

I N D E X

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VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Tuesday, November 13, 1962.
10:00 o'clock A.M.

The fifth session of the Council for the year 1962, being the sixth session of the Nineteenth Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 10:00 o'clock A.M. on Tuesday, November 13, 1962.

The members present were:

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

There were no absentees.

The Speaker, Mr. John Livesey, was ushered into the Council Chambers by the Sergeant-at-Arms.

The Commissioner, Mr. G.R. Cameron, was ushered into the Council Chambers by the Sergeant-at-Arms and gave his address. (Set out as Sessional Paper No. 1)

Sessional
Paper
No. 1.

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

Thankyou Mr. Commissioner for your address and I promise that consideration will be given to the points raised during the forthcoming days of Session.

Mr. McKinnon moved, seconded by Mr. Shaw, that the Commissioner's address be taken into consideration on the following day.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, for leave to introduce Bill No. 1, An Ordinance to Amend the Insurance Ordinance.

Introducing
Bill
No. 1.

Motion Carried.

On motion Council adjourned until 2:00 o'clock P.M.

Tuesday, November 13, 1962
2:00 o'clock P.M.

Mr. Speaker called Council to order.

Mr. Speaker stated that in view of this being the first meeting of the Fall Session it was best for Council to confine itself to the Agenda and he invited suggestions on this.

Mr. McKinnon suggested that they have a working committee to study the memoranda before them from the Commissioner's Office and that possibly before going into Committee they could give first reading to as many bills as possible so as to have them on agenda for discussion every day.

Mr. Speaker asked whether it was desired to set out a table for today and tomorrow for Agenda or not.

Mr. McKamey replied that as there were eleven bills they should be introduced at this time as, besides the bills, there were three memoranda from the Commissioner which could take up the rest of the afternoon.

Mr. Speaker tabled the following memoranda from the Commissioner:

Re progress report on Tote Trails (Set out as Sessional Paper No. 2)	Sessional Papers No. 2
Re appearance of officials before Council (Set out as Sessional Paper No. 3)	No. 3
Re Canadian Coachways Limited bus franchise (Set out as Sessional Paper No. 4)	No. 4

Mr. McKamey moved, seconded by Mr. Shaw, for leave to introduce Bill No. 2, An Ordinance to Amend the Motor Vehicle Ordinance.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Boyd, for leave to introduce Bill No. 3, An Ordinance to Amend the Labour Provisions Ordinance.

Motion Carried

Mr. Shaw moved, seconded by Mr. McKamey, for leave to introduce Bill No. 4, An Ordinance to Amend the Municipal Ordinance.

Motion Carried

Mr. Boyd moved, seconded by Mr. McKinnon, for leave to introduce Bill No. 5, An Ordinance to Facilitate Cornea Transplants from the Bodies of Deceased Persons to Living Persons.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Watt, for leave to introduce Bill No. 6, An Ordinance Respecting Survivorship

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, for leave to introduce Bill No. 7, An Ordinance Respecting the Presumption of Death.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Boyd, for leave to introduce Bill No. 8, An Ordinance to Extend the Jurisdiction of the Territorial Court to Approve the Variation of Trusts in the Interests of Beneficiaries

page 3.

And to Sanction Dealings With Trust Property.

Motion Carried.

Mr. Watt moved, seconded by Mr. McKamey, for leave to introduce Bill No. 9, An Ordinance to Amend the Liquor Ordinance.

Introducing
Bill
No. 9

Motion Carried.

Mr. McKinnon moved, seconded by Mr. McKamey, for leave to introduce Bill No. 10, An Ordinance for Granting to the the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory. (Third Supplementary Appropriation Ordinance 1961-62)

Introducing
Bill
No. 10

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor, for leave to introduce Bill No. 11, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Fourth Supplementary Appropriation Ordinance 1962-63)

Introducing
Bill
No. 11

Motion Carried.

Mr. McKinnon expressed the thought that it was Council's task at this time to choose a Deputy Speaker for the Session.

Mr. McKinnon moved, seconded by Mr. Watt, that Mr. McKamey be elected Deputy Speaker and Chairman of Committees.

Motion Carried.

Mr. McKinnon stated before the Speaker left the Chair to go into Committee of the Whole, he would like some help on a procedural question. On his return from the East, he has had many overtures from the citizens of the Territory, especially in Whitehorse, on the policy of the Administration on the removal of the shacks from Whiskey Flats area. He understood a meeting had been held that morning and as the Commissioner was present and as this matter is causing much controversy, Mr. McKinnon wished the Commissioner to say what steps were being taken with regard to the removal of shacks.

Mr. Speaker replied that he thought it would be best to have these discussions in Committee.

Mr. McKinnon moved, seconded by Mr. Shaw, that Council resolve into Committee of the Whole to discuss Sessional Papers and the problem of the removal of shacks from Whiskey Flats area.

Motion Carried.

In Committee of the Whole:

Mr. Livesey directed a question to Commissioner Cameron as to what the problem was respecting the shacks at Whiskey Flats and if a policy had been decided on with regard to their removal.

Commissioner Cameron replied that a meeting had been held with a representative group of people from Whiskey Flats together with a legal representative. Also Mr. Boyd and Mr. Watt had been present. There was considerable dissension amongst the people of the Flats and it was stated that people were being deprived of their homes and actually put out of them. This he wouldn't want to argue for or against. Federal money was made available for the removal of the squatters' shacks and buildings but during the summer, with the people in the

Administration being very busy and the Contractors as well, and with squatters living anywhere that had a roof on their heads, it was difficult to find any empty building on entering. With the Fall coming on and contractors available on a day to day rate, it was thought to be a good time to get the buildings that were vacated and move them on Crown land and thereby get some actual physical action on the programme. As a result of this it appears that a few persons were deprived of homes which they had not actually vacated, but had gone away for a day or two or were working on the highway for a month or so. This was unfortunate and not the intention of the Administration. One gentleman in particular who had been absent for a few days came back to find his shack gone and equipment lying all over the place. Instructions have now been given to General Enterprises to put the equipment back in its own yard but the programme is not being stopped completely although in future the buildings will be checked to see if they are vacant before being removed. This is the physical start of a programme that has been going on for eight or ten years - it is not something new and it has never been the intention of the Administration to bounce somebody out in the snow at this time of the year. Right now things are at a standstill, equipment has been pulled off the job, and we are checking further to see if we can keep moving these buildings to which the representatives of Whiskey Flats agreed, although they are not happy about it. Possibly Mr. Watt and Mr. Boyd may have some suggestions on the matter.

Mr. Taylor thought Commissioner Cameron had answered the question very thoroughly.

Mr. Livesey remarked that it was something new to him, that he had heard about it being in progress and that as in Canada it was an understood thing that one is never thrown out of a house in the cold months, he wondered if someone was responsible for this actually having taken place. Is it the question of the orders from the top having misfired or being misunderstood?

Commissioner Cameron replied that it was difficult to come out and make a plain statement of fact. Orders came from the top to move empty buildings and that was about it. Somewhere along the line through an accumulation of circumstances and insufficient checking - mind you it is difficult to check when a place is empty - there is no registered chart to show that this property or this house belongs to a certain individual and the original individual who put up the house may be long gone. A man may purchase a building from some other person or from an estate and then find the building has been destroyed or there is no land to put the building on. He should have consulted a lawyer before purchasing the building; but nevertheless there is no use arguing legally over this, but morally we do not want to have these people against us. They are willing to work with us, to co-operate with us and to let us know when a building is vacant.

Mr. Livesey asked if this meant that the only way these people could hold onto their buildings was to remain in them at all times? In other words if they want to prevent any moving they must stay in the buildings - to move out, to move out for a month, would mean their buildings would be gone when they returned.

Commissioner Cameron stated that that was the way it had worked and where the trouble now arises. In answer to Mr. Livesey it does not mean that just because they stay there they can live there. The first stage in clearing up the squatters' area is that the empty houses must be moved. In the next stage, if Lot 19 goes through, then these people will have the option of buying property at a very low price. There will be certain regulations and they will come under the jurisdiction of the city.

There is Federal money available to move these people to any location they wish to go, here, or to Porter Creek or to Crestview. Mind you, at Porter Creek or Crestview they have minimum regulations to adhere to as far as the buildings are concerned - the same as they have in Whitehorse. The ones that do not come up to minimum standards are to be moved to the transient area which is out behind the construction and caterpillar area below the hill and the buildings will be set on lots that have been surveyed. They will be charged a rental and they will be serviced with water service, sewer and garbage pickup. This is part of the programme and it is unfortunate that the first stage is creating this trouble.

Mr. Watt said he understood the size of the lots on the transient area was 30' x 60' and that the houses being moved were taken to a pool - a house pool - and set there until such time as the owner will come and sign a contract with the Territorial Government to have this house moved to either one of the 30 x 60 lots or Porter Creek or any other arrangement. The house will be moved by the Government and the monthly rental is \$12.00 on the 30'x60' lots. However, Mr. Watt said he could not see how anyone would want to improve his house on rented land, or with a lease that could be terminated at any time. The only people who would be moving there are those with their backs to the wall.

Commissioner Cameron stated he believed the 30' x 60' lot, was too small a lot and would create a fire hazard and it has been decided that the lots should be 60' x 60'. This is in the transient area and not in the house pool.

Mr. Watt enquired as to what objections the Government has in people purchasing land in that area - people who own houses and wish to purchase land. If they cannot get into Lot 19, they would like to purchase land elsewhere and they do not want to go to Porter Creek. Would there be any objections to making this land available so that people may buy lots and improve their houses and sell them when they leave.

Commissioner Cameron replied he could not answer that. It was a difficult one to assess and he believed the transient area was a stop-gap situation. Actually the land is not good land - it is low land and not economically feasible to service. It is practically impossible to put water and sewer services in that area because the water table is too close to the surface.

Mr. Watt stated he would never vote one cent of Territorial money to any plan for removal of building down in the Flats unless there were provisions made to make land available somewhere in the Whitehorse area. Lot 19 is a possibility but we have to have land in order to make this removal.

Mr. Livesey wished to know if he understood correctly that Lot 19 is out that it was thrown out by the citizens of Whitehorse.

Commissioner Cameron said that it was going to plebiscite. There is going to be a new by-law this week and a new agreement drawn up between White Pass and the city.

Mr. Livesey wished to know if the conditions would be the same as the last or would they be different and if different, what would they be.

Commissioner Cameron replied that he did not know the differences but that he believed they were small.

Mr. Shaw wished to know what services these people would get for \$12.00 a month.

Commissioner Cameron replied there would be no services - they could buy their electricity and pay for their water.

Mr. Shaw remarked that \$144.00 a year is a fairly large chunk of money - that would be about the same as what one would pay for taxes if one

was a property owner. This would entitle the owner to certain services and facilities but it appears that these people will not be receiving any of these services.

Mr. Shaw wished to know if any of the people falling in arrears in rent would have their houses moved.

Commissioner Cameron replied that if such were the case they would be turned over to the Welfare Department as obviously they would become welfare cases. Anyone with a good house would not wish to move it to the transient area.

Mr. Boyd said he was astounded at hearing of a 30' x 60' lot. Are we going to have a 20' x 40' lot somewhere here too? What causes this kind of thing? Now that it has been established that a 30' x 60' lot is a fire hazard a man may require two lots to build a house - does that mean that he will have to pay \$288.00 annually? It would be better to leave them where they are at present until Lot 19 is settled or until we have land elsewhere to sell them. We are pushing these people around and acting as though we had Lot 19 whereas we do not have Lot 19. I think we should have Lot 19 and not with the provision that if it is not all taken up by these people that White Pass can have it back again. That is not right because I think the White Pass do not own any ground where these squatters are and they have no beef to give it to the Territorial Government or the Federal Government. If I recall aright they gave them some gratis so they have no more interest down there. They did not give up any ground?

Commissioner Cameron: White Pass indicated they would sell their lot to the City for \$17,800.00 provided we would move the squatters off their land. So we said alright we would include their land and our land. If Lot 19 fails then White Pass will have to take legal action as we have no funds for this removal.

Mr. Boyd: Did White Pass donate some river front back to the Federal Government?

Mr. McKamey: This matter has been kicked around Council Chambers for some considerable time and we are all tired of hearing about it and the only way of solving this problem is by taking action and that the Administration should show these people who are illegally situated on the waterfront that it means business. I will support the Administration on this as there will be no end to it. As for renting the property down this new area where they are moving the buildings, there is a good deal also. If they were to give them title to this property, then the Administration or the Government would be assisting them in establishing another problem like the one confronting us here and who is to say that this town will not extend that way and to the outskirts of the city of Whitehorse. This would create the same cost year after year, with the same fight going on. It is a right step that they rent the property and if they do not wish to do so then they buy land in the city and pay for all services and facilities. I can only support the Administration on such a move and I don't believe that by providing property for them first - this has already been tried and has been turned down in this city. I think we should put pressure on these people and show them that we mean business.

Commissioner Cameron: We are not moving anybody to the transient area until after the plebiscite on Lot 19. Empty houses are being moved to the building pool area and \$12.00 is for the double lot and \$6.00 for a single 30' x 60' lot. Lot 19 will be put up for sale if it goes through and we hope it will go through.

Mr. Boyd: If Lot 19 was acquired and sewer and water put in to make it a worthwhile property at \$1,500.00 a lot and then handed back to White Pass so they can be in the real estate business - it just doesn't seem right. White Pass are not paying any taxes and they are not doing anything to create an opening other than to get us to make the ground

more valuable and give it back to them at their own option. Let us say we acquire Lot 19 and advertise it for sale - would it be, say 50 lots reserved for these people we are talking about at the same time could anybody else buy those lots at a specified price that the city might offer? Or would it only be advertised and priority given to the transient? Then it would seem that anybody else wanting a lot would have to deal with the White Pass.

Commissioner Cameron: No. Whether we like it or not, White Pass owns the land and the price for it today is \$120,000.00 but they are willing to sell it to us for \$17,800.00 if we get the squatters off the land between the right of way and the hundred foot reserve in the case of Whiskey Flats. So this is the stipulation. If there were no squatters at all to take the option, then White Pass have the right to buy this back, but they will not pay \$17,800.00 plus whatever the city has spent on it for water, sewer, or roads. They don't want the land back, but they have to have this in there to protect themselves.

Mr. Taylor: I understand the squatters are not desirous of staying where they are at present. If Lot 19 becomes available and these people take up certain lots, what happens to the rest of the lots? Does the city have them or White Pass?

Commissioner Cameron: The City would have them. White Pass can pick out six lots for themselves.

Mr. Shaw commented that talk over this question has been going on for days and days and that it was no use haggling over it. The people directly concerned are the citizens of Whitehorse and they had rejected the proposal. White Pass are the owners of the property and they can charge whatever they feel like charging and they have the power, whether rightly or wrongly, to put in certain conditions to protect themselves. It seems that they are endeavouring to make this property available and if they and the city can get together within agreement that the people in this area will vote on and accept, then he would be most happy to see it come to a happy conclusion.

A lengthy discussion then followed on monies used to move houses which could be used as loans to squatters to make a down payment to buy a house.

Commissioner Cameron said that Federal funds were available to reimburse for concrete foundations if there is a concrete foundation to those desiring to move away to recognized property.

Mr. Watt stated he knew of people in the Flats who own houses and if they could recover \$1,000.00 or \$500.00 on their house would gladly put this as a down payment on a house outside of the Flats. Whereas now thousands of dollars are being given to contractors to move these houses, if an arrangement could be worked where it would be possible to give the money to the householder instead of to the contractor it would assist these people to get better accommodations elsewhere.

Commissioner Cameron said it was costing \$456.00 to move a house - this is an average price. He further stated that the Government would not be buying any house because it is worth so much but buying at a price that would cost for a contractor to move it might be an idea.

Mr. Watt moved that Council ask the Administration to investigate a plan to compensate home owners in squatter areas for their houses.

Mr. Livesey suggested the word "investigate" should read "instigate" as one means a plan in existence and the other means to create a plan.

Mr. Watt agreed.

Mr. Taylor said he was not quite clear as to what the motion meant.

Mr. Watt explained that using the figure \$2,000.00 or \$3,000.00 a cont-

tractor was paid \$3,000.00 for moving a house - how he moved it did not matter. So the contractor went to the home owner, offered him \$2,000.00 for his house and bulldozed it and removed it. The \$1,000.00 between the purchase price and what the contractor got took care of that and gave him a reasonable profit.

Mr. Watt moved, seconded by Mr. Shaw, Council ask the Administration to instigate a plan to compensate home owners in the squatter area for their houses so that houses may be destroyed on site rather than pay the cost of removal.

Mr. Shaw said he seconded the motion on the understanding that the home owner would not be receiving the full price for removal as compensation, as the person who actually bulldozed the property and disposes of it is entitled to a share of the compensation money. Mr. Watt agreed to this.

Mr. Livesey asked if this whole problem was Federal or Territorial, to this Commissioner Cameron replied that the money was Federal and the Territorial Government was carrying it out for the Federal.

Mr. McKinnon said he doubted very much the Constitutionality of this motion. He was all ready to go along to investigate the feasibility of making a recommendation that was feasible. This money was voted by the Treasury Board for specific purposes and as far as he knew it could not be redirected through a motion in Council.

Mr. Watt said he thought the money was being voted for removal of shacks in the Flats area and that was exactly what was being done. If it could be converted around somewhat to help these people it would not matter too much.

Mr. McKinnon said it would not matter to him if it did not matter to the Federal Government.

Mr. Shaw remarked that this was merely a suggestion from a local source, and that it could not do any harm and it sounded like a good suggestion.

Mr. Watt said that if the motion was carried he would like to see it go into action in order to help these people.

Mr. Shaw stated that if this system is already implemented what is the purpose of submitting a motion.

Mr. Watt stated further that it was used in one case, he did not hear of it having been used in more than one case, but he would like it to become a general plan and that he would like to ask the Administration to investigate the possibility of making this a general rule wherever feasible.

Mr. McKamey asked if there were anymore questions on this motion.

Mr. Boyd said that there was one more. If the contractor after having bought and paid the owner decided to move the building away instead of destroying it and use it for a taxi stand or some such thing, what would it mean?

Mr. McKamey pointed out that it clearly states in the motion that houses may be destroyed or shelved.

Commissioner Cameron assured Council that the houses would have to be destroyed before any money is paid out.

Mr. Taylor said that after listening to all this he felt that what was really needed was a Board of Arbitration with some latitude to work in along these lines and who could sit with these people and negotiate with them.

Commissioner Cameron said that all this would follow in line and that no requirement was needed at this stage to have a Board of Arbitration.

Mr. Taylor stated that why he mentioned this was that some buildings were being moved which, in fact, were not vacated. He also felt that within any community, anywhere, there will be a substandard development, somebody who is going to live in a shack no matter how much you encourage him.

Mr. Livesey stated that the reason why he raised the question as to whether it was Federal or Territorial, was because he was wondering what Council was doing with it, because they worked with it before and discussed the question on a number of occasions, then handed it over to the Municipal Council of Whitehorse who put it up to the people by plebiscite, the plebiscite was turned down and that was the end of it. Here we come to Whitehorse in the Fall Session of Council and what do we find but bulldozers working down there and shifting houses. Where do all these instructions come from? Did they come from the Council here or from the Federal Government in Ottawa, or is it something cooked up in the local Administration? Mr. Livesey stated that he had mentioned the question directly as it concerned the motion here and he felt the motion was out of order. It is out of order because it concerns money, it first has to receive the approval of Administration before it can be put forward in this particular way. It would be all right if put forward in the form of an opinion. We are talking about something which turns out to be in the final analysis, more a Federal responsibility than a Territorial one. Land in the Yukon Territory is certainly Federal and will continue to be so as long as we are not a Province. This is the problem and we are getting involved in it again without just knowing what is going to happen to Lot 19. I would like to see the line drawn as to whether this is a Federal operation or a Territorial operation and just what connection we have with it and the Federal Government has with it and just how far we can go.

Commissioner Cameron said he hoped he was not the one to drag the conversation on but that possibly he could clarify one or two of Mr. Livesey's questions. He thought it was about six years ago when it was decided in City Council that when buildings became vacant in Whiskey Flats they would be tagged, or condemned, or locks put on them to prevent people moving back and that each day or every week a tour would be made by the Fire Chief or Superintendent of Works. He was not sure that this was what was being done as he was away for a few years and now it come to the Territory. This is part of a plan that has been agreed by the Federal Government. Vacant houses had to be moved or how could it be decided when the time came as to who was a legal or legitimate squatter and should be entitled to purchase land in Lot 19. The Territorial Government is interested because it is part of the Territory and any suggestion would be appreciated as to how to handle this problem. It is a controversial deal and the more heads thrown into it the better.

Mr. Watt stated that he believed that some of this land on which the houses are built was legally leased. The leases were given and it was known at that time that houses would be built on the land. Three years later their ten dollar bills were sent back and they were asked to clear out and no land was available at that time at a reasonable price and that was why this thing has fallen down. They are not altogether squatters as they had a right to be there at one time. To the best of my knowledge the land was turned over from B.Y.N. who had claimed it, not the water front area, but the major part of the land, on what was termed as a quit land lease in 1954 from B.Y.N. to the Federal Government. Many of these people had a right to be on it at that time. They are getting a rotten deal and by making this motion I am trying to compensate for this bad deal they are getting - at least a little bit of it.

Mr. McKamey said that he had re-written the motion and that it may satisfy all here. "That in the opinion of this Council it is deemed advisable that the Administration instigate a plan to compensate home owners in the squatter area for their houses so that houses may be destroyed on site rather than pay the cost of removal."

Mr. Boyd asked if someone would care to make that into the form of an amended motion.

Mr. Livesey said he would move the amended motion to include "in the opinion of."

Mr. Shaw seconded the amendment. There was however, one item - perhaps if the words "commensurate with the cost of moving the building" were included, it would be very concise.

Mr. Taylor said that it was his understanding that there would be no more moving of buildings this Fall.

Commissioner Cameron said that he wouldn't wish to say that. All they want to do is to establish the fact that buildings have been deserted. There will be no more of the problems that have arisen in the past few days.

Mr. Watt stated that the Commissioner had just informed him that this information could be handed back to Council by tomorrow but he did not see how it could unless a motion was quickly passed.

Mr. McKamey inquired if there were any further questions on the motion. He stated that the original motion was amended and the amendment was moved by Mr. Livesey and seconded by Mr. Shaw.

Motion as amended, carried

Mr. Watt inquired if in the event of the present plans falling through were there any other plans for making land available to squatters.

Commissioner Cameron said there were no other plans in town itself other than out of town.

Mr. Watt wished to know that if the plan for Lot 19 fell through, would there be no other plan to make land available to squatters.

Commissioner Cameron replied that he wouldn't say so although in that event the land would revert back to the original owners of the property, namely White Pass who would take legal action and evict people and the Federal Government made a statement a few years ago that they would do the same. We are however, not going to be a beast over this thing and if Lot 19 fails we are still under a moral obligation to the squatters.

Mr. McKamey suggested that if there were no other questions on the squatters the Committee could proceed to some of the memoranda before them.

This was agreed to.

Mr. McKamey said that if the Committee wished to discuss the first memo, Mr. Oliver would be required to answer questions in respect of this.

Discussion
of Sessional
Paper No. 2

Mr. Shaw stated that there was a report on Tote Trails but that the Clerk-in-Council was the only one with a copy of it.

Clerk-in-Council replied that it was a very lengthy report and suggested that it be circulated amongst members of Council rather than have copies made.

Mr. McKamey suggested that perhaps it would be better to bypass this first item on the agenda until each member has had a chance to peruse the report.

Committee Agreed

Mr. McKamey referred to sessional paper No.3 and asked if it was necessary to read it.

Discussion
of Sessional
Paper No. 3

Commissioner Cameron replied that it had been officially read from the Chair, that members were aware of it and it was just a reminder that if any Department Head was required to discuss a matter that the Commissioner be informed of it to speed up matters so that all information can be collected.

Mr. Livesey said that in the past it was felt that Council could call on Department Heads almost at will, that this has been the position and one of the reasons for this is that when we are in committee we haven't considered questions raised as far as Departments are concerned altogether on the same line as we consider a 24 hour notice period for questions relating to matters on which we wish to give notice. Now there is somewhat of a difference - a line could be drawn between these two items and usually what has happened in the past is that officials have been called without a notice of motion or a question raised in the house where someone should appear, like a straight question when we wish to have it answered orally. We use both this method and the method regarding the production of papers. We haven't eliminated by so doing, as this would seem to imply, the privilege of asking Department Heads to appear before Committee in relation to specific matters that bothered the Council from time to time as, for instance, when we discuss matters here to a certain point and then find out that it is a matter of getting some answer or some detail from the Department so that the debate can really bog down right there or continue by merely picking up some information from one of the Department Heads which we have always felt was fairly reasonable. We got them and it wasn't too much trouble there at all. I am just wondering if this is a new practice or if there is someone trying to institute a new practice, just how this is going to affect the debates which we have here because we are all trying to become as efficient as we can and try to use the time we have here in the house and spend it to the best advantage.

Commissioner Cameron said he saw Mr. Livesey's point and maybe he could enlighten him this way. Mr. Starr is out of town, will be out of town all week. If you come up through the Administration and ask for a Department Head and he is not there you would be notified. Administration could arrange for someone to dig up the required information if a Department Head is out of town. While on this subject, Mr. R. G. Whatmough, Fire Marshal, is in town at present but he will be leaving on a tour and will be away until the 19th, 20th and 21st of next week. This new Fire Ordinance was received 25 minutes before Council

met this morning and is being presented to you so that you may look it over and then he will be available to you.

Commissioner Cameron was excused from Committee.

Discussion followed on Sessional Paper No. 4

Discussion
of Sessional
Paper No. 4

Mr. Shaw then spoke of a bus service in Dawson City which ran regularly twice a week and gave good service. The rates were very reasonable \$14.90 a fare for 340 miles almost and there is no doubt about it that in the wintertime operating it twice a week with three or four passengers going each way that that must be a losing proposition in the wintertime. In the summertime it would be a better paying proposition but the fact remains that these people are operating a bus line at a loss. To cut down operational costs to a minimum, it would take two drivers on that bus and when they go to Dawson - they get there on Mondays and Fridays - they stay there for two hours to pick up passengers, transport freight, and what not, and then they come back. If they are to continue to provide a service it does seem reasonable that they would be entitled to a certain amount of protection. It had always been his theory in a general sense that competition makes for better service. With a franchise one has certain privileges, but also certain responsibilities. At the present time I think there is good reason for their request for a franchise as they are providing a service, a good service at an overall loss.

Mr. Watt wished to know where this came from, Canadian Coachways, or as a product of survey by the Federal Government.

Clerk-in-Council said that it came from Canadian Coachways in the form of a brief as the Commissioner mentioned in his memorandum.

Mr. Watt inquired if this was the brief that was asked for in surveying the transportation needs of the Territory.

Clerk-in-Council said no. Item 2 on this memorandum from the Commissioner says that this brief is not in any way related to the survey made in regard to transportation in the Whitehorse Metropolitan area.

Mr. Watt said he believed a survey was made by Canadian Coachways on the transport needs of the whole Territory.

Mr. McKamey said he did not believe that there was a request for a survey of the whole Territory, but for the moving of school children from the various schools in the Whitehorse Metropolitan district.

Mr. Watt inquired if this request had been made by Canadian Coachways.

Mr. McKamey said that he believed it was, but did not know about the funds.

Mr. McKinnon said that Canadian Coachways had made a survey of the Metropolitan Whitehorse area to determine the feasibility of private enterprise taking over the bus service now provided by the Services but found that it was not economically feasible to do so and said so and the matter was dropped.

Mr. Livesey stated that he has been in the Yukon Territory for a number of years and that when he first came here there was no highway, and then there was a highway, but it was an American military proposition and in 1947 it was turned over to the Canadian Army. We are thinking of the Alaska Highway and later on, of course, we heard about the other roads throughout the Territory and he wondered what exactly Canadian Coachways is talking about when they talk about a franchise. A franchise to Dawson and Mayo, or a franchise to Beaver Creek from Whitehorse, or a franchise from Whitehorse to Watson Lake or Iron Creek. When the bus systems first started, there were two bus systems, a White Pass & Yukon Route and an American from Alaska. He thought they had yellow and red buses and he thought the name was O'Hara. They had a bus station up around White River. These two bus systems were playing games on the Alaska Highway for quite a long time - one was not getting any business so they kept lowering their rates and lowering their rates until one finally went broke. The other one that could afford to lower their rates did not go broke and so the first one was eliminated. Mr. Livesey said he was not sure if Canadian Coachways was worrying about this in that light for as far as he could see there were only two bus lines in the Territory.

Mr. McKinnon said that what we were essentially dealing with in this memorandum is No. 1 and No. 6 - No. 1 asking for a franchise and No. 6 asking that Boards be established, possibly a Utilities Board to study facilities. He agreed with Mr. Livesey that we should ask Canadian Coachways for a clear picture as to what they want.

Clerk-in-Council said that if Council would read the last three paragraphs of the brief they would find exactly what Canadian Coachways want. They want us to set up franchise regulations.

Mr. Taylor stated that he felt these people were asking for franchise regulations and asking us to institute some legislation or regulations on these lines but are still not concise as to what they are desiring.

Mr. McKamey said that they probably are requesting Council to make some sort of submission as to what would be expected of them in servicing various parts of the Yukon. Would we require them to run out to Mile 1202 once a week, or twice a week, and also to Keno or Dawson and Watson Lake. They want an idea as to the area we think they should cover and give them a basis to negotiate some sort of a deal.

Mr. Livesey stated that there are two main bus lines operating in the Yukon Territory and that we have just heard from one. White Pass also have an investment and he would like to have their feelings in the matter as to what is the best procedure to go about.

Mr. Boyd said that the document was asking us for nothing but to establish regulations and from there on any bus line may apply for the franchise.

Mr. Watt stated there was no purpose in making the regulations if we did not want the franchise system to go into effect. If we set up the regulations then the franchises are going to be applied for but if we as a Council are not in favour of the franchise system at all, why set up the regulations?

Mr. Livesey said that the people in the outside areas are getting very good service, that is true, and at the moment it is competitive. Where you have a competitive service you certainly keep the cost down - usually when you move into an area where only one has his finger on the situation, the cost goes up. However, before we can possibly say whether we should have regulations or not, it seems that they are working on a system which would be suitable to them, but how suitable would it be to the people of the Territory. A lot of thinking has to be done about this before we can come up with a suggestion and say yes in this direction and wind up with higher costs. It is obvious if this company says that it does not pay, if they ever got the franchise with no one else in competition, those costs are going to soar, or somebody would be deprived of offering their form of service. Therefore more information is needed before we can come to a decision. We must also hear from others who are interested in this situation.

Mr. Shaw pointed out that this group was asking for legislation to be set up for establishing a form of franchise. There is nothing wrong in that. They haven't anymore power with that than with anyone else. They are now providing a year-round service and in the summertime a few would come and take the cream off the crop.

Mr. Shaw said that he was very much in favour of the Administration setting up some type of legislation for a franchise that would be compatible with the transportation business. It is fairly necessary and will become more and more so in time. If the company makes a profit and give service, everyone is happy. We have a good transportation system at a reasonable figure and the company knows that it has a certain amount of security and that each year they can buy new equipment to give even better service.

Mr. McKamey stated that in respect of this memorandum he would like to suggest that they leave this for the time being and study the brief before coming to any conclusions.

Mr. Watt asked whether or not it would be possible to give a copy of the brief to White Pass so that the Council may be able to get more information on what is actually desired.

Mr. Shaw replied that it was not necessary for White Pass to have a copy of the brief but, if legislation is created, they and any other interested parties would be in on it too.

Mr. Watt said he was not asking that White Pass should direct Council in legislation but there is always two sides to a story and White Pass could help with more information.

Mr. Taylor moved, seconded by Mr. Shaw that the Speaker resume the chair and hear the report of the Chairman of the Committee.

Motion carried

When Mr. Speaker resumed the Chair, Mr. McKamey, Chairman of Committee reported at 2:00 p.m. the Committee met and a discussion took place on the memoranda that were tabled before Council. Also a discussion on the removal of houses from Whiskey Flats, and there was a motion by Mr. Watt in this connection. This motion, amended by Mr. Livesey and seconded by Mr. Shaw, read that "in the opinion of this Council it is deemed feasible that the Administration instigate a plan to compensate home owners in the squatters' area for their houses so that houses may be destroyed on site rather than pay the cost of removal".

Mr. McKamey continued that following the squatters' problem, they dealt with the memorandum regarding Canadian Coachways and it was requested that more information regarding franchises be tabled for Council.

Council accepted the report of the Committee.

After a short discussion the the agenda Council adjourned at 5:00 p.m.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding proposed transfer of Old Crow School. (Set out as Sessional Paper No. 5)

Sessional
Paper
No. 5.

Mr. Watt gave notice of Motion for the Production of Papers concerning the Whitehorse Skagway Highway. (No. 1)

Production
of Papers
No. 1

The following Bills were then given first and second reading:

Bill No. 1 - An Ordinance to Amend the Insurance Ordinance.

First &
Second
Reading
to BILLS.

Bill No. 2 - An Ordinance to Amend the Motor Vehicles Ordinance.

Bill No. 3 - An Ordinance to Amend the Labour Provisions Ordinance.

Bill No. 4 - An Ordinance to Amend the Municipal Ordinance.

Bill No. 5 - An Ordinance to Facilitate Cornea Transplants From the Bodies of Deceased Persons to Living Persons.

Bill No. 6 - An Ordinance Respecting Survivorship.

Bill No. 7 - An Ordinance Respecting the Presumption of Death.

Bill No. 8 - An Ordinance to Extend the Jurisdiction of the Territorial Court to Approve the Variation of Trusts in the Interests of Beneficiaries and to Sanction Dealings with Trust Property.

Bill No. 9 - An Ordinance to Amend the Liquor Ordinance.

Bill No. 10 - An Ordinance for Granting to the Commissioner Certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory. (Third Supplementary Appropriation Ordinance 1961-62).

Bill No. 11 - An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Fourth Supplementary Appropriation Ordinance 1962-63).

Mr. McKamey moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss Bills.

Mr. Speaker appointed Mr. Taylor as Chairman of Committees.

Motion Carried.

In Committee of the Whole:

Mr. McKamey suggested that Committee discuss Bill No. 1.

Discussion
of
Bill No.1.

Mr. Livesey remarked the Bill appeared to be cynical as it had been proposed by the All Canada Insurance Federation. He wondered if Commissioner could assist.

Commissioner Cameron suggested that Mr. Hughes attend Committee to assist them. He stated that a considerable amount has come from the

conference of Commissioners for the uniformity of legislation across Canada. He thought Mr. Hughes, the Legal Advisor, could explain.

Mr. Hughes was asked to attend Committee.

Mr. Livesey questioned as to whether this amendment would be beneficial to the insurance companies or the insured. He felt that if they had legal advice they would be able to arrive at a better conclusion and come to a proper answer.

Mr. Hughes had not formed any view to the effect of this Bill because it would be in a non parliamentary form. He had discussed it with an insurance expert to work out all the meanings. He was not satisfied so is in correspondence with Ottawa to clarify the position with himself. He had tried to relate the amendment with Section 49 and couldn't do so and believed that he should have an answer from Ottawa in ten days time.

Mr. Livesey stated, in view of the explanation, he suggested they follow this course of action.

Committee agreed to hold further discussion of Bill No. 1 until such time as further information is available.

Discussion took place on Bill No. 2, An Ordinance to Amend the Motor Vehicles Ordinance.

Discussion
of Bill
No. 2.

Mr. Livesey thought there must be some basic reason why this amendment is required. It appears to be an increase of \$35.00 in one instance and \$75.00 in another instance. Why is this required? Is it going to raise a lot of revenue and is it going to benefit the Territory or retard the flow of goods to the Territory?

Clerk-in-Council stated that the actual amendment won't result in any great revenue change, but would simplify things. The bulk of licences are taken off trailers and put on tractors. This means a saving to the trucking outfits but won't decrease the revenue. It puts everyone on an equal footing.

Mr. McKamey thought as discussed previously that truckers have to choose the lesser of two evils. He wondered if they were penalizing themselves because the transportation companies are not digging into their pockets but will be raising their prices. This offers some protection for the operators in the Yukon so they can run their operation economically. He discussed it with some of the local truckers and they thought it would be advisable to raise licence rates, but he felt it would discourage outside operators.

Commissioner Cameron agreed with Mr. McKamey and felt that they would be in a uniform manner with prices outside. Now truckers feel they are being discriminated against. This way it evened the operation off and protects the local operators.

Mr. Livesey thought there was a limitation to protection without competition prices raised.

Mr. Shaw asked the Clerk-in-Council how it would apply to a person who had one tractor and two trailers in the amount that he would pay for one tractor and two trailers against what he would pay after this amendment.

Clerk-in-Council replied that under the new system one tractor registration fee would be \$100.00 and would pay a public service vehicle fee of \$250.00 for tractor and would pay for each trailer \$10.00. Under the present system truck tractors is \$25.00 and registration is \$150.00 on trailers and also PSV licence on trailer \$100.00 for a total of \$275.00 for first unit. For second trailers under present system they pay a registration

fee of \$150.00, PSV \$100.00 for a total of \$250.00. Under present system Tractors \$150.00 and trailers \$250.00 making a total of \$525.00 compared to \$360.00 under new system.

Mr. McKamey said this offers no protection to the smaller operators.

Clerk-in-Council said the amendment of the Motor Vehicles Ordinance increased the permit fees to \$100.00 per single trip for outside operators.

Mr. Watt asked the Clerk-in-Council why they should change this Ordinance and what effect it would have on housing trailers units travelling through the Territory and what dump trucks are classified as.

Clerk-in-Council replied that Dump trucks aren't affected by this amendment. It affects house trailer units in the degree that under the old system these trailer toters were registered for \$25.00 and now they are \$100.00. If they are hauling through the Territory as a new unit they can use dealer plates.

Mr. Watt asked the price of new dealer plates they would get to transport the trailer through the Territory.

Clerk-in-Council said they have to be dealers and if they are not dealers they are an owner and would be charged a minor registration of \$10.00.

Mr. Watt stated the Territory will have a raise in revenue on one tractor, two trailer type of operation and will lose more money on larger operators. The only increase is \$35.00 on one tractor - one trailer operation. He mentioned it was stated that there would be an increase in revenue for the Territory.

Clerk-in-Council didn't think it would be much of an increase or a loss in the revenue of the Territory.

Mr. McKamey stated that if we can decrease transportation costs in the Yukon this is what we are driving for and this might be a step in the right direction.

Mr. Livesey wondered if this is a constant hammering at the small operator and if they were going to eliminate the small operator and help the big operator. He felt they were finding a way of operating a monopoly on the right side of the act. He didn't believe they should try to keep the small operator off the road. If they eliminated competition prices would rise. He thought something might be going on Council hadn't heard of and it might be detrimental to smaller operators.

Mr. Boyd wondered about changing licences from trailer to tractor and he didn't feel they have the real cause behind the whole matter. He wanted to understand it more.

Mr. Watt felt it would mean an increase to the small operator of approximately 12% having one tractor and one trailer but ones with two or more trailers would benefit. He thought it might decrease the cost of transportation.

Mr. McKamey supported Mr. Watt's statement.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 2 be reported out of Committee without amendment.

Motion Carried.

Discussion took place of Bill No. 3, An Ordinance to Amend the Labour Provisions Ordinance.

Mr. Watt stated that section 11 states the Commissioner "may" appoint a Labour Provisions Officer. He felt the "may" should be changed to "shall".

Mr. Livesey thought it better for the wording to remain the same because we have a lot of problems from a financial point of view so there are a number of other aspects although he is in favour of providing the Territory with a Labour Provisions Officer. He stated we have a tremendous amount of legislation lacking from our Labour Code if it was compared with others. He said it seems we have a certain ambiguity in subsection (2). The Ordinance makes no stipulation as to what wages should be paid although references were made to the usual wage paid in a certain bracket. So this is a difficult part of the amendment. There is no minimum wage law either.

Mr. McKinnon felt we should have an officer and if they can't afford an officer they might as well not have the amendment if it can't be enforced.

Mr. Shaw felt it was a step in the right direction and subsection (2) was a tidy piece of legislation as at any time there may be a certain wage laid out then this order would be neat and tidy for the occasion. He was in favour of such an officer and felt he could be an employee of the Territorial Government.

Mr. McKaney thought there was some provision in the Labour Provisions Ordinance that the basic rate paid by the Territorial Government would be a rule of thumb as the minimum wage. He directed this to the Legal Advisor.

Mr. Hughes, Legal Advisor, stated that section 7 of the Labour Provisions Ordinance deals with employers holding contracts and they have to meet certain requirements. Section 2 states the difference between wages paid by that employer and the wages paid and it is impossible within a minimum wage scale to set out different standards of wage in the Ordinance. This wording has been selected until we get a minimum wage scale.

Mr. Livesey asked if this would place the employer in a position, after coming to an agreement with an employee, to be subject to a court battle whenever someone wishes to make one. He wondered if an individual could sue the employer when he finds out someone else is paying a higher rate.

Mr. Hughes stated that section 5 explains and even though someone agrees to a wage they could suggest that a wage be changed.

Mr. Watt read a letter from the previous Legal Advisor regarding the same matter and it stated much the same as Mr. Hughes explanation of section 5. If the word "shall" be changed then he felt it was left to the Commissioner to Appoint an officer and this appointment could be made to someone already in the government.

Mr. McKamey concurred that an Ordinance is of no value unless it is enforced by an officer. He felt they should get someone in the outlying districts - say the liquor vendors - and not just in Whitehorse. He recommended that additional pressures be put on the Territorial Agents and if he can't handle it get assistance for him. He asked members to give it a lot of consideration.

