered not only on automobiles, but anything licenced such as trailers, bunkhouses, pickup trucks etc.

Mr. Shaw: Has the comparison in the amount paid out over the last 10 years and the amount claimed been taken into consideration?

Mr. MacKenzie: Yes, I made an examination last year and we came out all clear. It was mostly fire. No comparison has been made specifically for automobiles. I think it is safe to say we have paid out far more than we have ever got back in automobiles, but in fire we come out square.

Mr. Livesey: In regard to coverage of insurance we have, I have been wondering how effective it is. There was a court case here recently and this was very much in evidence. It was a question of suing Her Majesty. I wonder if Mr. MacKenzie could give us information as to what this is. If we pay out money we must expect some return in the event of anything happening for which insurance is paid. With the general public the insurance company cannot hide behind its position.

Mr. MacKenzie: I do not know about that case. I do not know whether the company has changed its position. They are probably trying to shelter behind that.

Mr. Livesey: I wonder if we could leave this over until we obtain information from either Mr. Collins or the Legal Advisor.

Committee agreed to leave this in abeyance.

Yukon Regional Library, \$25,000.00:

Mr. McKinnon: Is the increase in this vote as a result of the Territory taking over all libraries in the Territory.

Mr. MacKenzie: That is correct, they have set up a library service.

Mr. McKinnon: The library here in Whitehorse was run by the I.O.D.E. and it is now a free lending library of the Territory.

Whitehorse Vocational Training School Dormitory \$20,000.00:

Mr. McKamey: I might ask about the \$350.00 per year for half a year of operation for Indian status population. How do they base that price?

Mr. MacKenzie: The \$350.00 is the normal approved rate we are going to get from the Federal Government for Federal pupils.

Mr. McKamey: How many pupils can they instruct at one time in the school?

Mr. MacKenzie: I do not know.

Mr. Starr was requested to attend Committee.

Mr. Starr: There are about four different classrooms with about twenty in a class. It would be 80 for mechanics, welding, electrical, tinsmithing or carpentering.

Mr. Taylor: I thought that the Vocational Training School was designed basically for training some of the younger Indian children, but the Indians will be trained to a lesser degree than the White children. We have both Indian and White children.



Dormitory:

Mr. McKinnon: Is the dormitory going to be separate or is it all in one unit?

Mr. Starr: The dormitory is separate, although it is all in one unit. It is a separate wing.

Mr. Watt: How many students could be accommodated in the dormitory?

Mr. MacKenzie: 40 students.

Mr. McKamey: Why would it be necessary to have public utility services double for the same building?

Mr. MacKenzie: That is simply an administrative matter to keep the costs separate.

Survey of Dawson Power:

Mr. McKamey: What is the result now that we have spent \$10,000.00 and have the report? What happens now?

Mr. Shaw: I do not know.

Mr. MacKenzie: You would have to speak to the Commissioner.

The Committee agreed to hold this in abeyance for discussion with Commissioner Collins.

Rental of Buildings, page 198.

Mr. Livesey: I think it could be well noted here that the Council of the Yukon Territory has no home at all.

Mr. Taylor: I understand our proper place is being reserved in Dawson City.

Mr. McKinnon: Is this 2,400 square feet addition what is going on now?

Mr. MacKenzie: The Territory is being measured up as to the actual area we actually pay for now. We have been paying far too little.

Mr. McKamey: Why should the Federal Government get away without paying tax and the Territorial Government have to pay.

Mr. MacKenzie: The Federal Government pays direct to the City of Whitehorse. In 1958 they paid a lump sum of \$30,000.00.

Unforeseen item 241, primary 78:

Mr. McKamey: What part of this is recoverable?

Mr. MacKenzie: Nothing.

Mr. McKamey: If a Federal V.I.P. comes here for a visit do we have to pay or it?

Mr. MacKenzie: Yes.

Mr. Shaw: This is probably to cover the Alaska, Yukon and B.C. Conference.

Sale of Lots, Riverdale Subdivision \$57,730.00:

Mr. Shaw: Is this a new item?

Mr. MacKenzie: This is the estimated annual installation due to develop the

existing subdivision and has nothing to do with the new extension. There is a payment every year the last estimates did not show. We are ahead of the game so far. We have provision to pay this for the next three years.

Mr. Shaw: The lots had not been sold last year and we were behind.

Mr. MacKenzie: We are behind if you total up the sale of the lots, but we are ahead of the game in regard to being paid for this and they have enough to meet the instalments due in '63, '64 and '65.

Mr. Watt: I would like to ask Mr. MacKenzie about the financial arrangements of the new development.

Mr. MacKenzie: Through means of a loan from the Federal Government, we make a loan over 20 years and pay it in the same way.

Mr. McKamey: We did that with the last one.

Mr. MacKenzie: It was a substantial figure we were behind in at that time. Why the price of the lots was set at so low a figure I could not tell you.

Mr. McKamey: They say if you want sewer and water they can have it but that they have to pay for it. If Whitehorse wants it they get it and they fall away short of their dream and it is going to happen again.

Mr. MacKenzie: The total lots sold \$295,000.00 paid and \$400,000.00 to be paid.

Mr. Shaw: The Federal Government own most of the lots.

Mr. McKinnon: The existing subdivision has the facilities needed by the new extension and it is quite reasonable that the new extension must pay part of the share.

Mr. McKamey: How many lots are in the new subdivision?

Mr. Starr: There are 250.

Mr. Watt: What portion of this was taken over by the health authorities because this hospital is used by the whole Territory.

Mr. MacKenzie: Possibly Mr. Collins could explain that. The question is why were the prices of the lots set so low.

Mr. Starr: It is just possible that we should check into what this \$700,000.00 would include. It may include some lots in Whitehorse as well as Riverdale and it may not be as black as it seems.

Mr. MacKenzie: I understand it is purely Riverdale.

Mr. Boyd: I would like to hear Mr. Collins explain this.

Mr. Livesey: I sympathise very much with Mr. Boyd. We have been hearing this since 1958. They have different types of excuse formulas for different areas. I would certainly like to know if they have a new scheme. This matter was deferred to be discussed with Commissioner Collins later.

Committee agreed.

Mr. MacKenzie was excused from Committee.

Vote 9, Telephone and Telegraph:

Mr. Livesey: It seems like an awful lot of talking on the telephone.

Mr. Starr: There are a lot of diverse settlements three hundred miles from here; Watson Lake, Teslin, Carcross, Beaver Creek. All these different

places which we have to maintain and roads on which we have to check. There are phone calls coming in all the time so we have quite a few long distance phone calls and they are all pertaining to maintenance or construction. I cannot tell you how much each phone call costs but every day we have several phone calls and if anyone would come down to my office and see if we could cut some out, we would be willing. I do not think we can.