Committee recessed at 12:00 o'clock noon.

Wednesday, November 14, 1962
2:00 o'clock P.M.

Discussion
of Bill
No. 3

Committee resumed with discussion of Bill No. 3, An Ordinance to Amend the Labour Provisions Ordinance.

Commissioner Cameron said that as far as he was concerned a Labour Provision Officer would be appointed within the ranks of the Administration for the time being and that all complaints would probably be received in the office of the Territorial Secretary.

Mr. McKamey asked if it would be agreeable to receive complaints from agents as that would settle the problem of complaints from outlying districts.

Mr. Boyd stated that the point of this is that should a man have trouble with his employer it would not be necessary for him to engage the services of a lawyer to get justice.

Commissioner Cameron stated that the appointment of a Labour Provisions Officer would eliminate the services of a lawyer and a lot of worry by an individual who would have both the help of the Labour Officer and of the Legal Advisor.

Mr. McKinnon remarked that it was a big problem right now when someone has a major complaint that the only person he can find is a lawyer and that it was just not fair. If we could have a man here in the Territory who as a part time employee also acted as a Labour Provisions Officer it would be a real help and it would be an excellent idea if we knew that our Legal Advisor would be willing to share in the work.

Mr. Livesey wished to know if in cases where employers engage employees from outside of the Territory on an agreement on salary, hours of work, etc., if such an agreement was binding and not in contravention of the Labour Provision Ordinance of the Yukon Territory. He thought that maybe some other means should be found for a different hiring system. What would happen in a situation where such an employee is let off and who invokes the intervention of the Labour Provisions Officer in relation to the continuance of his work. There is the possibility that perhaps the services of the Labour Provisions Officer may not bear any effect in relation to the continuance of work, but there is also a likelihood that it may, and this is what he would like to see discussed this afternoon.

Mr. McKamey said he would like to express his views on this matter. Anybody entering into an agreement to work in the Yukon from outside points will no doubt have certain benefits thrown in and he thought the Magistrate would take that into consideration if a case were brought before the court. As a matter of fact he did not think it would present a problem at all.

Mr. Livesey pointed out that the Labour Provisions Ordinance would provide a basis for judgment - it is either valid or non-valid. What he expressly wished to know was how the matter of continuance of employment would be handled. He said he did not have the answer but would the Committee consider this angle of employer-employee relation.

Mr. Watt stated that the way he saw it was not that the Labour Provisions Officer would haggle over the wage a man is earning but that he would take care of cases where employers say "goodbye" - a phone call here would let the employee know that he has the law behind him. This is particularly true of natives and new Canadians who do not speak English well. It would be reassuring to them to know that our agents will take care of them. It may not take care of every situation that may arise but should help in some measure.

Commissioner Cameron remarked that many more loopholes and openings will show up, but that it was a good step the Administration is taking and that something would be put up by the time of the Spring Session.

Mr. Livesey narrated an incident in B.C. where he challenged an employer who stated at a meeting that he would fire any member of his staff who joined a Union. He addressed the man from the platform and told him that he was in a very unfavourable position and that there was a law available to any employee who got fired for this purpose. Mr. Livesey added that what we needed here was a Labour Relations Board but as that we cannot afford it we have to put up with something else. The question of the hours of work would come under the jurisdiction of the Labour Provisions Officer and he felt sure that the Officer would see to it that the Labour Provision Ordinance is carried out.

Mr. Shaw said he thought this was a very good piece of legislation and it was a step forward in the right direction.

Mr. Shaw moved, seconded by Mr. Livesey, that this Bill be passed out of Committee without amendment.

Motion Carried.

Mr. Livesey said that we would now come to our next Bill, Bill No.4, An Ordinance to Amend the Municipal Ordinance, and he wondered if members of the Municipal Council of Whitehorse were aware of the contents and provisions of the amendment to this Ordinance.

Discussion
of Bill
No. 4.

Commissioner Cameron stated that this Bill came about from instructions to the City of Whitehorse that they appoint an acting clerk in the absence of the City clerk. He did not know whether they had seen the Bill in its present form.

Mr. Hughes, the Legal Advisor, said he did not know whether the Municipal Council had seen it but a copy of the proposed amendment had been sent to them.

Commissioner Cameron remarked that this was merely making it legal as required by law.

Mr. Livesey wanted to find out whether it would be better to have members of the Municipal Council present to answer questions or give their views. He further wished to know if we were working within the wishes of the City.

Commissioner Cameron replied that we were definitely working with the recommendation and approval of the City and that the matter was merely brought out as legal point. It was never a major issue.

Mr. Hughes agreed that this was absolutely correct. The City had asked the Commissioner for legislation empowering them to appoint an acting City Clerk.

Mr. McKamey referred to section 194 on Levy of School Tax and said he understood the mill rate had been raised for education.

Mr. Hughes stated this was so and pointed out the necessity for the amendment of section 194. This was due to certain words having been accidentally omitted and without which there would have been no basis for calculation.

Mr. Watt said he objected to the word "expropriate" in subsection (2) of section 215, relating to property listed in the tax list. He would go along with the idea of the Commissioner removing real property from the tax list if such property were required for schools, hospitals, or playgrounds, but he felt that in view of the shortage of property in Whitehorse that the power of the Commissioner to expropriate land should be limited somewhat. He said that one of the biggest problems in the

Territory is that there is insufficient land for private purchase and that if the Commissioner was able to "expropriate" from the tax list, the position would be aggravated.

Mr. Shaw stated that he did not feel there was any infringement of anybody's rights. If land were to come up for sale on the tax list the Territorial Government should have prior right to purchase this land for schools, hospitals and/or school playgrounds. There have been cases where historical buildings have been sold to private owners who then had them torn down and this has been a loss to the Territory for such buildings were of historical value.

Commissioner Cameron pointed out that it was not expropriation as understood by Mr. Watt. It was merely earmarking some building or property that was of historical interest and then saying that we wished to expropriate it. Expropriation regulations are still going back and forth to Ottawa and we are not yet in agreement. He hoped that with this qualification the point has been clarified.

Mr. Watt said that as he understood it if a parcel of land came up for sale that the Commissioner deemed the Government may like and consequently withdraw it from public sale, that would take away a lot of land that could be made available for private ownership, and, as it is at present, there is only a limited amount of land available for private ownership.

Mr. McKamey said that he thought this was a very good piece of legislation as it covered not only expropriation of property to be preserved as historical sites, but also property required for schools, hospitals, etc. in an expanding community.

Mr. Boyd admitted that property was required for schools, senior citizens' homes, etc., but that land was also required for private ownership.

Mr. Livesey remarked that he could see a number of good points but there were also a number that were not good. Expropriation is dictatorial. He could see the Administration's difficulties, the danger was not in taking all sites, but when talking about expropriation it does mean taking away somebody else's rights. In some instances expropriation is a good thing as we will always run into vandal characters who will destroy property of worth, but he agreed with Mr. Watt that property should be made available for private ownership and that not much of this property is available at present.

Mr. Shaw said that here we have property being put up for sale, that is being sold on tax sale and that somebody was going to buy it, it is not property to be expropriated, it is property up for sale; Government is for the people, if it purchases the land, it is for the people and not for speculation purposes to be sold at a higher figure.

Commissioner Cameron remarked that he couldn't quite agree that expropriation was bad. Just back from a trip to Ottawa he noticed that in that city Government was expropriating, in certain cases, old homes of historic value. However, the request for expropriation in this Territory did not come from Administration.

Mr. Watt said he thought the main purpose of the Ordinance was to protect property for historical purposes, on that he had no objections, but to withdraw land in municipalities that could be used for private buildings was aggravating an already acute situation. This could create a dangerous situation and he suggested that maybe the Legal Advisor could redraft this ordinance giving the Commissioner power only to withdraw from tax sale land that is of historical value.

Mr. McKinnon agreed that "expropriation" was a word with a dangerous connotation.

Mr. Hughes remarked that there was a difference between an intention and an actual fact. He wondered if he could be given a few minutes to lay his hands on the correspondence and also to put down on paper a couple of alternatives and discuss it with the Commissioner.

Mr. McKamey said it was possible we do not have the power to legislate.

Mr. Livesey inquired if there were any more questions to discuss at this time in regard to this Bill.

Mr. Watt said he would like to refer to the mill rate.

Commissioner Cameron said that if by this he meant the increased school mill rate, he had not heard of any real complaint.

Mr. Watt wished to know if this would apply to trailer court owners - if they were expected to contribute to this type of tax.

Mr. McKinnon said he believed that there had been some discussion about this.

Mr. Watt stated he had heard something about it and that he would not press the matter any further.

Mr. McKamey wanted to know how this mill rate would apply to the 250 squatters in this town.

Mr. Watt said that this could apply to the people in the squatter area if they build their own homes.

Mr. Livesey remarked that there are some people in this town who pay road rates, mill rates, etc. and they haven't even a home.

Mr. McKinnon enquired whether the municipalities could make any grants to hospitals etc.

Mr. Hughes said they were allowed, if it is in section 118 and elsewhere in the Ordinance. The Council may pass by-laws under paragraph (b) making grants to any hospital.

Commissioner Cameron stated that to labour the point a little more - this particular section is a little obscure because they misread the portion which said an aggregate of \$1,250.00. He said it could be brought up to \$ 5,000.00.

Mr. Watt requested that the Legal Advisor be asked to redraft subsection (2) along the lines that have been discussed here.

Discussion took place of Bill No. 5, An Ordinance to Facilitate Cornea Transplants from the Bodies of Deceased Persons to Living Persons.

Discussion of Bill No. 5.

Moved by Mr. Boyd, seconded by Mr. McKamey, that Bill No. 5 be passed out of Committee without amendment.

Motion Carried.

Mr. Shaw suggested that Committee refer again to Bill No. 4, An Ordinance to Amend the Municipal Ordinance.

Discussion of Bill No. 4.

Mr. Livesey wished to know if section 199, chapter 79, had been repealed.

Mr. Shaw replied that it had been repealed.

Mr. Livesey stated that this point should be cleared up before further discussion on it. He wished for an explanation on section 199 as it now stands under the Municipal Ordinance.

Mr. Hughes said that the explanation on this question is to be found in the 1959 book of Ordinances but he was not quite sure whether it was up-to-date, although he thought it was.

Commissioner Cameron remarked that someone had asked the Legal Advisor to re-draft this but he thought it had been done.

Mr. Hughes replied that he was getting it typed. This is section 215, subsection (2) referring to the bidding of property on tax list. There would be a slight alteration to subsection (3) which would be amended by deleting the words "remaining" and "notifying the Commissioner of the time and place of the sale".

Mr. Watt said that what he was trying to get at was that private land should be kept from falling into Government hands unless it was of historical value.

There was another lengthy discussion on this point.

Mr. Hughes thought there should be some sort of legislative machinery whereby the Commissioner could purchase land, that his instructions were not to limit the amendment to historical sites but to give the Commissioner proper authority to purchase land.

Mr. McKamey wished to know where the Commissioner or the Government received the power to bid at a public auction.

Mr. Hughes said that the Commissioner had an obligation to discharge and he would take the view that it was certainly within the Commissioner's province to purchase private land or to go to an auction.

Mr. McKamey said that he thought the money would have to be voted.

Mr. Hughes remarked that obviously the Commissioner would only be bidding on property for which funds had been voted for.

Mr. McKamey said he thought we were really putting ourselves out by amending it to read the way it does at present. He moved that the original bill as it was tabled should be accepted and he said that he could see where the Administration would be forced out to compete at a public auction for property using the taxpayers' money and he didn't think it was right. He did not think we should pass any type of legislation that would penalize ourselves. He thought the bill should remain exactly as it was.

After further discussion Mr. McKamey said that he would like to have the Legal Advisor's thoughts on changing the word "expropriate" to "purchase".

Mr. Hughes said there was a clear-cut difference between the words. He thought it could be redrafted to read "desires to purchase" rather than "intends to purchase".

Mr. Livesey said that there was a motion before Committee to accept the bill as it is written to which he was opposed as it relates to expropriation and he thought Committee should get down to something soon instead of going around in circles.

Mr. Taylor stated that Committee did have a motion before them and would Mr. McKamey wish to withdraw it or proceed with it.

Mr. Watt suggested that it be left to the Legal Advisor to clear things up before proceeding further on this matter.

Mr. McKamey requested the consent of Council to hold this motion in abeyance to see if something further could be submitted to this Committee.

Mr. Taylor enquired whether Mr. McKamey would be willing to withdraw the motion for the time being.

Commissioner Cameron suggested he go over it with the Legal Advisor and maybe come up with something more.

Mr. McKamey withdrew his motion.

Mr. Taylor pointed out that the squatter situation was next on the agenda for discussion.

Mr. Watt said he believed Commissioner Cameron had a plan.

Commissioner Cameron stated that actually he wanted to discuss the whole squatter plan. There was a motion made yesterday to reimburse the people for some of the buildings that were in a poor condition. He had checked into this and the Government is willing through a contractor, if it is possible to make an agreement with the owner of the house to move this building or destroy it on site. The Government will reimburse the owner and out of this reimbursement money, the owner on an agreement with the contractor, will pay the latter a certain amount to destroy the building on site and remove the scrap.

Mr. Watt wanted to know if the owner could be considered as the contractor.

Commissioner Cameron said that he was afraid that this could not be considered as actually the Federal funds available were for the disposal of the building by Government and this should be kept fairly rigid. Government was not in the business of buying old houses but if the contractor carried out the demolition work and dumped the scrap he would have no objections. He added that it was not practicable to have a number of individuals working on demolition, the thing had to be kept in an orderly fashion and under control otherwise it would be inoperative.

Mr. Shaw remarked here that he did not think any citizen in the Territory or anywhere else have the privilege of Government moving his building and paying for it and that the matter should rest as is.

Mr. Watt said that what he had in mind was that if the owner tore down the building himself he could save on the money paid to the contractor and with this put a down payment on a lot.

Mr. McKamey stated that the Administration has been bent over backwards to meet the requirements of these people and he saw no need for further discussion on this subject. He suggested Committee carry on with another Bill.

Discussion took place of Bill No. 6, An Ordinance Respecting Survivorship.

Discussion
of Bill
No. 6.

Mr. McKinnon asked the Legal Advisor for an interpretation of the Ordinance in plain language.

Mr. Hughes read each section and explained them in detail and answered various questions put to him by the Committee.

Mr. McKamey moved, seconded by Mr. Livesey, that Bill No. 6 be passed out of Committee without amendment.

Motion Carried.

..... page 26.

Commissioner Cameron was excused from Committee.

Mr. Shaw suggested that Committee proceed with Bill No. 7,
An Ordinance Respecting the Presumption of Death.

Discussion
of Bill
No. 7

Mr. Boyd moved, seconded by Mr. McKamey, that Bill No. 7
be passed out of Committee without amendment.

Mr. McKirron wished to know if there was a time limit set for
the presumption of death.

Mr. Hughes remarked that he was probably thinking of the 7 year
rule. That is the common law rule in England. Now in Canada
we do not have this but once the Court makes an order on evidence
that it deems satisfactory for a presumption of death, the order
becomes effective. Mr. Hughes said he would like to draw Council's
attention to correspondence he has received a few days ago that a
rather similar Ordinance was under consideration in Ottawa which
rendered this Ordinance unnecessary. He has taken the matter up
with Ottawa on what appears to be a departure from the original
view, but has heard no more about it.

Mr. McKamey wished to speak on this motion. He said it was a very
necessary thing in the Yukon and that he could draw several parallels
in respect of missing persons. He added that there should be something
definite on it and he thought that this Ordinance probably filled the
bill. He then recounted of instances in which a great deal of hard-
ship was experienced by surviving families in cases where the head of
the family disappeared in remote places or met death without any
witnesses being present and where death was not presumed.

Mr. Livesey asked if in the case of separated people where the marriage
did not work out and where very often there is no communication between
the two parties, could money be obtained in ignorance of the actual
position of the other. Could this Ordinance be used in that respect?

Mr. Hughes replied that naturally a test would have to be applied by
the Court and the Court would have to be satisfied that reasonable
grounds exist for supposing that the person is dead. The Court will
look seriously at the evidence in support of a claim of death, although
he, Mr. Hughes, could not pretend to think what the Court would
regard as serious.

Mr. Livesey asked if it would be advisable now to pass this Bill or
leave it in abeyance for further opinions on it, or not pass the Bill
at all.

Mr. Hughes suggested that it be left off in the first reading as the
matter was still to receive the final sanction of the House. He said
that it has been three weeks since he wrote to Ottawa but in view of
the present discussion he would send them a follow-up.

Mr. Livesey said that he certainly would like to have more opinion on it.

Mr. Taylor pointed out that there was a motion before Committee that
the Bill be passed out of Committee without amendment. Did Mr. Boyd
and Mr. McKamey wish to have their motion stand?

Mr. McKamey replied he didn't understand. This Bill was presented
by the Department of Justice.

Mr. Hughes mentioned that a conference is scheduled to be held in
Edmonton in the Fall of next year and they are to examine areas of
non-controversial character with a view to standardizing the law.
The Federal Government will be represented and the Provincial
Governments will be represented and next year as a result of repres-
entation that is being made the Yukon Territory will be represented
and the Legal Advisor will then be able to inform you more fully on
this.

Mr. Watt stated that the motion should be held in abeyance and that when it came up again it would take Committee only a few minutes to pass it.

Mr. McKamey said that in his opinion it is stated quite clearly in the explanatory notes that any variation in the wording would lead to confusion.

After some discussion on the pros and cons as to whether the Bill should be thrown out until more information was received on it,

Mr. Shaw suggested that the matter be held in abeyance and brought up again at a later date.

Mr. Boyd and Mr. McKamey withdrew the motion.

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. Taylor, Chairman of Committee reported as follows:

Committee convened at 10:30 this morning to discuss Public Bills and Memoranda with the following results: Bill No. 1 progress was made; Bill No. 2, moved by Mr. Shaw, seconded by Mr. McKamey it be passed out of Committee without amendment and the motion was carried; Following recess from 12:00 o'clock noon until 2:00 o'clock P.M., Bill No. 3, moved by Mr. Shaw, seconded by Mr. Livesey that this Bill be reported out of Committee without amendment, motion carried. Bill No. 4 progress was made. Bill No. 5, moved by Mr. Boyd, seconded by Mr. McKamey that this Bill be reported out of Committee without amendment. Motion Carried. Following a short discussion on the squatter problem, Bill No. 6 was moved by Mr. McKamey and seconded by Mr. Livesey be passed out of Committee without amendment. The motion was carried. Bill No. 7 reported progress.

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock A.M. Thursday, November 15th, 1962.

Thursday, November 15th, 1962
10:00 o'clock A.M.

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

Introducing
Bill No.
12.

Mr. McKinnon moved, seconded by Mr. McKamey, for leave to introduce Bill No. 12, An Ordinance Respecting the Prevention of Fire.

Mr. McKinnon asked the following questions addressed to the Administration:

(1) It is requested the Administration provide Council with all details concerning the delay in implementing Chapter 1 of the Ordinances of the Yukon Territory 1962 (First Session) - an Ordinance to Assist the Construction of Low Cost Housing in the Yukon Territory. (2) Porter Creek Water & Sewer Services - Could the Administration advise when these services will eventually be implemented.

Question
No. 1.

Question
No. 2.

Mr. Shaw moved, seconded by Mr. McKamey, that Council resolve into Committee of the Whole to discuss Bills and orders other than Bills numbered 2,3,5 and 6.

Motion Carried.

In Committee of the Whole:

Discussion took place of Bill No. 8, An Ordinance to Extend the Jurisdiction of the Territorial Court to Approve the Variation of Trusts in the Interests of Beneficiaries and to Sanction Dealings with Trust Property.

Discussion
of Bill
No. 8

Mr. Livesey suggest that if it be possible, Mr. Hughes, the Legal Advisor be present for these discussions.

Mr. Hughes attended Committee.

Mr. Livesey asked Mr. Hughes to give the Committee the interpretation for the need of this Ordinance from a legal point of view.

Mr. Hughes used an example to show the need for this Ordinance. He assumed a testate, making a will was worth half a million dollars and he decided to set up a trust which would tie up the capital of the estate and leave only the income available for the family. The stock market value crashed and he ended up with \$500.00 after the funeral was paid for. The family would have to live off this income as the trust had been established. They would have to go to court as they couldn't live off this. This is an extreme case. In another case say that "Blackacre" was to go for the education of the children and he prohibits the sale of the land. The land becomes very valuable and it could be cashed in for a lot of money. This Ordinance would give judges greater freedom to interfere and correct things of this nature. It also brings the Ordinance more up to date.

Mr. Taylor moved, seconded by Mr. Boyd, that Bill No. 8 be reported out of Committee without amendment.

Motion Carried.

Discussion took place of Bill No. 9, An Ordinance to Amend the Liquor Ordinance.

Discussion
of Bill
No. 9.

Mr. Livesey said he could see the obvious reason for bringing this to Council. He wondered why the people drinking hard liquor needed entertainment and why those drinking beer did not need any.

Mr. Watt asked Mr. Livesey if he was suggesting that we allow cabaret permits for taverns.

Mr. Livesey stated that the public was asking questions along this line.

Mr. Boyd stated he thought it was a very good question. He didnt think there was any difference between beer parlors and cocktail lounges provided

they were operated properly. He felt that there should not be any difference between a tavern and a cocktail lounge and it was just that they should be run right.

A short discussion took place on the differences of those drinking beer and those drinking hard liquor.

Commissioner Cameron did not think this question would be answered at this table and that Council refer this to the Liquor Committee and see what they can come up with. The only reason it is written this way is because it is in line with B.C. and Alberta legislation.

Mr. Taylor had one point to raise on the subject and that was the matter of no entertainment in cocktail lounges unless you get an entertainment licence and then you are classified as a cabaret. For those who live in the hinterland and cannot enjoy the benefits of a cabaret but in some instances would like to see some restricted form of entertainment, he felt this should be considered, as they enjoy entertainment too.

Mr. Shaw brought to the attention of the Committee that a Liquor Commission is operating to make recommendations on the liquor laws, and he was wondering if these would be ready for the next session.

Mr. Boyd remarked that he hoped there would be a considerable amount of it ready.

Commissioner Cameron asked if they could have Mr. Hughes give his explanation.

Mr. Hughes thought it was not the intention to omit the control of entertainment in taverns in the spring session but if the present situation goes on, and in fact we have no solution limiting entertainment to wired music, then there is no prohibition for it in taverns but they have not the control. If you intend to give them the same freedom as in cocktail lounges, this is your decision but if you do not put section 12 (a) (1) into effect you are giving them a much greater licence due to this omission and you may also feel that the cocktail lounge operator who has gone to the greater expense to become a cabaret, he might be unfairly treated compared to the tavern operator who has the greater privilege and doesn't pay anything. He said they have to rationalize on the situation.

Mr. Watt asked the Legal Advisor if a tavern wished to have entertainment wouldn't they have to get a cabaret licence and therefore they would be restricted that way.

Mr. Hughes stated that what is not prohibited is allowed and this wouldn't be prohibited.

Mr. McKamey stated that he remembered earlier this spring this was a subject of considerable discussion and every member was for bringing up the standard of drinking establishments. Unless some control is put on this type of establishment "honky-tonks" will be created which will operate in opposition to what the Council is trying to support.

Mr. Livesey hoped that the member from Mayo was speaking from experience and it seemed to him that even some of the thinking in regard to improving things in Whitehorse hadn't worked out even in cocktail lounges. He believed that if they could improve the tavern situation and put on decent entertainment along the same line as in a cocktail lounge, if the tavern was willing to take out a licence, he couldn't see why it shouldn't get the same privileges as those that serve hard liquor. If they were brought up to the same level as the cocktail lounges, he couldn't see why one should have wired music and the other live music. They should be given a fair chance.

Mr. Shaw stated Committee was getting off the track. It's not so much restricting taverns or trying to put them on the same basis as a cocktail lounge that has no entertainment licence. It is a matter of trying to tidy up something that was omitted.

Mr. Hughes stated this was so. He stated taverns could be quite open now and what they wanted to do was to improve the situation to allow taverns licences and this was up to Council.

Mr. Taylor agreed with Mr. Hughes and that they should do something about it. He was in favour of providing some form of limited live entertainment for cocktail lounges and taverns in the form of a piano player.

Mr. McKinnon asked Mr. Taylor why because he lives outside the Whitehorse area, he can't enjoy these things - in Dawson they do.

Mr. Taylor stated that the reason they don't is because they did not have the facilities or the population to support the type of cabaret they have in Whitehorse.

Mr. Watt asked if Mr. McKinnon was suggesting that the government go into the cabaret business in Watson Lake as well as in Dawson.

Mr. McKinnon stated that the Occidental Hotel in Dawson City is very nice but they have hotels in Watson Lake that could surpass their facilities.

Mr. Shaw felt they had digressed from this Ordinance and he felt they should keep the discussion more to the item.

Mr. McKamey thought this a noble idea and that they should accept this Ordinance and if they wished to give the taverns or cocktail lounges the right for entertainment then there should be additional legislation and this is entirely up to the Committee that has been set up to make recommendations to Council. He therefore moved, seconded by Mr. Boyd, that Bill No. 9 be reported out of Committee without amendment.

Mr. Livesey pointed out that if Committee passes this Bill it is making it mandatory that taverns can't have entertainment. He felt this was the intention of this Bill and he was opposed to it. He felt this can apply to taverns that do not want live entertainment but it also applies to taverns that do. Taverns should be entitled to the same privileges and that this type of entertainment is more important at this time in taverns than in other types of bars.

Commissioner Cameron believed Mr. Livesey was incorrect in this statement that taverns should have the same privileges as cocktail lounges. If you don't pass this Ordinance to restrict a tavern operator you are turning them loose to do what the cabaret operators have to pay a lot of money for.

Mr. Livesey stated that before a cabaret became one it was a cocktail lounge so therefore the man operating a cocktail bar had the privilege of becoming a cabaret and this doesn't give the tavern operator the same privilege as they gave the cocktail lounge operator.

Commissioner Cameron stated the tavern operator could become a cocktail lounge operator and therefore avoid the restrictions.

Mr. Livesey remarked that the tavern operator to become a cabaret would have to serve hard liquor. He was referring to a tavern that served beer only and was entitled to have entertainment and not a cabaret. He felt the tavern operator should have live entertainment as well as the cabaret.

Mr. Shaw stated this is a good point and it should be discussed to the fullest but the way he looked at it is this section puts the tavern operator in the same category as 12(a) a cocktail lounge. Without this

Bill it gives a free licence for anything in a tavern. If it is this Committee's pleasure to go further on this Ordinance and put in where a tavern can have entertainment, this adds to the Bill, it doesn't detract from it, but he felt as there is a committee set up to go through all the angles of this Ordinance, and this is not restricting them, in relation to the cocktail lounges, it is just bringing them, with the same restrictions, to what a cocktail lounge would be without a cabaret licence.

Mr. Watt asked the Legal Advisor that, unless they passed this amendment, would the tavern operators at this time be able to have an unrestricted dance hall beer parlor.

Mr. Hughes stated there were certain restrictions not imposed by the Ordinance but if they rushed out and got a piano and singer, etc. they could do so - they are open at the moment.

Mr. Watt felt that the operators wouldn't want that.

Mr. McKamey stated they had the motion before the House and it had been seconded.

Mr. Shaw stated yes, but they wanted to put it to a discussion so they understood it.

Mr. Livesey stated that if this subject matter is brought up again is this going to be considered a separate item or is it going to be considered as part of it. If it is considered to be a part of this Bill he would not agree to it.

Mr. Shaw stated that if at a later date this was brought up that it would be in order.

Mr. Livesey asked the Legal Advisor if in his opinion, if the question of live entertainment in taverns is part of this question or is it not part of this question.

Mr. Hughes said he would deal with it in two parts. The Speaker did say the view that a matter having been dealt with and decided with would not be brought back before the Council. Dealing with the 2nd part - the question whether taverns should have live entertainment has not been put in the form of a motion and therefore he can't say who is correct.

Mr. Livesey didn't think this answered his question and he brought the attention of the Committee to section 200 (1) and this was his guide in regard to the question. Once the question has been brought up before the house and once been decided, he raised the question whether this was one question or two questions.

Mr. Hughes asked if he was satisfied that this was two questions.

Mr. Livesey said yes, if it is two questions he was in favour.

Mr. Hughes said this was the answer he received.

Mr. Watt stated that he would vote for this amendment.

Mr. Shaw stated that it had been moved by Mr. McKamey, seconded by Mr. Boyd that Bill No. 9, An Ordinance to Amend the Liquor Ordinance, be reported out of Committee without amendment.

Motion Carried with Mr. Livesey and Mr. Taylor abstaining.

Discussion followed on Bill No. 10, An Ordinance for Granting to the Commissioner certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory. (Third Supplementary Appropriation Ordinance 1961-62)	Discussion of Bill No. 10.
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Mr. Taylor asked if this Bill was not limited to Supplementary Estimate no. 3.

Mr. Shaw stated it was.

Commissioner Cameron asked if it was the Committee's pleasure to have the Territorial Treasurer present.

Mr. Hughes was excused and Mr. MacKenzie, Territorial Treasurer was asked to attend Committee.

Mr. Watt asked if it would be proper at this time to have a brief report from the Chairman of the Financial Advisory Committee, Mr. Livesey, as they were starting to talk about money so he wondered if they had some to talk about.

Mr. Livesey stated that at this particular point it would be difficult to give a comprehensive report which would be of some benefit to his friend from Whitehorse but if he would give him 48 hours to compile this report he could bring forth some comprehensive information and at the same time they have the Treasurer here and if there is a particular question they want to ask possibly he could answer it.

Mr. Taylor asked that before they proceed with this 3rd Supplementary Bill he would like to ask the Territorial Treasurer two questions. One, has our financial agreement with Ottawa been signed and second, are we receiving the grants and monies to be paid to the Territory under this agreement.

Mr. MacKenzie replied that the agreement hasn't been signed and cannot be signed until the House passes the Federal estimates and the answer to the second question is yes, we are receiving the monies payable - so it is in effect although it hasn't been signed.

Mr. Taylor thanked him and commented that it is irregular this has not been signed and a lot of time has transpired with the Federal Government not signing this agreement.

Mr. McKinnon said he had been through this estimate with the Financial Advisory Committee and he had no questions but believed Mr. MacKenzie could comment on the increases in Y.H.I.S. and this would be valuable if he could give a run down on why the huge expenses have been brought on by Y.H.I.S. and if anything is being done about it.

Mr. MacKenzie stated that the increase in expenditure in Bill # 10 and Bill #11 are due to the high occupancy of hospital beds. In Ottawa they tried to investigate this and we think that they can reduce it in future by exercising strict control of the length of time patients are hospitalized. They are arranging to use what they call a scrutiny or referee service to achieve this and they hope to obtain a substantial improvement by the end of this fiscal year and certainly in the next fiscal year. Bill # 10, you can do nothing with as this has been passed and done with, now you are to regularize the expenditure after the event. It is unfortunate but it couldn't be avoided.

Mr. McKamey stated that this amount of \$62,000.00 is more than they had anticipated and is this an additional expense per patient day.

Mr. MacKenzie said yes, and stated there were a number of factors which accounted for this and they are explained in the little book Estimates #3. He stated that Whitehorse General Hospital accounts for the major part of \$28,800.00 and that is because of the fact that they have increased the day rates payable to the hospital from \$24.00 to \$25.00 in that fiscal year. St. Mary's hospital is another substantial item, \$16,700.00 and their patient days came to 728 more than they bargained for.

Mr. McKamey understood that St. Mary's was an additional \$16,000.00 expenditure and Mayo is in red so it is under the expenditure estimated.

Mr. Taylor found it hard to understand that some of the increase over estimates are attributed to the fact that they have patients in the hospital either too many or they are staying too long.

Mr. MacKenzie stated it was a combination of both and he says this on the basis of what was found in the Northwest Territories. They found that patients were staying in longer than they needed and this scrutiny or referee system that they have instituted has put a stop to it and they are going to do the same thing in this Territory.

Mr. Taylor said that it was mentioned right here that a system was to be established whereby patients were to have so many days in the hospital and he couldn't agree. He knew that in his district patients were being discharged from hospital that weren't recovered and had gone back in again.

Mr. MacKenzie stated the measures they propose will prevent people staying in longer than they should. This referee he is speaking of is a doctor of medicine, qualified to judge the length of time they should be in.

Mr. McKamey thought that in answering Mr. Taylor he could illustrate the happenings in the Mayo district. Apparently the Old Man's Home in Dawson was full to capacity and they have quite a few old timers in the district and some are getting very senile wandering around on the streets in bedroom slippers in the winter time and they should be in some institution but the only place they can put them is in a hospital so they have to pay \$25.00 for every day they are in hospital. He heard that they were trying to get additional beds in Whitehorse for chronic patients and this would be a reduced rate.

Mr. MacKenzie stated that he understood Dr. Butler is trying to arrange with St. Mary's hospital in Dawson to set aside a number of beds for these long term chronic patients at a low rate.

Commissioner Cameron stated that the same thing is trying to be done in Whitehorse. There isn't any objection to anyone wanting to be in the hospital as long as they want, providing they are willing to pay for it. What has been happening aside from chronic cases is that hospital insurance has been paying and this wasn't meant to be paid by them. Dr. Butler has had a discussion with the doctors here and they agreed to tighten down on things. There has been a tightening down and this will be done by medical men and not by laymen.

Mr. Taylor pointed out that he feels one method of reducing these expenditures would be by providing more adequate medical services in the Territory and he used Teslin as an example and stated that a person going elsewhere for medical attention and are kept longer when they could be treated by a nurse at home.

Mr. Livesey stated that what amazed him was the fact that during the spring there was a big controversy of closing one wing of the hospital. The public kicked up a big fuss and then suddenly the doctors disappeared out of town and gradually the amount of people in the hospital went up. He couldn't see how this could happen in six months.

Mr. Watt pointed out to Mr. Livesey that this has happened not in six months but in two years, since they closed the wing down, the population has increased to cover this. He stated that he was in favour of the referee system.

Mr. MacKenzie stated that there was one other alternative to this

referee system and that was co-insurance and it has proved to be very good.

Commissioner Cameron disagreed and stated that there were two places in Canada that do this and it is not satisfactory as it doesn't pay for the additional paper work.

Mr. McKamey stated this point was raised with the Deputy Minister, Mr. Robertson, and he made this statement. He wondered how this medical referee worked in the outlying districts.

Commissioner Cameron stated that Mayo was our hospital.

Mr. MacKenzie said it didn't matter the medical referee would look over every bill rendered to them by any hospital and he would sit in judgement upon the length of time that patients had been in, and if there were extenuating circumstances he would correspond with the hospital concerned and require justification for the length of time the patient was in.

Mr. Taylor thought a step in the right direction would be to decentralize the medical facility in the Territory.

Commissioner Cameron mentioned that he thought he could have a paper available this afternoon which was given to him by Dr. Butler which they would be interested in, stating what is and is not acceptable.

Mr. Shaw agreed this would help and Council would appreciate this.

Mr. Boyd wondered if this doctor who is to be the referee is to be a local doctor.

Mr. MacKenzie said it was Doctor Armstrong in Ottawa. He is the referee for the Northwest Territories with two years experience and as such he hoped they would be able to draw upon his experience and knowledge.

Mr. Boyd wondered then if before accounts were paid they would have to be submitted to Ottawa for his approval, and did this mean that they had a doctor who spent years practicing was suddenly becoming a book-keeper and he felt it would be a full time job studying the bills.

Mr. MacKenzie said that he would be looking at these bills from a technical point of view.

Mr. Taylor asked if this Dr. Armstrong would be under direct control of National Health and Welfare, Indian and Northern Health Services or Y.H.I.S.

Mr. MacKenzie stated it would be a service that we can pay for, in fact we are paying for it now - 25¢ per head of population and this doctor is responsible to the Department of National Health and Welfare.

Mr. Taylor asked if Dr. Armstrong would have any bond or tie with Indian or Northern Health Services.

Mr. MacKenzie said no, but he might be in that particular branch, he could not say, but he is a Federal employee in the Dept. of National Health and Welfare.

Mr. Taylor asked if possibly the Administration could answer this question.

Mr. MacKenzie asked Mr. Taylor what he was leading up to. It was rather difficult to find anyone else more suitable than a referee who has had experience in this line. It is better to make use of that individual rather than take some other doctor and pay him to do it.

Mr. Taylor stated that it wasn't experience he was dealing with - it

is the people that will control this man. He stated further that he just didn't have any faith in Indian & Northern Health Services.

Mr. MacKenzie asked why they wanted to control this doctor as he is simply giving advice and we don't have to follow it. The decision is up to us.

Mr. Taylor said it is this man's independence of operation that he is concerned with.

Mr. Boyd asked who has been paying the bills for the last 12 months as they are indicated.

Mr. MacKenzie stated they have been.

Mr. Boyd asked if that was directly from Whitehorse or did they go to Ottawa and were paid there.

Mr. MacKenzie said no, the routine is for the accounts to be received from the hospitals and then they are submitted to the Administrator of the Yukon Hospital Insurance Service and he signs them and approves them for payment as being correct and on the basis of that signature the Territorial Treasurer would effect payment. He stated that in a small number of cases a few payments have been referred to this referee and that we should make more use of this service and if we had, costs would have been lower than they are.

Mr. Watt stated that the only hardship he could foresee is for a doctor to send a patient to hospital. The patient stays for observation and the bill is sent to the referee who feels the patient has been in longer than necessary. What would happen in this case?

Mr. MacKenzie stated that there is nothing stopping the patient or the doctor making representation to the Administration requesting payment in full for his occupancy in the hospital.

Mr. Boyd thought that they had a form of referee to start with inasmuch as the bills had to be correct in detail as to length of time, etc., and this seemed to him to be a form of referee and he wondered if by transferring this to someone in Ottawa would it be done more capable than it was here.

Mr. MacKenzie said yes. The referee is a medical referee, whereas the Administrator of our hospital insurance is a layman, not quite capable to advise of the length of stay in hospital etc.

Mr. Watt asked if the situation as he described before has arisen in the N.W.T. and if there has been much difficulty along this line.

Mr. MacKenzie said he understood they had had great difficulties with the doctors that cut down the amounts of accounts rendered, quite substantially. In a few months they got to know they couldn't leave their patients in unduly long and now it is working very satisfactorily.

Commissioner Cameron stated that they questioned along the same lines when they were discussing this with Dr. Butler and they said this gentleman is very reasonable and he just checks to see that someone isn't lying around in hospital. He has saved a lot of money.

Mr. McKamey stated that it was quite obvious that hospitals on the outside according to the figures, are taking advantage of this and they are allowing people to enter hospitals and they are accepting it.

Commissioner Cameron said this was very true and the hospitals outside are going to get their fingers burnt. He stated some of this might be caused by people from here going outside and thinking they can camp in hospitals.

Mr. Taylor stated that one indication of this is the lack of doctors in the Whitehorse area and a lot of people will go outside and this could account for the sudden increase in part.

Committee recessed at 12:00 o'clock Noon.

Thursday, November 15th, 1962
2:00 o'clock P.M.

Committee resumed with discussion of Bill No. 10, Supplementary Estimates No. 3, 1961-62.

Discussion
cont'd.
Bill
No. 10.

Mr. Boyd stated that the Territorial Treasurer has spoken effectively on this and he moved the Bill be accepted as it is.

Mr. McKamey commented that the problem may be solved by someone swinging the lead and staying in hospital over an extended period of time, but he said that this also covers chronic cases and he could not see how it could be solved unless the Administration came up with a plan to provide for this type of person because at present there is no place for such a patient.

Commissioner Cameron said that he agreed with Mr. McKamey, and that Dr. Butler, Chief Medical Health Officer is writing on this and some answer will come up. It may be a question of moving some of these patients to another hospital, or taking over a portion of this hospital, this is a fair plan and he thought the people in the East would go for it. We have to come off this \$25.00 a day or, as Dr. Butler says, by 1966 there will be no money left, the pots will be dry.

Mr. Shaw stated that a plan is in process for getting this type of care at the rate of \$10.00 or \$11.00 or \$12.00 a day. If we assess this in a dollar and cent light we would arrive at something like this - the actual cost to the territory will be very much the same as it is now, the only difference will be that possibly we take the expenditure from the category of hospital insurance and put into Welfare. When we pay \$25.00 a day to the hospital we are reimbursed almost 50% of that by the Federal Government, so, in actual dollar and cents it does not make a great deal of difference. He was listening to Mr. MacKenzie's explanation of the referee system in regard to hospital patients staying in hospital too long and he thought it a very noble idea and he was 100% for it. He thought there might be certain problems involved and it is a good time to review what could happen. When a person enters hospital there is a general rule that this person will stay in hospital until the doctor discharges him. We will take an illustration - say a person enters hospital and the doctor treats him, then says you had better stay on a couple more days as I need to check this or check that and the length of stay, we will say, is 10 days. Well, that is fine, the hospital renders the bill to the Territory and the Territory turns it over to the referee, and the referee comes back and says this type of ailment should not have more than five days treatment. The doctor would then have to notify the referee of the extenuating circumstances and in most cases it will be accepted as such. There will be occasions, however, when the referee will not accept the doctor's explanation and say "no", five days and the Territory then accepts the referee's decision. The person who had gone into the hospital in good faith now finds that he has a bill for 5 days at \$25.00 per day, which he considers unjustified and he might refuse to pay and say "collect if from the doctor". This situation is bound to come up sooner or later and we have to work out a formula to handle these situations.

Mr. Watt asked Mr. MacKenzie how a situation like this has worked in the Northwest Territories.

Mr. MacKenzie replied that he could not say. All he could say was that they were very well satisfied in Ottawa with the working of the system they now have. The doctors were well trained and they do not keep their patients in the hospital longer than is necessary - they had a hard time for three or four months doing it, but they have done it. In a case such as what Mr. Shaw envisages, he did not know what would happen, but he thought it was a matter between the doctor and his patient. It was his doctor who made the mistake.