Mr. Livesey: Does your Department use the Forestry radio service to any extent?

Mr. Starr: We do where we can and we have forms for radio messages via Forestry. We use it on the Canol Road. We do not use forestry to Watson Lake or Dawson or Carmacks because our people would have to go so far out of our way to go into the forestry office and get a schedule, it would probably cost more than the phone calls but we do use forestry to have messages sent where there is no urgency.

Mr. Watt: Why the decrease in advertising? Are we not advertising our bids as much?

Mr. Starr: We are advertising in the local papers and we send it to the agents and often to the Post Offices, but this would come from what we spent last year. We advertise just our own jobs which has nothing to do with the Territorial Secretary's advertising. It does look small but it must be in comparison with what we spent before.

Public Utilities for Buildings 141, and 142, \$1,080.00:

Mr. Starr: Building 141 has been in operation up to now and we will probably use the back end of it this summer for transient people who have to come in for government building. This is our old drafting office over in the R.C.M.P. grounds.

Equipment Rental - Departmental Cars:

Mr. Starr: This includes the road superintendent, myself and any inspections on buildings and roads. We look after fires and fire departments so much per hour or so much per mile.

Watson Lake Health Centre:

Mr. Livesey: Isn't this new? Mr. Starr: No this is existing.

Mr. Taylor: This is the same thing as at 1016.

Mr. McKamey: That is renovating is it not?

Mr. Starr: We had trouble with the roof and last year we cut holes in the end under the eaves. I had planned to put an aluminum roof on it so the snow would fall off. We put vents in several buildings and have not had any more trouble.

Mr. McKamey: About Elsa School.

Mr. Starr: We did not do Elsa school. We are going to do it this year.

Mr. McKamey: There was tons and tons of ice on this.

Mr. Starr: \$300.00 will vent the roofs.

Mr. Boyd: How old is this building you are going to put a new roof on?

Mr. Starr: It was built in '59, it is not a new roof it is aluminum on top.

Mr. Taylor: In regard to the Watson Lake Pan Abode School, I believe I had an opportunity of taking the Councillor from Whitehorse West there and there were buckets all over. It was leaking like a sieve.



Mr. Starr: We have a new roof listed for it.

Mr. Watt: Is your Department taking care of the renovating or adding of rooms to the nursing station at Watson Lake. Is that included in the \$3,150.00?

Mr. Starr: That is done. All except the steps and they will be done out of this money.

Mr. Taylor: Just what are these Pan Am buildings? Are they buildings beyond the C.P.A. staff house?

Mr. Starr: The Pan Am buildings are over on Hanson Street. There are three apartments. These are rented to Territorial employees. The public health nurse is in number 6.

Steele Street Teacherage, \$12,500:

Mr. McKinnon: Under education there is a vote covering expenses. Steele Street teacherage has an operating and maintenance grant and another one under roads and buildings and public works.

Mr. Starr: Education pays for oil, electricity and furniture and we look after repair and maintenance of the building and service calls if the furnace goes off and we have to get it fixed or the window is broken or for repainting or fixing the roof.

Mr. McKinnon: Why the big increase for the Steele Street teacherage and principal's residence?

Mr. Starr: Repainting the exterior for the teacherage and the same for the principal's residence and the interior as well.

C.P.A. Staff House, \$3,000.00:

Mr. Livesey: We have been discussing the question of taking over this building and a certain amount of renovation is going to take place. Is this the balance or is this something else that has to be done?

Mr. Starr: That is renovations if and when we buy it.

Mayo Hospital:

Mr. Starr: That is repainting one wing of the hospital.

Mr. Livesey: Regarding Haines Junction School and Teacherage \$300.00 - Does that include the front steps on the school?

Mr. Starr: It does not Mr. Livesey, but I think we should do something about it. We will look into that.

Mr. Livesey: Ever since I became a full fledged member for Haines Junction I have been hearing complaints from the P.T.A. about these steps and the P.T.A. would like to have these steps covered to keep the snow off and the ice from forming. I understand from the people who are in charge of the community hall in Haines Junction, when the school is fenced in, it will cut off the front door of the community hall altogether and they will have to find another way into the building. They have requested consideration of removal of the firehall preferably to a street or road that is maintained completely by D.N.D. so that they could get out of there in case of fire. I have several other matters I would like to take up with regard to these questions.

Mr. Starr: Pertaining to the fence, there is a lane between two streets and we cannot close this without closing the lane completely. I said we are going to put a 20 foot gate across that lane so there would be access to the Community Hall from the school side or the other side. However, we could

still look into this business of relocation of the fire hall.

Mr. Livesey: When I went around there, there was a tremendous amount of snow around that building and they could not possibly remove that themselves without equipment and they have considered all these problems that are coming up from time to time with regard to removing the firehall.

Mr. Starr: Snow removal is done by hired equipment in Haines Junction with the agent authorized to have it removed if it is required and I think the firehall is one of the areas which he certainly should see that it was done.

Mr. Livesey: I am thinking of the actual area which they propose to use as a parking lot on the other side of the community hall. I am talking about the other side of the building. They would be using that rather than the one they are using now.

Mr. Starr: I think this is something Mr. Livesey and I should go into later with the consent of the Administration.

Stewart Crossing - Dawson Road:

Mr. McKinnon: Would you have a breakdown of equipment rentals?

Mr. Starr: Our own equipment \$81,000.00. Steamer for thawing out frozen culverts, equipment for putting gravel on that road, trucks etc.

Mr. McKamey: We have a unique situation in Mayo where at least two operators have to drive 35 miles to work at their own expense.

Mr. Starr: We pay their gas.

Mr. McKamey: Two gallons of gas to drive 35 miles and back to work and wearing out their cars and tires and I do not think there is another place in the Yukon like this. Could something be worked out. I do not think accommodation is wise. I think they should be encouraged to build their own homes and further I think we should provide some sort of transportation. I do not think we should expect these people to provide their own transportation.

Mr. Starr: These fellows were working at Stewart Crossing and their job was to stay at Stewart Crossing and live there and we would provide them a bunkhouse to live in because there is no one living at Stewart Crossing. That is the only way we can do this. They said we would like to live at home and we said we will pay your gas in lieu of supplying meals.

Equipment Rental:

Mr. Starr: The Government does not actually rent the equipment. It is their own but it is based on so much per hour for all equipment used.

Diesel Oil, Gasoline, Lubricants:

Mr. Livesey: Is this a special purchase for this boat?

Mr. Shaw: We do not have any other ferries.

Mr. Starr: All fuel would have to be charged and repairs etc. on the ferry.

Mr. Livesey: Isn't the ferry a piece of Territorial Equipment?

Mr. Shaw: I would like to point out something which there seems to be some dissension on. I do not know all the facts concerning it and Mr. Starr may be able to provide an answer. The ferry operators seem to complain that they are paid by the month and they work ten hours a day seven days a week and they feel that their wages would be about a dollar an hour. I realize that I do not wish to get involved in wages. The Government

pays for different jobs, because they are actually administrative department, but these men work three hundred and ten hours a month and their salary is \$350.00 a month.

Mr. Starr: The operator is \$450.00 a month and the tug hand is \$350.00

Mr. Shaw: They are complaining bitterly about it. Could you possibly look into the matter? They feel that the minimum wage for anyone working is a dollar and so much an hour and they are working below that.

Mr. Taylor: Would it be any solution if we have one of the Government Departments provide us with the salary scale the Territorial Government is now using and submit it to Council which may solve a lot of problems.

Mr. Shaw: Could you supply that please Mr. Starr? Mr. Starr: Yes.

Bonanza Road:

Mr. Starr: I have \$1,500.00 and I have nothing for glacier control.

Mr. Taylor: I understand it is just a general category.

Mr. McKamey: How is this road classified? Is it Territorial?

Mr. Starr: Territorial. The maintenance of this portion 100%. We have some work we are going to do on this road which we are going to charge to the Federal Government - some improvements.

Mr. Shaw: Is this sufficient? Will the road be made safe for tourists.

Mr. Starr: I have a list to go over with Mr. Shaw. We have roads in Whitchorse and in the Dawson area which we are going to get at immediately the frost allows us. The dam road is one and the bonanza road is another. The Porter Creek road is another.

Mr. McKamey: I cannot bring this into the budget because there is no provision made for it but it is in respect to the Territorial road out of Mayo which runs from the Mayo-Elsa road about 25 miles north of Mayo and it continues on down the McQuesten valley for approximately 14 miles and at the end of this road there is a bridge which is owned by the Government. They built it here three or four years ago and I believe it is being maintained by the Government but I would like to ask Council to consider supporting me on this. It services quite a large mine development area and an area where there is a lot of timber taken out each year. I have a letter from Peso Silver Mines with respect to this road and what they are spending. On property development to date they have spent \$170,000.00 and their expenditures will be \$250,000.00 this year. They request help further to their own program to build. Another two companies will be working on this road this year. This road is vital to the opening up of this country. There are 400 claims started there this year. I think it is the third largest timber resource in the Yukon Territory. This road is used for recreational purposes as well. There is about three quarters of swamp there during the summer months and it is impossible to get in and the Peso Silver Mines will have to close down for the next two months while this problem is solved. I would like to have help from Council in classifying this road as a Territorial road and get help for this road.

Mr. Taylor: I think it could be easily classed as a mine development road which I believe is on a cost sharing basis of 85% Federal and 15% Territorial. It would come under area development roads if not mine development roads.

Mr. McKamey: I would like to ask Mr. Starr what action we could have on this in the very near future.



Mr. Starr: This will have to be taken up with the resource department of the Federal Government. However this bridge was paid for 50% by private company and at that time the road was considered to go to a resource and that is why \$5,000.00 was granted for the construction of this bridge. There was nothing granted for maintenance and since the Peso Silver have spent a lot of money they certainly have something coming also several other placer mines. Peso would have to submit how much money they have spent and how much they will be spending and the timber people would have to do the same thing and see if this could not be put under a mine access road.

Mr. McKamey: The majority of this road is built at the expense of Proctor Construction but it needs several larger culverts. I think it should be classified. It seems in the Interdepartmental Report it did state that all roads that were built in the Yukon on crown land were automatically public roads.

Mr. Shaw: Would you agree to have me bring this up to the Commissioner, Mr. McKamey?

Mr. McKamey: Yes.

Mr. Shaw: What would you call this road?

Mr. McKamey: The south McQuesten river road.

Local Roads - Dawson Area:

Mr. McKamey: Is this the loop? Was this not supposed to be recoverable?

Mr. Shaw: This is something the Federal Government have allowed in the budget.

Mr. Starr: The Territory is working on a deficit budget.

Mr. Shaw: We have in this matter certain areas of responsibility on roads. On the main roads like Dawson - Mayo Highway the amounts which the Federal Government accept responsibility for are 100% construction and 85% maintenance. This was a public road on which they got nothing for maintaining 50 miles of road. This was most inequitable and finally the Federal Government agreed that it was a very inequitable manner and they have not the intention to call that a resource road. It is still a Territorial road, but in order that money can be allocated for that they have agreed to put \$15,000.00 in the deficit account for each of the five years to pay for this. It is paid for by the Territorial Government, but this \$15,000.00 a year is allowed by the Federal Government for this.

Mr. Boyd: Does the Company maintain this entire piece of road at their own expense?

Mr. Starr: Yes.

Mr. McKamey: Twenty-six other companies use this road. This does support another industry. This supports the tourist industry as well.

Moved by Mr. Taylor, seconded by Mr. Boyd, that in view of the time that Mr. Starr be excused and Mr. Speaker resume the Chair to hear the report of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported: We met at 10:30 this morning and completed Bill No. 9 and I report this out of Committee without amendment. At 11:00 o'clock we discussed game and Committee recommended that wolf bounty be increased to \$25.00 for each wolf up to the total of the vote, \$3,000.00. Committee also wishes to discuss with Commissioner Collins the results of the Dawson Utility Commission; also matters pertaining to the sale of lots at Riverdale; matters pertaining to the South McQuesten River Road. To this hour we have reached establishment 259, roads and public works, and I can report progress.

Council accepted the report of the Committee.

Council adjourned until 10:00 A.M., Thursday, April 19th, 1962.

Thursday, April 19th, 1962.  
10:00 o'clock A.M.

Mr. Speaker read the daily prayers and Council was called to order. Introducing  
Mr. Taylor moved, seconded by Mr. McKamey for leave to introduce Bill # 22, Bill #22.  
An Ordinance to Provide for the Maintenance of Certain Dependants of  
Testators and Intestates. Motion Carried.

Moved by Mr. Boyd, seconded by Mr. McKamey for leave to introduce Bill #23, Bill #23.  
An Ordinance to Amend the Petroleum Products Ordinance. Motion Carried.