Commissioner Cameron remarked that the setup in the Northwest Territories is working very well. There were initial problems, but they were now working within their budget, and no one has suffered or died as a result of stringent regulations that have kept them out of the hospital. With regard to the other point, if the doctor fills out the diagnosis card and hands it to the referee, the situation will not arise. Dr. Butler will question the doctor and if the doctor says that the patient had stayed on, on his recommendation, then Dr. Butler will request the doctor to send a follow-up by letter to the referee.

Mr. Watt said the actual payment was made by Y.H.I.S. and if the patient is being wrongly charged for this, could he put his case before the Commissioner or before Y.H.I.S.

Commissioner Cameron stated that the patient had the right to put it before anyone he wanted. However, if a patient decides himself to stay on in hospital, then he is expected to meet the charge for the extra days at \$25.00 per day.

Mr. McKamey said he wondered why the Federal Department did not appoint the Chief Medical Health Officer as referee instead of referring to a referee in Ottawa.

Mr. MacKenzie stated that the objection there would be that Dr. Butler would be in a most invidious position. He would have to rule on the decisions of local doctors and would become the most unpopular man in Whitehorse.

Mr. Watt said here that he would second Mr. Boyd's motion that the Bill be accepted as it is.

Mr. McKamey commented that before the hospital here could be a success it would have to operate at least 80% of its capacity. Well now at present it is apparently running 100% of its capacity and somebody is trying to squirm out of it. Now in order to make it run at capacity we are trying to shut down the other hospitals in the Yukon, but apparently the other hospitals are a little overloaded as well. Something does not ring true here. This deserves a little more thought.

Mr. MacKenzie remarked that the only people who are squirming out of their obligations is the Federal Government who because this Whitehorse hospital is now filled don't have to pick up any tab between \$25.00 a day and what it cost formerly, \$30.00 or \$35.00 and so on. Now it costs around \$25.00, I believe it is even lower, because it is well filled, and they are the ones who benefit, the Federal Government. We are the ones who are suffering.

Mr. Shaw stated that the less people there are in it, the more it costs the Federal Government, and there is a motion before the House.

Motion Carried.

Discussion followed on Bill No. 11, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, Fourth Supplementary Appropriation Ordinance 1962-63.

Mr. Watt desired to know if the monies provided in Schedule A have already been spent.

Mr. MacKenzie replied that they covered the balance for this fiscal year, the remaining four or five months.

Mr. Taylor asked if they also covered the expenses of the Financial Advisory Committee.

Mr. MacKenzie replied they did.

Mr. Taylor, referring to Vote 3, schedule A - Education, wished to know if the former C.P.A. Staff House, which he believed now served as a teacherage, required repairs over and above what had been allotted.

Mr. MacKenzie said that it was correct - that the building was used by teachers, but when other accommodation is obtained, the teachers will vacate, then the building could be used for other staff.

Mr. Boyd inquired what staff.

Mr. MacKenzie said it was for people brought out from outside, who would not otherwise come here - teachers are one class and senior staff another.

Mr. McKamey asked if provision is being made for employees of the new trade school.

Commissioner Cameron replied there were no employees as yet except the Director of Vocational Training and he is living in the C.P.A. staff house.

Mr. McKamey said that it was his understanding that the C.P.A. building was purchased for the teachers of Whitehorse and now he is led to believe that other territorial employees were being let into this accommodation and he was opposed to voting any money for a building that was being used for anything else but a teacherage.

Commissioner Cameron stated that he was led to believe from his predecessor that this building was purchased at a very reasonable figure \$50,000.00 out of \$57,000.00 which was made available for this purpose. Mr. Thompson, Superintendent of Schools had said that he did not think it would be needed this Fall, as other teacherages were being built. He hoped that it would be used as we were paying for it. When school opened, two of the teacherages were not completed. For six weeks, there were 25 men, women and children in the building, and it was a considerable saving to the Government by having just this one item. Now we are down to two individuals in the Staff House, one of whom is Mr. Holland, the Vocational Training Director. We would be pleased to have more as we are not recovering the cost of maintaining and operating that building at the present time. It would be a rosier picture if we could have other territorial employees living there, they would have to be single persons as the rooms are very small.

Mr. McKamey said that he could see this would be very economical, but he was afraid that once these people moved, it would be difficult to get them out and consequently it would cost more to obtain accommodation for the staff of the new Trade School.

Mr. MacKenzie assured Mr. McKamey that these people were in on a temporary basis only and it was not difficult to move them out.

Commissioner Cameron stated that Mr. Holland, would be bringing two of his assistants from outside, the rest of the staff would be drawn

if possible, from the Territory and if they are single people, they will certainly be put in the C.P.A. Staff House. It will be used for teachers and if anyone gets in there in the meantime, it will be only on a temporary basis.

Mr. Taylor said he noticed in this allotment there was a provision for groceries and foodstuffs for 10 people at \$35.00 per month for 7 months. Do all our teachers and personnel receive a \$35.00 a month food allowance.

Commissioner Cameron said that the C.P.A. Staff house has a dining room and the caretakers cook for the residents for which each individual pays \$95.00 a month for room and board.

Mr. Taylor asked if this \$35.00 was over and above the \$95.00 the individual contributes or is this reimbursed to the individual.

Mr. MacKenzie replied that this was the cost of buying groceries and handing them to the cook. It was part of our running costs. The \$35.00 is cost to us and the \$95.00 income to us from the tenant. \$95.00 is the operating cost to us.

Commissioner Cameron commented if the building was full it would cover operational costs.

Mr. McKinnon asked if there would be living accommodation for teachers who will be teaching at the trade school.

Commissioner Cameron said they would be living in the hostel portion of the school and as far as he knew there was no other accommodation available.

Mr. MacKenzie added that was correct but we would be needing accommodation in this staff house for senior vocational training teachers.

Mr. McKinnon inquired as to what about the other teachers. There would certainly be quite a few teachers in the various trades that would be teaching in this trade school. We are going to find out next year, with the hiring of teachers for the vocational training school, that the senior ones will be put in the staff house and the others will be out looking for accommodation of their own. There will be a hue and cry of complaint when they see the super deluxe accommodation teachers in the public and private schools are living in.

Mr. MacKenzie said that there was nothing injurious about the staff house.

Mr. McKinnon replied that he quite realized that the teachers who came up this fall were living there but as an interim measure and that they wouldn't have been here too long if it had been permanent. There is nothing now in the financial agreement to cover the cost of further teacherages in the next 5 years and here we are going to employ a staff for the trade school who will be expecting the same accommodation as is provided for teachers in the other schools.

Mr. MacKenzie said there were going to be 9 vocational training teachers and of this number how many top men would there be who would require first class accommodation.

Commissioner Cameron remarked that 7 of the 9 should be local. They would be of the supervisory type of a particular trade, they would not be qualified men with teaching certificates to start off, but with summer classes and additional night work they could eventually get their teacher's certificates. To start out, they would not require

top accommodation, some of them might have their own homes in Whitehorse.

Mr. Livesey brought up the board and room situation in regard to the C.P.A. staff house and said he believed that when this matter was taken up when the Advisory Committee met, he understood that this was only a temporary measure as far as the teachers and those boarding in that place were concerned. He certainly agreed that if we have an empty house and the place belongs to us, it would be more costly to have it empty than filled. However, with regard to the Vocational School he thought it was going to be a separate educational institution apart from the Department of Education as far as the Territorial Government is concerned.

Commissioner Cameron said that the Vocational School is separate from the Educational Department and that is why we have this Advisory Group to sit with Mr. Holland once or twice a year and assist him with any problems pertaining to the school.

Mr. McKamey, referring to Vote 4, Territorial Secretary and Tax Assessor, wished to know how the Tax Assessor assessed teachers who are provided with luxurious accommodation for school tax.

Clerk-in-Council replied he could not answer that. That is within the Municipality of the City of Whitehorse.

Mr. McKamey said that maybe he should direct the question either to the Treasurer or the Commissioner. He wished to know how we arrived at a fair taxable arrangement for the education of the children of these teachers.

Mr. MacKenzie said it seemed to him that they get away with it. From Federal children we get our due, but from Territorial children no. If the parents are living in Territorial housing, say Mayo, and we are not going to tax our own property there.

Mr. Shaw stated that the question was insoluble.

Mr. Livesey replied that he did not think so, that Mr. McKamey had a good point.

Mr. Boyd inquired on territorial owned homes in the City of Whitehorse when the city assesses taxes for those, do they assess a school tax as well, or just a land tax against the Territory.

Mr. MacKenzie said there is a frontage tax payable on Territorial property within the Municipality of Whitehorse and a sewer and water tax, but there was no school tax.

Mr. Boyd stated it seemed that every Territorial employee was not only getting his board at an extraordinary price, but he was also getting his education for nothing and the matter should be looked into.

Mr. McKamey said that in view of the facts placed before this Council he moved a motion that the Administration table the number of employees employed by the Department of Education and other Territorial Government departments, that are living in Territorial housing, who have children going to school and are not contributing to the cost of education plus amount paid for rents in respective establishments.

Mr. Watt seconded this motion.

Motion Carried.

Mr. Taylor wished to know at this point if there was a provision under this estimate to have a Court of Revision in Watson Lake following the next Tax Assessment.

Clerk-in-Council replied there is a provision for a Court of Revision if the Commissioner sees fit and if there were a sufficient number of complaints we could have one down there, but we don't seem to have the complaints.

Mr. Taylor said that possibly the reason we haven't had these complaints is that people cannot afford to come to Whitehorse, but he has certainly had a lot of complaints from people who think they have been over-taxed or wrongly taxed.

Clerk-in-Council replied that the Ordinance states that any complaint against the tax assessment must be in writing and in the hands of the Tax Assessor at least 10 days before the sitting of the Court of Revision. A simple letter of complaint has been considered on numerous occasions from the various districts, but if there is anything controversial, like the amount of assessment on some particular building, then it would be feasible for us to have a Court of Revision there. The last travelling Court of Revision was in 1954 but since then complaints have been few and far between.

Mr. Taylor remarked that as a community grows, so does the problems and complaints. People don't lay them up here because it is going to cost them much money.

Mr. Watt, referring to Vote 5, Health and Public Welfare, raised the question on Mental Health saying that he noticed most of the money spent on Mental Health were for patients living outside of the Yukon Territory and had the Administration considered looking after and schooling some of these patients who are retarded.

Commissioner Cameron said that no provision has been made for these patients in the Yukon Territory - all cases are sent out to Essondale.

Mr. Watt inquired if these would include what would normally be called retarded children.

Commissioner Cameron said that the answer was no, that we do not decide ourselves. In discussions along these lines, it would be better to have Dr. Butler here.

Mr. Watt thought that probably costs could be reduced if these children were put in a class for retarded children - would it be under the Department of Education or under Welfare.

Commissioner Cameron said that it had been discussed with Northern Health that these charges for mental health services, for people with mental or nervous breakdowns who are normally healthy persons, be placed in a religious institution. The care of these people requires dedication to humanity. It would involve a bit of money.

Mr. Watt stated he would like to make a motion that the Administration table before the Council the figures they have on the number of children in the Territory falling under the category just described, who are mentally retarded and could go to a class for mentally retarded children.

Mr. Cameron suggested that Miss Riddell of the Welfare Department be called in to supply the figures.

Miss J.M. Riddell, Acting Director of Welfare, attended Committee.

Miss Riddell said they were paying for 5 children who are in institutions for the mentally retarded, but they suspect that within the families they work with there are other children who are retarded. She knew that certain of these children could not be enrolled in class, they could receive some training, but they certainly could not be educated.

Mr. Taylor wished to know that with an essentially retarded child, retarded because of a physical defect, say heart trouble, and who could be cured by surgery - was there any provision in Welfare to send such a child and his mother to Vancouver, where the operation would have to be performed and back again. Y.H.I.S. would of course take care of the medical costs.

Miss Riddell replied that there is a provision in the main estimates which covers an item of transportation whereby children of indigent families would be paid the cost of transportation for medical treatment.

Mr. Watt asked Miss Riddell if she could say at this time that there would be no need for a class to be established for mentally retarded children.

Miss Riddell said she was unable to answer that. The question of whether a child is educable would be for the Department of Education to decide.

Mr. Watt stated that he would leave this for now and put a written question to the Administration to give to the Department of Education.

Mr. Shaw asked if there were any further questions.

Mr. McKamey remarked there were considerable increases in costs for Child Welfare Services. He asked Miss Riddell to express her views and to say whether the increase was warranted or not.

Miss Riddell said the sum of \$20,448.00 was solely for children in foster home care and the number is steadily rising. This was due to various causes. Parents in gaol, children deserted by their parents, neglected children and so on. Where there is an improvement in the family situation we return children to their homes in order to reduce the figure in foster homes but it is never even to the intake.

Mr. Taylor stated that it was his contention that what we lack in our Welfare Organization in the Territory is Social Welfare Educators working in the communities among white and native - he wondered if this could be a solution and help us save a great deal of money.

Miss Riddell replied that she was not sure of the term Social Welfare Educators. The Welfare did have other complementary services such as community organizers and home makers, they do have many ways to try to prevent the necessity of moving children from their homes. This is the basis of all true social case-work, to help families bring up their home standards, but not all families can accept this service.

Mr. McKamey said he would like to hear Miss Riddell's view on the statement he was going to make. It seemed that at one time we had the Children Aid Society in Whitehorse established, it worked to a degree in Whitehorse, was turned over to a Government Department - Health and Social Welfare, they implemented this service in Whitehorse and to a degree that worked effectively. Now they have implemented this same service since the Government took it over to outlying districts such as Dawson, Watson Lake, etc. in other parts of the Yukon. Now, would it not be fair to say that instead of this being on the increase, there should be a downward trend, a levelling-off on the number of Welfare cases?

Miss Riddell replied that it would take some study. This is a trend that is evident throughout Canada - the need for child welfare services. This reflects back to the various aspects of modern living, the transiency of families, the ease with which parents seem to be able to travel about and not establish permanent homes, the upsets of modern living which create tensions in the home, financial difficulties and personality difficulties between husband and wife and between child and parent. There are particular problems here in that we have a frontier country and this adds to our social problems.

Mr. Shaw said that he was sorry to hear of the increase and thought that maybe we should get tougher with people who misuse their children. They should be given punishment commensurate with the deeds that they have done, but there seems to be no deterrent. Mr. Shaw continued saying that from what he had observed when he first went to Dawson, where they had a hostel for these neglected and mistreated children, that we should operate a hostel to ensure care for these children and cut down on our costs. He thought it was an economically sound idea, and a good one as well.

Miss Riddell stated that she could only say two things. Modern social and child welfare programmes do not recommend institutional care for children. Certain children are happier in what she would call a group living situation such as we have in the Baptist Mission Home here, but this is still a family group, with mother and father and possibly five or six children. To put large numbers of children in an institution, you produce children who have equally different social problems when they come out of the institution. The other thing I would like to say is that we do have St. Agnes Hostel here which we use for some children who come down from other parts of the Territory to go to school here and it costs us \$2.00 a day there whereas we pay \$1.90 in our foster homes. You are not saving money by your hostels. Some institutions cost \$3.00 or \$4.00, so you might find that hostel care of small institutional care maybe equally expensive if not more.

Mr. Boyd asked if the welfare rate for children in foster homes is set, or whether there are two different rates.

Miss Riddell replied that it was standard. The only exception would be where there is a child with a severe physical disability or with a severe emotional problem, then there would be provision for a higher rate, but this is based on the child itself and not on the home.

Mr. Boyd inquired if there were any foster homes receiving \$35.00 per child per month to which Miss Riddell replied that she did not think so. Mr. Boyd said he knew of one where they were receiving this amount.

Miss Riddell answered that it might be a special arrangement with a home of which she was not aware, but the standard charge was \$1.90 per day.

Mr. McKamey at this point remarked that he had been listening to the various causes of the social problems existing here and elsewhere and how they should be handled and he did find that in Mayo the Interdiction Orders were most effective in acting as a curb to repeat offences.

Mr. McKinnon inquired if Miss Riddell had the figures as to the actual percentage rise in juvenile delinquency.

Miss Riddell answered that while not having the actual figures she did know it increased last year with a substantial rise in Court appearances.

Mr. McKinnon wished to know the reasons for this increase.

Miss Riddell mentioned alcoholism as one of the major causes and enumerated the various social factors contributing to delinquency such as broken homes, lack of family discipline and training and the need of a prevention and probation programme. She said that many of the cases were not just petty pilfering, they were serious charges. She continued saying that we do not have the facilities for custodial care for the incorrigibles - if we could have some kind of training homes, not for custodial incarceration, but for a discipline of life, such as going to school, regular hours, etc. We can certainly alleviate the juvenile delinquency problem, although we can never hope to eliminate it.

Mr. McKinnon remarked that it was a large increase over one year and that if it kept on increasing we would have a problem.

Miss Riddell said it was certainly on the increase in Court appearances and there were also cases of delinquency of which we are aware but they were not serious enough to be charged under the Juvenile Delinquents Act and she thought services were needed for particular type of children, those who showed signs of incorrigibility.

Commissioner Cameron said that the Probation Officer in Ottawa would be coming up to Whitehorse in 10 days or so. He would be making a tour with Miss Riddell and hoped he would be able to have some time with Council to direct our affairs in Social Welfare.

Mr. Livesey stated that we all knew very well the procedure in connection with incarceration and gaol. People are picked up on the streets and taken to Court, this has been going on for years and years and we keep getting repeats, which shows that our system is not helping matters at all but merely maintaining the status quo with regard to punishment. Could an attempt be made to readjust the situation rather than just meting out sentence. We should certainly concentrate our thinking towards finding a solution rather than just repeating the same thing day after day.

Miss Riddell remarked that it was not within her competence to comment on the gaol programme, her concern was with minor under 18 years of age who is not sent to gaol from the Magistrate's Court, but who is committed as a delinquent for whom there are correctional institutions.

Miss Riddell was excused from Committee.

Mr. McKamey asked if we were going to keep on voting additional money each year, this thing is compounding each year, or are we going to make an attempt to put a stop to this.

Commissioner Cameron said he was all in favour of Mr. McKamey's suggestion and if the Administration could come up with any recommendation or ideas for preventing this, we shall certainly do so.

Mr. McKinnon said that if this Council could come up with a solution for this problem that is plaguing the country from coast to coast we would be hailed as the finest bunch of legislatures to hit the Dominion for many many a year.

Mr. Livesey said that when looking at the costs and counting every man, woman and child in the Yukon, it is about \$3.35 a piece, for just one item and this is a negative item. If you take these fifteen odd thousand people in the Yukon and you take away one section of people who do not look forward to being earners of increment and you take the children away as well, and then you take the balance and you cut a few off there who do not pay taxes you will find that it is a lot more than \$3.35 for those who are actually paying the money. This cost goes up as the contributors to the pot goes down.

Mr. Taylor stated that it seemed alcoholism and ignorance were two of the main factors contributing to this steady increase in Welfare cases and he felt the important way in dealing with this is social education and he would certainly recommend more social workers.

Commissioner Cameron said he agreed with Mr. Taylor, but again, more social workers meant more money.

Mr. McKinnon asked if the cost for these additional social workers might reflect, they would reflect of course in our budget - possibly the cost of child neglect and our welfare cost will go down. He could see where social workers would be a real boon and the incidence of child neglect reduced considerably.

Commissioner Cameron mentioned that we were trying to get a Social Worker for Watson Lake and the method we planned to use was to get the Province of B.C. and the Department of Indian Affairs to share in a major

portion of the costs because so many of the cases there are from over the border and are both native and white.

Mr. Shaw said he hoped this would improve the situation but it would also create a larger expenditure and although, no doubt, these social workers will be doing a lot of good, there were certain segments in all communities who will refuse to improve their condition.

Mr. Taylor suggested that before leaving the subject of Welfare another step forward as far as the Administration is concerned is that we are winding up with dozens of Ordinances relating to Welfare and he thought we should absorb these into one Welfare Ordinance with some teeth in it.

Mr. MacKenzie commented that as far as the financial point of view we should be careful not to extend this programme of ours too rapidly. We are already well ahead of what we envisaged. Our revised estimates for child welfare amount to \$92,000.00 this year, the five year agreement we had in mind was \$66,000.00 and the more social welfare workers we employ the more cases they will dig up.

Mr. Taylor said that Mr. MacKenzie had a very good point but if the incidence of child neglect or any other aspect of the welfare situation increases we pretty well have to run with it. I don't think we can ignore this and whether or not it is provided for in the financial agreement, we'll still have to pay.

Commissioner Cameron and Mr. MacKenzie were excused from Committee.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Shaw, Chairman of Committee reported at 10:15 A.M. Committee studied Bill No. 8, An Ordinance to Extend the Jurisdiction of the Territorial Court to Approve the Variation of Trusts in the Interests of Beneficiaries. This Bill was passed out of Committee without amendment. Bill No. 9, An Ordinance to Amend the Liquor Ordinance was then discussed and was passed out of Committee without amendment. At 2:00 p.m. we met with the Territorial Treasurer to discuss Bill No. 10, Third Supplementary Estimates 1961-62 and this Bill was passed out of Committee without amendment. We next studied Bill No. 11, Fourth Supplementary Estimates 1962-63 and can report progress here. During discussion of vote 3, Mr. McKamey moved, seconded by Mr. Watt, that the Administration table the number of employees employed by the Departments that are living in territorial housing who have children going to school and are not contributing to the cost of education, plus amount paid for rents in respective establishments. For discussion of vote 5, Miss Riddell, Acting Director of Welfare, met with the Committee and we proceeded to clear vote 5, Health and Welfare.

Council accepted the report of the Committee.

Following discussion of the Agenda, Council adjourned until 10:00 o'clock A.M. Friday, November 16th, 1962.

Friday, November 16th, 1962
10:00 o'clock A.M.

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

Mr. Watt gave notice of Motion for Production of Papers concerning the Lot 19 project.

Production
of Papers
No. 2.

Mr. Watt moved, seconded by Mr. Boyd, it is requested that the Administration inform Council of the actions that have been taken with regard to motion #17 of the last session. Motion #17 was an opinion of Council that steps be taken by the Governments concerned to make immediate plans for construction of a highway between Carcross, Yukon, and Skagway, Alaska.

Production
of Papers
No. 1.

Motion Carried.

Mr. Speaker tabled a memorandum from Commissioner Cameron in reply to Questions one and two and Production of Papers number one. (Set out as Sessional Paper No. 6)

Sessional
Paper
No. 6

First and Second Reading was given to Bill No. 12, An Ordinance Respecting the Prevention of Fire.

First &
Second
Reading
Bill 12.

Mr. Shaw moved, seconded by Mr. McKamey, that Council resolve into Committee of the Whole to discuss Bills and Orders.

Mr. Speaker appointed Mr. Boyd as Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Mr. McKinnon wanted to clarify his question number 2 regarding Porter Creek Sewer and Water System. He wanted to know when their water truck would be put in service.

Commissioner Cameron replied that he couldn't answer right away as he would have to get in touch with the Engineering Department and he would then be able to advise him that afternoon.

Mr. McKinnon stated that he was very happy to see they planned on putting in a water system next year.

Mr. MacKenzie was requested to attend Committee to discuss vote 6, Municipal & Area Development Administration.

Discussion
of Bill
No. 11.

Mr. Watt asked Mr. MacKenzie if these were direct payments to the municipalities.

Mr. MacKenzie stated they were.

Mr. Taylor asked in regard to lighting services, etc. if they bought the fixtures from Yukon Electric.

Mr. MacKenzie replied the different units were paid for by the electrical company and they pay a fee to keep these up each year.

Mr. McKamey, referring to vote 9, Roads, Bridges and Public Works, asked if some light could be put on the expenditure for the Carcross Bridge.

Commissioner Cameron explained that they are to put guard rails, lights, etc. on the present bridge so they can use it as a road too. He thought this was more logical than putting a new bridge in at the present time. Right now they are just waiting for the signal equipment.

Mr. Watt asked Commissioner Cameron if they were planning on getting rid of the old bridge this year.

Commissioner Cameron stated they had no definite plans as yet.

Mr. Watt asked if the new bridge will be ready before the old one is removed.

Commissioner Cameron stated very definitely. He went on to explain that there is now no-ore at the Lewes River Dam and it is just being left open. He couldn't see any use for it at the present time.

Mr. Watt thanked the Administration for the good job they had done on the Two-Mile Hill and he hoped that next year it would be paved.

All agreed.

Commissioner Cameron, referring to vote 11, Yukon Hospital Insurance Services, felt that after the previous discussions they could reduce this by the referee service and by letters sent out by Dr. Butler.

All agreed.

Vote 12, Travel and Publicity was agreed to.

Mr. Taylor, referring to vote 10, under Welfare, wondered about the \$500.00 item regarding the two roomed cabin in Mocassin Flats.

Mr. MacKenzie replied that a Mr. A. Johnson died owing the Territorial Government money and he owned this cabin so they are paying the estate \$500.00 for it and then will get that back to set off towards his indebtedness. This is just more or less paper work and isn't actually paid out.

Mr. Watt asked now we have a cabin what are we going to do with it.

Mr. MacKenzie replied it had been thought to be used for Welfare purposes.

Mr. Watt wanted to know how many cabins there are for Welfare purposes.

Mr. MacKenzie replied only one other, and it is in Mayo.

Mr. McKamey, referring to vote 10, under Municipal & Area Development Administration, asked if these amounts are not the result of credits but are contracts that were let and they were under bid or projects that weren't implimented due to the austerity program.

Mr. MacKenzie explained this was because they told Council to conserve funds for sewer and water loans. Mr. MacKenzie read a letter stating why the Metropolitan Plan was going to cost double and this was mostly due to the need for more staff and because it was a complex area to study.

Mr. Shaw stated that C.M.H.C. had done a tremendous job on this planning project and that it would be very beneficial.

Mr. McKamey asked if someone could give a rough outline of the survey concerning the Metropolitan Area.

Mr. McKinnon stated there was a book out on this.

Commissioner Cameron gave a general outline of the plan put forth by C.M.H.C. and stated that this plan has been generally accepted.

Mr. Livesey stated that he thought the ideas were very good and that this would be gone into more thoroughly on Monday.

Mr. Taylor asked that in municipal and area planning was it normal for people to come in and discuss this with people of the community or do they go on their own.

Commissioner Cameron stated he discussed this with the town planner and he does not usually discuss the different phases with the local people as this would sway his ways of thinking. They discuss certain things only.

Mr. Watt added that the key to the whole plan was that the proper utilization and zoning was made of all land available.

All agreed.

Mr. MacKenzie, referring to vote 10, under Game, stated that when they approved vote 5 of \$15,500.00 public capital that included an item which the Finance Committee objected to and that is the \$15,000.00 for furniture and office equipment for the Senior Citizen's Home in Whitehorse. Included was \$4,400.00 for 22 refrigerators, one for each room and the Finance Committee were of the opinion there should be only two refrigerators, one on each floor, with the tenants sharing. He stated personally he didn't think it would work.

Mr. Shaw stated that they have a Senior Citizen's home in Dawson and he used this as the pilot plant of this programme and he stated it has worked out very successfully. This has accommodation for 10 people. The one in Whitehorse is practically the same except that it has two floors of ten people each. The one at Dawson has one big refrigerator and this costs approximately \$300.00. He went on to say that the Committee noticed that there was a cost of \$4400.00 for small refrigerators and in addition to this they would be faced with light bills bigger than normal and also faced with more cost for service and thus would need a steady electrician. He stated the people in Dawson are quite happy with the one refrigerator and there has been no complaints and he felt a large refrigerator upstairs and downstairs would be quite satisfactory and it would save \$3700.00

Mr. Watt asked Mr. Shaw if he plans to partition this little frig up so that each person could put their hamburger in each partition or does he plan to build a cold storage plant on each floor so there is adequate room for these people or does he expect the people to hang their hamburger out the window in the winter time.

Mr. Shaw stated he could expect lots of things and say put a washing machine in each room. In Dawson they take turns with the washing machine and also in the bathroom and they do likewise with the refrigerator and on occasion it has been half-full. He felt surely these people could work together and if they could compromise on the use of the washing machine and the bathroom why couldn't they compromise on the use of a frig.

Mr. Watt stated that he didn't think these apartments should be really plush but from experience the mainenance and operating cost of small frigs is very small.

Mr. McKamey commented that if it was put to a vote you wouldn't get his vote as he supported Mr. Shaw with his pilot plant and if it worked out he was going to see that one was constructed in Mayo. They conducted a survey and they had 36 people eligible for a home

and then Mayo ended up with no home and Whitehorse ended up with a home that would accommodate 22 people so they have big problems. He stated that the people in Mayo have no problem because they are living in refrigerators so they wouldn't have to worry about this as they moved both homes to Whitehorse. He stated that at the time he suggested that instead of building 22 units in Whitehorse they should build 11 in Whitehorse and 11 in Mayo but this didn't happen.

Mr. Shaw mentioned that it is the duty of the Finance Committee to come up with these recommendations on these things which Council might see fit to reject. The Committee felt that this was an unnecessary expenditure and it could be cut down. They also noted that there was a large amount for salaries to look after this home and he felt an elderly couple could operate it at a lesser figure. He stated that he felt the refrigerator fee was unnecessary although Mr. Watt felt it necessary as that was his privilege although it has worked out satisfactorily in Dawson.

Mr. Watt stated that they were trying to reduce the costs of the Yukon Hospital Insurance System and the whole reason for this home for the elderly citizens is to try and cut down the number of chronically ill and aged that are spending their time at the hospital so this isn't a luxury. He felt it should be looked at as more of an investment and money saved is money earned.

Mr. Shaw stated that is what he suggested by cutting this down to two refrigerators.

Mr. Taylor stated that seeing Dawson is a pilot plant and it can get along maybe they should try this system and if they can't they can always make other arrangements.

Mr. MacKenzie suggested that Miss Riddell be allowed to speak on this as she will be operating the home.

Mr. Livesey suggested that this question be postponed until Miss Riddell is available.

Commissioner Cameron felt that should not be necessary. If Council discusses a thing and the Financial Committee have made their submission to the Administration it should be given a trial run. Mr. Shaw has stated it is working in Dawson and if it doesn't work it can be changed. He would sooner it be discussed with the Financial Advisory Committee as this is what that Committee was established for.

Mr. MacKenzie added the money supplied for these refrigerators is supplied from Ottawa on loan and they will give us the money to repay the loan so in fact these refrigerators are being given to us.

Mr. Boyd asked if Committee wished to delay this vote until a future time.

Mr. Watt stated it would be a waste of time.

Mr. Shaw remarked he did not wish to make a fuss over a little thing and if Council wants all the refrigerators and if the Federal Government wanted to pay the capital for them, it was up to the Financial Advisory Committee to see where they could reasonably take money off. He stated that if Council felt they warranted these things it was no issue with him.

Mr. Watt, referring to vote 10, under Roads, Bridges and Public Works, stated that as he understood they have made a saving of \$208,000.00 but these projects are still planned and they have just been delayed.

Commissioner Cameron stated this is correct.

Mr. Taylor noted that in credits they have the Fourplex Residence in Watson Lake and the Watson Lake Radar Station but he saw no mention of the Watson Lake Liquor Store and wondered the reason for this.

Mr. MacKenzie stated that this was removed in Supplementary Estimates No. 1 when they decided to not construct it because they couldn't sell the existing building.

Mr. Watt, referring to Vote 8, General, asked what the loan was for.

Mr. MacKenzie stated it was working capital and that it cost us nothing because Ottawa gives us the money to pay back the loan.

Mr. Watt, referring to Vote 3, Education, asked if this was just rent received from use of the building.

Mr. MacKenzie stated it was and they are now dealing with the income they expect to get.

Mr. Watt, referring to Vote 6, Expenditure Recoverable under Municipal & Area Development, asked Mr. MacKenzie to explain this figure.

Mr. MacKenzie said the item has been in the estimates for the past three years and this is just a reduction of what we would be receiving in order to comply with the wishes of the Deputy Minister.

Referring to Vote 9, Mr. MacKenzie mentioned these figures resulted from the austerity program.

Mr. Watt, referring to Vote 10, asked Mr. MacKenzie if the relocation of sewer & water on Black Street was recoverable.

Mr. MacKenzie stated he believed it was from the Department of Transport.

Commissioner Cameron stated this was correct.

Mr. McKinnon moved Bill No. 11 be reported out of Committee.

Mr. Livesey suggest that if Committee so desired they could waive making a definite commitment in Committee on this Bill until they have heard the reports of the Financial Advisory Committee on Monday and also if so desired the report on the trip to Ottawa of the Financial Advisory Committee.

Mr. McKamey seconded the motion.

Mr. Watt stated he was looking for the figure of the amount of money that the Territory contributed to the Dawson City Festival and how much this was.

Mr. MacKenzie replied the contributions to the Festival were passed in supplementary estimates numbers 2 and 3. Total of those two estimates was \$212,500.00, the Territory's immediate responsibility was \$75,000.00 of which we have recovered approximately \$40,000.00.

Mr. Livesey, referring to page 67 under Establishment 284, Primary 51, Vote 8, asked Mr. MacKenzie, why the Commissioner's staff was shown as a Territorial Expense when it should be a Federal Expense.

Mr. MacKenzie replied it used to be an expense of the Federal Government to provide staff for the Commissioner's office but in this case the employee is being paid by the Territory. He thought it was due to the austerity programme or it may be the volume of work had increased so much that they felt the Territory should help bear the cost.

Commissioner Cameron stated this is correct but in some cases this has been going on before austerity programme was put into effect.

Mr. Shaw stated that the Chairman of the Finance Committee was going to give a report on this before a decision was made and wondered if the Committee wished to wait until the report was made.

Mr. McKinnon withdrew his motion, agreed by the seconder Mr. McKamey, and Committee agreed to wait until the report was given before passing Bill No. 11 from Committee.

Committee recessed at 12:00 o'clock Noon.

Friday November 16th, 1962
2:00 o'clock P.M.

Committee resumed discussions of Bill No. 11, and on Commissioner Cameron's request they discussed Superannuation, with Commissioner Cameron and Mr. MacKenzie in attendance.

Discussion
of
Superannu-
ation

Mr. Mackenzie stated as they all knew, the Administration had been in communication for some considerable time with the Department of Northern Affairs with the object of finding out whether we could participate in the Federal Pension Scheme and it now appears we can do so. If we decide to do so we shall have to take the necessary preliminary action to find out what it means, that is financially and otherwise. In addition to considering joining the Federal Pension Scheme we have to consider the possibility of joining a scheme put to us by an outside company. He outlined the schemes submitted by two companies and said he was expecting quotations from a third.

First of all they should consider the Federal Scheme. During a visit he made to Ottawa this Spring, the question of a Pension Scheme for the Territorial Staff was discussed and it was the view of the experts there that the Federal Scheme was the best, that no outside scheme could come up to it at all, and that the trend was to give up outside schemes. The implication there was that we should forget outside schemes and join the Federal scheme. A comparison of costs was then made of the various schemes, the Federal and the two outside ones, and it would appear that the Federal scheme was the best from the employee's point of view and cheapest from the employer's point of view. It is the only scheme that we can fix the rate on firmly, the outside schemes are too loose and in a few years we may find that they will cost considerably more than we bargained for.

Mr. Livesey asked how a rate could be fixed because the way he looked at it values are in a constant state of flux.

Mr. Mackenzie replied that that was right, but any excess in costs to the Territory over 6% would not be passed on to us but absorbed by the Federal Government whereas with the outside schemes we would have to pick it up sooner or later. He continued saying that the employee pays in 6½% male and 5% female, the employer pays in the same, all this goes into a fund which is invested, and it earns interest. Now with the Federal Government, all the interest that is credited to it is 3½%, a fixed rate, whereas with a commercial firm they credit the fund with whatever interest it does really earn, but, as stated earlier, the outside schemes are too loose and may eventually cost more.

Mr. Watt said that if we are going to enter into a federally subsidized plan which is subsidized from the Federal taxpayer, we are paying for it and the rest of Canada is paying for it. Most of the provinces are entering this plan and they are reaching a little into our pockets to subsidize it, so if we reach into the general fund, each one of us would be reaching equally into one another's pockets, so that actually we are all contributing to this plan. If the rest of the provinces join the Federal plan and we join a private plan, the provinces will be getting the benefit of our federal tax money, so, to protect all the federal taxpayers and get the best deal for them there is nothing else we can do but to take advantage of the plan the Federal Government is offering us.

Mr. McKinnon said it was his understanding that the Territorial Government had been making overtures to the Federal Government for quite some time now so that the Territorial civil servants could fall under this Federal Superannuation Scheme, and now that they have finally agreed to let the territorial civil servants enter this scheme and after the discussions on it, he is left with no doubt but that it is the best scheme for both employer and employee. He said that if we decide on accepting the Federal Scheme a lot of work would be required to find out which schedule we would go under as he thought there were a dozen alternatives to choose from.

There followed a general discussion on some of the various alternatives of the Federal scheme, on the number of pensions a person could draw, and as to whether the plan had a portability factor in it, i.e. if someone leaves the civil service, could he take his contributions to another plan, say to a province where there may be a privately-financed plan.

Mr. Mackenzie commented that with regard to the portability factor, he had not come across this point on the papers he had read.

Mr. Watt asked if assuming we accept the 6% figure on the Federal plan, how much would this cost to the Territory per year.

Mr. Mackenzie replied \$80,000 roughly for this fiscal year. It would go up, of course.

Mr. Watt asked how this money would be obtained and written off.

Mr. Mackenzie replied we would pay the employer's contributions to the Federal Government, they would appear in our operating deficit, and they would be met partially by the operating deficit grant.

Mr. Watt asked if it wouldn't be met entirely by the operating deficit grant.

Mr. Mackenzie answered not if we spend more than we anticipated that we would when the five-year agreement was prepared because the operating deficit grant was based upon the figure for expenditure which is lower by \$200,000 than we have approved today.

Mr. Livesey said he had a question on the annuity schemes by the Department of Labour. How would they fit in with regard to transfer to this new scheme and how would they work out as far as the Government is concerned. Has this question been followed just to find out how beneficial this particular scheme would be.

Mr. Mackenzie replied that the scheme referred to is not a very good one. It is limited in the first place to \$100.00 per month - you can't buy a pension at lower than \$100.00 per month. Once you contribute up to that figure, you then cease contributing any more - that's all you can get, so that is most unsatisfactory. That, incidentally, is the scheme that Commissioner was speaking of when he said that certain members of the territorial staff were contributing at the present time to a pension scheme, they are contributing

to the purchase of a deferred annuity with a maximum of \$100.00, and those contributions would be transferable to the Federal Pension Scheme if we join it.

Mr. Watt asked how many employees would be affected by our acceptance or rejection of the Superannuation Scheme.

Mr. Mackenzie replied somewhere between 275 to 300, say 275, half of that roughly being teachers.

Mr. Watt asked if there has been assessment made on whether this would help to retain employees.

Mr. Mackenzie answered that it would be most beneficial that way. He has received a number of inquiries about whether progress has been made in these negotiations. Quite a number of people are interested.

Mr. Shaw commented that he had no doubt that this Federal Superannuation Scheme was the best, mainly because it is subsidized by the Government of Canada. It is very obvious that no individual can subsidize a pension payment plan - any company to operate would have to operate on a profit. So, with this scheme that we have here, regardless of whether they raise the rate at some future time or not, will still be, and has proven to be so for some considerable time, is the best scheme that can be obtained for the employee and the employer who has created the Act. We have the Government offering total coverage for say a maximum of 13%, that is for a male employee, which includes his contribution and the Territorial Government's contribution, and with that we have a degree of permanency.

Mr. Livesey asked if this was going to be an elective scheme and to the extent that it is elective, how would this affect the picture.

Mr. Mackenzie replied that it was not elective, but compulsory. It is an essential feature of it.

Mr. Shaw asked if it was compulsory from the viewpoint of additional employees, but not compulsory for those already under a scheme.

Mr. Mackenzie replied that it was compulsory, as he understood it, for those employees who are eligible.

Mr. Taylor inquired that provided a scheme is selected, what would be the earliest for such a scheme to be brought into force and would this be retroactive for any period.

Mr. Mackenzie said with regard to the earliest date, Spring Session would be the earliest for legislation. As to whether or not it would be retroactive, that would be up to Council. The objection to the retroactive idea is the cost unless of course the employee is made to pay both contributions, the employee and the employer.

Mr. McKinnon asked if Mr. Mackenzie was conversant enough with the different Superannuation schemes to help us decide which electives we would want to choose, or would we need someone more conversant to help us decide which course we should take.

Mr. Mackenzie stated that these pension schemes are extremely complicated, highly specialized, and one needs an expert to assess them. He had made a suggestion in Ottawa that a Miss Davidson should come out and help council at this session, but that was turned down. He added that he could help, but to a limited extent.

Mr. McKinnon said that we would have to decide which course to take at this session if we wanted legislation next spring - and with the complications of these pension schemes, it is going to be a formidable task.

Mr. Mackenzie said that to understand these schemes, they have all to be studied and compared, and that is a lengthy business.

Commissioner Cameron suggested that in view of what information the financial advisory had gained in Ottawa, plus what information could be passed on here by Mr. Mackenzie, rather than get involved in each one of these schemes, the opinion of the majority is that the Federal plan is an unbeatable one. The employee has been the one who has been pushing for this and he is the one we have to think of.

Mr. Watt said he understood there were 3 main courses in the Federal plan and that we would have to understand it, to the best of our ability, and the options within it.

Mr. Shaw stated that he did not think there were any options in the Federal plan - it is a plan where you enter into under certain conditions. The only option that would come in is that of retro-active payment.