Moved by Mr. McKamey, seconded by Mr. Boyd, for leave to introduce Bill #24, Bill # 24.  
An Ordinance Respecting the Incorporation of Yukon Social Service Society  
and the Repeal of Chapter 14, Ordinances of Yukon Territory 1953 (1st Session)  
Motion Carried.

Moved by Mr. Shaw, seconded by Mr. Boyd, for leave to introduce Bill #25, Bill #25.  
An Ordinance to Amend the Motor Vehicles Ordinance. Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that in view of recent Production  
news broadcasts respecting a new wilderness area in the south-east of Papers  
Yukon, the Administration is respectfully requested to provide No. 13.  
Council with all information relative to such proposal. Motion Carried.

Mr. McKinnon asked the following Question regarding the Physical Question  
Fitness Program. (Question No. 2): Subject - Fifty one thousand # 2.  
dollars reportedly allocated to the Yukon Territory by the Federal  
Government under the National Physical Fitness and Aid to Amateur  
Sports Program. Question - The Administration is respectfully re-  
quested that the Administration furnish Council with all inform-  
ation concerning a grant reportedly made by the Federal Government  
to the Territorial Government for the purposes of promoting Physical  
Fitness and Amateur Sports in the Yukon.

Moved by Mr. Shaw, seconded by Mr. Boyd, that Bill # 9, An Ordinance THIRD  
for Granting to the Commissioner Certain Additional Sums of Money Reading  
to Defray the Expenses of the Public Service of the Territory, be Bill # 9.  
given THIRD reading. Motion Carried.

Moved by Mr. Taylor, seconded by Mr. McKamey, that Council resolve Motion Carried.  
into Committee of the Whole for the purpose of discussing the  
Supply Bill (Bill # 6) and the motion for the Production of  
Papers regarding Wells Subdivision (Production of Papers # 11).  
with Commissioner Collins in attendance.

In Committee of the Whole: Discussion  
of  
Commissioner Collins advised that about 1953 or 1954 Mr. Wells cleared Prod. of  
this land adjacent to the Yukon River for agricultural purposes and Papers #11.  
later purchased it at \$3.00 or \$5.00 per acre. About 1956 or 1957 he  
requested Federal permission to subdivide this land into building lots  
to open up a residential area. Commissioner Collins read excerpts  
from a letter regarding this. Owing to a flaw in the agreement that  
went through the office in Whitehorse instead of 1/3 reverting to the  
Crown, Mr. Wells got all the lots.

Mr. McKinnon stated that there was 3 feet of sewage on the ground  
in the Wells subdivision. The place was a quagmire. No drainage  
had been put in and the subdivision was surrounded by mud. Nothing  
had ever been maintained in the subdivision since it was started.  
People had bought lots in good faith up to \$1,500.00 and they were  
getting no benefits from the Territory and Wells was doing nothing.  
He felt it was the Territory's responsibility to investigate the  
situation and if necessary bring it into court.

Mr. Boyd asked if the Territory was doing anything at all and if so, how long had it been going on.

Commissioner Collins stated that the people who bought the lots thought something might be done by the Territory. He felt that people should get together and take legal action against the man but he did not feel it was up to the Territorial Government to see that these promises were carried out.

Mr. McKamey felt that the onus was now on the Territory as they signed the agreement and Wells had made a breach of agreement. The property should be expropriated.

Commissioner Collins commented that the people also had an agreement with Wells and if they did not revoke the agreement they had with him they should do something themselves.

Mr. McKinnon stated that land was very difficult to obtain in Whitehorse and all the people living there are steady workers who just could not get land in Whitehorse. All facilities were promised: drainage, sewers, water, etc. These people have lived for years in the Yukon and are living in a place comparable to Whiskey Flats.

Commissioner Collins said that the Territory's position is that the Territory does get remuneration from the sale of lots which enable them to put in roads but in the case of the Wells Subdivision, the Territory gets nothing. On the other hand, the Territory does collect taxes from them and the Territory does have an obligation to them in that they are citizens of the Territory. He felt that an agreement of sale between a resident and Mr. Wells should be produced.

Mr. McKinnon stated that he had an agreement of sale. He added that the trailer park is a sea of mud and does not come close to the new trailer park regulations.

Commissioner Collins remarked that it could be closed down for health reasons.

Mr. McKamey thought that it should be closed down. There was one building surrounded with water, with children playing in it and raw sewage being pumped in.

Mr. Shaw stated that it is known that the Sanitary Department will go into an area and insist that it be cleaned up and there are existing some almost impossible situations but he would recommend very strongly that the Legal Department look over this agreement. Unless otherwise stated in the agreement, the Territorial Government should see that the terms of the agreement are carried out and he would suggest that the Legal Department look this over as soon as possible.

Mr. McKinnon then offered to give Mr. Hughes a copy of the agreement between Mr. Wells and a resident.

Commissioner Collins suggested that this could be a joint action.

Mr. Boyd asked if this situation occurred every year.

Mr. McKinnon replied that it did. Promises were made but nothing was ever done.

Mr. McKamey remarked that the trailers were moved in just last year.

Commissioner Collins promised to look into the matter.

Mr. Starr, Territorial Engineer, was requested to attend Committee.



Mr. Shaw stated the first question was regarding the sale of lots in Riverdale.

Commissioner Collins asked if Council wanted a resume of the project.

Mr. Boyd stated that in the explanations they received on April 18th from Mr. MacKenzie it seemed that the sale of Riverdale lots resulted in a money deficiency and the next lots would be sold at a price to recuperate these losses. He wished to know how this could be.

Commissioner Collins stated that when the sewer and water project was finally agreed upon, the City was to provide one million dollars and the Territory was to provide seven hundred thousand dollars. The \$1,000,000.00 was borrowed from the Territory by the City which was previously borrowed from the Federal Government by the Territory and the Territory was to be responsible for the amortization. \$700,000.00 was a normal loan covering about 30 years. The sale of lots in the Riverdale area, not necessarily the present subdivision, would repay the \$700,000.00. The idea was that the sale of lots of this and subsequent subdivisions would refund the amortization of the loan. There were some 205 lots in the subdivision. The Territory was to put in the streets and lots were sold at an average of \$1,500.00, which was set by the Federal Government. \$305,000.00 was recovered. This was sent to Ottawa to pay off the amortization. There was enough money to pay until 1965. The Federal Government made a direct grant of \$600,000.00 so that the final cost of the sewer and water was \$2,300,000.00. It would cost \$125,000.00 to put in the roads and sewer and water system. This is to be amortized and the amortization will be paid through the sale of lots. The \$700,000.00 that was borrowed has cost the Territory nothing and will not cost anything for a few years as the amortization costs are around \$30,000.00 per annum. The new subdivision was laid out on a grid system and will now be changed and resurveyed and except for 2 blocks will be on a contour system. It is proposed to ensure that the sale of these lots will defray \$125,000.00 that will be borrowed for the purpose of putting in sewer and water. As the subdivision is extended a capital expenditure will first of all have to be made. Through the sale of lots the loan must be amortized. This will pay for itself as long as the sale of lots continues.

Mr. Shaw stated that Council was concerned about the fact that the Riverdale subdivision already had cost \$700,000.00 to open up and put in sewer and water which was to be paid back by sale of lots.

Commissioner Collins stated that included in the \$700,000.00 were hidden charges. When putting in sewer and water it is not just the cost of the material. There were reservoir costs, sewer outflow, pumping station, also included in the \$700,000.00. It was never intended that the \$700,000.00 be retired from the sale of the 200 lots in Riverdale. The Territory charges enough to cover the minimum costs of putting in sewer and water plus the hidden charges. More is charged for these new lots due to there being lanes. All the roads in that area do not cost more than \$30,000.00. In the new one it will probably cost about \$50,000.00 which will bring up the price of the lots. Territorial Government will set its own prices on the lots.

Mr. McKamey asked how many lots would be serviced by this facility.

Commissioner Collins replied that there would be ample water. The sewer and water system can take care of the City of Whitehorse very adequately. There is a lot of water lost through bleeding to prevent freezing. There are 3 or 4 warm wells. The water in the Yukon River is at or below freezing all winter, and in the main there is hardly any water used from the Yukon River but it is used from the warm water wells. Many of the houses have no basements and if the residents did not bleed the water their water would freeze overnight. He also stated that Whitehorse might require a water facility an estimated 30 or 40% greater than Edmonton for example.

Mr. McKamey asked a question regarding the McQuesten River Road also known as Proctor's Road, if this road could be reclassified as a resource road so that the Government would maintain it. It is used for timber and mining. One company is operating there and Proctor is to spend \$120,000.00 by October 1962, and other companies are also going in. The problem at the moment is that no one seems to want to take the responsibility of maintaining the road from Proctor's Road to the cutoff. It requires very little maintenance but also requires 2 or 3 culverts and on the north-west of the new McQuesten Bridge there is a swamp for about 1/4 mile and a stretch of another 1/2 mile that needs resurfacing.

Commissioner Collins remarked that for many years past there had been operations going on but he had talked to Proctor Construction since they had put in that road and maintenance of it was put in the cost of the lumber sold to U.K.H.M.

Mr. McKamey said that he was concerned with the road Leo Proctor had built and would not be using for more than a year. Mr. McKamey felt that the road was a resource road and the Government Geologist highly recommended that area as a mining area.

Mr. Boyd asked if this could be classified under Tote Trail Assistance.

Commissioner Collins stated that this could not be so. Tote Trails are the last thing on the agenda and the next one was mine access roads and it seemed to him that this road could be defined as a mine access road. This would have to be done by submission of the facts and a resolution of Council to the Commissioner. He would put it up to the Administration in Ottawa to see if they would classify it as such.

Mr. McKamey said that this road was further advanced than a mine access road as it was in the development stage and should probably come under mining development roads.

Mr. Taylor's definition of mining development was that the day the mine would go into production was in the future but in this instance the definition seemed to mean that the mine was all set to go into production.

Mr. McKamey stated that there were placer mines being developed and there was hardrock property in the development stages. Maintenance of the roads should be 85% Federal and 15% Territorial.

Commissioner Collins commented that bringing it up to standard would be up to the Federal Government. He would recommend that this Council and Mr. McKamey's organization get together and present a resolution to the Commissioner. He stated that a resolution of the Chamber of Mines plus a resolution of Council would carry considerable weight and could be sent through the Commissioner direct to the Minister or direct to the Member of Parliament.

Mr. Shaw asked about the position of the Territorial Government and the insurance companies in relation to carrying insurance and whether this was worthwhile.

Mr. Livesey said that this question arose out of discussion over some period of time in connection with paying money for automobile insurance. The business which has taken the Territory's money for a number of years has not completely lived up to the expectations of paying certain matters due to their feelings about the position when accident occurs, and their responsibility. If there was some way of cutting out an obligation it should be investigated. If it were a company not connected with the Government that company would not be in this position. He wished to know why the Government was paying this money when the insurance company would not pay the full claim.

Commissioner Collins asked Mr. Livesey if he were sure of these statements.

Mr. Livesey replied that here in the majority of cases the Government can not be sued..

Mr. Shaw wished to know if a person could sue the Territorial Government.

Commissioner Collins replied that since the insurance company was the surety for the Territorial Government it would act for the Government.

Mr. McKamey stated that there had been a doctor involved in an accident at Carmacks with a Territorial vehicle and that he could not sue the Territorial Government, because the Government was a non-legal entity. Consequently the problem confronting the party in the accident was that there was no way of making the insurance company pay and he wished to know how this particular case got into Court.

Mr. Watt stated that the insurance company was defending itself on the technicality that permission must be obtained to sue.

Commissioner Collins said that he would get a statement from Mr. Firth.

Mr. Livesey stated that it was his understanding that the Federal Government carried no insurance on anything.

Mr. McKinnon said that it was cheaper to pay damages than to pay insurance on the tremendous amount of equipment they have.

Mr. Taylor asked if in the case of the Territorial Government accidents there was an accident on the highway involving a Territorial Government vehicle. Could the party hit by that vehicle sue the insurance company or the Territorial Government.

Commissioner Collins replied that it could be sued through the Exchequer Court in Ottawa. He offered to get a report.

Mr. Shaw asked about the results of the Dawson Utilities Commission..

Mr. McKamy asked what action would be taken regarding discussion of the \$10,000.00 spent in this report.

Commissioner Collins stated that \$8,600.00 was actually spent and a study was being made. He said he would send copies and would reply to a letter received from Dawson (Chamber of Mines) concerning this. He had talked to Northern Canada Power Commission and the Yukon Electrical Company and neither was against going into Dawson but there was such a small number of consumers there that unless they could buy from Y.C.G.C. at a reasonable rate these people would have to go into diesel production of power which still might not bring it down to a lower level. At Mayo the rates were high and there were so few customers around that they could not make it up and the people petitioned the N.C.P.C. to come in. Then came the question of buying out the interests of the Kunze Brothers who had been supplying power at a loss. N.C.P.C. paid \$20,000.00 to the Kunze Brothers.