Mr. Livesey remarked that in view of the problems that have been created by the fact that we are now in a position where we cannot quite see our way to pay present debts, and the future looking rather black, just where do we propose to obtain this \$80,000.

Mr. Mackenzie said that that was provided for in the five year financial agreement. It is there now. If we don't spend it this year on pensions, it is available for use for reducing or offsetting this increased operating deficit. There is more money next year, and more money the year after for each of the five years based on 6% of estimated salaries.

Commissioner Cameron was excused from Committee.

Mr. Taylor remarked that there certainly must be somebody who could capsule this and who understands the Public Service Superannuation Act, who could come here and give us an opinion and, if that is possible, it may solve our problems.

Mr. Mackenzie said that last year we circularized to all our employees saying that we would like to participate in the Federal Pension Scheme, setting out what the provisions were, and we asked whether they would be interested in joining. The majority who replied were definitely in favour, so to go into some other scheme now would be in conflict with what we have done.

Mr. Watt inquired if Mr. Mackenzie had itemized in his circular the electives within the Federal scheme.

Mr. Mackenzie said he attempted to outline the provisions in the Federal Scheme, giving a picture of what would be involved, and asking if they would be interested to join.

Mr. Boyd stated that he was with the Teachers Committee last night and on two or three other occasions before this and their one supreme thought was that if they could get a pension plan here they would be most happy to accept and the Government scheme was the only one they were thinking about. They realized, by their own remarks, that is is the best scheme in Canada.

Mr. McKamey said that it seemed to him that teachers who go from province to province can move their pension scheme - it is some sort of reciprocal arrangement among the provinces where they can move their benefits along the line, but this will not be possible under this scheme.

Mr. Mackenzie remarked that he would not like to say that this scheme is not portable.

Mr. Boyd asked if this was a fact.

Mr. McKamey said that a question was directed about the portability of the scheme and nobody knew. He suggested that members of the Council make a study of the Superannuation Act that had been presented by the Federal Government and acquire more information on the portability of this plan as it relates from province to province.

Mr. McKinnon stated that we would have to make a choice soon on whether or not we are going to accept the Federal Public Service Superannuation Act or one of the private schemes. In accepting are we going to go through the private schemes as opposed to the Federal Superannuation Act, or are we going to make a decision on the basis that it seems to be the best that can be provided and also the one that the employees desire.

Mr. McKamey said that they had the Superannuation Act, plus the Regulations here, and that nothing could be decided until they had been read through.

Mr. Shaw suggested that those two volumes be studied at home and that a date be set for further discussion say a week from today, when they would have a rough idea of the import of the scheme.

Mr. Shaw moved, seconded by Mr. McKamey, that the subject of Superannuation be left in abeyance for the purpose of studying details prepared by the Administration and that it be brought before Committee one week from today.

Motion carried

Mr. Mackenzie (Territorial Treasurer) was excused from Committee.

Mr. McKinnon suggested that Bill No. 12 - An Ordinance respecting the Prevention of Fire - be held up until Mr. Whatmough's arrival so that it could be discussed as they went along.

Mr. Boyd said that the Legal Advisor had more information on Bill No. 1.

Mr. Hughes, the Legal Advisor, stated that if Council will recollect, the Speaker questioned as to whether the proposed legislation benefited the insurance company or the insured. His instructions were that this proposed amendment to Section 49 receives its life force from the insurers, that is the insurance company, and obviously take its colour from it. He had now found an equivalent piece of legislation from B.C. where they introduced the same amendment, but while the amendment is the same, the section that they were amending is not the same, and he thought he could not recommend it to the Council. It is not bad, but it is not sound, it is not as applicable to our situation as it was to B.C.

Discussion
of Bill
No. 1

Mr. McKinnon asked what specifically would be the resulting change of this Section 49 to the proposed amendment.

Mr. Hughes stated that he had spent considerable time with an expert from the insurance field and it was their conclusion that it added virtually nothing but obscurity. He said his observations on Section 49 did not apply to Section 48 because the intention there is to draw the attention of people holding automobile policies that their policy contains a clause which may reduce the amount they can recover.

Mr. Shaw said that under the present Ordinance Section 48 says substantially the same thing as the new section.

Mr. Hughes replied that there was one essential difference and that was the additional wording "deductible clause" - that was not found in the old vote.

Mr. Shaw now asked the Legal Advisor if he would recommend Section 1 of the New Ordinance and, in view of its ambiguity, not to accent Section 2.

Mr. Hughes stated that from a legal point of view and not aggregating to himself any policy decision, he would say "Yes", exactly as Mr. Shaw put it. He recommended 1, but not 2.

Mr. Livesey moved, seconded by Mr. Shaw, that Section 2 referring to Section 49 of the Ordinance be hereby struck from the bill.

Motion carried

Mr. Boyd brought up Bill No. 7 - Presumption of Death.

Discussion
of Bill
No. 7

Mr. Hughes commented that members would recollect that he had undertaken to ascertain whether an opinion held in 1956 still prevailed - that opinion was that the Presumption of Death Ordinance was not necessary in the Yukon by virtue of Section 10, paragraph (o) of the Judicature Ordinance. At that time he indicated that he could not reconcile the position that had been taken, and he had inquired from Ottawa if they were still of the same opinion. In 1956 there was a similar Ordinance about to be presented; he did not think it came before Council, and it was withdrawn because the area covered by the Ordinance was already attended to under the Judicature Ordinance. Then this year, the matter came up again. He had spoken to Ottawa and they no longer had the same opinion.

Mr. McKinnon stated he believed this was the only hold-up on the Ordinance otherwise everyone agreed with it. Mr. McKinnon, seconded by Mr. McKamey, moved that the bill be reported out of committee without amendment.

Motion carried

Mr. Taylor now referred to Bill No. 4 and proposed amendment to that Bill.

Discussion
of Bill
No. 4

Mr. Hughes stated that the members had before them a redrafted form of amendment to Section 4 of Bill No. 4.

Mr. Watt wished to know how the amendment as presented to members allow for the Commissioner to extract municipal property of historical value.

Mr. Hughes replied that it does not and it is not intended for the Commissioner to extract property from the Tax list,

but it is intended to ensure that the Commissioner sees a list of the properties that are coming up and will obviously delegate some member of his staff to scan the list and see if there are properties of interest. He could then initiate negotiations for the acquisition, that's all.

Mr. Livesey stated the objections raised were to the use of the word "expropriate", and to expropriate is mandatory, and which he understood at the moment did not exist. If we do not have an Expropriation Ordinance, how are we going to expropriate anything. Now, if we do have an Expropriation Ordinance we could make some provision in it which would be within the bounds of existing legislation. This was the situation as he saw it and he thought it was the situation existing at the moment.

Mr. McKinnon asked if it would be possible for the Legal Advisor to draft a section to the Municipal Ordinance by which the Commissioner could acquire lands that are up for tax sale, for such things as would benefit the public, without the word "expropriation" in it.

Mr. Hughes said he would not undertake to draft this in a hurry as there were areas of different principles involved, he would instead recommend that he be given the opportunity to draft a section for presentation at the Spring Session, and that the present Section 215 remain in its present form.

Mr. McKinnon, seconded by Mr. Shaw, moved that Section 215 of the Municipal Ordinance be left as is for the present, and that Section 4 of the Bill be deleted

Motion carried

Mr. Shaw, seconded by Mr. Taylor, moved that Bill No. 4 be reported out of committee as amended.

Motion carried

Clerk-in-Council suggested that members take another look at the amendment to the Motor Vehicle Ordinance, Bill No. 2 - there was an omission on the part of the drafter.

Discussion
of Bill
No. 2

Mr. Shaw stated he was not quite sure of the procedure or legality to put an addition to this bill, however there was an item that was overlooked in relation to truck tractors, and this was the various and sundry grades and sizes of tractors with the result that a small tractor would have to pay the same fees as a great big one. This would create quite a large increase in taxes on some of the small operators and he asked the Committee if it would be possible that there be a breakdown of sizes of tractors.

Mr. Livesey stated that if we are to follow orthodox procedure, the procedure would be incorrect and is entirely opposite to fundamental thinking in relation to parliamentary procedure. However, there are always outlets where the whole House may agree whereby almost impossible things may be done and where certain things may be set aside for specific purposes and for specific reasons and he would suggest that if it is the desire to reopen discussions in Committee on this particular thing that a motion be passed unanimously by the Committee that Rule 1 be suspended temporarily for this

particular purpose. This is how Parliament can get around difficulties and this would be the way of going about it because, as he had brought it to members attention the other day - on page 167 - annotation 200 - that a question being once made and carried in the affirmative or negative cannot be questioned again, but must stand as the judgment of the House. It should be thoroughly understood that if we are to do something like this, if the question before us is sufficiently serious, that we adopt such a procedure.

Mr. Shaw, seconded by Mr. Watt, moved that Rule 1 of the Rules of Council be suspended in order to introduce categorical tractors in connection with Bill No. 2 and also an additional clause with effective date.

Motion carried

Clerk-in-Council suggested that in order to save time the Legal Advisor be asked to re-draft the sections that require change.

Mr. Shaw said that he was in favour of the Legal Advisor making the necessary changes and present them at the first opportunity to Council.

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

At 10:30 A.M. we met with Commissioner Cameron and Mr. MacKenzie to discuss Bill No. 11, on which we can report progress. At 2:00 o'clock p.m. we discussed Superannuation and it was moved by Mr. Shaw, seconded by Mr. McKamey that this be left in abeyance for the purpose of studying details prepared by the Administration and be brought before Committee one week from today. We discussed Bill No. 1, An Ordinance to Amend the Insurance Ordinance and this Bill was passed out of Committee with amendment, as Mr. Livesey moved, seconded by Mr. Shaw that section 2 of the Ordinance be struck off. We next discussed Bill No. 7, An Ordinance Respecting the Presumption of Death, moved by Mr. McKinnon, seconded by Mr. McKamey, that this Bill be passed out of Committee without amendment. Bill 4, An Ordinance to Amend the Municipal Ordinance was then discussed. Moved by Mr. McKinnon seconded by Mr. Shaw that section 4 be struck off. Bill 4 was passed from Committee with this amendment. Bill No. 2 was discussed and it was moved by Mr. Shaw, seconded by Mr. Watt, that Rule 1 of the Rules of Council be suspended in order to introduce categorical tractors in connection with this Bill and also an additional clause with effective date.

Council accepted the report of the Committee.

Mr. Speaker tabled suggested Accident Prevention Regulations for discussion. (Set out as Sessional Paper No. 8)

Sessional
Paper
No. 8.

Following discussion of the Agenda, Council adjourned until 10:00 o'clock A.M., Saturday, November 17th, 1962.

Saturday, November 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 Cameron referring to a Review of the Yukon Tourist Industry. (Set out as Sessional Paper No. 7)

Sessional
Paper
No. 7.

Mr. Watt moved, seconded by Mr. Boyd, the following motion for the Production of Papers:

Production
of Papers
No. 2.

- (a) The Administration table before Council all the information available on the Lot 19 plan.
- (b) Any other information the Administration has on whether and where other residential land can be made available in the Lower Whitehorse Area in case the Lot 19 plan proves a failure.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss Public Bills and memoranda.

Mr. Speaker appointed Mr. McKinnon as Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Mr. Watt suggested it would be advisable to go through the Fire Prevention Ordinance, Bill No. 12, as Mr. Whatmough, was going to be here for a limited time and to Committee could best avail themselves of his time if they went through it first.

Discussion
of Bill
No. 12.

Mr. Shaw thought one thing was conspicuous by its absence and that of being able to inspect the premises. He felt it was necessary to inspect the public premises from time to time and there didn't seem to be much in the Bill in relation to that.

Mr. Taylor stated that on Page 5, it read that the Fire Marshal or Assistant may from time to time inspect a structure or premise, but that was the only reference.

Mr. Watt believed this had been presented before and the reason why it was turned down was because there wasn't sufficient provision made for appeals. He felt a Fire Marshal had to have power but he also felt that a person whose building is affected by his judgement should have adequate appeal.

Mr. Shaw moved, seconded by Mr. McKamey, that as the Ordinance was concise and to the point, that progress be reported and further discussion wait until Mr. Whatmough got here.

Mr. Livesey stated they came to Whitehorse to discuss questions before them but before one can hardly think what is in the thing, someone gets up and moves a motion that cuts the thing off and in his estimation this was a very poor situation and if they would look back over the record of their operations since they arrived last Tuesday they would recall they had to revert to recalling these motions. It is a way of creating a mild form of closure on discussion to which he objected. On speaking to the motion he stated that one point he wanted to discuss with Mr. Whatmough and bring to the attention of the Committee, is the amount of scope that is given to the Commissioner to make regulations. He

felt the broader the scope that you give to the Administration to make regulations the closer you come to the emasculation of the Ordinance. When you create a wide scope where these regulations may be invoked, and once these are created, the only hope they've got is to raise an objection the next time they come around to the House. He could see a tremendous scope on Page 9, section 24. He felt the Administration had to have a certain amount of scope but at the same time Council shouldn't allow too much scope in the question of any Ordinance.

Mr. Shaw stated that the member from Carmacks-Kluane intimated that in view of the fact he moved this motion, it was a form of closure. He didn't feel it was closure because they weren't finished and it was just merely postponing it until an expert was there to answer the questions.

Mr. McKamey stated that in seconding that motion he wasn't indicating that the Bill was being reported out of Committee. He felt that there wasn't anyone sitting at the table who was fully competent to discuss and tell us the implications of this Ordinance and he didn't feel the Legal Advisor was competent to do the same as it was out of his field.

Mr. McKinnon, Chairman, thought it was the intention from the motion, that they read the Bill in Committee so that everyone would have an idea of the Ordinance and he stated that they have a motion on the floor moved by Mr. Shaw, seconded by Mr. McKamey, that progress be reported on Bill No. 12.

Mr. Livesey stated that in speaking to the motion before the question is called that this wasn't a way of putting it. He didn't think they should rush these things and he wasn't speaking for himself but for every other member as well. He pointed out where they have made this mistake with other bills when they rushed them through Committee. He disagreed with the member from Mayo on this in view of the fact that this was out of the Legal Advisor's scope or jurisdiction and he thought that the Legal Advisor was there to give his interpretation of the sections dealing with the law. He also disagreed when the member from Mayo stated that none of them around the table were competent enough to discuss the questions involved with this Ordinance. To accept this as fact is to say that they are competent to come there but not competent enough to act, and he couldn't do anything but disagree with that because this is the essence of his election and this is what he received the votes of his people for - to discuss questions involved in matters relating to the Bills.

Mr. McKamey stated he was rising on a point of order as Mr. Livesey is dealing with personalities now and he is out of order.

Mr. Livesey stated that the question he raised was not a question of raising a procedural battle over a minute problem but it was a question of raising a point with regard to something beyond this. He stated that this was a question that didn't just occur with this particular Ordinance and if they would refer to the points that he had raised in relation to things happening in the last week, they would see where they had brought about a motion and had to retract it.

Mr. McKinnon, Chairman, told Mr. Livesey that what he was interested in at that moment was in chairing a debate on Bill #12 and he couldn't see where this other conversation could be applied. He couldn't see where it was relevant but if it was relevant in the House they could adjourn back to the House and have a procedural battle in the House.

Mr. Livesey stated he still had the floor and he wasn't trying to force any position out of the Chair and he's not trying to put him in an awkward position but his point was certainly relevant in connection with this Ordinance as well as any other Ordinance. He is speaking about the way they proceeded with this Ordinance, and certainly the way they proceeded with it needs checking and he was bringing to the attention of the Committee the way they are going about this. Yesterday they had gone to such an extent following the very thing he was bringing to their attention that they had to ask for a motion to suspend the rule and this is a serious thing and when they do this they are creating a precedent.

Mr. McKinnon, Chairman, stated that he couldn't see how this would happen in this case as they have allowed themselves 3 days of debate on this Ordinance if needed, and the motion was simply to report progress on the Bill and just leave it in abeyance until Mr. Whatmough comes.

Mr. Watt stated that he had asked this Bill to be read, not to waste time.

Mr. Shaw commented on the recent suspension of rules and he blamed himself on that through the fact that he was ignorant of certain matters concerned in it and he had unlimited debate on Bill # 2, and it wasn't until the following day that he found out something had been omitted but if the same thing had gone on for hours he would have made the same mistake as it was something he wasn't aware of.

Mr. McKinnon stated that a motion was on the floor.

Motion Carried.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. McKinnon, Chairman of Committee gave his report as follows:

The Committee met at 10:30 to discuss Bill No. 12 and it was moved by Mr. Shaw, seconded by Mr. McKamey that progress be reported on this Bill and further discussion wait until Mr. Whatmough's visit.

Council accepted the report of the Committee.

Mr. McKamey moved, seconded by Mr. Shaw, that Council adjourn until Monday, November 19th, at 10:00 A.M.

Motion Carried.

Monday, November 19th, 1962
10:00 o'clock A.M.

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

Mr. McKamey moved, seconded by Mr. Boyd, that Council recess to hear the hearing regarding the Alpine Hotel Liquor Licence in the law library.

Motion Carried.

Later:

Mr. Speaker called Council to order and advised that he had a list of the Members of the Yukon Advisory Council on Vocational Training, as follows: Mr. McKamey, Territorial Council; Mr. Jacobs, Mayor of Whitehorse; Mr. Sagness, Canadian National Telecommunications, Mr. McArthur, Territorial Supply Company; Mr. Smith, Tourists' Services; Mr. Pike, United Keno Hill Mines; Mr. Hoyt, White Pass & Yukon Route; Mr. Barratt, Yukon Consolidated Gold Corporation; Mr. Choate, Yukon Electrical Co.; Brig. Webb, Northwest Highway System; S/L Thomson, R.C.A.F. Station, and Mr. Thompson, Superintendent of Schools.

Mr. McKamey moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss the Fire Prevention Ordinance, Bill No. 12, with Mr. Whatmough, Fire Marshal and Mr. Delaute, Executive Assistant, in attendance.

Mr. Speaker appointed Mr. Watt, Chairman of Committee..

Motion Carried.

Mr. Whatmough and Mr. Delaute attended Committee.

Discussion
of Bill
No. 12.

In Committee of the Whole:

Mr. Watt asked Mr. Whatmough if he could give the background of why this Ordinance is necessary and why it should replace Chapter 44 and 45 of the Revised Ordinances.

Mr. Whatmough replied when they were asked to review their existing Ordinances and make recommendations to a new one the first thought was that the old one went into building inspections and health standards and this isn't an aspect of the Ordinance. The primary aspect of the Ordinance they have prepared is that they appoint a Fire Marshal to give direction and administer the Ordinance and this is one of the things the old Ordinance lacked. It assigns duties to him and makes him responsible to the Commissioner and Council in preparing an annual report to keep them up to date on the situation in their Territory. The duties of a Fire Marshal are lined out which in the old Ordinance they weren't. Other aspects of the Ordinance are: it covers generally fire prevention; duties of the Fire Marshal and staff; promote fire prevention and to provide a means of educating the public with respect to fire prevention. It also outlines duties of the inspector to see certain buildings are maintained and hazards are not existing, and ties in duties of the Fire Marshal with the R.C.M.P. with respect to investigation of fires as to cause and this is essential in any growing community. He stated that is a very brief summary of the new Ordinance.

Mr. Taylor asked whether or not this Fire Marshal will be a local resident or will he be situated in the Territory and if he is situated elsewhere who will be in charge of the implementation in the Territory.

Mr. Whatmough stated he was here mainly as a consultant to them on invitation but in the old Ordinance they have no authority to appoint a Fire Marshal but they do under the new one.

Mr. Delaute pointed out that Council had already appointed him as Fire Marshal and Mr. Whatmough hadn't been aware of that fact, but he had been appointed Fire Marshal of the Northwest Territories. He now has an assistant and they work out of Ottawa and to date they have found no hinderance. He stated that one of the benefits is that they have access to the staff of the Dominion Fire Commissioners office and close contact with the Provincial Fire Marshals and as a member he sits on a lot of the Committees and by close association he can keep up with the facts and new progress, and pass it on to others. He found at present that it is very workable.

Mr. Watt asked if as new Fire Marshal he intended to take up residence in the Territory.

Mr. Whatmough stated not as far as he knows and said he would be working through the Ordinance and using assistants as liaison officers, after their own affairs with direction, and he likes to see communities take on their own responsibilities in this respect.

Mr. Shaw stated he could see nothing wrong with an Ordinance up to date, however there are certain aspects with this that perhaps it has not gone far enough. He stated there are certain conditions that could be in an Ordinance and certain things that could be in regulations. For an example he used the standard weight of metal stove pipes which he thought was sensible. Another point not in the Ordinance is in relation to Yukon chimneys and even in Insurance Policies they will make a difference in the rates. He wondered if Mr. Whatmough had taken some of these very necessary rules under advisement to prevent fires in the first instance which are not contained in the new Ordinance. He assumed that the old one will be repealed and the new one will take its place.

Mr. Whatmough said "yes" this is the case.

Mr. Shaw stated that in this case there are many things that could be in the Ordinance such as gauging of stove pipes, and the distance pipes are from the walls, etc. that could well apply.

Mr. Watt asked Mr. Whatmough to give his opinion.

Mr. Whatmough stated he realized his concern on this that the Ordinance is general and does not go into specific detail. He stated that in an Ordinance to start off you have to be general to get a scope and cover the field. One of the difficulties say on Yukon chimneys is that in some parts of the country these are frowned upon. On distances of stove pipes from walls this has been a problem even of the CSA Committees and is different to each type of units, and they can get too specific, so they leave that to the regulations covered on a local level. This leaves it up to the local Fire Chief or assistant to use common sense and if the owner does not agree he can apply to the Fire Marshal and get a ruling. They feel they can get these things across on an educational level. When they get to labelled chimneys this is controlled through factory producing level. He stated there are certain things they are going to lose in their old Ordinance because they are not relating to Fire Prevention and he felt they take it under advisement to have this looked into so they don't lose these features. The National Building Code is governed by three factors, health, structural safety and fire prevention and the old Ordinance has a mixture of each so they are going to consider that these things are going to be dropped.

Mr. McKamey stated his question had been partially answered but with regard to the building regulations in respect of the National Building Code he could see where it would be difficult to have some co-ordination between the Fire Prevention Regulations and Ordinance as they have no building code in the Yukon. Another question was, what affect would it have on the implementing of this Ordinance on municipalities that are not zoned for industrial and residential purposes.

Mr. Whatmough stated that in the Provinces they do not adopt a building code on a provincial level but on a municipal level. This brings you down to having to deal with each community on its own merits with respect to its growth, however certain standards can be followed in good communities, as far as he is concerned, and which is one of the jobs of the Fire Marshal, This has mainly to do with buildings of public assembly such as schools, hospitals, etc. and this is the level on which this can be developed and he has had no difficulty in reviewing plans and it has never been an obstacle or holdup and in this way they can control buildings of a public assembly where the large gatherings accumulate and usually these buildings are on such a scale that plans have to be drawn up to get the programme going and by reviewing the sketches they can advise what changes should be made. They can save the owner trouble and less cost. He stated that generally speaking it works out to the advantage of both. He usually tries to apply the National Building Code as far as possible and if you cannot apply that, use common sense.

Mr. McKamey said this covers it fairly well but he can see the necessity of having regulations, but he wondered if it wouldn't be applicable for a small town (Mayo, Carmacks). By regulation they would not be working the hardships in the smaller communities whereas if it was incorporated as law it would be rigid as a lot of allowances would have to be made for outside of municipalities. He asked one further question in respect to the regulations as to whether Mr. Whatmough had drafted the regulations that would be compatible to the Ordinance.

Mr. Whatmough stated no they were referring to Section 24 with respect of regulations to the Commissioner. He asked if he could refer to the Northwest Territories where he has had his last experience. He stated they are working on regulations with respect to the installation of gas and oil burning equipment. Recently the C.S.I. brought a code for both type of installations and they are waiting for the addendums to come out and the experience of the country to come in to revise this. What he would do is prepare them and submit them to the Commissioner for consideration that they be adopted as regulations with amendments to adapt it to the Yukon Territory and as far as other items he hasn't got it in draft as this takes a long time to do and up until May he was a one man office and it is a tedious thing drawing up regulations and reviewing them.

Mr. Shaw thought the Ordinance was good as far as it goes for this reason, but if they accept this Ordinance and repeal their present Ordinance and unless there are regulations to go with this Ordinance they have a large area which is not covered except by what a person feels should be done. He stated that in a smaller community if some person is given authority then the problem arises where someone will say where is it in the regulations or Ordinance that I can't do this, and his word is just as good as yours and by the time correspondence has gone back and forth the building might be burnt up. As an illustration in the present Ordinance they have nothing about gas and he knows where people have put a propane tank in their basement and the reason is because it is warm there and at 42 below zero propane when left outside becomes a solvent. He stated he sent outside for the regulations and he found out what you must have for safety and he has a workable system, and although they have no

regulations for it, this situation exists as mentioned. Consequently under this Fire Ordinance he feels that until they pass this, they must have these other regulations to include with this certain minimum safety factors and further to this they have no Ordinance for gas and this is necessary. He stated if the regulations do not fit in with the Ordinance they will need to go hand in hand with this to be able to make it effective.

Mr. Whatmough elaborated by saying that under the new Ordinance he could have propane tanks removed under 14 (c). He could write out a recommendation to the owner of a building and tell him to correct it immediately. The owner has the right to appeal this and he was sure any higher authority would back him up. He agreed that regulations, in order to get down to the public level and to educate them they have to get the regulations appended in this respect. He stated making inspections and submitting recommendations in structural changes before they are permitted to enforce them are in immediate danger with common sense. He felt they have to educate people before they can make inspections and then they can enforce them. People have to be informed even before they bring the regulations out and he would like to see Fire Chiefs better informed than some of the people installing the equipment so that he can talk intelligently with the man on the situation. You have to see that all the pitfalls are out of the Ordinance before you rush in so you won't have to backtrack. He stated the Ordinance is general in scope now to cover the emergency situations and as soon as they can get the regulations out they are going to do some advertising in the newspapers to let the people know they are out and he didn't think it would be advisable to delay the Ordinance until the regulations were out and he agreed with Mr. Shaw that you have to get it spelt out in regulations so that the people know what they are up against.

Committee adjourned at 12:00 o'clock noon.

Monday, November 19th, 1962
2:00 o'clock p.m.

Committee resumed discussion of Bill No. 12, with Mr. Whatmough in attendance.

Discussion
Bill No.12.

Mr. Livesey said that in community areas where we only have two, it is in these two areas where this particular Ordinance, if we pass it, will buy. In other words, it is a question of saving the town rather than of saving an individual. In connection with this point, how do we go about reviewing a situation where we have a tremendous number of homes and houses and places that have been up for years and years and years, of which we know perfectly well that they are fire traps. Just how are we going to get around the problem of cultivating our thinking to accept the principles laid down in the national monuments and historic sites preservation act in view of something like this, of which definite stipulations would have to be made as to what is a fire trap and what is not a fire trap. How are we going to meet this problem when we face these places of historic value which are, from the public point of view, equally fire traps.

Mr. Whatmough replied that it was a difficult question. A lot of factors were involved, we would have to come up with an engineering survey on it, and a policy set with respect to this. We cannot resolve this question right now, it requires study, but certainly a lot of things could be done over a period of time to upgrade the situation. Some things can be done immediately at no cost, there are other things that can be programmed over a period of years, and in difficult situations heavy expenditure maybe required for measures to be taken to correct them.

Mr. Livesey stated that perhaps it was an unfair question, but it had been bothering him, because it seemed that where you are going to lay down an Ordinance that other people have to follow, that they seem to scan the horizon for similar things about which nothing is being done, and they bring this up as an argument against what has been proposed.

Mr. Boyd suggested that maybe the Fire Marshal could spend the first six months of his time in the Yukon in order for him to see that things are initiated and carried out. It seemed that it was the Fire Marshal's intention to depend on someone who could tell him a lot of things, but it would take some time to learn all the intricacies of fire hazards and so on, but with the Fire Marshal's knowledge they could be implemented and rectified on the spot in a more satisfactory manner.

Mr. Whatmough asked Mr. Boyd if he was referring to an accelerated programme.

Mr. Boyd replied "yes" and wished to know where the Fire Chief would be. Would he be sitting in Whitehorse, or would he cover the area.

Mr. Whatmough replied that he was glad that fire prevention was considered that serious, but Rome wasn't built in a day, and this was going to be a tough job. He proposed making several trips up here, it was his plan to make surveys in various places to start a programme going and there were certain priorities to be settled on. One of the priorities to be implemented was the local organization of volunteer brigades. On the preventative side, there were certain types of risks that had to be inspected such as schools, hospitals, hotels, and by the end of the year he felt that the back would be broken in getting this programme going.

Mr. Taylor said that it occurred to him after reviewing the ordinance that if the Fire Marshal was going to co-ordinate the training and all the duties designated in the Ordinance from Ottawa, he would still require someone in the Territory to act as his Deputy, and someone else in the various brigades such as Watson Lake, Dawson, Mayo, and all these places. There has got to be someone in the Territory for these people to contact, to make on-the-spot decisions instead of dealing with Ottawa. In order to properly and adequately utilize this ordinance and enforce it and abide by it, we would have to have a Deputy Fire Marshal appointed in the Territory acting under the Fire Marshal's direction.

Mr. Whatmough stated that his field men, with one or two exceptions, were volunteers. This is getting down to community level. In communities with volunteer organizations, the problems that they are going to face and which Mr. Taylor thinks are urgent decisions, are just not there. It cannot be a 100% success as we would be dealing with volunteers who will be giving a lot of their time, even the Fire Chiefs will be giving their time. From his past experience not too many problems have cropped up and by the time he has made his first two trips through the Territory, he would have a good idea of where the priority lies and he couldn't see administrative difficulties. He had an assistant in Ottawa now who is concerned with training and if he felt there was a necessity to have someone in the field he would certainly not stop it.

Mr. Boyd said he was not at the moment concerned about fire fighting, but fire hazards. He said a good example was that out in Carcross there were 3 gasoline tanks sitting right in the middle of the hamlet and there was no law in the Yukon that could make the owner move them, he can have it 5 feet within the nearest home and it is legal. Many other examples could be picked out. The hazards should be eliminated before they get out of control.

Mr. Whatmough replied that this was a programme he looked forward to. With training, with actual visits to the communities, and inspection work, fire hazards could be corrected. This problem does not exist in the Yukon alone, but in other provinces as well - it is a matter of education and that level could be reached. With regard to inflammable liquids, this depends on the size and quantity of the tanks, but if there are no regulations on this, he would certainly work on it.

Mr. Boyd stated that with reference to these tanks, he had for the past year been after the police and also through the Legal Advisor, but so far the owner said he will not move them until the law says that he should.

Mr. Whatmough said that if he deemed it a hazard he could make recommendations to have it corrected, providing it did not contravene any existing ordinance.

Mr. McKamey stated that he definitely concurred with Mr. Boyd that an ounce of prevention is worth more than a pound of cure. What we are lacking here is instruction on the use of the various types of equipment for fire fighting purposes, and we have never had this instruction by professional fire fighters in the Yukon. He said that some of the chemicals being sent out here are disallowed in the market in some of the provinces and that's one reason why there should be appointed someone here in the Yukon to give instructions on how to fight fire and what equipment to buy.

Mr. Whatmough replied that providing Council would approve an appropriation for expenditure at this Session, he would be only too happy to set up a fire fighting school in the Territory. This is one of the steps in the training programme. We would first of all like to get hold of the local chiefs or their assistant for a course, this would send them back with some prestige, and once they have had this course, material could be sent out to them. As far as standardization of the equipment, if the Municipality is paying for it out of their tax funds, naturally it is their prerogative to order what they want.

Mr. McKamey commented that one of our fire chiefs was also the head of some firm for fire supplies to the different communities and businesses in the Yukon and he narrated an instance where a party who had purchased these supplies and had used them when a fire broke out, discovered, after the fire was over, that the equipment had not worked at all.

Mr. Whatmough stated that this Ordinance covered that. This was one of the things he would like to begin at once, to stop the sale of fire extinguishers that are not approved and it was something that he would be interested to get into our ordinance. Referring back to local assistants, he suggested that the R.C.M.P. be made local assistants to the Fire Marshal, and the main intent behind that was that they would have the powers to investigate fires and report fires.

Mr. Watt asked the Fire Marshal whether he had as yet appointed deputies in the Territory.

Mr. Whatmough said he hadn't. This would take time as he would have to find out what persons of calibre are available in the Territory for this position.

Mr. Boyd here stated that going back to chemicals, fire extinguishers, etc., he was under the impression that when a manufacturer had a product to put on the market, first of all, before he could put it on the market, it would have to be clearly defined and sanctioned by the Government.

Mr. McKamey asked if this would require a specific Ordinance for the Yukon Territory to disallow the sale of a certain type of product, like some fire extinguishers.

Mr. Whatmough replied that it was covered in the Ordinance - this should stop it. There are several approved agencies that we recognize as fire prevention people.

Mr. Watt said he noticed that Section 21, as read, should have the approval of the Commissioner and he supposed that that was where the Fire Marshal would come in to help the Commissioner. He asked if it was the Committee's wish that an alteration be made to Section 21.

Mr. Taylor asked if this could not be adequately handled under Section 24 (b) whereby the Commissioner can make regulations in which he can stipulate which concerns are recognized and which are not.

Mr. Whatmough said that in test cases one cannot prohibit sale by regulation, but only by legislation.

Mr. Taylor remarked that in Section 24 (b) it states that "the Commissioner may make regulations respecting the sale, etc."

Mr. Whatmough thought the word "sale" should be deleted.

Mr. Taylor stated that while on the same section, he believed in subsection (b) respecting the storage, sale and use of inflammable liquids, there should be a provision made for gases such as methane, butane, etc.

Commissioner Cameron attended Committee.

Mr. Boyd suggested that with the concerns recognized by the Government, their labels be spelled out in this paragraph 21 so that we know on whose authority the extinguishers and liquids have been passed and accepted. They should be listed in here and as time goes on and one or two more come up, they can have their names added in due course.

Mr. Whatmough, on a request from the Chairman, Mr. Watt, read the following definition of "approved" - "Approved" shall mean listed and labelled under the inspection services of anyone of the Canadian Standards Association, the Canadian Gas Association, Underwriters Laboratories of Canada, Underwriters Laboratories Incorporated, and Associated Factory Mutual Fire Insurance Company.

Mr. Watt asked that if we accepted the approval of the agencies just mentioned, would it be in contravention with Section 21 as it now is, or is it in conjunction with it.

Mr. Taylor replied that it would be an addition.

Mr. Boyd stated that by the inclusion of the names of the five agencies mentioned it would eliminate "the Commissioner or a person". They don't define a "person" - it could be anyone, and the Commissioner could be someone else tomorrow.

Mr. Livesey said that the easiest way out of it would be to examine subsection (c) of 21 to define our requirements and pass these requirements on to the Legal Advisor and ask him to provide us with an amendment or re-wording of this particular section and, after he has it, we can pass our approval or disapproval.

Mr. Boyd moved, seconded by Mr. McKamey, that in Section 21, after the word "unless", all items in Section are listed and labelled by anyone of the following organizations: The Canadian Standard

Association, The Canadian Gas Association, Underwriters Laboratories of Canada, Underwriters Laboratories Incorporated and Associated Factory Mutual Fire Insurance Company.

Motion carried.

Mr. Livesey moved, seconded by Mr. McKamey, that the Legal Advisor be apprised of the contents of the motion and requested to supply a redraft of Section 21 along the lines suggested.

Motion carried.

Mr. Taylor moved that the word "sale" as found in Section 24 subsection (b) line 1, be deleted and that with reference to subsection (d) that the word "sale" be deleted in line 1 and the words "or gases" added to this subsection. That would read respecting the storage and use of inflammable liquids or gases which covers propane, etc. etc.

Mr. Watt asked whether this was to be added to the Ordinance or to the regulations of the Ordinance.

Mr. Livesey remarked that control of the word "sale" could be made under legislation but not under regulation.

At this stage it was suggested that the Clerk-in-Council request the Legal Advisor to attend Committee.

Mr. Hughes, Legal Advisor, attended Committee.

Mr. Watt explained to the Legal Advisor that Council had a motion before it concerning the word "sale" in Section 24 subsection (b) and Mr. Whatmough suggested the Commissioner could not make regulations respecting the sale of different items, but the sale of these items can be regulated by the Ordinance itself but not by the regulations within the Ordinance. If the Legal Advisor agreed to this interpretation, then we would not need the second motion that had been passed.

Mr. Hughes replied that he could offer no help on the spur of the moment. He would like to have a particular reference to the case in question, maybe something that he could distinguish from the present situation, and he would like to defer consideration and get an answer by lunch time tomorrow, at the latest.

Here Mr. Shaw explained to the Legal Advisor all the discussion that had taken place on the word "sale" prior to the arrival of the Legal Advisor in Chambers.

Mr. Livesey mentioned that the Legal Advisor should also be notified of Council's motion in connection with Section 21 asking for a redraft.

Mr. Whatmough told the Legal Advisor of a decision made in the Magistrate's Court in Melford, Saskatchewan, in the fall of 1952 in the case of Rex versus Reno, in the prohibition of sale of fire extinguishers in the province of Saskatchewan.

Mr. Hughes inquired if it went beyond the Magistrate's Court.

Mr. Whatmough said that the only further history he knew of the case was that subsequently the province of Saskatchewan amended their Fire Prevention Ordinance to re-word it so that the prohibition of the sale of certain extinguishers was included in their legislation and not in the regulations. The fire extinguisher company won the case and so the province of Saskatchewan revised their legislation. He had no more details.

Mr. Watt wished to know that in the case of an appeal against a Deputy Fire Marshal's decision on a house or dwelling, to whom would the owner appeal.

Mr. Whatmough replied that he could appeal to the Fire Marshal and if he did not like the Fire Marshal's opinion he could appeal to a judge.

Mr. Watt stated that it was pretty severe and a long way to go for an appeal. There should be some intermediate step, because to appeal to a judge would require the services of a lawyer.

Mr. McKamey asked if it could be taken to the level of a magistrate prior to the level of a judge.

Mr. Whatmough stated that a fire officer does not order people to move out of their dwellings, but are told to remedy a situation.

Mr. Watt here read Section 14, subsections (a) and (e), including the two lines before subsection (e). He said that this could cause a great deal of hardship in the Yukon as we have a lot of homes that are in a condition that could be ordered to be torn down.

Mr. Shaw said that Mr. Whatmough had very definitely stated that it was his object to get local people to look after this present situation so, under those conditions, these people would be familiar with whatever they might be going into. He doubted if there would be many places that would be in danger of burning up with normal fire preventative measures - however if a person would not comply with these normal safety regulations, say a little cabin right along a fairly large structure, it would ~~not~~ be fair to allow that person to contain in his establishment a fire hazard situation and jeopardize the large building.

Mr. McKamey said that what was intended, was that a person should be able to appeal to a magistrate against the Fire Marshal's decision.

Mr. Whatmough said that from past experience it could be found that not many magistrates and judges would take the onus upon themselves - this is the Fire Marshal's business. One has to have faith that the Fire Marshal would be doing a reasonable job, if he isn't, his appointment could be recalled.

Mr. McKamey said that the problem was that a recourse had been provided in this section, but the only recourse is the Territorial Court level which is in Whitehorse. We might have a problem confronting us in any of the outlying districts and it costs money to travel from those districts to town.

Mr. Watt stated the whole point of the discussion was that the committee was not in agreement with the method of appealing the Fire Marshal or his assistant's decision.

Clerk-in-Council remarked that the word "magistrate" also includes Justices of the Peace.

Mr. Whatmough said he did not know what the training of the J.P.'s were - are they expected to know what a fire hazard is and what isn't, and that was why the appeal had been raised to the level of a judge.

Commissioner Cameron said that to his own way of thinking what Mr. Whatmough was getting at is the fact that you are appointing a man who is supposed to have the intelligence and authority to control fire hazards and enforce the regulations and now we are trying to demote him and make it much easier for anybody to appeal every single case, therefore this would be destroying some of the effectiveness of the regulations. This would create a situation that would be difficult

to administer as far as the Fire Marshal or his assistant was concerned. We should give it a try, it was taken from the provincial rules, and if the situation does give trouble, then we could put in for a change at the next session.

Mr. McKinnon said he agreed with the Commissioner. He knew most of the J.P.'s throughout the territory and felt sure they would be the last ones to wish to be saddled with a decision as to whether the Fire Marshal's order should be rescinded or not.

Mr. Taylor said that it was clearly expressed by Mr. Whatmough that every consideration would be given in the enforcement of this Ordinance, more particularly at the outset, and he, for one, was agreeable to have this particular section stand as it is.

Mr. Whatmough said that certain fire hazards could be easily corrected, and to condemn a place as a fire trap would require backing with a lot of proof.

Mr. Watt asked if there was more discussion on this right of appeal.

Mr. McKamey said there was no point in taking the teeth out of an Ordinance, to do so, we might as well throw the Ordinance out.

Mr. Boyd remarked that they should follow Commissioner Cameron's advice and let it go for a year.

Mr. Watt here stated that a point had just been brought to his attention by the Legal Advisor.

Mr. Hughes stated that in order to overcome the vacuum which would result in the passing of the Ordinance if a date could be fixed in advance for the Ordinance to become effective, regulations could be redrafted and launched at the proper time.

Mr. McKamey said he would like to know how long the lapse period would be before they had the regulations. Would it be 1962, 1963 or 1964?

Mr. Hughes said that there was obviously a bit of careful work ahead in the drafting of the regulations, we would be following regulations used in other provinces, but he wouldn't like to say less than two months.

Mr. McKamey, seconded by Mr. Taylor, moved that this Bill be deferred to give the Legal Advisor sufficient time. He said he believed that the amendment to this Ordinance would be ready by noon tomorrow, and he moved that this be deferred until that time.

Motion carried

Mr. Whatmough said that with respect to the drafting of regulations this is a tedious and slow job. He would like to have more time in the Yukon in order to get more information with respect to adapting some of these regulations into the code. He would rather see the adoption of the Ordinance and then bring regulations along in sequence, he wouldn't like to be tied down to a certain time to get the regulations out - it would be to the detriment of the regulations, especially if it is desired that they be peculiar to the conditions here. He said that should the proposed Fire Prevention Ordinance be adopted he thought there was sufficient teeth and sufficient scope in it to carry on until the regulations to the Commissioner be adopted.

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Whatmough be excused and Mr. Speaker resume the Chair to hear the report of Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Watt, Chairman of Committee gave his report.

Mr. Watt stated that Committee met at 11:00 A.M. to study Bill No. 12, An Ordinance Respecting the Prevention of Fire. Mr. Whatmough and Mr. Delaute were in attendance. It was moved by Mr. Boyd, seconded by Mr. McKamey, that section 21, after the word "unless" be amended so that all items in this section are listed and labelled by anyone of the following organizations: Canadian Standards Association, Canadian Gas Association, Underwriters' Laboratories of Canada, Underwriters' Laboratories Incorporated, Associated Factory Mutual Fire Insurance Companies. It was moved by Mr. Livesey, seconded by Mr. McKamey, that the above amendment be brought to the attention of the Legal Advisor and that he be instructed to redraft the Ordinance accordingly. The Legal Advisor was also instructed to bring us a decision on the regulations concerning the Commissioner's regulating of sales within the Territory. It was moved by Mr. McKamey and seconded by Mr. Taylor, that decisions on the Ordinance be deferred until tomorrow afternoon and we now report progress on this Ordinance.

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock A.M. Tuesday, November 20th, 1962.

Tuesday, November 20th, 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 Cameron regarding Lot 19 project in answer to Production of Papers No. 2. (Set out as Sessional Paper No. 9)

Sessional
Paper
No. 9.

Mr. McKinnon moved, seconded by Mr. McKamey, that Council resolve into Committee of the Whole for the purpose of discussing Bill No. 12, An Ordinance Respecting the Prevention of Fire.

Mr. Speaker appointed Mr. McKamey as Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Mr. Watt stated that he understood Bill No. 12 was being deferred until noon when they would have a decision from the Legal Advisor.

Commissioner Cameron stated he had a couple of items he would like to have discussed and have Council's opinion at this time.

Mr. Livesey thought they should make a decision regarding the motion to discuss Bill No. 12 first.

Mr. Shaw stated he believed they were waiting for a decision from the Legal Advisor and suggested they proceed with the Commissioner's request.

All agreed.

Commissioner Cameron said the first item is the tax arrears on the separation plant at Haines Junction and this was discussed at the last session and the Administration looked into this with a mind that they didn't want to slaughter any business individual. They have gone as far as they can in keeping with their wishes and now it is a matter of moving in and forcing the issue of paying the taxes or taking over the separation plant.

Discussion
of Tax
Arrears.

Mr. McKamey asked if they were unable to pay.

Commissioner Cameron said he didn't think so, as the company is backed by considerable wealth and he didn't think they would let the business go for \$19,000.00, which is the outstanding taxes, but it would be a hardship to pay the taxes. He stated the problem we have is that if we let this go it makes it bad for us in going after the little fellow.

Mr. Shaw stated that he hadn't studied up recently but he thought certain things could be done and it would be difficult to create certain circumstances when people wouldn't pay their taxes and they can't set a precedent by giving one person something and not giving it to another. He thought it would be a good idea to hear the background.

Commissioner Cameron suggested they contact the companies legal advisor, Mr. Wylie and he probably would like to speak to Council on this and give his side of the story and also have Mr. Hughes present.

Mr. McKamey thought this was the proper thing to do and this would be in the public interest and is something they should give consideration to.

Mr. Livesey stated this business is in his electoral district and

he felt that when he brought the question up at the Spring Session it was something different whereby the company had invested a great amount of money in Haines Junction with the thought in mind that someday this particular plant would be a great area of employment. He stated the point he raised was not a question of killing the operation off. Here they have this large investment and although they accept the fact taxes are required they should give some consideration to the position of the plant, and they might in the future need this operation to facilitate other requirements. He would appreciate hearing from the representative of the company.

Mr. Boyd asked if these people had paid any taxes at all.

Commissioner Cameron said he couldn't answer for sure but he knows the taxes owing now are for three years back.

Mr. Livesey thought this was approximately the time it was shut down.

Mr. McKamey asked if it was agreed that the Clerk contact Mr. Wylie to come before Committee.

Committee agreed.

Mr. McKamey stated they would go on to the next item.

Commissioner Cameron said the next item was Daylight Saving Time and at the last session the Councillors were asked to feel out their constituents and see what they thought. He stated he had a call from one of Mr. Taylor's constituents and he had heard they had discussed it in the last few days.

Discussion
of
Daylight
Saving
Time.

Mr. McKinnon said his vote would be guided by the people of Whitehorse in his constituency and they have voiced their decision.

Mr. Watt asked Mr. Livesey if it is proper for them to discuss it at this moment and if the decision they reach would be binding on Council.

Mr. Livesey replied that it was placed before Committee as a simple discussion and the way to proceed if they want anything definite is to bring a notice of Motion before the House. Here they are discussing something in an informal manner at the request of Commissioner Cameron for his information.

Mr. Shaw stated that last summer he was so occupied with other matters of state he wasn't able to get around to the daylight saving time question. However, he reflected on the vote taken in Whitehorse which was carried by a relatively small majority. He suggested a counterproposal that might solve the question and that was that they adopt Pacific Standard Time rather than Yukon Time. This way it would fit in with British Columbia. He was sorry that he couldn't come up with an answer regarding Daylight Saving Time but he thought Pacific Time had some merit. It would make a difference between here and Alaska for the tourists because with daylight saving time they would have two hours difference. Although he hadn't assessed what his people wanted, he suggested they go on Pacific Standard Time.

Mr. Livesey commented that he certainly appreciated the feelings of those who had cast their vote and as far as businessmen were concerned there was merit in daylight saving time. He felt that in order to have the question settled it would have to go before the people of the entire Territory. He stated some people are always trying to crowd more into a day. He stated another thing is Daylight Saving Time in the Land of the Midnight Sun and the Yukon is known by this. Say some people from Florida would ask why the Land of the Midnight Sun wants to go on Daylight Saving Time, if the sun is shining all the

time. He felt that Daylight Saving Time was a fringe benefit. He didn't agree with Mr. Shaw but he felt it was a question of the people having a say in it.

Mr. Watt stated that he couldn't help but agree with Mr. Livesey if the sun was never to set on the Yukon Territory. He felt the Commissioner was right in wanting to get this thing settled. They had a plebiscite in Whitehorse and one in Watson Lake and if some members of the Council have come unprepared that is unfortunate and he felt Council should take on this task and that is what they are here for.

Mr. Shaw stated the difference between him and many members is the fact that he admits he isn't prepared. He understands that a decision won't be made, this is just a time to give one's opinion and he felt Pacific Time would give us the same time as Vancouver and this is where the advantage would come in, and this appears to be the main point why people want Daylight Saving Time.

Mr. Watt asked Commissioner Cameron what Pacific Time is and if it was the same thing as Daylight Saving Time.

Mr. McKamey replied it is one hour different.

Mr. Watt asked if it was one hours difference from the present time or proposed time.

Mr. McKamey replied present time.

Mr. Watt stated it would be the same as Daylight Saving Time.

Mr. Shaw gave all the time zones and for every zone it is an hour later and said Pacific Time is one hour earlier than what we are. He also mentioned that trains that travel across the continent do not observe Daylight Saving Time.

Mr. McKamey, with Mr. Shaw in the Chair, stated he thought he approached almost everyone in the north end and he also had approached a lot of business people in Whitehorse and also a lot of people with children going to school in Whitehorse and he agreed with Mr. Shaw that the vote taken is not a representative of the vote in Whitehorse and he can go out on the street and get people who are opposed to daylight saving here in Whitehorse. He expressed his views on behalf of his constituents in the north and they suggested that they stay on the original time and they claimed there was no point in it. He mentioned the industry, United Keno Hill Mines, and said they are satisfied with time as it is. He stated he knew where this originated, it originated with a bunch of businessmen sitting in a restaurant from 10:00 A.M. until noon every day in Whitehorse. He stated if these men wouldn't spend so much time drinking coffee but attend to their business, they could make their connections in Vancouver. He stated this was discussed with the Board of Trade and they were given the reasons why this should come into effect but there was one thing they eliminated and that was that they didn't give too much consideration to the human resource and this is something they can't pass up too lightly. He felt they have to give some consideration to the school children and daylight saving will put them on the street earlier and when it is darker. He stated Councillor Livesey brought up a point of tourism and he thought this was a very good point. He said people are impressed with the fact that they can read a paper at midnight and he felt any move to push daylight saving through would destroy this industry. He said as for the Whitehorse vote he believed there are approximately 4800 people within the confines of the municipality of Whitehorse and in Whitehorse itself there are supposedly between 9,000 and 10,000 people and he couldn't see how 490 people could speak for this 9,000 people.

Mr. McKinnon stated that now Mr. McKamey has told them what the Whitehorse residents want, maybe he could tell them what the Mayo people want.

Mr. McKamey said that he could and that they were opposed to it.

Mr. Watt said that now they have been given the facts on the hinterland he didn't think this group of businessmen Mr. McKamey was talking about, entirely controlled Whitehorse. He said there were approximately 800 or 900 votes cast and they didn't all come from one coffee shop but were a cross section of the people. He stated that he set his clock ahead just to try it and he found he got an extra half hours work in an evening and this was a month ago. He stated he couldn't see any hardship which would be caused - all he could see was good and as far as selling the sun to tourists, he wouldn't try to do it directly.

Mr. Boyd stated that he understood the Army took a half hour for lunch in order to get through at 4:30 and this is another example of getting more work in before it gets dark. He said he could take them to Haines and give them a watch and tell them it is 10:00 and if they didn't know the difference it wouldn't affect their sleeping or getting up. He stated as far as the breadbasket of the Yukon is concerned- Mr. McKamey's district- he found them very difficult to handle and they have ideas of their own. They are in an isolated area and they don't come out of their cocoons too often and mix with anyone who has any business with the outside world. He thought Mr. McKamey's remarks were unfounded.

Mr. McKamey with Mr. Shaw in the Chair, stated that some members had asked if the members from the hinterland would convey the thoughts of their constituents to the Council. He had done this and had done a lot of research and this is the result, but apparently some people fail to face the facts and perhaps this is a complex they developed but he would like to have a further explanation from Councillor Boyd on the statement that his statements were unfounded and that they had no say in the Yukon Territory. He wanted him to make a statement to back this up or retract it.

Mr. Boyd stated that McKamey must have been thinking and not listening when he said the statements he made were unfounded. He was not getting personal, but he was referring to the fact that Mr. McKamey said that the vote wasn't representative of the people of Whitehorse and that he could run around and find people that didn't agree with it. He stated that people don't all agree but the majority rules, and he was not picking on Mayo people at all.

Mr. McKamey asked if he would retract his statement when he said they were confined to their cocoon and wouldn't associate with anyone anyhow.

Mr. Boyd said he didn't say they wouldn't he said they don't and they remain in their cocoons, that you never see them very much around here.

Mr. Livesey stated in view of the statements of the people of Mayo he thought it better to be a silkworm than a tapeworm and it is only silkworms which have cocoons. He said it is going to raise a difficult situation for him as he tries to encourage the travellers on by saying that everyone is goodlooking in Alaska because they are an hour younger than us. And now he will be in a better position if daylight saving time goes. He feels they should be putting it up to the people and he didn't believe that when the people of Whitehorse voted they intended to make an arbitrary decision for the Territory. He felt they should ask the people what they want and get the final answer that way.

Mr. McKamey stated that in support of a statement Mr. Boyd made it didn't seem to him that 495 votes were a majority of the 9,000 people in Whitehorse.

Mr. Watt asked if he realized children couldn't vote and he is stating that out of 9,000 people only 400 voted for it and this doesn't make sense. He stated the only other members, outside of those in Whitehorse, who had the energy to have a plebiscite was Watson Lake and he wanted to hear the results.

Mr. Taylor commented that in the first place they didn't have a plebiscite in Watson Lake, they merely had a cross-section of opinion and there is some very mixed feelings. He said the people will reflect their feelings in a vote if it comes to that.

Mr. Shaw asked if he could have the exact figure of how many voted for and against in Whitehorse, and how many were eligible. He asked the Clerk-in-Council to obtain these figures.

Clerk-in-Council stated that the total number of eligible voters on the list was 1039 of which 393 voted and in addition 405 were sworn in which gives a total of 798. There were 417 for and 365 against and 16 were spoiled.

Mr. Watt asked Commissioner Cameron what would be the mechanics of a plebiscite throughout the Territory, and would it be possible.

Commissioner Cameron stated that it is possible but it is quite expensive and a plebiscite of this type are usually put in with an election. To get an opinion of the people it would have to be included in the next Territorial election.

Mr. Taylor asked if it would be feasible to try a plebiscite by mail.

Mr. McKamey didn't think they should tackle that, and concurred with Commissioner Cameron.

Mr. Livesey stated that speaking on elections it is quite possible one might drop on them at any time, and if it was a Federal election perhaps they could ask the people to drop their answer in the ballot box at that time.

Mr. Taylor stated that they discussed that item and they were informed that they couldn't do this at a Federal election and they would have to find another way of doing this.

Commissioner Cameron doubted they would do it at a Federal election but they have restrictive bounds on a Territorial election.

Mr. Taylor said that both elections, of a member of Parliament for instance, is run under the provisions of the Canada Elections Act and the members to that house are elected in the same manner.

Commissioner Cameron said he had no further questions on this subject and he appreciated the discussion and said that obviously there was conflicting feelings and unless any member wished to take it further he is quite satisfied.

Mr. Livesey stated he had one more point and that was if it was imperative that they come to a decision and he felt they could have an informal vote cast at different centers as they had a vote in Whitehorse, but he felt they could get a viewpoint without going to too much trouble.

Mr. Boyd thought he recalled that Winnipeg was on daylight saving time but the hinterland wasn't and thought Commissioner Cameron this couldn't be done in the Yukon and he wondered if this was true.

Commissioner Cameron stated that he didn't mean to say it could not be done, but he did not think it should be as it would be complicated if say Whitehorse and Watson Lake did, and May didn't, but he further

stated this is merely a personal opinion.

Mr. Boyd stated he could not see where the rest of the people should hold the people of Whitehorse back if they wanted daylight saving time.

Mr. McKamey said he was speechless.

Mr. Livesey did not think it was right of the member of Whitehorse East to accuse those who do not live in the perimeter of Whitehorse of holding back civilization and progress. He could not agree with this at all.

Mr. McKamey said perhaps the people of Whitehorse should present a Bill to secede from the rest of the Territory and become a clique of their own and then they could have any hours they desire.

Mr. Watt thought Mr. Boyd had a very good idea and the majority of the people of the Territory had spoken through a plebiscite and he thought they should consider the mechanics of allowing them to have their wishes. He felt the people should be allowed to vote on it and not just pass their opinions and he did not feel the people of the hinterland should be able to push something onto the majority that they do not want.

Mr. McKamey stated this is ridiculous.. He stated they have very close to 17,000 people in the Territory and the audacity of the members of Whitehorse to say this is the majority and this is what they should have is ridiculous.

Mr. Watt said they just had a statement from Mr. McKamey saying that they have 9,000 to 10,000 people in the Metropolitan Whitehorse Area so he would say in the larger Metropolitan Area they have the majority of the population, and they have spoken.

Mr. Shaw (with Mr. McKamey back in the chair) thought they had reached the end of the discussion if they were going to serve any useful purpose. He said the facts are that in the Whitehorse Area about 10% of the people voted and this gives 10% of the peoples opinion and half of that, 5% of the people, want a change. He suggested that this vote be left in abeyance until a future date and it is not the time to make any decision and it would appear prudent in view of the difference of opinion to come to a decision at this time.

Mr. Livesey agreed with Mr. Shaw and wondered if they could obtain from the Administration the vital statistics as to the population figures of the Yukon. If they have the facts they would be in a better position to decide that item.

Mr. Boyd said Commissioner Cameron asked what our desires were and they seemed now to be taking the opinion that it is not necessary to do anything. He thought they should leave this with the understanding that a vote will be taken of the Yukon at the first opportunity, he did not mean a special call, but include it with some other issue.

Mr. Watt said they delayed this thing from the last session and they are now going to delay it for another two years.

Mr. Livesey did not agree with the member from Whitehorse West. He felt the position as it stands is those in Whitehorse have cast their votes, and he felt they should have a vote in the rest of the Territory also.

Mr. Watt said he is not suggesting that they impose their wishes on the whole Territory and is suggesting that the people of the municipality decide what they want and if the rest of the Territory don't want to follow along they do not have to. He could not see how the minority were going to impose their wishes on the majority.

Mr. McKamey suggested that Mr. Watt have the Municipal Ordinance amended, if possible, and this is a selfish attitude to develop as this is not in the interest of the Yukon as a whole.

Mr. Shaw asked if they should proceed to the next subject.

Mr. McKamey suggested they leave this subject to an uncertain date and report progress.

Mr. McKinnon and Mr. Boyd disagreed.

Mr. Shaw stated this was not a scheduled matter to be given a decision on, but it was a matter of discussion.

Mr. McKamey moved, seconded by Mr. McKinnon that Commissioner Cameron investigate the possibilities of putting the matter of daylight saving time to a vote at the next Territorial election.

Mr. Watt amended the motion to request that Commissioner Cameron also investigate the possibility of setting up the machinery for a municipal vote on daylight saving time to let the municipalities decide for themselves.

Mr. Shaw asked if this would be a plebiscite.

Mr. Livesey said this would be out of order in view of the fact it would defeat the main section of the motion.

Mr. Watt said the purpose of his motion is to work with it and they are asking the Commissioner to investigate two things. He asked for a seconder.

Mr. Boyd asked Mr. Watt to read his motion again.

Mr. Shaw thought these were two separate items, and he thought the amendment is contrary to the main motion. He felt if this was desired they could have another motion at a later date or following this motion.

Mr. Watt said that if he would be given a chance to make another motion after this one he would withdraw his amendment.

Mr. Shaw read the motion made by Mr. McKamey, seconded by Mr. McKinnon that Commissioner Cameron investigate the possibilities of putting the matter of daylight saving time to a vote at the next Territorial Election.

Motion carried.

Mr. Watt made a motion that Commissioner Cameron be requested to investigate the possibilities of setting up the machinery to let the municipalities decide by vote whether or not they wish daylight saving time. He wanted the answer to be given at the same time as the other motion.

Mr. Shaw asked for clarification if this meant the possibility of the two municipalities having different times or that the two municipalities vote and the rest of the people fall in line.

Mr. Watt said everyone in this Territory has a chance to vote through their representatives and their representatives choose not to vote so that is why he put forth his motion.

Mr. Livesey said that the people Mr. Watt is talking about felt the same way as they feel now when this question was raised and that is the reason it was put to a plebiscite at an election in the municipality of Whitehorse and what he is saying is that it is all right for us but it is not for you. He is agreeing with the members from Whitehorse in this connection. They let the people of Whitehorse decide, now they want the people where they live decide.

Mr. Boyd seconded Mr. Watt's motion.

Mr. McKinnon thought this motion is a wasted motion and he felt all they need is an amendment to the Municipal Ordinance to allow Whitehorse to have what time they want to be on.

Mr. Watt stated he was just asking Commissioner Cameron to clear them up on this point.

Mr. Taylor stated that what could happen is they would have three different times, and if they think it is confusing now what will it be then.

Mr. Shaw agreed and it would be an impossible situation and it would be very detrimental.

Mr. Boyd asked Mr. Watt and Mr. McKamey what difference it would make to people in their Territory if they went to work at 8:00 a.m. or 9:00 a.m. by their time and he wondered how it would cause their residents hardships if they were one hour different.

Mr. Watt read his motion again and Mr. Shaw asked a vote by standing.

Those in favour - Mr. Boyd and Mr. Watt.

Those not in favour - Mr. Livesey, Mr. McKamey and Mr. Taylor.

Mr. Shaw informed them the motion was defeated.

Mr. McKinnon abstained from voting.

Committee recessed at 12:00 noon.

2:00 o'clock P.M.
Tuesday, November 20th, 1962

Committee resumed with discussion of delinquent taxes with Commissioner Cameron present.

Discussion
of
Delinquent
Taxes.

Commissioner Cameron read two letters with regard to tax arrears on the Separation Plant at Haines Junction. He stated on the second letter, Mr. Wylie asked him to hold off until he has had a discussion with these people and until he could find out from Ottawa if there were any further developments as far as they were concerned.

Mr. Boyd said he didn't know whether Mr. Wylie would be required or not. Two things were obvious - first of all, he didn't think we were going to get any taxes and if we insist on getting them, the plant would simply be torn down. It would seem better for the plant to remain standing for some future use than to cut off the head of the chicken that lays the egg.

Mr. Shaw commented that companies investing in the Territory have many things to overcome, and it did not seem possible for him to advocate any tax relief for any company or person or charitable organization, however there may be a way of resolving a situation like that and rather than be dogmatic about the matter, is a proposal such as this worth any consideration? These taxes - which of course would have to be entered into an agreement by the parties - should continue and should be first claim on the property. Upon starting operations the outstanding taxes should be paid in full. Whatever stand is made, we have to look at the ultimate result and in this case the ultimate result would be that there would be no exemption, but a deferment for a certain period of time. There would be no point in taking a dogmatic attitude of closing the plant down and making them sell it to pay these amounts, or, in turn, sold to the Government, whichever the case may be. If that was just land and there weren't any installations on it, it would be an entirely different matter as that would be in the nature of what he considered a speculation. However, there is a plant there, all ready to go to work when the time is mature and he did feel that those people have the responsibility of paying their obligations.

Mr. Livesey said that the position he took on this same matter during the Spring Session was similar, but not exactly. He felt that the people had invested a tremendous amount of capital in this place at Haines Junction. It wasn't a question of the separation plant being in operation and refusing to pay any taxes on it. It was a question of the separation plant not operating at all - not bringing in one cent of revenue. As far as we were concerned, it was a question of demolishing the situation or leaving it until such time as we could possibly make use of it to our advantage. The latter course is certainly the more wise course because sometime in the future certain factors will be such that we will need some asphalt.

Commissioner Cameron suggested that Council at this time make a motion to the effect that the Administration be asked to forestall any further action on this particular project until it is brought up again at the Spring Session.

Mr. Livesey said he would make that motion and as it is in his area he is certainly concerned about it and therefore he would move that the Administration take under advisement the discussions held in Committee this afternoon and continue the position of deferment and discuss the same question at the spring session of Council.

Mr. Watt stated that it seemed to him that we would be establishing a dangerous precedent by allowing a company to carry on without paying taxes, especially if we are going to make a long term agreement saying that they won't have to pay taxes until they make a profit.

Commissioner Cameron said that the word "profit" was not used. Once the company starts to operate, and we may extend it further by saying they receive a contract to supply for say 50 or 100 miles of asphalt on the Alaska Highway, I think it could be put in such a way that their taxes would be cleared up before they open their doors. We are not going to make an agreement, we are just going to agree to stand off for four or five months - there will be no formal agreement.

Mr. Shaw stated he would second the motion as it stood but felt that these taxes should have first call on the property. If this property is already hypothecated, of course the question comes up as to whether we have the first right, or somebody has the first right. Maybe the Government has. He asked the Legal Advisor whether, in spite of any agreement that is going ahead of time, would the Territorial Government have first claim regardless of anything on that property, even in spite of an agreement of sale in purchasing the property. Would the Territorial Government without any question of doubt, have a prior right to the taxes in relation to the value of the property.

Mr. Hughes replied that he couldn't say definitely that the Territorial Council had an unassailable priority, there are other claims which could be made against this company, for instance he did not know the Income Tax situation - the Territorial Government may be second there. Section 60 of the Taxation Ordinance says "you do have a priority except over Her Majesty" which is the Income Tax position. Now, maybe that their Income Tax position is not good but provided there is no change of ownership, no possession, no seizure by sheriff, bailiff, you can wait until the Spring Session.

Mr. McKinnon said that he would support this motion only in the instance that it is brought up for review in the Spring Session and he felt that at that time some definite written agreement should be made with the company so that the Territorial Government is assured priority on the first profit that this company shows, or some similar arrangement, because it has happened time after time that through loose legal definition or weak documents that the Territory has been stuck and this could very well happen again in this case. He would press for a review of the matter in the Spring and a definite agreement drawn up between the Territorial Government and the company involved.

Mr. Taylor asked for the motion to be read.

Mr. McKamey read the motion which had been moved by Mr. Livesey, seconded by Mr. Shaw, that the Administration take under advisement the discussion held in Committee this afternoon and continue the position of deferment and discuss the same question at the Spring Session of Council.

Motion Carried.

Mr. Livesey said he would like to add one thing which has no bearing on the motion. He believed the property of the plant is now serving a very good purpose for one of his largest constituencies in his electoral district by supplying water to the inhabitants - good clean water. The first clean water that they have had for years and years and years. They have a very unique way of obtaining the service - they merely call up the Yukon Electric and ask them to put on the

power for an hour and they go up and get all the water they need. The company does not put this power on if there is a lot of wind blowing or anything like that, they put it on at their own discretion and the people in Haines Junction are very happy with the water situation. The Territorial wells so far have not been a success.

Mr. McKinnon stated that while the Legal Advisor was here, he wondered if he could give some advice on the motion that was on the floor of the Committee before lunch, and that is as to whether a vote on Daylight Saving Time in the Territory could be held in conjunction with a Territorial election.

Mr. Hughes replied that here again he could not give an answer without some research.

Committee then discussed Bill No. 12, An Ordinance Respecting the Prevention of Fire with Mr. Whatmough present.

Discussion
of Bill
No. 12.

Mr. McKamey stated that as requested by the Committee, Mr. Hughes had redrafted section 21.

Mr. Livesey said that in view of this amendment what would the position now be as far as merchants are concerned who may have a stock on hand, possibly consisting of quite some considerable cost, covering heating appliances that do not come within the meaning of 1,2,3,4 and 5. The Ordinance, the way it is written will not apply to existing heating appliances, it just covers the question of selling or offering for sale in other words it is a future measure. Just how would these people be dealt with and just what would be the outcome to anyone who had purchased these articles without of course having any knowledge that we were going to make this change. How would we proceed to enact the Ordinance?

Mr. Hughes replied that if a private individual has acquired a fire extinguisher or some device which does not conform, in that it is not listed or labelled by any of these organizations and the Fire Marshal in the course of his inspections is of the opinion that the building is not properly safeguarded against fire, he could issue an order that, notwithstanding there were fire extinguishers in the building, the owner would have to get approved fire extinguishers. So the mere fact that you have these extinguishers is of no guarantee that you could not be required to supplement and buy approved type of extinguishers. In the case of a storekeeper who has fire extinguishers on hand it means that if his extinguishers are not of the type listed and labelled by those named organizations, he is unable to sell them in the Territory. This may be a considerable burden but he would like to expand on section 21 as it is now. He had drafted it in this form because when he was before Committee yesterday he was instructed by the Chairman to redraft it and the Chairman read out the motion which said "unless listed and labelled by any of the following organizations" and so on. Council will recall that the Legal Advisor asked whether he had any freedom to change the wording and was informed by one of the Councillors that the matter had been passed and therefore it was not really a case of redrafting but of type-setting. If he had felt free to re-draft he would at least have added the phrase "unless the extinguisher, device, or appliance has been listed and labelled", whereas at the moment it did look as if it is the person who is offered for sale. He felt somewhat restricted and thought he would comment on this draft before Council, he did not know what the argument was that led to the present changes with regard to appointing organizations. He had particularly asked whether the Commissioner could be included, whether he could appoint any persons to approve. It may be in the situation which Councillor Livesey envisaged, where someone has acquired fire extinguishers - they may be reasonably good fire extinguishers, but it is almost certain that a lot of them would not be "listed and labelled".

Mr. Livesey remarked that a lot of heating appliances were bought when this direction was not in existence and he certainly concurred with the Legal Advisor that this should be brought to the notice of Council before anything specific was done upon which they could not retract. It would be best to mull it over so as to avoid mistakes.

Mr. McKamey said that if some retailer had a million dollars' worth of inferior appliances for sale in the Yukon, he certainly couldn't support him one bit or encourage him to sell them to people, unbeknown to the people who are buying them that they are not safe. It could mean life or death and one cannot place value on that.

Mr. Livesey said what he was thinking of was heating appliances that were perfectly in order but had not been included from 1 to 5 - are we now narrowing down the type of purchasing in a very wide field which may cause some confusion with people who have purchased perfectly good appliances that do not come within this scope. Could they be allowed to get rid of these appliances, say under the supervision of the Fire Marshal. There must be a way out of it. We can certainly get around it.

Mr. McKamey asked if the five organizations were under the Federal Fire Prevention Act, and would there be any more besides those 5.

Mr. Whatmough replied that there was no Federal law governing the recognition of these companies. They are referred to as nationally recognized test laboratories with factory inspection facilities. This is why the Federal Government, when they are considering their own buildings, consider these labels as being good because they test the equipment and they also go out and inspect the factories periodically to see that standards are being maintained. There are other test companies in Canada but generally they do not provide the facilities of factory inspection to maintain quality. There are other agencies who do testing but, from experience, they were found to fall short in certain aspects of the standards of those 5 companies.

Commissioner Cameron asked if it would not be part of the duties of the Assistant Fire Marshal, assuming we did have such a person in the Territory to check with those people selling fire appliances, particularly during what we have called the honeymoon period and assist business enterprises in obtaining the listing and labelling of their present stock.

Mr. Whatmough replied that the companies who submit their models for testing would have to pay a fee on this - reliable companies do this already, it is the unreliable companies that won't submit to this inspection service. Basically, the majority of extinguishers that are listed and labelled form a high percentage of those in stock today. The unapproved equipment, generally, would be very small. There might be certain heating and gas appliances that are not labelled.

Mr. Boyd stated that in Canada we have a certain standard and imports must pass the Canadian standard. For example, an item from Japan will pass the United States standard and may be imported there, but the same item cannot be imported into Canada because it does not pass Canadian standards. He felt that anyone importing fire extinguishers into Canada would have to pass these Canadian standards and Canadian standards are certainly very high.

Mr. Livesey said that as a business man, he could not agree to what Mr. Boyd said. There are certain things imported into Canada that if you placed them beside the standards, they would certainly fall over. You can buy just what you want, you pay

for what you buy. However, once the Ordinance comes into effect, it will stipulate that people get to know about it, people who are buying and selling and distributing to the population. What they purchase from then on is decided, the Ordinance decides it. What he was thinking about is what they had on hand now, for which they had no direction, and in the normal course of events if we hadn't this Ordinance they would still be able to sell it. This could put them to a great expense. Would a time period be allowed for people to get rid of the stocks they now have on hand if they don't actually fit in with this requirement.

Commissioner Cameron asked Mr. Whatmough what would happen if this Ordinance went into effect. Would the insurance companies automatically abide by this. Would this give the insurance companies a lever to be able to say "the equipment was not certified by one of these organizations and therefore they do not have a claim against us". Commissioner Cameron stated the reason why he asked this was because the Legal Advisor had suggested that we could possibly put after these five names "or by a person or a Government department specified by the Commissioner in Council" which gives control to the Council for any other additions.

Mr. Whatmough replied that he would have to refer that to the Legal Advisor but he was under the impression that this would have no effect on insurance. Taking the case of fire extinguishers, they give you credit on your insurance in the building for having extinguishers and he presumed they knew what type of extinguishers were in the building. If it is a sub-standard extinguisher and they give you credit for it, they have accepted it.

Commissioner Cameron said he was not thinking of extinguishers, but of heating devices.

Mr. Hughes stated that if he were a betting man he would say there was a sporting chance they would beat the claim because they would say to the insured person "you advised us you had an oil furnace, but down here in the right hand bottom corner, in small print, there is a clause which stipulates that nationally approved standards should be conformed to". Without particular facts, he could not give a ruling, but it certainly increases the chances of the insurance company walking away from a claim and he certainly recommended to the Council that they consider more flexibility. It was drafted in its original form by the draftsman in Ottawa after the most careful thought - he believed the draftsman had had under review the desirability of including these names, and for reasons which must have seemed good to him. The Saskatchewan Act does follow that type of set up and does refer to names of approved bodies, but with that in mind, and since the passing of the Saskatchewan Act, the draftsman in Ottawa had discarded that and felt that for the Yukon a greater flexibility of the clause as drafted was more suitable. The Legal Advisor said he was guessing at the reasons of the draftsman, but felt it was a shrewd guess.

Mr. Boyd asked if this would mean by putting in there "the person or Commissioner or Government" that in the case of a fire attributed to a faulty heater, that unless there was proof that "the Commissioner or that person or the Government" had authorized the using of this, the insurance company will still beat it. You'd have to authorize everything.

Mr. Hughes said it just demonstrated the difficulty of establishing a general rule on a set of facts that you haven't got.

Mr. McKinnon stated that the only way to resolve this problem is to leave it in the hands of the Legal Advisor making the suggestions of Council on this Section 21. As it stands now the section is both ambiguous and it also does not provide protection in the cases that Councillor Livesey has stated.

Mr. Mckamey inquired if this would require a motion, or would the Legal Advisor draft it as the Committee suggested.

Mr. Hughes replied that if he felt he had caught the general feeling of the Council, he could draft that and have it available in possibly half an hour.

Mr. Livesey said he would like to direct a question to Commissioner Cameron with respect to regulations under Section 24 of Bill 12. He wished to state his feelings on the matter and that was the possibility of the encroachment of the Administrative powers of the Government over those of the legislative body and he would like to state that some of the possible scope of regulatory situations, that could be brought about under Section 24, do and could possibly approach encroachment upon the legislative powers and fields of Government. He noticed that since he has been a Councillor no recourse is made to the legislative body because the situation is rather difficult for the Administration to do this, but regulations are changed from time to time over which the Council has no control whatsoever. This certainly does give a tremendous broad scope to any administrative body, and he merely wished to interject this here this afternoon to the Committee, not to criticize, but merely to make the position clear and he certainly hoped that these regulations which would be made within the power and scope of the Ordinance will not be considered in the area of an encroachment upon the legislative powers of this body.

Mr. Taylor said the one alteration he would like to see in Section 24 was the inclusion of the words "or gases" following sub-section (d) and Commissioner Cameron could then make regulations respecting the storage of hydrogen and other gases which are not covered in this Ordinance.

Mr. Whatmough replied that just off hand, if he remembered rightly, in drafting this other legislation it was considered. When speaking of hydrogen, it is handled in different forms and can be or should be handled in different sections, for instance, the transportation of gases in bulk by truck through the Territory. You would think this would be handled under a Vehicle Ordinance, would you not? It is a pretty broad field to try and narrow down and he could see that by putting "gases" in, it would give a tremendous scope to regulations that might not be intended. It would be advisable to leave it out and then if it is found necessary to amend it, to add it at another time.

Commissioner Cameron said that he believed the sale and use of inflammable liquids would cover everything right up to the point where you set it on fire in the actual plate because your propane and your different gases are transported and moved about in liquid form.

Mr. Whatmough suggested that following (d) it might be clarified by saying respecting the storage, sale and use of inflammable liquids and liquified petroleum products. This is a new field and in some provinces they deal with gases strictly in another Ordinance.

Clerk-in-Council stated that the transportation and storage of all inflammable petroleum products are covered under the Petroleum Products Ordinance and Commissioner Cameron has already made regulations covering that Ordinance.

Mr. Shaw asked the Legal Advisor to comment on Section 21 of Bill 12.

Mr. Hughes stated that a redraft of Section 21 which now incorporated the approval of the named organizations to enable the listing and labelling by a person or Government department specified by Commissioner Cameron in Council and then follows an attempt to deal with the people who have stock on hand - "any person selling or offering for sale the equipment listed in subsection 1 which has not been listed or approved

as provided for may in writing request Commissioner Cameron to appoint an evaluator who shall examine and make such tests as he thinks fit of the equipment for which approval is sought and the evaluator shall, if he approves the equipment, list and label it for sale or mark it as rejected as the case may be and report the result of his examination to Commissioner Cameron. If the equipment is approved by the evaluator the person offering same for sale shall be permitted to sell such approved equipment during the ensuing twelve months and not thereafter."

Mr. Livesey remarked that this appeared to be highly satisfactory.

Mr. Taylor moved, seconded by Mr. Shaw, that this proposed amendment be included in the Ordinance.

Mr. Hughes stated he wished to comment further on his redraft of Section 21, on the inclusion of the word "sale". Council had asked him whether he should proceed with the deletion, but this he could not recommend. He had not included the word "gases" because he considered it a small change.

Mr. McKamey read out that it was moved by Mr. Taylor, and seconded by Mr. Shaw, that the suggested amendment to Section 21 of the Fire Prevention Ordinance be accepted.

Motion carried.

Mr. Livesey read a report on the activities on the Financial Advisory Committee. (Set out as Sessional Paper No. 14).

Sessional
Paper No.
14.

Mr. Taylor complimented the Chairman of the Financial Advisory Committee on his report - it was a gem, but he felt that the Legal Advisor has been left up in the air as to what Committee's intention was with respect to the interpretation section of the Ordinance, including the definition of fire extinguisher.

Mr. McKinnon moved, seconded by Mr. Livesey that the definition of fire extinguisher as provided by the Legal Advisor be put into the definition section of this Ordinance, to be added to the interpretation section of this Ordinance.

Motion carried

Mr. Shaw inquired if Mr. Whatmough had any more comments to make on Section 21.

Mr. Whatmough replied that he had none.

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

When Mr. Speaker resumed the Chair, Mr. McKamey, Chairman of Committee, reported as follows:

The first subject of discussion today was in relation to Daylight Saving Time and although he started out as Chairman of Committee, Councillor Shaw took over the Chair, and it was moved by Mr. McKamey, seconded by Mr. McKinnon, that the Commissioner investigate the possibility of putting Daylight Saving Time to a vote in the next Territorial election. It was then moved by Mr. Watt, seconded by Mr. Boyd, that the Commissioner be requested to investigate possibilities of setting up machinery to let the Municipality decide by vote whether or not they wish Daylight Saving Time. This motion was defeated. Next Committee discussed delinquent taxes and it was

moved by Mr. Livesey and seconded by Mr. Shaw, that the Administration take under advisement the discussion held in Committee this afternoon and continue the position of deferment and discuss the same question at the Spring Session of Council. We further discussed Bill No. 12, Fire Prevention Ordinance, with Mr. Whatmough present, and Mr. Hughes redraft of section 21 was accepted by a motion by Mr. Taylor and seconded by Mr. Shaw. There was a further motion by Mr. McKinnon, seconded by Mr. Livesey, that the definition of fire extinguisher be entered into the interpretation section as suggested by the Legal Advisor.

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock, A.M., Wednesday, November 21st, 1962.

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

Mr. Speaker tabled a memorandum from Acting Superintendent of Welfare Miss Riddell addressed to Commissioner Cameron, answering three questions asked by Council on November 15th regarding Welfare. The answers were: (1) Children in care of the Superintendent of Child Welfare as at October 31st, 1962: Foster Homes, Indian 30, White 40; Institutional, Indian 7, White 16; Total, Indian 37, White 56. (2) Juvenile Delinquent appearances in Court-March 1961-1962, 13; April 1962-October 1962, 58 (This would include several children who have appeared in Court more than once on different charges) (3) Foster Home Rates - We have no children in foster homes for whom we are paying only \$35.00 per month. For a few children living with relatives for whom we have a trust account, or are including them in the family social assistance rate, we may be paying a less amount.

- Mr. Speaker tabled the following memoranda from Commissioner Cameron:
- (1) reply to a procedural motion made by Mr. McKamey (see Votes & Proceedings page 40), regarding employees of the Territorial Government living in Territorial Housing. (See Sessional Paper No. 10); Sessional Paper No. 10.
 - (2) further reply to question no. (1) regarding Low Cost Housing Loans. (Further to Sessional Paper No. 6 and set out as Sessional Paper No. 11) Sessional Paper No. 11.
 - (3) regarding regulations and controls of Territorial Subdivisions. (set out as Sessional Paper No. 12) Sessional Paper No. 12.

Mr. Taylor moved, seconded by Mr. McKamey, for leave to introduce Bill No. 13, An Ordinance to Amend the Public Health Ordinance. Introducing Bill No. 13.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, for leave to introduce Bill No. 14, An Ordinance to Amend the Municipal Ordinance. Introducing Bill No. 14.

Motion Carried.

Mr. Shaw gave Notice of Motion regarding registration of companies etc. engaged in buying or selling securities. Motion No. 1.

Mr. McKamey gave Notice of Motion regarding a new airport at Mayo. Motion No. 2.

Mr. McKamey gave Notice of Motion regarding McQuestion Valley Road. Motion No. 3.

Mr. Watt enquired if anything further had been received on his motion for production of papers (no. 1) regarding Whitehorse-Skagway Highway.

Commissioner Cameron replied that this was tabled as Sessional Paper No. 6. Further information is coming from Ottawa as this is a Federal Problem and will be given as soon as received.

Mr. McKinnon asked the following question addressed to the Administration: Could the Administration provide Council with the grant available to the Yukon Territory this year under the Physical Fitness and Amateur Sports programme and the procedure that should be used to implement this amount before it lapses. Question No. 3.

Mr. McKamey moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss certain questions with Mr. Hyslop, Chief of the Resources Division, Ottawa.