Mr. McKamey stated that facilities in Dawson were very inadequate.

Commissioner Collins commented that perhaps Mr. Shaw, among his other duties, would do his best to alleviate this deplorable situation.

Mr. Shaw stated that he would do his best and remarked that it was going to cost \$300.00 for water for the tent city.

Page 215, Atlin Road, Establishment 260, Primary 70:

Mr. McKinnon wished to know if this was all Territorial equipment.



Mr. Starr said that it was. Graders were required more than other vehicles. There was some trucking and there was a loader and a steamer.

Page 217, Carcross Road:

Mr. Watt wished to know if there was any plans for extending the road to Skagway.

Mr. Starr replied that there was plans but they had not been approved yet. This approval must come from Ottawa. He stated that there would be a survey made for a bridge across Nares Lake this year with possible travel on it next year. There was not enough mining development last year for approval.

Mr. Watt asked if there had been a survey made at one time.

Mr. McKinnon said that there was no possibility of this road being started during the next 5 years unless an emergency arose.

Mr. Shaw stated that it was not a Territorial road and would have to be approved by the Federal Government. Pressure would have to be put on the Federal Government although Council could put in a resolution concerning this.

Page 218, Two Mile Hill, Establishment 263:

Mr. Boyd wished to know what the amount of \$5,630.00 represented.

Mr. Shaw replied that it meant over-expenditure.

Mr. Starr stated that up to the end of March the total cost was \$12,415.05.

Mr. Shaw said that the Territorial Treasurer had explained this by the fact that there were other bills that came in.

Mr. Boyd questioned such an expenditure on the 2 mile hill when there was \$20,000.00 for the Carcross Road.

Mr. Starr said that \$550.00 had been spent thawing culverts and grading Baxter's Gulch.

Mr. Taylor said he realized this was a very heavily travelled road and he asked how much traffic it bore.

Mr. Starr replied that over 8,000 vehicles a day travelled this road.

Mr. Watt remarked that it was time the Territory started to consider another road.

Mr. Starr said that \$15,000.00 had been spent last year on the south access road and that it would be gravelled this year.

Mr. McKinnon asked if Mr. Starr could give Council a rundown of what the problem is in the Wells area and what is waiting for settlement.

Mr. Starr stated that it was not the Engineering Department's problem but that it was settled that the Department would look after it.

Mr. Watt asked if the road out to the new ski hill could be considered a recreational road and if so, he wished to make a motion that the Territory maintain this road winter and summer for the benefit of Whitehorse residents and tourists. After some discussion Committee decided that this road could not be considered a recreational road and Mr. Watt withdrew his motion.

Page 221, Establishment 266, Mayo Airport:

Mr. McKamey stated regarding the Mayo Airport that this was 100% recoverable from the Federal Government and as a result of mud conditions there the runway was in very bad shape.

Mr. Starr said he was aware of this and D.O.T. in Edmonton had recommended that money be spent to maintain this runway. Both sides were to be graded so that water would run off and proper drainage would be provided. A small fence will also be built to prevent people from driving on to the airport.

Page 226, Flat Creek-Eagle Plains Road, Establishment 271:

Mr. McKamey asked the length of the road.

Mr. Starr replied that it was very close to 80 miles. Last winter the Engineer's Department had maintained that road and up to the end of March had spent over \$30,000.00.

Mr. Taylor enquired whether Mr. Starr knew how much traffic the road took and what it was used for.

Mr. Starr said that it was used for hauling minerals, equipment and supplies and that a great deal of fuel would be hauled in for operations of Cal. Standard during the summer of 1962.

Mr. McKamey asked if the road was open now.

Mr. Starr replied that it was not. It was a Federal responsibility last winter.

Mr. McKamey asked why it is a Territorial road this year.

Mr. Starr replied that the Department of Public Works are to do some more work on it this summer and bring it up to a standard where the Territorial Engineer's Department can maintain it.

Mr. McKamey stated this road is not completed to Eagle Plains but is at present down to the Blackstone river and the Territory should not have to pick up 15% maintenance costs.

Mr. Shaw remarked that last year there were certain classifications on just how much the Federal Government would pay for which roads. His reasons for turning down maintenance of this road at the last Session were given. In the new Territorial-Federal Agreement money has been provided for maintenance of this road in a deficit grant.

Mr. Livesey did not agree with this policy but felt that if Council had some say about the type of road they were going to get it would be better because too many can break the Territory. If the Territorial Government is going to be overloaded with experiments others take on eventually this could put us in a position where we would be forever finishing someone else's planning.

Mr. Shaw stated that it appeared that the policy now is to put down the whole costs. The Federal Government is looking to the time when the Territorial Government will have the full say as to how the money will be spent.

Page 231, Campgrounds Maintenance:

Mr. McKamey asked if there would be any new campgrounds.

Mr. Starr replied that the only new ones would be in the Dawson area with the possibility of one around Lake Laberge.

Mr. McKamey wished to know if the road out to the Mayo campground had been repaired.

Mr. Starr answered that it had.

Mr. Livesey asked Mr. Starr in connection with the roads into these campgrounds, what work would be done on them.

Mr. Starr replied that these were included in any new work where roads were built and maintained.

Mr. Livesey stated that there was a road into Pine Creek campground that needed work done on it badly.

Page 237, Lewes River Dam, Establishment 284:

Mr. Livesey asked if the Lewes River dam was a necessity.

Mr. Taylor asked if not \$7,000.00 worth of explosives fit the job a little better.

Mr. Starr replied that \$5,000.00 is being paid in wages; \$2,000.00 is used for the other items shown.

Mr. McKimmon stated that it had been requested that a study be made of the reason for this dam but a reply was never received.

Mr. Shaw advised that Commissioner Collins had replied orally that it was a means of controlling the water below the dam.

Mr. Livesey stated that he thought it was an old age pension scheme.

Mr. McKamey remarked that this dam does stop considerable boat traffic to other lakes.

Mr. Livesey asked that the Engineering Department be requested to enquire into the usefulness of this dam.

Committee recessed at 12:00 o'clock noon.

Thursday, 2:00 o'clock P.M.

Committee resumed with discussion of Bill #6, The Supply Bill.

Page 247, Education. New High School, Whitehorse, Establishment 301:

Mr. Starr: There was only about \$3,000.00 spent on this school last year and this extra million will be required this year.

Mr. Watt: Why is the new high school so late in coming into existence?

Mr. Starr: We do not have the plans.

Mr. Boyd: How can the contract be let out before the money is available?

Mr. McKimmon: It was too late in the year to start construction as the concrete work was not finished and the drawings and plans were not ready.