Mr. Speaker appointed Mr. Taylor as Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Mr. Taylor asked Mr. C.P.W. Hyslop, Chief of the Resources Division, Ottawa, to attend Committee.

Mr. Hyslop believed that Mr. Nielsen explained they might meet, following last night's Chamber of Mines meeting, regarding the possible changes to the Yukon Quartz Act. He stated that most of the Councillors were at the meeting so they are aware of the results and he believed it was anticipated there would be different results and on that basis he was prepared to come and discuss the results of that meeting. He would possibly be coming back to the Yukon at a later date to go into this matter further and at that time he would be in a better position to discuss it. In asking permission to leave and not discuss this at this time at the risk of being facetious, he stated that as far as resources are concerned the Yukon is spoken of as virgin territory and he felt this might not be a bad thing to have on the licence plates in the future. He gathered that to change from virgin to some other category, a certain amount of participation would have to take place and he left them with that thought in mind. He thanked them for the opportunity of meeting with them and he had nothing further today as far as mining was concerned but he was prepared to discuss any further changes they might make in the way of lands, oil or natural gas.

Mr. Livesey commented further on the point of virgin territory and stated that was well known in the Yukon and they have all the results to prove it. He further said there was a lot of other virgin territory in Canada and the problem was what are they going to do with it. He thought this was a question in regard to land regulations and these should be a little more liberal to the public because the more people that settle on the land, the more potential tax payers there would be. These are the people that are lacking, they are all interested in the question of agriculture and they are going to do something a little more strenuous than they have done in the past in this regard.

Mr. Shaw asked Mr. Hyslop if it was correct that if a large company came into the Yukon to explore for oil and say the cost of the project was \$100,000.00, could they turn around and write this off against their profits?

Mr. Hyslop answered that this was out of his field.

Mr. McKamey stated he had heard a rumour that the participation clause north of the 60th parallel was lifted from an oil and gas standpoint.

Mr. Hyslop said this is not correct.

Mr. Watt said Mr. Hyslop had mentioned the area of oil and natural gas and he wondered if he was familiar with the work done in the Territory, to what extent, and if he has an assessment of the amount and the value of the work that is being done.

Mr. Hyslop replied he couldn't answer off hand as he isn't familiar enough with it. He made his position clear by saying that he had only been with the department 4 months and he literally hadn't been able to pick up all the tag ends in that time. He has 26 different regulations to work under and it has been impossible to understand all

these in that time. He spoke on what Mr. Livesey said about land and he is interested in this. He could appreciate their desire to get people into the Yukon and get them onto the land and develop it. He is not too impressed so far of what he has seen of the things they have to work with. He knew they had made some changes recently to make it more flexible and to give better service but what he has heard from the people in the field this isn't entirely perfect and this is understandable and therefore there will have to be more changes. He wants to get something that is going to be workable not only from their standpoint but to the person who is coming to the Territory or is here already and wants to get a piece of land in a hurry and get title to it and raise some buildings. How to do this is another question as they are trying to do something on the Yukon Quartz Mining Act and they also have oil and gas changes taking place and it can't all be done at once. He said he is most interested in agriculture and he is going to serve on that committee and he hopes they will be able to come up with something that will be workable. As he told Mr. Livesey when he was in Ottawa, they would be most unwise to get people in to do subsistence farming and later come along and have the Dept. of Agriculture bale these same people out. He said he is very keen to help in all phases of resources.

Mr. Boyd thought Mr. Hyslop was insinuating that because the Yukon is a virgin territory, they can expect all the deadwood from Saskatchewan, B.C. and so on and he wanted to assure him that we have a lot who come into the Yukon, not deadwood who have serious intentions and the deadwood will find they will have to drift from here.

Mr. Hyslop assured Mr. Boyd this was not his intention - a certain amount of this element will come in because they are drifters.

Mr. McKamey said that under the present regulations governing the sale and purchase of land in the Yukon it is impossible to get good solid citizens. The B.C. Land Act has been considered and studied by a lot of the residents of the Yukon and he couldn't see why they couldn't adopt something along those lines and it seemed reasonable because it has been tried and it works out in B.C.

Mr. Hyslop replied they work only under an Act in B.C., not regulations, but he agreed with Mr. McKamey that some of the things being applied in B.C. could be applied here.

Mr. Boyd referred to the northern hinterland of Saskatchewan and how it became populated and there were no restrictions.

Mr. Hyslop said he agreed but what he is saying is that there are many considerations that have to be given before this policy is developed and this is what they are going to try to do in the next little while. He said there are two policies - one land disposition, land act and land policy and the other is the land development - what are they going to do to give them support, buy cattle or give them money to buy cattle, subsidize them on feed, fertilizer or machinery and this gets into pretty high finance, and these are the things they are going to talk about.

Mr. Boyd said Mr. Hyslop is talking about another story. He said when these farmers moved in, the ones he is thinking about, they did not ask for five cents and there wasn't such a thing. He thought a little more initiative on the part of the men that want to survive would be needed. He wanted to let them go to the hinterland and start with a few cattle and if they do not grow they will starve and get out, and if you feed them they won't get out.

Mr. Shaw stated that times have changed.

Mr. Watt commented on the disposition of commercial and industrial land in the Territory. He said 6 years ago the disposition of land

in the Territory was terrible and it hasn't improved too much so if there was anything he could do to make this land available in an orderly and fair manner it would be appreciated by everyone in the Territory.

Mr. McKinnon wondered if for the information of Committee, Mr. Eyslop was conversant with what has gone on in the Crest Exploration property in the past year, and what he expects to happen in the coming year.

Mr. Hyslop stated they hear very little and they do not know anymore then what is in the newspapers.

Mr. Watt stated that further to Mr. McKinnon's question he was at a Board of Trade meeting about two weeks ago and there was a geologist there that gave a general rundown of Crest Exploration and the work that was being done and the assessment of it and he thought it would be enlightening for Council to have this geologist come before them and give them a report.

Mr. Hyslop was excused from Committee.

Committee proceeded to discuss Bill No. 2, an Ordinance to Amend The Motor Vehicles Ordinance as amended.

Discussion
of Bill
No. 2.

Mr. Shaw stated that this provided a lesser rate for smaller tractors that are operated by smaller operators and it is more in conformity and it does not put such a hardship on the small operator.

Mr. Shaw moved, seconded by Mr. Livesey that Bill #2 be reported out of committee as amended.

Motion carried

Committee next discussed Sessional Paper No. 5:

Discussion
of Sessional
Paper No. 5

Mr. McKinnon did not think there was a Councillor present who did not want to see this transfer take place for the very reason Old Crow is in the Yukon, however the stumbling block is the money. He stated in Section 4(f) of the letter from Commissioner Cameron it was stated that some adjustment would have to be made in the Federal Territorial Five Year Agreement to cover the cost of operating this school, and he is positive that this is the only way they can finance it, as in the present financial picture they could not take over the school at this time no matter how desirable it would be.

Mr. Shaw thought Mr. McKinnon brought forth some good points. He said in the matter of cost of \$1,086.00 per pupil he could not understand how they arrived at this figure and while the Financial Advisory Committee were discussing it with Mr. Jones of the Department of Indian Affairs he stated that he thought there was a certain amount of capital cost involved and the start of the school would be one of the factors that made it so high. He said he has had many letters from the people in that area and what they have to say is this only goes to Grade 4 so when they get to that grade they are transferred to McPherson and Inuvik and that transfer is quite hard as many of the people wish to retain their way of life hunting and trapping, etc., and when they take the children from Grade 4 and transfer them they do not have the opportunity of learning from their fathers and mothers how to earn their living under the conditions that prevail in that area. They have a different system of how they operate the

schools in that they take time off from Easter to July and that is when they trap muskrat, their major form of livelihood. Another advantage or disadvantage is the children that wish a higher education have to spend their time in schools at other places, Inuvik, etc., and there is no question that these people are Yukon people. They have a hurdle regarding finances and this is something you jump over and do not go around. In the discussion with Mr. Jones they found he was amenable to this change and it seemed quite acceptable and reasonable to him that an agreement could be entered into between the Territory and the Government on a matter like that, he was not specific but he was sympathetic to assisting with these additional costs to enable these people to obtain their schooling to Grade 8 if the Territory took it over and also permit those children to come to Whitehorse for further education. Another aspect was the fact that they are pretty well crowded in the Northwest Territory schools and it would be just a matter of transferring from one to the other. He thought the important fact was that these people are in the Yukon and they should be integrated into the system and they should have one education system instead of two which they have at present. He felt the Committee should request Commissioner Cameron to see what kind of arrangements can be entered into with the Federal Government in a proposed transfer of the people in that area into the Yukon school system and he thought the Department of Indian Affairs would be most willing to co-operate.

Mr. Shaw moved, seconded by Mr. McKinnon, that they request the Administration to enter into discussions with the Department of Indian Affairs to come to proposals for an agreement to be submitted to Council at the next Session.

Mr. Livesey believed they have more problems than just taking it up with the Department of Indian Affairs and those are financial problems in his opinion there was no question about it that the school should come under the Yukon Territorial Government scheme. He said it is not so much a question of raising money, although they need it, they come up against the law and it is a question of negotiation rather than one of taxation. He thought an additional point as well as making an agreement with the Department of Indian Affairs is the question of attempting to make some revision of the 5 year financial agreement and it would mean a reopening of discussions in this regard, Council have been told that there was a certain elasticity still there. He felt they had to look into the agreement with the Department of Indian Affairs and their approach to some readjustment on the 5 year Financial Agreement arrangement. He was worried about the cost not the ethics, and he did not think neither they nor the Federal Government should stick their necks out.

Mr. Shaw felt that although they had a 5 year Financial agreement there would be certain necessary changes from an ideological point of view and the people in the Government are doing everything they can to educate the people as one in the Territory and this is a step in that direction. He did not feel it would cost as much as it is stated, and it is merely a matter of the Administration of the Yukon and the Administration of the Indian Affairs Department to put it on the road and say it is costing so much and if you are going to take it over we will allow you an amount in relation to that. The change over will not cost the taxpayer anymore.

Mr. McKamey asked Commissioner Cameron if he understands correctly that they have up to Grade 4 at Old Crow and from Grade 4 the students go to Inuvik. There is bound to be a difference in the curriculum and he wanted to know how they would work this out.

Commissioner Cameron stated that the couple teaching at the present time, Mr. & Mrs. Hall, asked that if this change of the Old Crow School came into effect they would wish to be included so they would be the ones to meld the systems together. He stated that this is an additional problem because the teachers in the Northwest Territories get more money than in the Yukon.

Mr. McKamey said he remembered at one time they wanted something and the Deputy Minister said it would be impossible because there could be no changes in the Five Year Agreement and he thought it was static and if they could break it why not a year to year agreement and they might be setting a precedent that would not be desirable.

Commissioner Cameron said this is true and they won't let you tamper with it the first year or two but this is not a case of changing the Five Year Agreement. He said Colonel Jones pointed out that the financial hurdle as far as the Department of Indian Affairs is concerned could be managed and it would merely be a case of relieving it from the Northwest Territories and putting it over to us and what we have to worry about is the cost over and above what the Department of Indian Affairs would handle. We would have to consider taking over health, welfare and police.

Mr. Boyd said it seemed to him the Federal Government was paying the bill and they were making a change and operating it from this end and the money being paid now would be simply transferred as they are natives and they are the responsibility of the Federal Government and if it is going to cost us \$60.00 against the present \$50.00 the Federal Government must be prepared to take it over and if not then leave it where it is. He felt they were spending the money now and they were merely making a transfer except they have to say they have to meet the expenses.

Commissioner Cameron said this was not exactly true as education is a Territorial matter and this has been included in the Five Year Agreement. He said that 98% of the costs involved would be with the Department of Indian Affairs and the 2% or 3% not dealing with Indian Affairs because it would deal with education and this would have to come out of the money allotted for education in the Five Year Agreement. If Mr. Jones said they would pick up this tab of 2% or 3% there would be no problem but that is not the case.

Mr. Livesey stated in relation to the Five Year Financial Agreement it is static within certain bounds of elasticity. However, it is not quite as static as considered and that is the question of something new coming up. Where something new comes up the position of those who approach Treasury Board on these questions are in a better position to bring about some change in the condition.

Mr. Watt brought to the attention of the Committee that it is not only a request to take over the school but as paragraph 2 page 3 says "the sentiment is based on the desire to have the education of the pupils from Grade 5 to Grade 8 or 9 as well as Grade 1 to 5 provided locally etc." and if they educated the students to Grade 8 or 9 they would need more classrooms and it might not be too much of an increase in the pupils but they would need more teachers. Under financial arrangements there is no provision under the Federal-Territorial financial agreement for the operation and expansion of this school so before they could consider taking this over, some adjustment would have to be made in the Federal-Territorial Financial Agreement.

Mr. Taylor (with Mr. McKamey in the Chair), being familiar with Old Crow gave a general background of the natives and the administration of the people. He is in whole-hearted support of having them integrated into the Yukon educational system and he could see where

costs could be reduced under what they might have been if they had attempted this five years ago. He brought their attention to the fact of \$1,086.00 per pupil on the basis of 43 pupils, but it also states that costs are somewhat higher than may be expected in future years and this is because this was the first full year of operation of a new school building so he thought it would run less. He thought the problems they were going to face with the Financial Agreement and the Federal Government are problems that can be overcome. He felt the children in the higher grades could come to Whitehorse or some residential school and he felt now is the time to face the question.

Commissioner Cameron pointed out that from an administrative point of view they are bound by their financial embarrassment at the present time in the educational vote and unless they can come up with an arrangement which is self-supporting they could not consider it.

Mr. McKamey said the point that amazes him is that he sees no discussion of this in the last session of the Northwest Territories and he wondered if some departmental head had a dream and thought it would be a good idea to turn it over to the Yukon without giving consideration to financial implications. He realized this is a responsibility of the Yukon but if this would have been brought to the attention of the Council before they entered into the Five Year Agreement it would make sense but this is the first year they have entered into this agreement. He said he was not opposed to the education of the natives at Old Crow at any cost but something just did not ring true.

Mr. Shaw said this emanated from the people of Old Crow and it was sent to him and he made inquiries that resulted in what they had. He felt something well to assess was they had 200 people or so in that area and that they are Yukon people and are a very productive community in that they get thousands of muskrats and produce revenue. He said the only assistance they receive from the Territorial Government is \$250.00 per year from the community development fund to help pay the transportation for the skiers when they compete in different parts of the country, so they are self-supporting. He said it is actually going to cost less money to be operated by the Territory as the way the system is operating now is the most expensive. One way it would be less expensive is in the cost of freight and he believed they could cut it in half by handling it through this Territory, and further the business engendered by this freight would be coming into our Territory instead of the Northwest Territories.

Mr. Boyd asked if these people draw any unemployment insurance and does the RC enter into the education scheme in any way?

Mr. Taylor said he didn't believe anyone in Old Crow draws unemployment insurance and there are Fathers there but they do not enter into the education system and he added the village is predominately Protestant.

Mr. Boyd asked if there was ever a school in existence that was taught by the missionary system.

Mr. Taylor said Yes, there was a school taught by the Anglican Church.

Committee recessed at 12:00 o'clock Noon.

2:00 o'clock P.M.
Wednesday, November 21st, 1962

Committee resumed with discussions of Sessional Paper No. 5, Proposed Transfer of Old Crow School.

Cont'd.
Discussion
Sess. Paper
No. 5.

A motion on the floor was: Moved by Mr. Shaw, seconded by Mr. McKinnon that the Administration enter into discussions with the Department of Indian Affairs with a view to taking the Old Crow School into the Yukon School System.

Mr. Boyd said the information before Committee was insufficient to form an opinion and he would like to make an amendment to the motion whereby the Commissioner find out what kind of a proposition the people who are now operating it, will make. What kind of a deal can we get.

Commissioner Cameron said that according to the wording of the motion all that is being asked is that the Committee agree to what has been done today and continue to check into this and see what can be done because it has to be presented at the Spring Session anyway. The people have been informed that nothing will be done until the next school session in September and economically it might not be feasible. It would involve a lot of money which is the big problem.

Mr. Boyd said in view of the Commissioner's explanation he would withdraw his amendment.

Motion Carried.

Mr. Taylor, Chairman, brought to Committee's attention a memorandum from Commissioner Cameron referring to his decision re the Alpine Hotel Cocktail Lounge licence application. The letter read as follows: "I had under consideration the application of Mr. M. Fuerstner for a cocktail lounge licence for the premises to be known as the Bamboo Room in the Alpine Hotel on Roger Street in the City of Whitehorse. The application was made under Section 20 of the Liquor Ordinance and the applicant has complied with all the requirements in the Ordinance which relate to an application of this nature. I have had the advantage of listening to the applicant in person and of hearing personal presentations in support of objections properly lodged with me under the requirements of the Ordinance. I personally visited and inspected the premises and further informed myself of the suitability of the premises by the report of my inspector. I would like to record my appreciation of the presentations that were made to me to which I have given the most careful consideration. In particular my attention was directed to the proposition that the applicant does not operate an hotel within the meaning of the Liquor Ordinance. My attention was also directed to the ratio of drinkers and outlets in the Whitehorse area. I view with concern the possibility that abuses may flow from too much competition for too few customers and while regulations under section 88 of the Liquor Ordinance are not now in force to control the number of outlets, I am giving careful thought to the need for such regulations. For the present I would prefer not to establish regulations which may anticipate or conflict with recommendations which I hope to receive from the Liquor Committee now reviewing the sale and supply of liquor in the Territory. I cannot accept the proposition that the Alpine Hotel cannot fall within the definition of an hotel and it remains therefor to consider only whether the applicant and his premises are suitable in themselves. From the enquiries that I have made, I am satisfied that Mr. Fuerstner is a suitable applicant and the premises themselves are suitable for the operation as a liquor outlet and I therefor grant the application."

Discussion
of Alpine
Hotel
Decision

Commissioner Cameron stated that if Council Members wished to have a discussion over this, he would be pleased to listen.

Mr. McKamey stated that the course taken by the Commissioner was a wise one and he had visited the premises himself and would be proud to take anyone down there.

Mr. McKinnon asked whether 101 Hawkins Street, which is a boarding house within the limits of the municipality - it has 10 rooms, could make application for at least a beer licence.

Mr. Shaw stated he was at the meeting the other day and it was not merely a matter of granting a licence, but as to what was legal and what was not legal. The fact that impressed him in this matter was the fact that the Ordinance was very very vague into just what constitutes a boarding house and what constitutes an hotel. If you had a monthly rate for example and you say from now on we will not have a monthly rate, but rent it from day to day - you have exactly the same thing, but then you could call it an hotel because it is rented by the day. It would be hard to make a decision in a case like this, due to the vagueness of the Ordinance, and therefore it was about the only decision the Commissioner could make.

Mr. Boyd remarked that in Manitoba, for example, they have quite a lengthy scheme where an applicant applies for permission to operate an outlet. He has a terrific number of things to comply with, but when he has complied with them all, it leaves no doubt or room for any guesswork. It seems that something like this will come out as a result of our recommendation as a Liquor Committee.

Mr. McKinnon said he wondered if, after this decision, any attempt would be made to arrive at a definition of hotel and boarding house. Say, here is a man who rents his place by the month and has the advantages of a guaranteed annual income, no matter what, and a also the advantages of a cocktail lounge - this means that any boarding house that has more than 10 rooms can make application for a liquor licence, or is there a distinct definition between a boarding house and a hotel.

Commissioner Cameron stated that this point had been taken into consideration and actually anybody could apply - as Mr. Shaw remarked, there is considerable room for doubt and argument with regard to the Ordinance in its present form.

Mr. McKinnon remarked that he couldn't see where this merry-go-round would stop with 26 outlets for the size of this town and that some sensible control would have to be put on it. The competition at present is so keen that it can bring all kinds of abuses into the system.

Mr. McKamey stated that if there was any violation of the Liquor Ordinance, or any abuse by any of the outlets, there is sufficient teeth in the Liquor Ordinance to take steps to take away the licence.

Mr. McKinnon commented that there is a lot of teeth in the legislation that has been passed, but there is a lot to be desired in its enforcement.

Commissioner Cameron remarked that they intended carrying out these regulations and using the teeth that are in there.

Mr. Boyd said he thought the fines for liquor offences for the year was around \$6,000.00 - it could have been less, but he thought the Government was in the wrong end of this game. We should reverse the issue - we are not making any money out of this kind of a deal.

Mr. Taylor commented that fines collected by the Government last year was \$7,850.95.

Mr. Livesey asked if the Committee could be supplied with the total gross sales of liquor and, if possible, break down that sold to liquor

outlets and that sold to the general public.

Mr. Shaw remarked he had looked for that on various occasions but had never seen the amount broken down into normal sales or licenced sales - it might prove to be useful statistics.

Mr. Taylor stated the public accounts showed only the profits in liquor for last year - \$875,357.00 - that is for the sale of liquor, and liquor tax at \$79,714.00.

Mr. McKinnon suggested the figures could be obtained from the Superintendent of Liquor.

Mr. Boyd was at a loss to know where the 26 outlets were in Whitehorse.

Mr. McKinnon replied it was counting outlets licenced as canteens.

Mr. Boyd interjected that was unfair comparison.

Mr. McKinnon stated that if Mr. Boyd thought that outlets licenced as canteens were only for service personnel, he is sadly mistaken. They are in direct competition with private enterprise in the Territory.

Mr. Boyd suggested that if the operators wanted to include these 13 or so outlets run by officers and dragoons and so on, then they should instigate steps to either have them close up their business or open them to the public and pay their legitimate taxes like the rest of the people. Don't class them as being part of the every day man of the street, they just don't get into those places.

Mr. Shaw said he didn't think that made much difference - the basis of the 26 outlets on the basis of population, it doesn't matter who goes where, it's so many people per place and the Services have their canteens which supply an X number of people, so there are still 8,000 people who have 26 outlets where they can have a drink.

Mr. Watt said that taxes came from all these outlets, whether in the services or civilian.

Commissioner Cameron was excused from Committee.

Mr. Watt questioned if the report from the Financial Committee could be studied further.

Mr. Livesey replied that he had taken this matter up with the Clerk -in-Council and was advised that the stencils were being cut on the report and it would be made a sessional paper.

Mr. McKinnon asked if it was the intention of Council, after they had studied this report, to either accept or reject it.

Mr. McKamey replied that was certainly his intention.

Committee next discussed Sessional Paper No. 12, Regulations and Controls Territorial Subdivisions.

Commissioner Cameron and Mr. D. Spray, Area Development Officer, attended Committee.

Discussion
Sessional
Paper
No. 12.

Mr. McKinnon asked how many lots were now occupied and how many buildings were on lots in the Transient Area.

Mr. Spray replied they were in the process of issuing one lease, the first lease in this area. There was one lot occupied by a family at the present time and the lease for this should be signed this afternoon.

Mr. Watt remarked there were other dwellings in the Transient Area - have these not signed leases before being admitted to the area.

Mr. Spray replied they were not occupied.

Mr. Watt asked if those buildings had been located there with the permission of the owners.

Mr. Spray replied those were buildings that had been moved by a contractor off of Crown land and he was unqualified to answer that.

Mr. Watt stated he was under the impression that a lease had to be signed before the buildings could be set in that place.

Mr. Spray replied this was initially the idea but they had run out of space and it was decided to form a pool and then rather than put them on one bit, or one corner of the transient area, it was decided to put them on lots. This was only because they ran out of area.

Mr. Boyd said that as the owner was paying \$12.00 for the lot, he assumed that when the owner decided to move to a lot of his own choice, that this would be moved for him free of charge.

Mr. Spray replied that these people would pay \$12.00 rental if they occupy the buildings and sign the lease, but the buildings were all padlocked and have not been turned over to the owners. He said the second part of the answer would have to be supplied by Commissioner Cameron.

Commissioner Cameron stated that he would say "no" to the second part of the question. This is because these buildings do not come up to the absolute minimum building standards. If there was a building that could be moved into a subdivision and the individual at a later date had improved on it, and had improved himself financially to the point where he had purchased land in a subdivision, then it would be a case of renegotiating.

Mr. Watt said the original plan was to move the buildings that were considered unoccupied to this pool. But the houses we are talking about now are the ones that are set on location in the Transient Area as there was no place for them in the pool. They should have the same privileges as those whose houses happen to be in the pool because it is the same situation.

Commissioner Cameron said this was possible - the door wasn't closed to consideration.

Mr. Taylor said he wanted to raise a point with regard to a new community in Upper Liard. There is a great need for street lights, 3 in number in that locality, and the only way, he believed, for Upper Liard to have street lights, is to have it classified as a territorial settlement. The community contributes to our territorial coffer, they are taxpayers and could therefore could Upper Liard be recognized as a territorial settlement?

Mr. Spray replied that it was possible by the introduction of certain regulations, but he understood there were certain problems in Upper Liard.

Mr. Taylor stated there were only two needs at the present time - one that they get some street lights along the main highway (in conjunction with this the Indian Affairs have agreed to put street lights in the villages there), the other item is road plowing in the winter. In the Indian villages arrangements have been made to keep it plowed this winter from start to finish, but the residents on the other side of the road have no roads plowed.

Mr. McKamey remarked that at some time earlier it was decided to discourage the development of subdivisions along the Alaska Highway because first of all we have a 600 foot right-of-way and if we support any development along the Alaska Highway very soon we will have a community springing up on each side of the highway, and the next requirement would be sewer and water. Then there is the large gap between each block where we would have to make an installation of sewer and water. It would be unwise to support any community along a very right-of-way like that because it would be very costly. He would give Mr. Taylor all his support if this subdivision, or if it is to be made into a subdivision, was on one side of the highway and not on two sides.

Mr. Taylor stated that the native villages were placed in such a geographical manner as not to allow further development other than on the reserve itself and people there, instead of building along the highway, have tended to build along the river bank. He was not asking for a full subdivision, but for three street lights and snow removal.

Commissioner Cameron asked where would the development stop in these locations.

Mr. Livesey remarked that the situation on the Alaska Highway is that the right-of-way is 300 feet. At one time it was 300 feet in some places, 200 feet in others. On one side of the highway it was 150 feet and a little further down on the same side it was 100 feet in certain areas. They may have made corrections later to this but his understanding was, if that was what Mr. Taylor referred to, that the right-of-way on the highway is only 300 feet.

Mr. Taylor said that in answer to Commissioner Cameron's question there was no rapid growth in Upper Liard - it was reasonably static.

Mr. Boyd asked how many 30 x 60 lots were available in the transient area.

Mr. Spray replied that there were 120 lots in the transient area.

Mr. Watt stated that in an answer to a request to Commissioner Cameron concerning land within the Territory, the answer said in the last sentence "however those which are not required for this purpose will be available for sale to the public early in the New Year". He asked if much land would come under this category and how would this land be made available.

Mr. Spray said his office was on the point of undertaking a search to determine exactly what land is owned by the Territorial Government and what is owned by the Federal Government and what land the Territorial Government has under administration from the Federal Government. As to the disposal of the land, to the best of his knowledge, the matter has not yet been decided.

Mr. Watt asked if Mr. Spray had an idea of how much would be available.

Mr. Spray replied that he could get figures but that they would not be absolutely accurate. The City of Whitehorse itself may require some of that land for low cost housing, senior citizens homes, etc.

In reply to a question from Mr. Boyd as to whether the people in the transient area would be moved again or not, Mr. Spray replied that Central Housing & Mortgage see the transient area as industrial land, it is for industrial purposes and not for residential purposes and it is not anticipated that they will stay there permanently.

Mr. Watt asked if it was zoned as industrial land.

Mr. Spray replied that the Government was leasing it as residential land, but it is immediately adjacent to the Territorial garage and is in an industrial area and at some future date it would revert to industrial use.

Commissioner Cameron stated here that the transient area was required to fill a gap in order to complete the squatter clean-up programme. It is not a place for permanent residency for the 30,40 or 50 years, and it was his feeling - he could stand corrected - that nobody would be allowed to build a home in the transient area. These are for people who have been put off Crown land or the waterfront and they are not financially able to buy homes and the buildings they are in will not come up to the minimum standards.

Mr. Watt stated he would urge the Administration to work as hard as possible to find some permanent solution to this problem.

Mr. Shaw stated there was only one way to solve this problem and that is to say that these people cannot sell these buildings and let anyone else move in, and then abide by the building by-laws in the whole area.

Mr. Taylor read Section 2 of Regulations and Controls for Territorial subdivisions.

Mr. Livesey stopped Mr. Taylor at the fourth line by saying that this seemed to be idealistic but in actual practice it was quite unorthodox because when you talk about buildings on land, you could place your building on skids and move it off and you are still safe. If, however, you place a permanent structure on the ground, unless the land belongs to you, you are making an investment on someone else's property. He added that the Administration consider this point he had brought up in view of the fact that this may possibly prevent a good many people doing that which you want them to do because of this particular stipulation. In other words you want them to buy your automobile, but you will not give them a bill of sale. Unless one has title, what would prompt a man to invest in or on land that he has no title to.

Mr. Spray replied that in Government's agreement for sale, once the buyer has completed the minimum construction required by regulation, he could have title to the property. It was like buying on the instalment plan.

Mr. Livesey stated that when buying on time one has the privilege of purchasing for cash, but in this it is not so, you are not allowed to purchase even if you have the cash on hand. Another point is that, after the individual has been given clear title to the property, and the Government no longer has any say over the property - then why all the fuss to start with when, after he has owned it, he can do whatever he likes with it within certain limits, it seems that all the regulations are incurred in the initial stages of development.

Mr. Shaw said that this stipulation was inserted in the regulations to make certain that land was actually required to be put into use and not for the purpose of speculation.

Mr. Livesey stated that the land belongs to the people - it is the people's right, they own the land, not the Government, and he has never heard of the profit motive not entering into a free enterprise democracy. After a man owns the property and has built his house, there is nothing to stop him from selling it at a profit at any price he may choose.

Mr. McKinnon stated he would hate to see this stipulation removed from the regulations because, from his own experience, it has worked very satisfactorily and would prevent property from deteriorating into other Whiskey Flats.

Commissioner Cameron remarked that this could be purchased for cash - all you have to do is walk into Mr. Spray's office and apply for a piece of property and he would accept the application and the money and you could that night or next day move a building on there. He agreed with Mr. McKinnon that all Government was trying to do was to prevent the situation from getting out of hand - it was not to draw land away from the people.

Mr. Taylor stated that he disagreed with this imposition. He could see why it was brought into the Area Development Ordinance - he could see both the good and bad aspects of it. There were some lots available in Watson Lake, the people bought the lots, in some cases they had a basement in, but were able to fulfill their work, and were told to vacate their properties. This was designed to stop speculation - you are stopping the small man from any chance of speculation, but the man who has money, he can speculate. There are lots in Watson Lake that the Territory sold two years ago for \$300.00 that now sell for \$12,000.00. Veteran Land Act will only loan money where they have title to the ground. Mr. Taylor said that the proposal which he wishes to offer was that "where any individual in the Yukon Territory wishes to purchase, one only, residential lot to build a home, that he be given clear title to that land". With regard to speculation, someone has to speculate - either the people speculate, or the Government speculates. This is the people's land, give it to the people. He believed in sensible and reasonable development but he also believed that we must give something to the people we represent. He was just asking for "one lot" for anyone who wishes to purchase property. He had no objection to building standards, they are designed to see that we have a good structure, with proper fire protection, and soon. With regard to zoning, he was also in agreement - it did not affect giving a man title. He would say that the present means of administering subdivision land in the Territory is retarding development rather than encouraging it. Give the land to the people.

Mr. McKinnon assured members that the citizens of Crestview and Porter Creek voted to increase the \$2,000.00 stipulation under the regulations to assure that their communities would develop in orderly fashion and that they would not be presented with a problem to see speculation enter and shacks being built. He did not think land title should be given just for the sale of the lot.

Mr. Taylor stated he agreed with Mr. McKinnon, but people should be given the privilege of buying a lot and getting a title to it. He said the land policy should be revised.

Mr. Livesey said that the point Mr. Taylor was bringing to the attention of Council was simply a different method of going about the same thing. It is a well known fact that if you go to the bank and you want to borrow money on something, you had better have that something in your name. If a man wishes to purchase a lot and he has the money on hand, why shouldn't he be able to purchase it. This does not mean that the building code is to be eliminated.

Mr. Boyd said he was wondering what would happen, say a man borrows \$2,500.00, he gets a contractor to build him a \$7,000.00 house, he figures he will be able to pay it - now he is unable to pay it, the contractor does not get his money, neither can he attach a lien to the house because it belongs to the Government, so the contractor would have no recourse whatever, but if the man was able to buy the lot and get title to it, the contractor could then attach it.

Mr. McKinnon said he would have his title if the work was done.

Mr. Boyd said he would not have it until some time after the work was done. Government says to apply for a letter of patent - why not apply for title.

Commissioner Cameron stated that banks were not interested in the land business. If you were to go to the bank with an agreement of purchase, such as is made out by Mr. Spray's office, the bank would listen to you just as long, and lend you just as much money as if you had the title in your hand. It isn't the fact that you have the title in your hand that will make it possible for you to borrow money - you have to back it up with additional collateral, some insurance policies, some actual

money, your automobile. With regard to people who have land in Watson Lake and were going to hold it for two years hoping that somebody was going to offer them more money, and on which property tax was not being paid, he believed that the way it is now working taxes are being paid, unless there were extenuating circumstances where the individual who has had that property for two years and through sickness and real problems have been unable to get mobile in their building programme. The money is then refunded, less the rental charge and, in some instances, the taxes haven't been taken off. But normally the man gets back just what is left after deduction of rental and taxes.

Mr. Livesey asked just what percentage land is now owned or controlled or inhabited by the people of the Territory, in the entire Territory - is it a quarter of 1%, tenth of 1%, five-hundredth of 1%, or just what is it. There are many problems - he did not want the amount of land he has now, but the Federal Government said that he had to have it and pay taxes on it too. They gave him three acres and some odd more that he did not want of river bottom, useless land that he did not want, and he had to pay taxes on it too. And now we have the opposite - they will not let you have it. In one case they tell you you have to have it whether you want it or not, in the other case they won't let you have what you want. It does not make sense. We want a sensible land policy. We have to go into this more broadly. When we think of agriculture, lots of people from the United States who have come here and wanted to raise cattle, have walked away, completely confused with the whole situation and instead of spending money in the Territory, they have gone back home.

There followed a long discussion on whether banks would be allowed to or willing to loan money on real estate.

Commissioner Cameron was excused from Committee.

In reply to a question by Mr. Shaw as to whether a person who has bought a lot could speculate on it, Mr. Taylor said "yes", he could speculate on his lot.

Mr. Boyd remarked that the land situation is too tight, there is lots of it, and yet people have to run around for months and years to get a piece of ground.

Mr. McKinnon said that this would create a situation where people would buy land for speculation purposes.

Mr. Taylor said that without speculation there will be no industry whatsoever.

Mr. Shaw said he also believed in speculation, but on the house and not on the land.

Mr. Boyd stated how could we get the house on first, without the land. How can we speculate unless we had something to speculate with. Let the contractors take 10 lots, give them 50 lots, let them build a row of houses, this is done all over Canada and they are all full - Vancouver, Winnipeg, anywhere you want to go. They build them in rows and they rent them or sell them. This is good business.

Mr. Spray said that if the low-cost housing goes into effect it is set up such that a person does not have to hold a certificate entitling him to his lot in order to borrow money from the Government.

Mr. Shaw 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. Taylor, Chairman of Committee reported:

Committee met at 10:30 A.M. with Mr. Hyslop in attendance and general resources were discussed. Committee then discussed public bills and memoranda. It was moved by Mr. Shaw, seconded

by Mr. Livesey, that Bill No. 2, An Ordinance to Amend the Motor Vehicles Ordinance be reported out of Committee as amended. On discussion of Sessional Paper No. 5, Proposed Transfer of Old Crow School, it was moved by Mr. Shaw, seconded by Mr. McKinnon, that the Administration enter into discussion with the Department of Indian Affairs with a view to taking the Old Crow School into the Yukon School System. Committee next discussed the decision of the Commissioner respecting the Alpine Hotel Liquor application. It was questioned as to when copies of the Financial Advisory Committee report would be available and was told it would be a Sessional Paper available tomorrow. Committee next discussed Territorial subdivisions with Commissioner Cameron and Mr. Spray in attendance. Progress is reported on this subject.

Council accepted the report of the Committee.

After a discussion of the Agenda, Council adjourned until 10:00 o'clock A.M., Thursday, November 22nd, 1962.

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

Mr. Speaker tabled the report of the activities of the Financial Advisory Committee. (Set out as Sessional Paper No. 14)

Sessional
Paper
No. 14.

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

- (1) regarding Natural Gas Franchises; (Set out as Sessional Paper No. 13.)
- (2) regarding Wages Recovery Legislation; (Set out as Sessional Paper No. 15.)
- (3) a reply to Question no. 3 regarding Physical Fitness and Amateur Sports. (Set out as Sessional Paper No. 16.)

Sessional
Paper
No. 13.

Sessional
Paper
No. 15.

Sessional
Paper
No. 16.

Mr. Speaker tabled a memorandum from Mr. H.J. Taylor, Clerk-in-Council regarding a petition filed by Councillor H.E. Boyd containing the following text: "We the undersigned, do hereby petition the Territorial Council for an investigation into the legality of the action of the Department of Northern Affairs in forcibly removing the homes of residents in the Whiskey Flats area."

Clerk-in-Council brought to the attention of Council that in paragraph 6, line 3, of the Natural Gas Franchise (S.P. 13) the word "no" should be deleted.

Mr. Taylor moved, seconded by Mr. McKamey, for leave to introduce a private members bill, Bill No. 15, An Ordinance to Amend the Liquor Ordinance.

Introducing
Bill
No. 15.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, that the Administration be requested to prepare legislation for submission to Council at the first session 1963, to establish a register of all corporations, partnerships, syndicates and individuals carrying on business in the Territory either as principals, employees or agents, who are engaged in buying or selling securities and who receive directly or indirectly a commission or reward of any description for their services. Managers of banks and registered investment trusts and solicitors advising in the normal course of their business are not included in the foregoing. Legislation should cover the following points:

Motion
No. 1.

- (1) The registration fee shall be \$10.00 renewable on the first of April of each year.
- (2) The Commissioner shall have the power to exempt individuals from registration on application (this is to prevent too rigid a procedure in the early stages), and have power to refuse registration of individuals who have been convicted of offences involving fraud or theft.
- (3) Failure to register or trading in securities while unregistered shall be an offence.
- (4) A certified copy of all advertising material, prospectuses, offers, invitations to purchase or participate in the operations of any incorporated or unincorporated company or syndicate or association having a place of business in the Territory or relating to assets located in the Territory shall be filed with the Registrar of Companies at least three weeks before release to members of the public and the Registrar may require elimination of statements or such other changes as may be reasonably necessary to ensure the material is not likely to mislead the public.
- (5) Publishing without compliance - an offence.
- (6) There shall be a right of appeal against refusal to the Territorial Judge but no publication pending appeal decision.

- (7) The Judge shall decide if the material is misleading, wilfully exaggerated or likely or intended to deceive either in content or format.
- (8) Penalty for individuals acting as such or as directors or officers of a corporation, syndicate, or association, two years or five thousand dollars or both for publishing without proper filing and penalty for violation of regulations which Commissioner shall have power to make to implement the Ordinance, three months or five hundred dollars.

Mr. Shaw stated that he has spoken on this at some length at previous Council meetings and it is a type of securities legislation. He said that Council has been informed in the past that it would be very difficult to make this and the Northern Administration in Ottawa could foresee many complications and that it would require a very large book. He said he didn't feel they were looking for a complicated Ordinance but something that will give a certain amount of security to the public and he felt his proposal was elementary as it doesn't cover many angles but before anyone can sell securities they must present their prospectus and information to the Registrar of Companies so that they would be subject to a certain amount of discipline. He stated it is vitally necessary to protect the industry and the Yukon as a whole to cover up some of the loop holes and this is a relatively simple procedure and he asked for Council's concurrence.

Mr. McKamey stated that he concurred in Mr. Shaw's thoughts and that this is legislation that has been lacking for a number of years but he wasn't certain that it would be possible to legislate all the points raised but he would leave it up to the good judgement of the Administration.

Mr. Watt directed a question to Mr. Shaw, saying this was a motion presented to the Administration two or 3 years ago and he wondered why it was turned down at that time.

Mr. Shaw replied that he couldn't tell him what people are thinking particularly how a group of people are thinking. This is a new approach on that same action and in this motion he is asking for an amendment to the Companies Ordinance. They are not creating a Bill respecting securities as a specific Ordinance but they are asking it to be included in the Companies Ordinance.

Mr. McKinnon said he believed the Legal Advisor has been working on some kind of securities legislation and he wondered if they could ask him how he is coming along.

Mr. Speaker said he would take note of it.

Mr. Taylor thought this was a very much needed legislation and he thought a good case was the George Caldough case. That is a good example of what we are trying to prevent. He stated that on the southern highway there is a great deal of this "bucketshp" type operation promoting non-existent properties, etc. and the sooner we get this legislation the better we are going to be.

Mr. McKinnon thought any type of securities legislation is very difficult to be put into practical use and he would like to hear the Legal Advisor's opinion if this can be implemented.

Mr. Speaker asked if the House agreed to requesting the Legal Advisor to give us this information.

Agreed.

Mr. Hughes, Legal Advisor, said the question of securities legislation has been under consideration and he has raised it in discussion with

his colleagues in Ottawa. The position is that legislation, from a Federal point of view, is under going a comprehensive review and therefore they rather discourage a premature move. The type of securities legislation they envisage is much broader than the matter Mr. Shaw has brought up. He said they are looking for something along the lines of securities exchange legislation and obviously the Territory couldn't offer the trained and highly paid manpower necessary to supervise this type of legislation. He stated that what Mr. Shaw is putting forth is much simpler and he wasn't prepared to say at this stage that it is entirely workable but it is much simpler to prepare. Until they get down to the actual details of drafting and examining the relevant statutes he couldn't be sure that it could be done. He stated he couldn't see anything against the general outlines but he couldn't make a firm commitment.