Establishment 307, Takhini Elementary School:

Mr. Livesey: I believe school fences should be put up as a limitation on the boundaries of a school to protect the teachers and keep the pupils within the boundaries of the school during school hours. I question the necessity of putting up the type of fencing that was erected at the Whitehorse School. It seems more like an experimental garden plot for growing grass. The fence around Whitehorse School is no different in theory than that required for any other school. A few years ago I was told there was a question as to what the proper boundaries of the school



were. I do not wish the same thing to happen at Takhini school.

Mr. Starr: They do intend to put grass in between Range Road and the front of the school and because children are running back and forth there they do intend to fence it. As far as fencing this little portion of grass in front of the High school and also Selkirk school, there was previously nothing but dust blowing and this grass was put in at the request of the P.T.A. in an attempt to cut down the dust.

Mr. Livesey: How big will the fence around Takhini school be?

Mr. Starr: I will bring a plan showing where the fence will be. It is to enclose the portion from the school down past Range Road.

Mr. McKamey: I agree that it has added colour to Whitehorse School but there should be a fence along Fourth Avenue to prevent children from running out on to the street.

Mr. Livesey: The prime purpose was with regard to the fencing of the school grounds not fencing a grass plot. We seem to be concentrating too much on small grass plots and not on fencing the school grounds.

Mr. Starr: I can bring up a plan showing how much fencing has been done on both the Whitehorse School and Takhini School.

Mr. Watt: I feel that fencing should not be put up until the school yard has been extended.

Mr. Starr: It was not the intention to put the fences up until the school has been extended.

Page 249, Haines Junction School, Establishment 313:

Mr. Livesey: What would be the location of the gate in this fence and how wide will it be?

Mr. Starr: The gate will be 20' wide and I shall bring the plans for this fence.

Page 249, Mayo School and Teacherage, Establishment 312:

Mr. Taylor: Cannot aid be given through the grant, i.e. the Community Club in Brooks Brook and one other small place required equipment for their school and obtained it through this grant?

Mr. McKamey: This was probably recommended by the Superintendent of Schools. The Whitehorse school received the benefit of the new equipment but the other schools did not.

Page 249, Destruction Bay School, Establishment 314 and Page 250, Beaver Creek School, Establishment 315:

Mr. Livesey: I asked this question of the Administration with regard to the Destruction Bay school. The understanding was that the school was built so that it was on Territorial ground selected by the residents at that time. If the Beaver Creek school was built on the ground next to the D.N.D. camp, the school would be in a parallel position.

Mr. Starr: The land for the Beaver Creek school was staked out as Territorial land, surveyed and is now Territorial land. A plan was drawn up some time before the contract was let for the school. It was surveyed last summer and we are expecting the map from Ottawa.

Mr. Livesey: Could that be checked so that when I return I will be able to tell the people in that area?

Page 252, Mayo Hospital, Establishment 321; and Mayo Health Centre, Est. 322:

Mr. Shaw: Why is a morgue required?

Mr. McKamey: An old warehouse is being used and there is no place to perform an autopsy except in the hospital which is not a proper arrangement.

Mr. Taylor: Referring to item 1, alterations to present hospital, what alterations would these be?

Mr. Starr: These alterations are not up to me but are up to Dr. Munroe.

Mr. Taylor: This would likely be the new Health Station that is going into the hospital.

Watson Lake Nursing Station, Establishment 325:

Mr. Taylor: This will eventually be the nurses' residence for the hospital according to the Health Plan.

Mr. McKamey: What sort of building is it to be?

Mr. Taylor: It is joined to the present health building by a corridor.

Mr. Starr: The program of the Interdepartmental Committee, which meets in Ottawa, indicated that the Watson Lake Nursing Station was being sponsored and supervised by the Department of National Health and Welfare. The Territorial Engineering Department has nothing to do with the plans unless instructed to do so.

Mr. Taylor: I think it is about time the Territory took a more active part and had something to say about the building of these structures.

Mr. Watt: How many beds and how many rooms are in this nursing station?

Mr. Taylor: So far there are none, but it is proposed that the building be a 4 bed in-patient wing.

Page 253, Mine Rescue Equipment, Establishment 326:

Mr. Boyd: This 100% recoverable is incorrect.

Mr. McKamey: This was discussed at some length prior to this and it should be 100% recoverable from the Territorial Government.

Mr. Taylor: I agree that the Federal Government should be the party to pay for this equipment. It is a definite necessity but would not add my vote to this until it is certain that the Federal Government will pay for the acquisition of the equipment.

Mr. Shaw: It states that the Federal Government is responsible.

Mr. Taylor: We have been told that it is not.

Mr. McKamey: Who made this portion of the estimates up?

Mr. Taylor: This was discussed at great length and not a great deal was accomplished. I wonder if a Report in Committee should contain instructions that something be done immediately, i.e. the Commissioner and Mr. Oliver should find out from Ottawa if the Federal Government will be responsible.

Mr. Watt: I was under the impression that they will pay for it once, but not again. We are buying the equipment from U.K.H.M. second hand for the price of new equipment.

Mr. Taylor: The equipment is new in the sense that it does not wear out and there is very little depreciation.

Mr. McKamey: The Mining Inspector was going to write to Ottawa and get the necessary information in respect of the Federal share and I believe now that he is under the impression that this is strictly Territorial and not Federal. I have always been opposed to this because it is a Federal responsibility but I am not opposed to the idea of having the equipment as it is very necessary. The minerals of the Yukon Territory are under the jurisdiction of the Federal Government and Council cannot legislate concerning mining.

Mr. Taylor: Would it be in order to move that the Administration be requested to establish whether or not the Federal Government will pay for this.

Mr. Boyd: We should confirm the fact that it is 100% recoverable.

Page 254, Welfare Department, Establishment 210:

Mr. McKamey: Does the second-hand car go to Dawson City?

Mr. Shaw: Yes it does.

Mr. McKamey: Dawson has such rugged country that I feel a new car is required.

Mr. Taylor, Clerk of the Court: The social worker was already in Dawson and needed a car right away.

Page 256, Municipal and Area Development Administration, Establishment 210:

Mr. Taylor: Would Mr. Starr have a breakdown as to just what is contemplated for these streets, more particularly for Watson Lake and Teslin.

Mr. Starr: Completion is planned of the Chadburn Lake road on the other side of the dam area. The other is completion of the dam road. Horse Creek to Jackfish Bay on Lake LaBerge is to be a campground. There is a possibility that roads will be required in Dawson City due to the Festival. There are no other plans than this but I am looking for suggestions.