Mr. McKinnon said that answered his question.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Shaw, that in the opinion of this Council it is deemed advisable to construct a new Airport in the immediate vicinity of Mayo for the following reasons:

Motion
No. 2.

- (1) The present state of the existing airport has deteriorated to such an extent it would incur a very large expenditure for reconstruction.
- (2) Due to the topographical features of the immediate vicinity of the airport it is financially impossible to extend the present 2,500 foot runways.
- (3) Under severe weather conditions a ground fog exists on present runways, which makes it hazardous to land.
- (4) During spring breakup air service is not only hazardous but delays are created due to the softness and the small ponds that occur on the dished shape runways.
- (5) In view of the above it is recommended that the Federal Government consider the construction of a new airport on the bench northwest of the town of Mayo.
- (6) Justification for the immediate construction of such an airport would certainly parallel the plan for Northern development.
- (7) Increased activity in mining and exploration in the Mayo Mining district depends largely on air service to cut operating cost, if longer runways were installed larger aircraft could land with larger payloads at lower freight rates.
- (8) In the past year a major iron ore deposit was discovered 140 miles N.E. of Mayo, this development project will require hundreds of tons of gas, oil, fuel, and building materials, in order to be flown in to the Snake River property. The present runway is too short to provide the safety factor for full loads. This creates financial hardships on the early stages of development.

Mr. Shaw moved, seconded by Mr. Taylor, that this matter of the Mayo Airport (motion no. 2) be discussed in Committee of the Whole.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, that in the opinion of this Council the road known as the Proctor road in the Mayo Mining District be reclassified as a Mine Development road.

Motion
No. 3.

Mr. Taylor moved, seconded by Mr. Boyd, that this motion be discussed in Committee of the Whole.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, the following motion expressing Council's appreciation to the Chairman of the Financial Advisory Committee, Councillor John Livesey, for his very informative report: Mr. Speaker, I move that the Council express to the

Chairman of the Financial Advisory Committee, Councillor Livesey, its appreciation and acceptance for his very informative report. In rising to move a motion of appreciation I would like to take the liberty to point out to everyone concerned the great importance of this move to a form of a more responsible Government. It leaves no doubt in my mind that the foundation has been laid for Provincial Status. The speed of this long sought goal will depend largely on the deliberations of present and future Councils. This past year has been a tedious and hectic one. It was a year of trial and endurance tests and I am convinced the Yukon can provide the requirements to achieve our long sought goal. In the near future I can visualize the division of various departments of the Territorial Government so that each member of the Financial Advisory Committee will be responsible to certain departments. In adopting this method it would clarify many points. It would reduce the load on the Advisory Committee as a whole. It will give the citizens of the Yukon a greater degree of representation at Territorial and Federal levels of Government.

Motion Carried.

Mr. McKinnon stated that under the physical fitness and amateur sport question he was quite aware that Yukon Territory had received \$15,057.00 under Order in Council 1962-452 but when the Financial Advisory Committee were in Ottawa they were led to believe that a further grant was available this year and it would be available for use to actually implement some of the things that various people want to institute in the amateur sports program in the Territory. He said they were also told that if they did not use this money before the end of the fiscal year it would lapse and they would lose it. He stated that it has slipped his mind how much this grant was and the procedure was never established of how to obtain this money before it lapses and is lost.

Commissioner Cameron replied that in answer to Councillor McKinnon's question there will be a paper tabled tomorrow to enlighten the Council on the situation of physical fitness and he thought it covers all the problems and questions. For an immediate answer to Mr. McKinnon's question there is an additional \$15,000.00 available which would lapse if they didn't use it before the end of March and they have to take fairly rapid steps in the organizational and planning portion in order to enter into the agreement and have the approved projects available in order to utilize this money before the end of this fiscal year. He said there is no lapse to the planning grant and it can go on for 6 years and any portion of their original \$15,000.00 that is not used they can use each year for planning and organization only.

Mr. Shaw inquired whether we have a member delegated as a member of the physical fitness group as a representative of this Council.

Mr. Watt asked Commissioner Cameron if this second \$15,000.00 could be used for capital construction or does it have to be used for the type of organization of a physical fitness program.

Commissioner Cameron replied this is an outright grant and there is no requirements of the Territory on a matching basis which there will be in future years on the \$51,000.00 grant. This is an outright grant and if we can arrive at an agreement with the Federal Government. On a proper planned program we can use this for any way agreed upon by the findings of the Committee which will be formed when Mr. McFarlane has made his study. He thought Mr. McFarlane would come up with suggestions, in his report, as to whether representatives of government should be on the Committee. They are waiting for his report in February and everything depends on it and once it is done they will have to move quite rapidly and right now they are corresponding with Ottawa to see that they don't lose this money on account of the lateness of the report.

..... page 109.

Mr. Shaw stated that regardless of the gentleman that comes up to designate what happens in this program, he felt that Council should play its part in a matter such as this and they have with them a member who is most active in sports in every kind imaginable, and some unimaginable, and he moved that Mr. McKimmon be approached as a representative of Council.

Mr. Speaker stated the motion was out of order as they are in the question period.

Mr. McKamey commented on the physical fitness program and he stated that in reviewing the N.W.T. Votes & Proceedings of last July and August, he noticed they have appropriated monies out of this appropriation for sending a team of boxers to Toronto in the tournament being held there but already they are spending this money and he thought possibly Old Crow plan on sending some skiers to the Olympics and he could see no reason why some of this money couldn't be appropriated for that purpose because he thought it was a financial problem for that area.

Mr. Shaw said that he was of the understanding that the original grant they are receiving this year cannot be used in any way for actual programming therefore the program won't come into effect until next year to permit money to be utilized for advancing and promoting sport development and he asked if this was correct.

Commissioner Cameron said he hoped Mr. Shaw was wrong. They are corresponding with Ottawa now to make this money available this winter and certainly before next year because if they run after March 31st the second \$15,000.00 will not be available, it will lapse and they don't want this to happen. The first \$15,000.00 wont lapse though it will go on as long as it is used for the organization of it.

Mr. Taylor moved, seconded by Mr. Foyd, that Council resolve in Committee of the Whole to discuss matters laid out in the agenda for the day.

Mr. Speaker appointed Mr. Shaw Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Disussion
of Sessional
Paper
No. 12.

Committee proceeded to discuss Regulations and Controls Territorial Subdivisions with Commissioner Cameron and Mr. Spray present.

Mr. McKimmon referring to section 3 of Sessional Paper no. 12, asked the different construction values of the different subdivisions.

Mr. Spray replied Canyon Crescent is set at \$5,000.00; Crestview \$3500.00; Haines Junction \$2500.00; Mayo \$5,000.00; Porter Creek \$3500.00; Teslin \$2500.00; and Watson Lake \$3500.00.

Mr. Livesey remarked with regard to setting up these amounts, he wondered how these increases are taken, do they call a meeting, do they have a committee meeting, etc. and whether people actually get a say in the question as to what they think would be appropriate for the area in which they reside.

Mr. Spray said in the case of Porter Creek it was a request of the residents by letter and they requested a higher figure than \$3500.00; Canyon Crescent was initially set at \$5000.00 before lots were sold and therefore anyone purchasing a lot in that subdivision they agreed with that figure; Mayo was set at \$5,000.00 under the assurance of

the Councillor from that district that the residents agreed to it; Teslin and Haines Junction went up from \$2,000.00 to \$2,500.00; these were not done by meetings in the subdivision; Watson Lake he would have to check back on the files to see whether they wrote the Association and told them they were contemplating this increase and asked them what their views were, he wasn't sure. He stated that generally this is information they have gathered from people they have talked to and had their views.

Mr. Livesey thought this was about the only yardstick they could go by to a certain extent, although in the overall picture they must consider the beauty and attractiveness of the area and various other aspects of it.

Mr. McKamey said it was his feeling also that it should be up to the people if they want to provide a standard and the type of structures to be built and the Chamber of Commerce in Mayo discussed it and they thought \$5,000.00 should be the minimum and they requested him to contact Mr. Spray, which he had done and that was the figure set for Mayo.

Mr. Watt, referring to section 4, asked Mr. Spray if there was a substitute are for the MacRae Industrial area since this was withdrawn.

Mr. Spray replied the MacRae Industrial was never open for sale and since he has been in office they have had 3 or 4 requests for industrial land in the MacRae area and generally people aren't in favour of going into this area because it is so far from town. As for other land available he said the people seem to be finding it either through lease or in town.

Mr. McKamey commented that this was a very good point and he could foresee problems in the very near future but in the event of any major construction along the lines of railroads they would see numerous large construction companies setting up headquarters here which would create a problem in storing equipment. He said he would like the Area Development Officer to keep this in mind in case such an event happens and they keep land available for this purpose.

Mr. Spray stated that Central Mortgage and Housing, in making their plans regarding the Metropolitan Area, said that MacRae Industrial should be considered for development if required and that is why they are holding it and not using it for any other purpose. It could be opened if needed.

Mr. McKinnon, referring to section 4(a), asked if the application for rezoning had been stopped until the rezoning regulations come down from C.M.H.C. for the subdivisions. He was speaking about Porter Creek.

Mr. Spray replied it had stopped in that they have had no requests for rezoning.

Mr. McKinnon asked if it will be stopped pending the results of the zoning survey of C.M.H.C.

Mr. Spray said he would strongly recommend that it be stopped in Haines Junction, Watson Lake and Porter Creek. As a rule of policy lots fronting on the Alaska Highway have been rezoned commercial on request and in Watson Lake, at the south end of the subdivision, there are lots 200' x 200' and there has been no problem having these rezoned commercial. Back in the residential areas it has been referred back to the Citizens Association and presently they aren't rezoning any lots.

Mr. McKinnon, referring to section 4 (b)(i)(ii)(iii) and (c), asked Mr. Spray if he had any date at all as to when the water truck will be put into use in Porter Creek Area.

Mr. Spray replied that he had talked to Mr. Howe of Mr. Starr's office, the Territorial Engineer's office, and he had talked to Mr. Jacobs who is working on this truck and he is presently preparing the hose reel and they hope to have it done by the end of this week. This would mean that the truck would be in operation possibly by the first of December.

Mr. McKinnon said that originally this truck was to go into service on October 15th but since it arrived it has been in Mr. Jacob's garage so in the meantime the City at present is delivering water to the Porter Creek area and they have it figured out they are making quite a little bundle on the water delivery.

Mr. Taylor said they were under the understanding there would possibly be a sewage disposal truck coming to Watson Lake on visits and he was wondering if it was still their intention to do this.

Mr. Spray said they have purchased a sewage eductor unit but it is not in the Territory yet and when it comes it will be placed on a truck which they are waiting for. This is mainly to pump out sewage disposal containers at Porter Creek, Crestview, Canyon Crescent and Transient Area subdivision and he was sure this truck would not be busy here all the time and it could range from one end of the Territory to the other depending on the requirements in the Whitehorse area.

Mr. Taylor said that many in Watson Lake, rather than go to the expense of drilling wells, and on the possibility of being considered for a partial sewer and water system, have withheld drilling wells, thinking they may have a water & sewage truck. This goes with septic tanks also, and they haven't heard a word as to what the intentions are.

Mr. Spray stated that discussion had taken place on the requirements for next year on sewer and water for the smaller communities by truck and there is a good possibility that this could be put into the estimates for 1963 for Watson Lake.

Commissioner Cameron said the sewage eductor unit could travel anywhere in the Territory providing it is not required for one or two of the small subdivisions here. He doubted if it would be required, but as far as the Administration is concerned if the truck is required, it could go occasionally to these places.

Mr. Livesey said his understanding was that if they had 9 or 10 communities throughout the Territory and they had considered all these communities involved in a plan towards the trucking system of sewage and water, he wondered just what concrete proposals are on hand with regard to Haines Junction. He said they know where they have ground of 200' to 250' of clay base, yet according to the regulations you can't have outside privies. There is an area of indecision of people who want to build and they aren't sure how to proceed, and how fast these things are going to come about and if they are ever going to get any settling pool and trucking system in Haines Junction. He wondered what thinking there was in this regard.

Mr. Spray said Haines Junction is a problem because it wouldn't be economical and feasible to purchase a sewage eductor unit for that area alone but this is the area he could visualize the Whitehorse truck servicing as it is only a 100 miles away. He said from Haines Junction to Teslin, this is close enough to Whitehorse that it could service these communities without any trouble at all. Watson Lake and Haines Junction are too small to put in a septic system of their own and they are waiting for the topographical plans of these communities before they can make any plans for lagoons or anything along this line.

Mr. Livesey said this didn't answer his question and he has been waiting for months. What he wants is something concrete.

Commissioner Cameron said that the sewage eductor unit, when it is in operation will be available to Haines Junction and Mr. Livesey could inform his constituents that any time they feel it is required they can contact them and they will see it goes out there. From the water standpoint he wasn't too conversant, but he did know that they had one request from a private individual for a franchise to protect him for so many years if he will put in a water system and possibly Mr. Spray is looking into that matter.

Mr. Spray said he had not looked into this matter yet but they will look into it and he understood that the Government of the Yukon Territory built a well and he understood that the residents didn't have any wells of their own. If this well isn't adequate they should look into it further.

Mr. Livesey said the situation is that the two wells the Territorial Government put in weren't any good and both were condemned by the residents and now they are getting their water from the separation plant. They have in the area of the school and police barracks a form of sewage system and he suggested that the community hall connect up with this, but this is only one spot - on the other side of the road they have a private line going down into the offside river and he just wasn't satisfied with the progress of sewer or water.

Mr. Taylor said with respect to sewer and water in Watson Lake this truck maybe available but this isn't what they want to know. They require a yes, they will have a partial sewer and water system, or no, so they can construct and provide for it. They want a clear cut policy.

Commissioner Cameron said in the case of Haines Junction and Watson Lake the key is the topographical reports - in other words the type of ground they would be drilling in for sewage runoff and they are just waiting for this information.

Mr. Taylor brought up another point about Teslin. As they require a community well and this was to be looked into by motion this summer as to feasibility, etc., right now to get water for those who don't have wells they have to go out to the lake and it was suggested that a community well would be the answer and he didn't think any action had been taken on that. He wondered if they could expect a well. If they could they would act accordingly. They want a definite answer.

Commissioner Cameron said he would be interested to know why this resolution wasn't acted on.

Mr. Spray said the Sanitation Engineer from the Department of National Health and Welfare had been in Teslin and made a survey of the water requirements, soils and types of water available and they are waiting on this report and immediately this is received they are going to act on it.

Committee recessed at 12:00 o'clock Noon.

Committee resumed discussion on regulation regarding Territorial subdivision.

Mr. Shaw said that they had left off at subsection (c) of Section 4 - Health & Sanitation - Approved Water Supply and Sewage Disposal is required in all subdivisions.

Commissioner Cameron remarked at this point that the Area Development Officer, Mr. D. Spray would attend Committee as soon as he could manage it.

Mr. McKamey said there was a question he would like to ask in connection with this section and with respect to Mayo. There was a request which he supported by the Chamber of Commerce in Mayo for a sewer and water installation by 1963 and as he understood the Administration conducted a survey he would like to hear from Commissioner Cameron what progress had been made in this regard.

Commissioner Cameron replied that the answer would have to come from Mr. Spray.

Mr. McKinnon stated that on their discussion of the Five Year Financial Agreement a controversy was raised on the subject of sewer and water systems for the smaller communities, and the Five Year plan was passed without any guarantees being given of further water and sewer installations in the next five years. After the Financial Advisory's trip to Ottawa they were almost assured that there was going to be no further increase in the amount that was guaranteed to the Territory in the next five years, and it was difficult for him to see where the finance would be coming from and which he thought was a lack of foresight on the part of the interdepartmental committee in not forecasting the situation.

Mr. McKamey said that the Administration had been approached and a survey made and he thought that possibly the Financial Advisory Committee would discuss this when they made their trip or when they held their meetings. They had a partial sewer system in Mayo now and he did not think it would be too costly to extend this to two more streets - the Chamber of Mines agreed on drawing in the boundaries so that orderly development could take place, and this would not spread out.

Mr. Shaw commented that this was not a very big project, it only involved a couple of lines going down and of course the people would pay for that out of frontage tax and, although the Financial Agreement may not cover a specific subject such as this, a certain amount of progress must go on in the Territory. After the survey has been made and we have the figures, and it is something we can reasonably handle, he could not see why something in the nature of the Territory making a loan, perhaps drawing an overdraft, could not be discussed. He said that although the agreement was rather inflexible in certain parts, with investigation it might be possible to rubberize the clause, for example.

Mr. McKinnon said he hoped he would not be misunderstood on this. The money could be found from any source, and he trusted to see some satisfactory sewer and water system in every one of the development areas mentioned.

Mr. Shaw said that it had been discussed around this table many times "that the agreement cannot be changed". It is very obvious that it has been changed - it has been changed to the tune of \$180,000.00 or something like that and he

would not say that the change was unjustified in relation to the circumstances that were prevalent at the time. It however indicated to him most emphatically that this was not inflexible - that was his point.

Mr. Boyd remarked that all the changes had been on the downward trend.

Mr. McKamey stated that there was definitely going to be an upward trend because they had a memorandum which was dealt with the other day, to the effect that the powers-to-be were ready to make some revision in the Financial Agreement providing we take over the Old Crow School.

Mr. Livesey stated that in relation to the Five Year Financial Agreement with the Federal Government the questions to be reviewed will receive better consideration and a better chance of recovery if they are new questions. New questions are given additional thought and additional value, whereas to reopen negotiations on questions that had already been decided with regard to the financial agreement would mean an entirely different proposition altogether. This specifically affected those who are in charge of taking any questions raised by us as being, part of the Department of Northern Affairs & National Resources - certainly as far as the financial cost of running the Territory is concerned. They take these questions to Treasury and this is where the difficulty arises. If these are new questions they receive a better hearing because the questions that have already been decided are considered as questions in relation to the next agreement rather than in relation to the agreement presently in force.

Commissioner Cameron explained that the Five Year plan is flexible within the amount of money allowed during that period. For example, our operating budget for the next five years will be approximately \$60,000,000.00 and of that the Government is giving us approximately \$14,000,000.00 as compared with \$4,000,000.00 given in the last five years. Now they say, for example, the new Catholic school purchased for \$206,000.00 - this has been allowed for over 5 years. There is \$206,000.00 there for just such an operation, but if we decided to pay for that immediately, this year, that is strictly a policy change. With the Old Crow School it is entirely different - it was never discussed before and it would not be a case of going to Treasury and say we want the money - the money has been allotted by Treasury. In Mr. McKamey's district, we have this iron deposit - now if this suddenly bursts forth on the market, this would be entirely new and you would be quite justified in requesting X million dollars more to develop certain areas. As to whether money would be able for a water system in Mayo, or a water system in Haines Junction, he believed there was a figure of about \$150,000.00 or \$160,000.00 put in for water systems, partial water systems and partial sewer system in the Five Year Agreement. Now we are going to look at the financial picture in each vote and where there is a vote lapse, money left over, then we will come to you in the Spring Session and we will re-juggle money within the Five Year Agreement. There is often plenty of money left to do certain projects due to the postponement or cancellation of other projects for which money had been allotted. The flexibility is within the five years and not within one year.

Mr. Shaw read (d) Building Permits, and (e) Value of Construction.

Mr. McKamey raised the question on Building Permits. He said that supposing we have a subdivision in a town, like Mayo, where the minimum would be \$5,000.00 for building construction, would something like Whiskey flats be allowed on the other side of the street.

Commissioner Cameron stated that assuming Mr. McKamey put a \$15,000.00 home on a certain lot within the confines of Mayo, if there were no other buildings in the area, then obviously they would have to come up with a minimum of \$5,000.00. There was another paper which he hoped would be presented to them by now, or tomorrow, explaining the administration and how the communities in Area Development locations should develop as a village, or a hamlet - they would have certain regulatory powers within themselves where this sort of thing could be controlled. If a \$15,000.00 home was built in an area where there were already some shacks, then you would have to rely on your local committee in order to educate, promote, and eventually legislate that improvements be made, but it would be pretty difficult to say "now, this is going to be a subdivision for \$10,000.00 homes" and you would have to move all these \$3,000.00 or \$4,000.00 homes out.

Mr. Taylor said that with respect to subdivision (e) - Value of Construction, he would like to raise the question of just what constitutes an improvement on a lot. If a lot were bought under the scheme we have now, you would have to spend \$2,500.00, \$3,500.00 up to \$5,000.00 in some cases, on improvement before you get title to this land. What could be credited to this \$3,500.00? Would a basement, a well, be accepted as improvement on a lot?

Commissioner Cameron replied that the only thing that is not acceptable to his knowledge, is land clearing. The foundation, the basement of a house is very very acceptable - he was not sure about a well, but he could not see why it would not be acceptable. We would have to take the word of the Inspector - we cannot accept the word of a man who, shall we say, said he had spent \$4,500.00, he could have spent it very foolishly on a shack that wasn't worth anything. It is the people's wish that we use the National Building Code standards and we must abide by them.

Mr. Taylor said that with regard to the particular case he had in mind - this person had spent \$4,500.00 on improvements, this was the total improvement on the lot. That included excavation for the basement, the building that he had constructed on the lot, and a well. He didn't know what this man's quarters were worth, but it is not sitting on cement, it is on a rock-pile and that was apparently the big objection. Originally we were not required to be on cement, but now we are, and if we are not on cement it cannot be classed as a credit towards your lot.

Mr. Shaw stated that he would like at this time to make a statement concerning what constitutes assessable property. He has a new building and on his assessment it was assessed at so many square feet in the building. It was not possible to get an answer at the time until the assessors came up from Edmonton - these were the experts on the matter. He gave them the width, length and height of his building and told them that in his estimation it could not come up to the figures set by the assessors. He told them that they had an excess of 15 or 20%, whatever it was. They replied that it was easy to explain and they explained it this way - that when eaves come up together in the basement, they take the amount of square feet that are in those eaves and add them to the building - then, as his building was 3 or 4 feet from the ground, they took the area between the ground and the building and they assessed that as square feet. He thought this information would help members in their house deal.

Mr. Taylor said that they should ask Mr. Spray, who was not there then, what is acceptable respecting the value of construction. This should be established.

Mr. McKinnon referred to what Mr. McKamey said earlier - that if there was a marked out subdivision and right across the road from this, which is not on the marked subdivision, but on the fringe of it, there were squatters, what could be done in a case like this.

Mr. Spray, Area Development Officer, attended Committee.

Mr. Shaw told Mr. Spray that he had two questions to ask him. One was from Mr. McKamey relating to the sewer and water survey conducted in Mayo.

Mr. Spray replied that the Building Inspector was up there listing all the lots and all the people occupying these lots - the clerk in his office searched every title in Mayo, the engineer has set levels, and to date this is as far as they have gone. They had no details on sewer and water.

Mr. McKamey said that would be sufficient for now.

Mr. Shaw told Mr. Spray they had a question from Mr. Taylor relating to what would be acceptable as improvements in order to receive the patent for the lot.

Mr. Spray replied that building construction would include the basement, they would not take into consideration excavation unless it were a borderline case, foundations, septic system.

Mr. Shaw asked what about a well.

Mr. Spray replied that if this was again a borderline case, it would be considered. Generally, however, they say just straight building construction. If a person has a basement which is not worth \$2,500.00 or \$3,500.00 but is putting in a septic system and a well and has done considerable work on the land, then on the basis of this he is granted title.

Mr. Taylor asked if any credit would be given to a person who starts putting up a building which has not a foundation, but is to a degree where he can live in it, and on which he has spent, say \$4,000.00.

Mr. Spray replied that if it was on temporary beams lying on the ground (this is discouraged) but the person can show that he is negotiating for a loan (and this loan could only be applied to put a foundation under it) then he would take the whole matter to Commissioner Cameron and if it is approved the man gets the title.

Mr. Taylor said there were many cases where somebody has built on blocks with the idea of putting the foundations in at a later date - one couldn't excavate or pour cement in the winter. He was led to believe that anybody living in this type of house, no matter how much it cost, is not getting credit for it and the Government will not give them title until the foundations are in. He thought this was wrong.

Mr. Spray stated that inasmuch as they were not complying with the regulations, as they did not have a foundation, this is one thing that is holding back the letters of patent. On the other hand if they have \$4,000.00 worth of building construction on the lot and two years have run out, they are not closed out, we try to encourage them to put in a foundation.

Mr. Taylor stated that if the owner was unable to put in the foundation for various reasons, such as sickness, or lack of time or money, his title is held up. He would like to see this changed.

Mr. McKamey said we have the problem in these outlying districts where we are not serviced with sewer and water, we are unable to go to the Central Mortgage & Housing Corporation or National Housing Act for a loan to construct a house (we could go to Central Mortgage & Housing Corporation if we had sewer and water) and this was one of the reasons that some of the residents in Mayo want sewer and water so that they can go to C.H.M.C. He had been exploring other channels of finance, many houses are being constructed in Riverdale, known as pre-cut houses or prefab houses, really beautiful homes, But you live in Watson Lake or Mayo, 300 or 400 miles from Whitehorse, the cost of cement is prohibitive.

For a three bedroom house it would cost not less than \$3,000.00 for a cement basement, with the owner doing all the work himself. If he were able to put up \$2,000.00 and go to one of these finance companies, which they may have to go to and pay a higher interest rate than other people, we could possibly move in pre-cut homes. We could finance that type of thing, have nice homes to live in, and later put in a concrete foundation. We wouldn't want to be tied up from doing that due to regulations in the Area Development Ordinance.

Mr. Spray said that a concrete foundation is not stipulated. Pads and posts were quite adequate, cement pads and posts, and this is not terribly expensive.

Mr. McKinnon stated that he had to agree with Mr. Spray, that an air of permanency is desired. He said there was nothing uglier than seeing a building sitting on stilts or barrels which could be hawked out at any time.

Mr. Taylor commented that the question was still cement pads - he could not see the point of putting in cement pads while waiting for the foundation to be put in - this was unnecessary expense. With this \$3,500.00 restriction people will build not what they want, but enough to get them by, so that they can get title to their lot and then build later. Through weather, we can only build about 3 or 4 months in the year or through lack of finance, which prevents people from building further, it is suggested that when the \$3,500.00 requirement is reached in construction, with or without basement, they should be entitled to their land. We are placing too rigid restrictions on our area land development.

Mr. Boyd here stated that Mr. Taylor had mentioned about a house sitting on a rock pile - he assumed that was a mound of rocks, and he was wondering how a basement could be excavated out of it, and what was the difference between good sized rock embedded in the ground and cement lugged from Vancouver. If the rock is there, the house is already on a foundation.

Mr. Spray said that as long as the foundation was adequate to support the house and met the minimum requirements, then the building is passed.

Mr. Watt wished to know if wells could be included in the assessment of the land and the house for the purpose of securing title.

Mr. Spray replied that generally wells were not included, but if it were a borderline case where a person had \$3,000.00 worth of building construction on the lot and did not have the money to go further, that, together with the putting in of a septic tank could be accepted as permanent improvements on the land.

Mr. Taylor said that with regard to this well and excavation business, this could be pretty expensive. He cited one case where a man had to dig down 164 feet to get water and it cost him \$2,332.00 - that's an appreciable investment in a lot. It had always been his contention that in residential areas people like to keep trees, to keep a natural look there, and although there is the odd person who bulldozes his lot flat, he would say that by and large most of those constructing like to keep their trees. To do this you do not get a bulldozer, you use a backhoe, and this is a costly item too, consequently it should also be applied to the cost of improvements. The encouragement for a person to build a house in the Territory is nil under these restrictions. One other point - talking about the rockpile. This was an initial subdivision in Watson Lake, it was drawn on a map as being a very idealistic sort of thing, and the following season the surveyor was handed the plan and told "okay", you go down and put it there. No one even looked at this before, and it was a great big hump. One man had to pay \$4,000.00 to have it levelled so that he could build on it, and this apparently is not credited either. This place is solid rock.

Mr. Shaw asked if these amounts for improvement were protected on the assessed value of the property or is consideration given to only the actual cost of what is constructed.

Mr. Spray replied that only the actual cost of materials and labour is included in the definition of building construction. If the definition is to be changed or modified to include wells and septic systems, it would have to be a specific definition.

Mr. Livesey asked Mr. Spray that with regard to any code or record that is supplied to prospective purchasers of lots, as to just what you will accept, and just what you won't accept - does such a code exist, and if one does, could it be supplied to Council for their information. That's one question. The next was with reference to Values of Construction - did he have any particular information to give Council on that too.

Mr. Spray replied that the code would be the National Building Code. If there are any expensive items that an individual purchases to build one house, it has very many amendments and other booklets to go with it. The Building Inspector has a copy of this and the purchasers would have the opportunity of discussing with him every aspect of their sketch, etc. and he will tell them right on the spot whether it would be acceptable or unacceptable under the code. As to value of construction, this would vary in every instance and the Inspector could tell them exactly what value would be given towards their lot if he is given the details.

Mr. Livesey thought these should be listed as a guide to prospective purchasers before they even start building.

Mr. Spray stated that would be possible. They could, depending on the definition of the building construction, say what would be acceptable as value of construction.

Mr. McKamey said that Mr. McKinnon had mentioned Citizens Association of Porter Creek and Crestview have more or less adopted the regulations as laid down and they were really happy with them. He would say however, that what is considered good here may not necessarily be considered good elsewhere, this in reference to the \$3,500.00 minimum requirements in order to secure title on a lot. Cement costs a lot more in Watson Lake and Mayo than it does in Whitehorse and in order to solve our problems, and this has been discussed many times before, we are to have legislation designating a settlement as hamlet, village, town, municipality and so forth. When we get to this stage we can adopt our own regulations providing they are in line with the building standards.

In reply to an earlier question put by Mr. McKamey on Building Permits where a high cost home subdivision may be menaced by squatters on the other side of the street, not included in the subdivision. Mr. Spray said there were orders in Council in effect setting aside a quarter mile area around each subdivision for protection of the subdivision.

Mr. Shaw stated that a great deal of time had been spent on this one subject, there were diversified opinions, and he suggested it be postponed to the next session after members had been able to study the whole question from all angles. Regulations should not be inflexible.

This was agreed to.

Mr. Shaw now proceeded to read subsection (f) of Section 4 - Agreements for Sale.

Mr. Watt asked if agreements for sale were in standard form or did one have to hire a lawyer for it.

Mr. Spray replied that they were in standard form.

Mr. McKamey asked the Tax Assessor if the buildings in the Transient Area were taxable for education purposes.

Mr. Shaw asked if this \$12.00 rent would go into the Yukon Consolidated Revenue Fund, to which Commissioner Cameron replied "yes".

In reply to McKamey's question Mr. Spray said that this \$12.00 include^d the yearly taxes which the Tax Assessor has placed on the buildings. We are collecting the taxes on a monthly basis, they will be taxed in the normal way.

Tax Assessor said that with regard to tax in the Transient Area, this would be treated in the same way as buildings on the Squatter Area - they are on White Pass property, we assess all the buildings, and send all bills for tax to White Pass because they own the land. If these people are on land that we rent to them, the tax would be included in the rent.

Mr. Shaw now read subsection (g) - Purchase Price.

All agreed.

Mr. Shaw now read Section 5 - Town Planning, as well as subsection (a), (b), (c), (d), and (e).

Mr. McKamey here asked if commercial business would be excluded from the Porter Creek subdivision, say a business like Safeways.

Mr. Spray replied that Central Mortgage & Housing had recommended minimal facilities - their idea was not to have commercial enterprises out there to detract from the business in Whitehorse. There may be some services out there, but it would be minimal.

Mr. McKinnon said that they do have a shopping centre in Porter Creek.

Mr. Taylor said that talking of town planning he did want to raise a point there - that was the fact that in Watson Lake they were considering using access roads on either side of the highway and consider this a commercial district. He cited Main Street in Whitehorse where we have our shops and stores and sidewalks and he didn't think this was being considered in Watson Lake. He thought this should be considered as the lack of it retards development in any new community, with an eye to public utility. He recommended that this matter be given consideration by the Administration at this time.

Mr. Shaw read Section 6, subsection (a) Zoning
(b) Health & Sanitation
(c) Value of Construction
(d) Mobile Homes

Mr. McKinnon stated that here is a case where the Administration would be placing unnecessary hardship on many people - there were at least 20 people he knew who had moved trailers on to lots purchased in the Porter Creek subdivision and have built their homes while living in a trailer and then once the house is built, the trailer is either sold or moved off the property. He could see nothing wrong in this - it was a sensible way of going about things.

Mr. Livesey said that in his area people purchase these mobile units for homes and businesses and they are better than many homes. He did not consider a 50 or 60 foot trailer unsanitary, built with all the best equipment you could think of. It is a much quicker way of getting a home on a lot than to have some of the types of homes we have now, and some of these new trailers are facsimiles of a home anyway, with a built-in verandah on one side and they are very very nice. They cost in the neighbourhood of an ordinary home - if we outlaw these things, we are depriving the people of accepting a useful service. This is a valuable piece of equipment.

Mr. Boyd commented that talking of mobile homes, those on wheels, how are we affected tax-wise. This has a bearing on the whole situation.

Mr. Shaw asked Mr. Spray what was his definition of a mobile home.

Mr. Spray replied that they had tried quite unsuccessfully to get specifications on these motel units that are going into Watson Lake, Haines Junction, and all these other places to see if they come up to the National Building Code. We cannot get exact specifications but the Building Inspector feels they are as close to the National Building Code as they can possibly get and they are in the subdivisions now. The manufacturers say they come up on dollies, they do not have a permanent under-carriage with four wheels, they are not meant to be transported from one location to another. We have accepted this in principle on all the subdivisions. When you refer to house trailers, they have a permanent under-carriage with wheels, you can take the wheels off, and if they put them on a slight foundation, they can come in at any time, put back the wheels and tow it away. If trailers are put on a lot while the home is being constructed, then a proper septic system and water supply would be required for that trailer, but many of them don't build a home right away and in some of these subdivisions there are still trailers that have been there for a considerable length of time.

Mr. McKinnon stated that a three-year period should be applied to these people living in trailers - if they have not done the actual work coming up to \$3,500.00 on the house they are supposed to build, then they should not get title to the land and the trailer should be moved off.

Mr. Taylor said that on this subject of trailers in subdivisions - a man buys a trailer, one that is as good as any home, they cost about \$14,000.00 or \$15,000.00 and they contain all amenities. Anyone living in these trailers would have to have suitable water and sewer facilities - these trailers are fully equipped, so wherever they move, they will hook up the sewer and water. Now a man buys a lot and wishes to put such a trailer on a cement foundation - there is nothing wrong in that, and the argument that you can take this off the foundation and move it away applies to anything.

Mr. Livesey stated that this was principally the argument he was using himself. Hundreds of these units are going up to Alaska - this is a tremendous business at the present time.

Mr. Boyd said he would like to know about the tax situation concerning these people living in trailers, including school tax.

Mr. Shaw replied that he thought that would depend on the value of the trailer that was put up.

Mr. Boyd said he was talking of trailers on wheels, sitting on lots, and he felt they were not paying their full share of taxes.

Tax Assessor replied that once these mobile homes are brought into the Territory and is left on wheels and parked in a trailer court, it is not taxable, the trailer court owner pays the taxes on having so many lots in his trailer court. When it is brought into a subdivision, put on a lot of its own and put on a permanent foundation, it is taxed like any other house, when it is taken off its wheels.

Mr. Boyd said that in the event of Mr. McKinnon's proposal whereby these trailers on wheels are given a three-year period while their homes are being built, would they be tax free.

Tax Assessor replied that while the trailer is on wheels the owner could move hither and yon, wherever he likes, and we have no basis to tax it. As soon as he puts a foundation under it, it becomes permanent - at present dozens and dozens of them are living tax free.

Mr. McKamey said he didn't think trailers should be allowed in a subdivision, no doubt some of them are beautiful inside, but they are actually not a home. They are of all shapes and sizes and he would not like to see them brought into a subdivision where there are beautiful homes - it would not be fair to people who have made an investment in constructing homes. If you built a \$20,000.00 home, it would decrease its value to have these trailers strung out across the street or alongside of it.

Mr. Taylor said that although he could see Mr. McKamey's point he felt that if a person buys a lot and wishes to place his trailer on a foundation, some consideration should be given to him. If this is unacceptable then make provision in the subdivision of town sites where these people can buy lots to put these trailers on foundations. Zone it as such if necessary, but he still felt it would be too rigid.

Mr. McKamey stated that another good reason for discouraging this is that the home owner buys from the store here and is supporting this town, whereas the trailer owner buys it from elsewhere fully furnished and equipped. The home owner assists our economy in the Yukon.

Mr. Livesey replied that the business man in the Yukon has taken this way out of a very difficult position. He said that many of these trailer lots had shrubbery and sidewalks and trees around them and unless one took a second look, they wouldn't be taken for trailers.

Mr. McKinnon stated that he was sure there were some beautiful trailer homes in beautiful trailer districts, but these districts were set aside for trailers, and not in the middle of a residential subdivision.

Mr. Boyd said we would have to live with trailers - this is the trend and he was not much concerned about it. What irks him is that we have all these trailers and we have children going to school and tax-wise we are being beat every day and the man who has the trailer court down here is probably paying for it on an acreage basis. He is probably paying \$12.00 a year and he has 75 trailers on it.

Mr. Taylor stated that he agreed with Mr. Boyd in that we would have to find a way to assess these people so that they contribute their fair share towards our education costs, etc. etc. He also agreed with Mr. McKinnon that these people should be provided with districts around our subdivisions.

Commissioner Cameron stated that no doubt these are fine units, a lot better than many of the smaller homes, and in a country like this we have to live with them, but, as Mr. McKamey pointed out, if a man puts up a \$20,000.00 home and a man brings a \$20,000.00 trailer alongside, it is still not the same. It is absolutely different, as different as day and night, and it is the people themselves who complain.

Mr. McKamey moved that designated areas be provided for trailer type homes in each of the areas that come within the regulations of the Area Development Ordinance.

Mr. Taylor said that before that was seconded he wished to know if this would provide title to the land he will be on.

Mr. McKamey stated he could not see why anyone should not be entitled to anything they want if they are willing to pay for it and as long as it comes in line with the legislation as laid down.

Mr. Taylor said that if that was the situation, he would be glad to second the motion.

Mr. Spray asked where these areas were to be - in residential areas, on the edge of a subdivision, what size are the lots to be, and if they are under 100 x 150 feet they must be serviced by a sewer and water supply, they cannot have their own septic system.

Commissioner Cameron said that in answer to Mr. Spray, what Council was doing was giving their suggestions that these trailers should be looked after in a separate location, so we will take it from there and come back in the Spring and say what we can do along these lines.

Mr. Livesey stated he would like to raise an objection to that. Under the Area Development Ordinance don't you take in the whole of the Yukon Territory.

Mr. McKamey said "yes", we do, but he thought this was desirable in any area governed by the Area Development Ordinance.

Mr. Livesey remarked that Haines Junction or some other subdivisions may not agree to this - they may have different ideas about trailer homes. As he remarked earlier, some of them were really beautiful units, much better than many of the homes that he had seen.

Mr. McKamey stated that Administration had said they would come up with the necessary legislation to provide outlying areas or Porter Creek subdivisions and the metropolitan area of Whitehorse with power to incorporate as a hamlet, a village, a municipality, or a town, whatever may be. When this happens you are allowed a certain amount of autonomy and can adopt what regulations you require and when he made this motion, he had this in mind.

Mr. Livesey raised objections to the motion on the grounds that people in the outside areas and in the small populated subdivisions should be allowed to decide for themselves whether they would want to have these homes put in on these lots.

Commissioner Cameron said that from the standpoint of the Administration it would be easy for us if you were to say that you agree that trailers of a pre-arranged type set on a proper foundation was permitted in all of the area development locations except where there were definite objections by the majority of the people in the area, or something to this effect. This would possibly accomplish what Mr. Livesey and Mr. McKamey are both attempting to do.

Mr. McKamey stated he would like to direct a question to the Legal Advisor and ask him if such varying standards could be incorporated into our regulations.

Mr. Hughes replied that until he tried he would not know - sometimes regulations cannot capture everything without becoming too intricate. He thought the Administration had caught the feeling of the interpretation as it should be applied - that each area could have different standards and regulations and he would report on this tomorrow at 10:00 o'clock.

Mr. McKinnon said that if this could be elective within the different development areas, he would be pleased to go along with it.

Mr. Boyd moved that this motion be postponed until 10:00 o'clock tomorrow.

Seconded by Mr. McKamey.

Motion Carried.

Mr. McKamey 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 reported that Committee met at 11:30 a.m. commencing with Territorial Subdivisions with Commissioner Cameron and Mr. Spray in attendance. During the course of the discussion, section 7, subsection (d), Mobile homes, it was moved by Mr. McKamey, seconded Mr. Taylor, that designated areas be set aside for trailer type houses in areas governed by the Area Development Ordinance. Mr. Green, Resident Geologist was invited to address Council in connection with the discovery of iron ore in the Yukon.

Council accepted the report and adjourned until 10:00 o'clock, Friday.123

10:00 o'clock A.M. Friday,
November 23rd, 1962.

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

Mr. Speaker tabled a letter from the Whitehorse Board of Trade, dated November 21st, requesting the Speaker and Members of the Legislative Council to attend a luncheon at the Blue Room, Whitehorse Inn Cafe, at noon, Wednesday, November 28th.

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding Fitness and Amateur Sport. (Set out as Sessional Paper No. 17)

Sessional
Paper
No. 17.