Mr. McKamey: I would like to see a recreational road into Minto Lake which could give a boost to the tourist business. One stretch of 300 feet is very difficult to cross with an automobile and if this road was improved it would help to satisfy the tourists who will likely be taking the side trips and tours from Dawson around Mayo.

Mr. Taylor: Regarding Watson Lake road, has provision been made for the new street going over the new housing development? The roads in the present subdivisions and the parallel streets are not completed.

Mr. Starr: Not knowing what C.M.H.C. are going to do, the Engineering Department cannot provide anything concrete on roads. There is provision in the estimates for this.

Mr. Taylor: Is the parallel street going down the highway going in this year?

Mr. Starr: If something does not arise to make this of less priority it will go in.

Page 248, Takhini Elementary School, Establishment 302:

Mr. Starr produced plans for Takhini school regarding fencing.

Mr. Starr: I feel there is not enough room for parking when the school yard is fenced in.



Mr. Watt: I would hesitate to recommend fencing it in unless absolutely necessary as the playground is at the back.

Mr. Livesey: It is not proper to have a school yard used for a parking lot.

Establishment 301, Whitehorse High School:

Mr. Watt: This school yard is used for other needs than a school yard due to numerous activities going on at this school.

Mr. McKinnon: If the amount voted is not used for this year then it can be voted again next year.

Mr. Starr: If 17 Works moves out soon enough and the ground is obtainable the fence will be built.

Page 257, Establishment 338, Sewer and Water Service to Smaller Communities:

Mr. Taylor: Am I correct in saying that this is aimed at Porter Creek and Watson Lake?

Mr. Starr: No that is not correct.

Mr. Livesey: This item as I understand it emanates from a number of answers to problems that have been raised in connection with health in general in the Yukon. There was a motion introduced in Council a few years ago, referring to partial and full water and sewer systems for these communities. Most of the papers covered partial sewer systems and there was an indication that the Administration were considering looking after 2 communities each year but no consideration at that time, as far as I am aware, was given to any particular district. I would definitely concur with the reasoning behind a question directed to the Administration as to what communities will be given this convenience this year.

Mr. McKinnon: Water is being delivered to Porter Creek residents by the City of Whitehorse and the price has risen to \$2.00 per trip. This is costing each citizen \$288.00 per year for water delivery. Some 72 lots went on sale in Porter Creek and 50 more lots are planned for this spring. Nothing definite on any kind of water system has ever been promised and I certainly hope that part of this \$40,000.00 will be considered for this.

Mr. Taylor: The situation at Watson Lake is very serious concerning water and I would stress the seriousness of this situation.

Page 257, Whitehorse Road Construction Grant, Establishment 339:

Mr. Watt: Could Mr. Starr explain this road construction grant?

Mr. Starr: There are only two established communities in the Yukon - Whitehorse and Dawson City, and the Territory has each year paid 50% of the paving or any construction program put forth. This was approved last year in principle. Now there is another \$16,000.00 each for Whitehorse and Dawson on a 50-50 basis if the settlements will share their operation. Whitehorse would supply \$50,000.00 and the Territory would supply \$50,000.00.

Mr. McKamey: When a project within the boundaries of a municipality is worked on is the Territorial Government billed or is the money turned over to the City Government?

Mr. Starr: Their estimates and also their progress payments are checked by the Territory.

Mr. McKamey: Does the Territorial Government check work that has been performed?

Mr. Starr: Yes we do.

Mr. Watt: Is this breakdown available?

Mr. Starr: No it was mostly for paving.

Mr. Boyd: Is it necessary to retop the paving already done?

Mr. Starr: Not immediately but within a few years a seal coat may be necessary.

Mr. Boyd: I have noticed some bare spots.

Mr. Starr: Any spots will have to be checked.

Page 257, Sidewalk Construction Grant, Primary 74:

Mr. McKamey: What sidewalks of Whitehorse are they for?

Mr. Starr: They have not done it as yet but are working on it.

Mr. McKamey: Main street sidewalks are a necessity.

Mr. Watt: How is this money usually spent by the City? Is it called on bid?

Mr. Starr: It will likely be called on bid, however, a year or two ago there was a suggestion to pour slabs of concrete during the winter pile them in the garage and haul them out at the right time, but this was not done. I expect it to be done on contract.

Mr. Watt: I would frown on contributing to this if there was any possibility of the City entering the private enterprise field and submitting a bid lower than the lowest bid for this work.

Mr. Shaw: In Dawson they did it the cheapest way possible in order to save the taxpayers money.

Page 258, Professional and Special Services, Primary 52:

Mr. McKinnon: Has Mr. Starr anything to comment on this plan?

Mr. Starr: The plan should be out this summer, very early in the summer, as work has been progressing on it for the past year.

Page 258, Moving Squatters' Houses to Other Locations, Primary 343:

Mr. Livesey: Considering the results of the plebiscite where the plebiscite received a most decided negative, why is this now in the budget? This question should be directed to the Administration.

Mr. McKinnon: This is not the only development going on in Whitehorse. If the houses can come up to the regulations of the subdivisions there is nothing to stop them from moving their house to that subdivision.

Mr. Livesey: If the plebiscite was divided why is this in the budget?

Mr. Shaw: This does not necessarily apply to Lot 19.

Mr. McKamey: This money was meant for a specific reason and until the Lot 19 problem can be solved, this money should not be appropriated for any other purpose.

Mr. Livesey: No doubt the Administration could give the answer to the question.

It was agreed to defer the question.

Moved by Mr. Taylor, seconded by Mr. Boyd that Mr. Speaker resume the Chair for the purpose of hearing the report of the Committee and that Mr. Starr be excused.

Motion Carried.

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When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported:

At 9:30 discussion took place, with Commissioner Collins present, on the Wells subdivision and Commissioner Collins stated he would investigate the matter.

During discussion of insurance, Commissioner Collins stated he would get facts regarding the insurance of vehicles and liability thereof.

We commenced discussion of the Supply Bill, at Vote 9, Establishment 260, with Mr. Starr, Territorial Engineer present. Committee requested Commissioner Collins to supply information as to the necessity for expenditure on establishment 284, Lewes River Dam, biological, physiological and logical reasons.

At 2:00 o'clock we discussed Vote 10 with Mr. Starr present. The following establishments were left for further information: 305, 316, 323, and 343. Regarding establishment 326, the Committee wishes information to establish where responsibility of payment lies.

Council accepted the report of the Committee.

Following a discussion of the agenda, Council adjourned until 10:00 o'clock A.M. Tuesday, April 24th, 1962.