Mr. Speaker brought to Council's attention a standard Agreement for Sale of Land form as used for sale of land in the Territorial Subdivisions.

The following Bills were given first and second reading:

First &
Second
Reading

Bill No. 13, An Ordinance to Amend the Public Health Ordinance.

Bill No.13

Bill No. 14, An Ordinance to Amend the Municipal Ordinance.

Bill No.14

Bill No. 15, An Ordinance to Amend the Liquor Ordinance.

Bill No.15

Mr. McKinnon moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Territorial Subdivisions and following this discuss Low Cost Housing.

Mr. Speaker appointed Mr. Boyd Chairman.

Motion Carried.

In Committee of the Whole:

Discussion
of Sessional
Paper
No. 12

Mr. Spray, Area Development Officer was asked to attend Committee.

Mr. McKamey suggested that they were dealing with this item on Area Development yesterday and Mr. Shaw was Chairman and he suggested that he retain the seat as Chairman until this item is concluded and then Mr. Boyd take the Chair.

All agreed.

Mr. Shaw pointed out that a motion made by Mr. McKamey, seconded by Mr. Taylor, regarding designated areas be set aside for trailer type homes, was on the floor. He asked Mr. Hughes to state his findings in this regard.

Mr. Hughes replied he had been asked to consider whether there could be varying standards in different areas in the regulations made under the Area Development Ordinance and they do in fact differ from area to area. He had reviewed it and found nothing wrong with that procedure and presumably when drafting new regulations perhaps the desires of the people in that area will be taken into consideration. After all it is still an Administrative responsibility to set this into motion and establish the framework.

Mr. McKamey withdrew his motion,

Mr. Taylor withdrew as seconder.

All agreed.

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Mr. McKamey, referring to section 6 (a), directed a question to Commissioner Cameron regarding junk and rubbish on road allowances. He said between here and Mayo and a few other parts of the Yukon there are some real unsightly junk yards and he wondered if there was any Ordinance covering this to prevent this.

Mr. Hughes said there is certain powers available but without the particular cases to examine he could only give a general opinion but if these matters are referred to the Administration they will look into it.

Mr. McKamey stated the Federal Government went to considerable expense to build a road to the Blackstone River and at the end of this road there is a lot of litter and it is unsightly and other places along the highway they have this same occurrence. He thought they could make provisions for a litter Ordinance.

Mr. Hughes didn't want to commit himself at the moment but he thought they could probably come up with a solution and he would like to discuss it with Mr. Spray and then he would give an opinion. He wasn't prepared to say they could deal with a particular case but would like to sit down and review it.

Mr. Shaw thought Mr. McKamey had a very good point and there was a lot of work done and money spent on the Stewart-Dawson road and you will find an old contractor's camp with old tires, trucks, etc. sitting there and there should be some Ordinance that will prevent the leaving of rubbish.

Mr. McKinnon, referring to section 7, stated that this paper has been studied for the better part of two days and in this time he would sense the feeling that in the different subdivisions there are different regulations required which may be good for one district and not for another district and he thought the Legal Advisor had brought out a very good point in that there are different regulations in the different subdivisions and it can be that the people in the subdivisions can have a say in the regulations they want. He thought this only fair and right and the Citizens Associations should have a very large say in governing the way their subdivision is to grow.

Mr. Taylor concurred in these comments.

Mr. Livesey stated it did his heart good because he felt they were opposing him yesterday and he had brought this point out very strongly. He said he was very happy and it was encouraging to see this sort of thing being brought about.

Mr. Shaw suggested that there are many things that could be settled out of this Council Chamber and it wasn't necessary to bring every Administration detail before the House, although, there are many reasons they have to be brought up. The persons who have subdivisions in their area could discuss the regulations, etc. with the people concerned. He would then come back with a written proposal to the Administration and discuss it with them and come to an agreement on those matters that would suit the people of the area, the Administration and be in line with Government policy and that way they would save a lot of time and everyone would be happy. A lot of time has been spent on this paper but a great deal of this could be obviated by Members having specific proposals and put their proposals down on paper, send them to the Administration and then discuss them. In that way it would save a lot of time.

Mr. Watt suggested that this subject be reported as completed.

Mr. Boyd took the Chair as Chairman of Committee, and Committee proceeded to discuss Low Cost Housing Loans for the Yukon Territory, Sessional Paper No. 11.

Discussion
of Sessional
Paper No. 11

Mr. Taylor questioned Mr. Spray if this loan would apply to a person living outside a subdivision, say on a lease on Crown land, would he be entitled to a loan.

Mr. Spray said he would be entitled to a loan providing he was on Crown land.

Mr. McKinnon asked Mr. Spray to explain paragraph 3.

Mr. Spray replied when the representative of C.M.H.C. from Prince George was in the Yukon and discussed this scheme, as they had proposed to send all applications to him for clearance as to qualifications under the National Housing Act. He explained that a person with an income as low as \$2500.00 could obtain a loan under the N.H.A. to build a house in the Yukon Territory which would be repayable over a period of a maximum of 35 years. They felt that any person with an income below \$2500.00 per year, who had a family, could not possibly make repayments and obtain financial references necessary to borrow money under their scheme and rather than make it available to such a limited few they decided to hold the scheme in abeyance and ask for changes. He said the National Building Code is drastically changed in that the standards are lowered quite a bit.

Mr. McKinnon said he couldn't see the connection between the Low Cost Housing Ordinance and the National Housing Loan because it was impossible in any of the Territorial Subdivisions to get a loan under the N.H.A. loan because of the sewer and water requirements and this was the desire of the Low Cost Housing Ordinance to provide people long term low interest loans so they could build where they wouldn't come under the National Housing Loan. When he went to Ottawa he said they were told in Whitehorse that the reason that this was put aside for the time being was they had to figure out some way of getting around the Territorial Government going in competition with the National Housing Act and he was informed that this was not true, they couldn't care less and all they were interested in was raising the standard of housing and if the person didn't fall into the category where he could apply for a N.H. Act loan, if under this Ordinance he could get the money through the Territorial Government, then good, there was no objection and yet this was the reason they were told this programme was held up a year.

Mr. Spray said he referred to 1.(b), not location, and 4(a). This would then take into consideration the location of the proposed dwelling site.

Mr. Watt asked what income do you have to have to get a loan under the National Housing Act.

Mr. Spray said as in No. 3 the C.M.H.C. will make a loan to a person with an annual income as low as \$2500.00 all things being considered, location, credit rating, etc. Technically they can make a loan to a person making \$2500.00.

Mr. Taylor said under the new proposed terms under the Low Cost Housing Ordinance, if a man wishes to construct a home under this Ordinance that would cost him say \$2,000.00 over what he intends on borrowing (\$9000.00), is he eligible to apply for this - if the capital cost is over \$7,000.00 - would he be eligible for the \$7,000.00.

Commissioner Cameron said this was one of the problems and that this was not the intention of the people in Ottawa but this is the way it came out in the wording and he thought this could be alleviated by section 4(b) where loans could be made available in respect of a house

which is partially completed home so his home could be worth more. He said it was never intended to put a ceiling on it but they did.

Mr. McKinnon remarked that in the plan, if it is revised this section 1 (c) shouldn't even enter into it because there are so many that would like to buy \$7,000.00 worth of material and build the house themselves and end up with a beautiful home and they should fall eligible under this Low Cost Housing Ordinance.

Mr. Spray asked to clarify one point in paragraph (1). Where they say "the main qualifications required by the regulations are as follows" This could read the main qualifications required by the Ordinance also as the regulations are based entirely on the Ordinance.

Mr. McKinnon said he didn't accept this line of thinking at all because this is a perfect example where regulations have perverted the very intent of the Ordinance and in the Ordinance under subsection 2(c) of section 3, it says the Commissioner may make a loan to any person who satisfies the Commissioner he has been unable to obtain a loan pursuant to the provisions of the National Housing Act 1954 and in the regulation it is evidence of the applicants income does not entitle him to a loan under the provisions of the National Housing Act. He said his intent when he agreed to this Ordinance was that this was put in the Ordinance it meant that he couldn't get a loan pursuant to the provisions of the N.H. Act because there was no sewer or water and then he would be eligible for this. But in the regulations it was taken to mean that his income did not entitle him to a loan, and he thought it meant the location and this was his intent when he passed the Ordinance. He thought the regulations came out completely different.

Mr. Livesey thought this was the case. He said the question does arise when the income of an individual is below \$2500.00, part of which has to be used up for food, clothing, etc. He was wondering where you could draw the line if you didn't use a line as far as income was concerned. He agreed with Mr. McKinnon it must be a very deciding factor.

Mr. Spray stated he didn't think there could be a set income level because each case would have to be judged on its own merits, depending on the size of the house the person wished to construct, commitments the person had, etc.

Mr. McKamey said a married man, with a family, earning \$2500.00 a year couldn't do it. It wasn't the intention of Council to create new slum districts. The way it is laid out they would be supporting something they are fighting against.

Mr. Watt asked Mr. Spray, when this was being discussed at the last session, there was an Ordinance for a second mortgage which was to work in conjunction with this, is it still the plan to carry on with this \$1000.00 second mortgage loan?

Mr. Spray said yes. The first mortgage loan is \$6000.00 at the rate of interest set. The second loan would be for \$1000.00 and it would bear no interest and payable over the period of ten years at \$100.00 per year. This is inducement for people to build a home and live in it for at least ten years and not to build and sell. It would stay in the Ordinance as a \$1000.00 second mortgage loan.

Mr. McKinnon believed that through some misunderstanding in many fields this Low Cost Housing Ordinance, which was going to be of very great assistance to many people this summer, just went by the boards. But they were on the right track by making it available for the next building season. However he said in consideration of the changes in the Ordinance or the Regulations he thought (a) and (b) very good but there should be two more: (1) stating that this loan may be used for building materials -

that a handyman could get the \$7000.00 for material and build a house himself and have a \$15,000.00 home and (2) they need to keep in this Ordinance the evidence of the applicants ability to retain a loan. He thought it should be in the Administrations hands to gain evidence of this person's ability to retain a loan once it is made. Then they would have a workable plan and one that would assist the raising of housing standards in the Yukon.

Mr. Spray said the point in the Regulations, that the actual cost of construction is not to exceed \$7000.00, is one point where the Regulations are based on the Ordinance and they have no choice.

Mr. Watt referring to section 4 (a) said that there are other reasons why people can't obtain loans, other than the lack of sewer and water services. For example construction workers have trouble getting a loan under the N.H.A. because of the type of seasonal work. The bank is reluctant to lend under the Act so it would restrict the construction workers in Whitehorse who have a lot and would like to build under this Low Cost Ordinance.

Mr. Spray thought this would be considered a matter of policy in that they would not loan money to anyone that could not satisfy them that they could repay the loan. If they have good credit rating and even though they work only 6 months of the year - if their income is such to live on for 12 months, all things considered, they would get the loan. This is just to clarify section 1 (b) and as a matter of policy they would be checked out on financial obligations.

Mr. Livesey remarked on the time it has taken to arrive at this position. He thought it had been 3 years since he first introduced a motion regarding Low Cost Housing and they are only now arriving at this state. He asked Mr. Spray if there were any other similar approaches being made in the Provinces.

Mr. Spray said he had no knowledge of any similar schemes in the Provinces or any similar approaches but he would not say there aren't any.

Mr. McKamey said he had investigated this and you couldn't build in the Yukon under \$15,000.00 in the outlying districts. It might be possible to impliment such a system in Whitehorse but not outside the limits because of freight and labour.

Mr. Shaw said he could understand there being a limit on the amount of money that will be loaned under the 1st and 2nd mortgages, but he wondered what the purpose was of restricting the value of the completed home.

Mr. Spray replied he couldn't answer this as this was set down in the Ordinance and that is what they drew the Regulations up from.

Mr. McKamey wondered if subsection (3) of section 3 that makes the stipulation was a requirement of cabinet before they would approve of this money.

Mr. McKimmon said the draft of this Ordinance came from Ottawa and he suggested that we apply to Ottawa to amend the Ordinance by taking out subsection (3)(a) of section 3.

Mr. Shaw said there may be reason for this clause which they could not see at the present time but he thought Commissioner Cameron should ask Ottawa why the maximum of \$7000.00 for a completed building was set.

Mr. Taylor thought the reason had been given at the Spring Session in that this was designed to help out the people in the low income bracket, however, he agreed with Mr. McKimmon that this ceiling wasn't helping to upgrade a community and this should be changed.

Commissioner Cameron stated the hold up was that they were waiting to hear from Ottawa on these changes and we can't do them ourselves through change of Regulations because the Ordinance spells things out

and as it has gone through the Cabinet it has to be changed at that level. He had brought this up with Mr. Carter who thought it had all been straightened out. When he talked to him a week later he said there are some difficulties. Commissioner Cameron suggested, that in order to clarify this a little more on what has been done from the Administration standpoint on correspondence, Mr. Fingland be asked to attend Committee.

All agreed.

Mr. Fingland, Administrative Assistant, attended Committee.

Commissioner Cameron outlined what they were discussing and asked Mr. Fingland, since he was in on the correspondence with Ottawa, if he would fill them in on what had been done.

Mr. Fingland went back into the history to clarify the picture and said at one time the Department of Northern Affairs had a low cost housing scheme for the Eskimos only and the Indian Affairs Branch of the Department of Citizenship and Immigration followed this system for the Indians only. It was recognized that there were also a number of people of white status that needed a scheme to enable white people to get low cost housing. The main problem at that point was working out a sort of scheme which would be suitable for the two Territories without involving the Federal Government to provide the same scheme for the Provinces. When it was submitted to Cabinet it was agreed that the low cost housing scheme would be alright for people of white status providing it did not overlap or conflict in any way with C.M.H.C. scheme and that is why this thing has fallen down. The whole thing was conceived two years ago and on the first of April C.M.H.C. changed their regulations, which immediately made it possible for a person of a very low income bracket to get C.M.H.C. housing and it was so low that their low cost scheme couldn't go below that.

Mr. Shaw said the point in question was the ceiling of \$7000.00. If a person wanted to purchase \$7000.00 worth of material and do the labour himself, the value of the building would be say \$12,000.00 and in this case he is not eligible for a loan. The Members were wondering why this restriction as it does not permit a reasonable sized house.

Mr. Fingland replied there is nothing to prevent a person from adding onto a \$7000.00 house - the initial plan must not exceed \$7,000.00.

Mr. Watt said a statement was made that Ottawa insisted this does not overlap C.M.H.C. but since they have reduced their rates any operative plan will overlap. He wondered if Ottawa still insisted on this.

Mr. Fingland said his understanding is that Ottawa still believes that this scheme is workable

Mr. McKimmon moved, seconded by Mr. McKamey that in correspondence with Ottawa the Administration request the possibilities of omitting subsection (3)(a) of section 3 of the Ordinance to Assist Construction of Low Cost Housing in the Yukon Territory.

Mr. Livesey said that while they are thinking of eliminating this, is it the intention here to eliminate all restrictions by merely taking it out of the Ordinance and if so will it extend itself into an area where the C.M.H.C. would have jurisdiction.

Mr. McKinnon said under the terms of this Ordinance the applicant has to satisfy the Commissioner that he has been unable to obtain a loan pursuant to provisions of the National Housing Act.

Mr. Fingland said another reason is that you cant get a C.M.H.C. loan unless you are on sewer and water and they want to overcome this.

Motion Carried.

Mr. Taylor wondered what reception did the Administration and Financial Advisory Committee get to the proposal of 4 (b).

Mr. McKinnon said when they went out to C.M.H.C. in Ottawa, he sought out the Legal Advisor and he assured them to his knowledge there were no objections to anything they wanted to do with the \$300,000.00 the Federal Government provided for low cost housing.

Committee recessed at 12:00 o'clock Noon.

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Committee resumed with . Dr. L. H. Green, Resident Geologist present, who was invited to say a few words on the iron ore deposits found in the Snake River District. The following are the salient points of Dr. Green's address: Essentially the iron ore of the Snake River consists of a section that occurs in a unit called the Rapitan Volcanics. The rapitan, a type of iron ore, is coloured purple in the area of the Cal. Standard, elsewhere it is green possibly because of the amount of iron contained or the state of oxidation of the iron. In a certain area it is about 3,500 feet thick, elsewhere it is known to be as much as 10,000 feet thick. Dr. Green began explaining about the age of these deposits, and the various types of iron ore, their locations, and the varying thicknesses of the deposits. The country that Cal. Standard has staked to the border of Alaska has been pretty well mapped by now, both by the oil companies and by geological surveys. Over on the border, just on the American side, there are some small showings of iron formation which look very much like the Rapitan, and Dr. Green said he would consider them the same thing - this is in the vicinity of Tatondur River (Sheep Creek). Further downstream, the Rapitan does occur. The iron content of these deposits is of a high grade - in this entire formation it is running very close to 50% iron. The size of the deposit is figured approximately at 20 billion tons, which is a very conservative figure - it is certainly in the tens of billions of tons. The other quoted reserves of Canada are only 18 billion tons ranging from 6 to 35% iron. The entire iron ranges of Minnesota, Michigan and Wisconsin are about 60 billion tons ranging from 22 to 45% iron - the percentage of iron may be more but as the ore in Minnesota is taxed in the ground, estimates are rather conservative. On size, this is one of the major iron deposits in the world. The standard iron ore which was shipped for years was considered 51% iron. In shipping iron ore the total things that affect it are the total iron content, the presence of other elements (manganese will give a slight premium) such as phosphorous, sulphur, etc. The price of a ton of iron ore, that is at the lower lake ports for the Pittsburgh industry, would be \$12.00 for 51% iron - the quoted price for pellets at the lower lakes for 64% iron is \$16.12 per ton. These are long tons of 2,240 lbs. If we were shipping the Cal Standard deposits, or if they were shipping it, - it could be shipped as bulk concentrate without any other work on it, say about 50% iron, it would be worth something under \$13.00 - if milled it would give a concentrate of about 60% iron worth \$16.00 per ton. The ore could also be reduced to pure iron and shipped as such, but this would require the use of natural gas or coal. With regard to costs; mining Minnesota ore by open pit, is \$2.66 a ton exclusive of taxes, that was in 1958. Rail costs, based on the Labrador deposits - from the deposit to the coast would be about \$5.00, give or take a few cents. Shipping costs from the West Coast to Japan is \$4.50 a ton, this would give a total of \$12.16 per ton in cost. Things not included in this are royalties, taxes, or charges that may arise from crossing into Alaska, penalties (because of the decaying elements other than iron in the ore), and no allowance for iron mining costs. There might be some reductions in that the Japanese have found that with the use of super carriers carrying over 65,000 tons, they can reduce their costs about 50% on ocean haul. This would make a difference of \$2.50 a ton which might equal some of these other factors. On the whole it might not be economic at the moment as this is something that will take a lot of work to be sure of. With regard to the world consumption of iron - the U.S. consumes about 100 million tons of iron ore a year and they produce about 100 million tons themselves. Of this California (which is possibly a market for the Snake River deposit) consumes about 4 million tons a year, which is pretty small when we start thinking in terms of 20 billion tons. Canada itself produces 19 million tons at present and Japan, by 1970, estimate that they will be using 48 million tons a year, very little of which they produce themselves. Of that they have contracted for 20 million tons a year not covered by existing contracts, about 5 times the possibility of California. Against this most of their present contracts are of relatively small tonnage, 5, 7, 10 million tons from companies like the West Coast Iron on Vancouver Island and Texada and that group. Although the ore is high grade, very few of the deposits are over 10 million tons. A possible large producer is Northern

Australia which has just recently decided to allow the export of iron ore and they have some big iron locations which might be competitive to this. That pretty well sums it up and Dr. Green said that with such a large deposit it is bound to be economic, but whether it is today, 10 years, or 60 years, he did not think the question could be answered at this moment although people are working on it. When it does get under way, on simple calculation, it would be far more important than the gold and silver of the Yukon combined.

Mr. Boyd asked if there was any coal in the Snake River.

Mr. Green replied that there were small showings and thin seams, but he doubted if there were any substantial seams there. At present with the production of iron ore, half a ton of coal is needed for every ton of iron ore.

Mr. McKamey asked what type of coal this would require.

Mr. Green replied that it seems to be any source of carbon.

Mr. McKinnon asked what were the prospects of natural gas in that.

Mr. Green replied fairly good.

Mr. Watt asked what distance it would be from Normal Wells.

Mr. Green replied roughly about 200 miles.

Mr. Shaw inquired if in the event smelters are required to produce pig iron, the highest grade iron possible, would the necessary fuel, such as coal, gas, etc., be found within reasonable distance of the iron ore deposits.

Mr. Green replied that basically the production of iron ore is done with blast furnaces, and this is the most common type of production, using coke and coal which is added about half a ton to one ton of iron ore. He doubted whether we had coke and coal there. Traditionally, the ore is travelled to the coal. There are other processes which are marginally economic at the moment, using natural gas, or using any sort of carboniferous material such as lignite coal, bituminous coal, and anthracite coal. All we are interested in is the source of carbon and these at the moment are marginally economical, but certainly the potential for blast furnaces is not there. He said he did not know the economics of these processes.

Mr. McKamey stated that down in the Eagle District on the American side there was some very high grade coal and hydro carbons and apparently these carbons make a high grade coke. He said he had had the opportunity of doing a little prospecting there and ran across seams of coal of 25 and 60 feet wide - this is something that should be kept in mind.

Mr. McKinnon asked if Dr. Green could tell them a little of the discovery of these deposits.

Mr. Green replied that the oil companies especially Cal. Standard had been very careful when doing their job to cover the rocks which include not only the ones that might carry gas and oil but the older rocks as well. This is essentially how they picked this up in the first place. This section was too old to carry oil, but they were mapping there (some other oil companies had been there before and one of them came across some specimens which were sent home as museum pieces), on these old rocks, and took it from there. In the Rapitan-area it is very inconspicuous - they came down one section on the Cal. Standard property and looking across on the other side they thought they could pick up the iron Rapitan in the 200 foot section, but they weren't entirely sure and, employing a helicopter, they had to be within about 50 feet of it. These deposits had been known before but the oil companies were the ones who had been working on this speculation.

Mr. Livesey asked if Dr. Green could tell something about the pelletizing of iron.

Dr. Green stated the iron is separated either magnetically or by differential flotation, so you have a product which is essential iron oxide, and this is bonded with a hydro carbon such as varicus oil products. It is then put into a mold and crushed and more or less baked at a temperature so that it is bonded into a solid pellet which will stay in one piece as it is put into the blast furnace. These pelletized ores are giving the direct shipping ores terrific competition because by using them, the production of blast furnaces can be increased by about 25%. This is perhaps the reason that this iron find has caused less excitement than might be expected because, reading the mining trade journals, there is iron ore mine after iron ore mine closing down in Minnesota and elsewhere all by competition with these pellets.

In answer to a question by Mr. Watt, Dr. Green replied that in the Snake River district there are several valleys in which the iron formation is exposed quite continuously and he believed there was a tonnage in the billions that could be mined, either by simple open cut mining or by stripping.

Mr. Boyd thanked Dr. Green for his address and for the time he spent with them.

Dr. Green was excused from Committee.

Committee next discussed Low Cost Housing (Sessional Paper No.11) With Commissioner Cameron and Mr. Spray present.

Discussion of Sessional Paper No.11

Mr. McKinnon said that as far as Low Cost Housing is concerned this Committee had intimated their suggestions to the Administration and, as far as he could see, if the Federal Government did not wish to go along with these suggestions, then this Low Cost Housing may as well be shelved, but if they wished to go along with it, it would prove a valuable programme to assist the people in building homes in the Yukon. We now have to wait for the Federal Government to reply to the Administration's request.

Mr. McKamey said he felt that this was never intended to go through, or it wouldn't have been laid out in such a fashion. He thought this was a gimmick and that the members of the Council would be made a scape-goat on it. He felt something should be done about it - demand, request, get right down to the bottom of this as there is something someone is not bringing to the surface. It didn't ring true and didn't make sense - they had been on it for a year now with no result.

Commissioner Cameron replied that a night letter had been sent to Ottawa pointing out the items they wished to know about and explaining that they would be phoning first thing Monday morning.

Mr. Taylor stated that if this thing is to be workable and we can implement it here in the Yukon Territory, then it must be done by next March as the building season is so short.

Commissioner Cameron replied that he did not consider this memo on Low Cost Housing a dead loss. He said the Administration had been doing and will continue doing everything to get this straightened out so that it will be usable and offerable under the terms for which it was originally intended.

Mr. Shaw moved, seconded by Mr. McKamey, that progress be reported on this memo so that it can be brought up again when further information is received.

Motion carried

Mr. Spray was excused from Committee.

Mr. McKinnon stated that as he wasn't quite specific in his motions that morning - though it was on the agenda yesterday that they continue with memoranda, he had mentioned only two specific bills in his motions that morning, and therefore they would now have to revert to Council before they could go back to Committee as a whole and study other memorandums.

Mr. Shaw 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. Boyd, Chairman reported at 10:30 A.M. Committee met with Commissioner Cameron and Mr. Spray, in continuing discussion of the memorandum relating to Territorial Subdivisions. In view of the Legal Advisor's ruling that differences could be made in regulations pertaining to different subdivisions, Mr. McKamey and Mr. Taylor withdrew the motion before the House and Committee agreed. The memorandum is reported as completed. Committee next discussed Low Cost Housing Loans for the Yukon and it was moved by Mr. McKinnon, seconded by Mr. McKamey, that in correspondence with Ottawa the Administration request the possibility of omitting section A, subsection(3) of section 3 from the Ordinance to assist the construction of low cost housing in the Yukon. The motion was carried. At 2:00 o'clock Dr. Green Resident Geologist, delivered an address on the much talked-of iron deposits.

Council accepted the report of the Committee.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills and Memoranda.

Mr. Speaker appointed Mr. Boyd as Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Committee proceeded with the memorandum from Commissioner Cameron regarding Natural Gas Franchises. (Sessional Paper No. 13)

Discussion of Sessional Paper No.13

Mr. Livesey thought many of the items had been discussed in Ottawa and a decision reached on some - for example, the safety factor, with reference to the transportation of methane. Ottawa felt that in this it would be very hard for them to come up with a "yes" or a "no" answer as to whether it was a dangerous practise to transport this gas by truck.

Commissioner Cameron replied that this had been brought up and discussed in Ottawa and he had a couple of people question him as to what difference and why the Government should be interested in the financial implications for the simple reason that the financial implications referred to by Mr. McKamey are tied to capital, outside private capital who want to come in and invest. The only implications financially that we should be worried about is whether there would be the required financial protection for the individual in the form of a protective bond or a performance bond so that, assuming the outside capital came in and the organization would form and a franchise be accepted by the city (which although agreed, has still to go through public plebiscite for acceptance) and then after a year's operation it was found financially unsound and a number of

people had gone to the expense of converting to pipeline gas, they would be covered by a protective bond - this is as far as the consumer is concerned, that all the expenses and debts incurred to change back again to normal heating fuel would be available. Aside from that, it is private capital. Safety was the one item Ottawa did check into. They also looked into the economics of it, but they did feel they should not attempt to go into the real basic economics of it if a person wants to put in private capital, which is what we are trying to promote, so long as the public was protected.

Mr. McKamey said that this wasn't the point he was actually raising it's the point that once a franchise is granted, people go to a great expense to change over to natural gas. Once that is done the company may say that it cost them millions to put up the cold storage plant and millions of dollars to transport it because it had to be refrigerated, therefore they have to penalize the consumers on the cubic feet of gas used. This should be looked into very closely as they are not going to operate at a loss and have to charge sufficiently to come out with a profit. Before we can consider this franchise we would have to have those figures to show what it is going to cost them to make the installation, the amount of consumers, and what it is going to cost the consumer.

Mr. Shaw stated that with regard to this Natural Gas Franchise - a franchise, as we all know, is a privilege extended to a certain group for a certain specific purpose, and before a franchise is granted - insofar as legislation is created, it is obvious that the persons giving the franchise, which in this case ultimately falls to the Commissioner in Council, will ensure that all members are made aware of the facts. Mr. Shaw said he would not have the faintest clue as to costs of this nature, but it had been handed over to a branch of the Government, the Northern Affairs Branch, which had gone into various phases, and one of these phases is to determine whether it is economically feasible or economically profitable. He felt, therefore, that before a franchise is granted, particularly in a strange area, or a new Territory, and this is extremely new all over the world, much less the Yukon, we should get as much information as possible from well-qualified people. We have a good covering here from the Gas Dynamics Laboratories of the National Research Council, and we have also had considerable investigation from the Economics Department of the Northern Affairs Department and they pretty well in their memorandum tell us what their findings are. He thought it would be a good point at this stage to read it out and cover the points one by one as they went along.

Mr. Livesey stated the same situation would have to be considered here as when the franchise for the electrical power was taken out. With regard to electrical power, there is no dictatorial policy that a person will have to use electrical power, a man may not be hooked up to electrical light, he may not have any motors or power to consider, and if somebody else can come along a little later and produce the same type of power at a cheaper rate, then the whole question is reviewed even though it is for a 20 year franchise. However, in this case, when the hard facts are laid down, what we will have to consider is the franchise itself and in the franchise, of course, will be all the stipulations that the company will require before they will consider their half of the bargain. They will have to spell out exactly what would be required of the residents of Whitehorse before they can consider whether it is going to be a paying proposition so, in the final analysis, it would be a question of coming up with something which could be acceptable by both the company and the people.

Mr. Taylor remarked that if further information is required on this it could be found in the files of the Spring Session where there is the estimated cost, etc. etc., and also a memorandum from Commissioner Cameron respecting the cost of setting the thing up. He said they had been approached in Watson Lake by Mr. John Phelps of Cryogenic Enterprises Ltd. and he suggested that Mr. Phelps should return to Watson Lake and explain the situation to the people. He thought that if anybody gets a franchise for anything in the Territory, it should be people

who are going to pay for this type of thing should decide whether they want to grant a franchise or not and, if so, whom they want to grant it to. We have a tremendous amount of information here, but in effect, we have nothing. He was led to believe that in order for this project to work, Whitehorse would have to grant a franchise, and so would Watson Lake, Canyon Junction, Cassiar, and Fort Nelson. With five communities it is economically possible, but before any franchise is given, he and his people would like to see everything laid out in black and white. From there we could proceed, but at this stage he was reluctant to view this thing with the idea of granting any franchise at all.

Mr. Boyd stated that he had reason to believe that there are some communities in Alberta or Saskatchewan, he wasn't sure which, that have franchises or the equivalent in operation and now the services that they have signed away to these independents are going by their doors 4 or 5 miles away, but not coming in at all to service them. They are not happy about it and would like to get this service at a cheaper rate and a more up-to-date and modern one. He said it was beyond his thinking that in this day and age we should give a blank cheque to someone that is good for twenty years - it deserves to be postponed. In five years a lot of things can happen and to tie down the rest of the people who will be coming here in the next twenty years and tell they can't have what they want - because that is what we would be virtually doing - is unfair, and he was dead against it.

Mr. Taylor said he thought this type of thing should be encouraged. If a man or an organization is enterprising enough to come up with a scheme like this and show it is workable, it might apply. We might be able to provide natural gas in the North where it is economically feasible to do so and he thought the project as laid down by Cryogenic Enterprises be encouraged and more information sought. In Watson Lake many of them are heating their homes with propane and this is an expensive method of heating if this proposal works, our heating costs will go down. This should be encouraged, but no franchises given.

Mr. McKinnon remarked that he did not think the Administration expects us to make a decision at this Session. There are three basic things that have to be considered in the granting of any franchise, particularly of this kind - one, is the technical feasibility, two, the safety feasibility, and three, the economic feasibility. After the trip to Ottawa, he felt that the safety feasibility and the technical feasibility have pretty well been cared for, but there have been a few questions left in the minds of the Economics Division there, and in his mind too, about the economic feasibility of this project. He would suggest that the Administration go further into the question from the economic point of view.

Mr. Shaw stated that, as he mentioned before, this franchise has been referred to people who have the facilities of getting more technical and other information than we have and they are more or less in the investigation stage. We are a long way from accepting anything at this moment in any event, but another thing worthy of consideration is what this is for the City of Whitehorse at the present moment and we also have the matter of what the City of Whitehorse will think about the matter of the franchise. What the Government is providing at the moment is most useful and he thought this memorandum should be distributed to the Council members of the City of Whitehorse. It would be most informative to them because, ultimately, they are the people who will have to give the okay from the local level, or give the okay for the citizens to accept this.

Mr. Livesey said that when he raised the question of discussing the actual franchise he was naturally presuming the cost to the public would be contained in the estimates of the franchise. They would lay down in there just how they would go about collecting these costs and approximately how much it would cost per month and they would have to stipulate the type of agreement that would be needed with regard to hooking-up to the system, and all other pertinent matter and details that we don't have at present. He felt that if consideration is given by the Administration to approaching the company with regard to extracting from them certain data. When they have those answers, they

can formulate a formal policy to be laid down in the actual franchise required. The Council will then be in a better position to say "yea" or "nay" on behalf of the public and also discuss this with the public before coming to any particular acceptance or rejection. So, if the company wants the public to accept, they will have to provide the answers required, so that we can see what the actual situation is going to be. They will predicate their arguments on cost based on their assumptions as to how much is going to be burned up, how much is going to be used, what their thinking will be with regard to each customer, the cost of hooking-up to each customer, the cost of laying down pipes, transporting the tanks up here, and sending up their installation covering a period of 20 years at least. If all this information is available to us, the matter could be reviewed again at the Spring Session.

Mr. Taylor stated that he did have a copy of the service policy for the committee, which outlined the policy of this group with regard to extension to new areas, damage responsibilities, and so forth. If Committee would like a copy he could leave it with Clerk-in-Council for distribution.

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Mr. Livesey said he would appreciate any information available.

Mr. McKamey said he had heard a great hue and cry here in Whitehorse a year or two ago on electric power franchise - high rates. It was the taxpayer's dollar that built the dam, provided the electricity, then due to a franchise granted on this basis, Northern Canada Power Commission was not in a position to sell power in Whitehorse at cost. It is a non-profit organization and the people here could have enjoyed lower costs, but as a result of a franchise being granted this was not possible. We have somebody in the middle there taking a slice out of it. Most of the oil companies have increased their speed towards developing new oil fields and in the southern border parts of the Yukon he believed oil wells have been going into production. There is a possibility that the same thing may happen north of us - if they hit oil and gas in the North they will have to transport it to a market and the logical way would be to come down through the centre of the Yukon, to the coast, and supposing in five or ten years they have a major oil field north of Dawson, we could easily have gas lines here either from the South or the East or the North, and when they transport this gas or oil, what's going to happen? There is in effect a franchise here. If we read the Financial Post to any degree we will note that in a few years there is going to be a terrific demand and a shortage of oil and they recognize this in Canada and the United States and they have really put emphasis on speeding up their development. If this takes place, we will have to sell it to another middle man and the consumer will be the one who will have to pay through the nose for it.

Mr. Boyd said the same thing happened with the Telephone Company and it cost the taxpayers a lot of money.

Mr. Taylor stated Mr. McKamey was so very right about the possibility of having transmission lines coming in here. In the Southern Yukon, in his constituency, and way off to the very easterly point of the Yukon, two drills are actively drilling and this is a natural gas field. They are bringing in wells in that general area and adjacent to northern British Columbia the equipment that they have to measure these capacities is insufficient - they cannot measure them. What he foresees, as does Mr. McKamey, is that within the next five years transmission lines will be running into the Yukon, going possibly to Alaskan markets and, in the face of the development in the Snake River district, he could also see transportation of natural gas to that particular corner. This is a very valid point. If we grant franchises at this stage on a doubtful basis, we are really asking for trouble.

Mr. Watt stated that by this memorandum Commissioner Cameron wants to know our feelings on the matter, and he would like to add his feelings on it. It is the same as everybody else - it is premature. These franchises have been given in Eastern Canada, in different places, and in some cases communities have been supplied with natural gas at a reasonable price

whereas in other communities the companies have not supplied natural gas, where they should have supplied it. In the meantime major pipelines have gone within 20 and 30 miles of large communities of 15 and 20 thousand people and they are without the privilege of having this natural gas, simply because they gave a franchise prematurely. These franchises in Eastern Canada that have turned out to be misfortunate have become negotiable instruments and the companies just turn round and sell these like construction contracts.

Commissioner Cameron commented as follows - he was not in a position to say whether it was premature or not, he appreciated members' ideas on the matter, but he would say though from a personal standpoint that he was very much in favour of utility franchises, for any of the utilities or required amenities of life. He was definitely against franchises just for any type of business that comes along but he did believe that franchises need not be abused if they are properly worded - a franchise should be worded in such a way that if and when any cheaper source of power or heating is available, this must be included and made available to the people. There have been abuses of franchises in Eastern Canada as stated by Mr. Watt, but he could not go along with the statement that if Whitehorse hadn't given a franchise to Yukon Electric, we would have a cheaper power, because the Northern Canada Power Commission would not come in and establish a power setup particularly in an incorporated place such as Whitehorse. This is not their wish because we would then be getting away from private enterprise. Also, if they did, they would have to increase the cost, because they would have to include the overall cost of distribution, plants, personnel, etc. It is not exactly true to say that this could happen here. He thought that in the case of this gas franchise no doubt the company was thinking of transmission lines from natural gas in the country. We would find in the case of franchises that there is an obligation on both sides - there is a terrific obligation to the persons who have the franchise for they are obligated to supply certain services. They can increase the efficiency of the operation and they can take their profit over a longer period of time than a fellow sitting there on a day to day basis not knowing who is coming to take over.

Mr. McKamey said he thought we should have comparable rates with other districts in Canada. These companies not only come out with a profit on piped line gas, but also on the sale of the franchise itself.

Commissioner Cameron remarked that franchises are usually not saleable - this is spelled out in the franchise - they are charters.

Mr. McKamey stated that maybe not the franchise, but the company.

Mr. McKinnon stated he was of the opinion that franchises on certain public utilities are good if not abused and if a franchise were granted in this case, we would have to be extra careful to see that no abuses could creep into it, by this he meant the survey of rate structures every few years or something to this effect. The only way they could direct the Administration was to continue negotiations with this Cryogenic Enterprises - it would be a shame to cut off negotiations at this point.

Mr. Taylor moved, seconded by Mr. Livesey, that the Administration be requested to continue discussion with Cryogenic Enterprises respecting the Natural Gas situation.

Mr. Watt asked if it were advisable to secure information from another organization to get comparative figures. He had asked Canadian Propane if they would be interested in this type of thing, but they didn't think it too feasible. However, they would be interested in looking into it.

Mr. Shaw suggested that if somebody wanted to present something, they present it, and let us go looking for contenders for this franchise.

Mr. Taylor said that this is the first time in North America that this approach has ever been taken, that is the tankage of liquid methane - it is an entirely new concept.

Commissioner Cameron remarked here that in the proposed franchise it was spelled out that it must be piped underground so they would not be competing with propane operators.

Motion carried.

Commissioner Cameron was excused from Committee.

Committee proceeded with a memorandum from Commissioner Cameron regarding Wages Recovery Legislation (Sessional Paper No. 15).

Discussion
of Sessional
Paper No. 15

Mr. Shaw said that with regard to item 6, he would say "yes".

Mr. Taylor remarked that it was a most necessary piece of legislation, but could it be embodied in the Labour Provisions Ordinance.

Mr. Hughes, the Legal Advisor, said that he did not prepare this memorandum but dealing with the question, "yes", it could, but it would be widely appealed. This is something that can be worked out in fairly clear terms by the Spring Session whereas the other clause go into a much more complicated field which would require more time and consideration.

Mr. Taylor stated that the sooner this got into force the better it would be for many of our employees in the Territory. There is one organization in his constituency, working on a government project, that is just getting away with murder, and the employee in order to get his money must come to Whitehorse, get a lawyer, and when he gets his wages back, he is left with nothing and winds up owing the lawyer.

Mr. Livesey stated that if his memory served him correctly, under Section 2, an employee could be dismissed for absenting himself without leave. This is true and sometimes quite necessary because being drunk and staying away from work would certainly constitute grounds for at least a certain amount of consideration of the situation. There is both good and bad sides. What, however, he would like to bring for attention is "the provision for the dismissal of an employee by a Justice of the Peace from complaint of an employer, in which case the Justice of the Peace may order payment of any wages owing to the employee up to a maximum of six months' wages. It is not clear however that an employee can take action to recover wages owing to him unless he is first dismissed by order of the Justice of the Peace." With regard to his understanding of a repeal, through a repeal of the Labour Provisions Ordinance, we had practically made it mandatory that all wages earned during a period of 30 days should be paid forthwith, that is the employer would have ten days in which he would pay these wages. This was his understanding but he thought it was something they had already done - and if that was the case, he could not understand how a period of six months could ever come about unless it was six months in connection with a dispute over wages in connection with another section of the Ordinance. This is possible but for the actual amount of wages paid, he thought that something had already been done about that and more or less tied up the situation so that an employee would have to be paid after thirty days of service, within the following ten days, and he wondered if Mr. Hughes could straighten him out on this situation.

Mr. Hughes explained that the advantage of re-examining the Wages Recovery Legislation is that these areas of apparent conflict between one Ordinance and another will come under re-examination. If there is such a conflict in the present instance, it will be noted and eliminated, but what we are considering under the Wages Recovery Legislation is not the employer's obligation to do something, but the employee's right to recover wages, which is not quite the same thing. It may be that there is not a conflict between the two, but rather a complement. In theory it is true that no employer should get more than one month ahead of his

employee, but we are trying to put into the hands of the employee an easy way to get his money to obviate the necessity of running all over the Territory to look for a lawyer whose interest must relate to the amount of the fee, and this is what we are striving for here - the six months' limitation might well be left out. There may be an area of conflict between the two which will be taken care of.

Mr. Livesey said he thought he was right in this particular point because they had discussed it already and he could most certainly see the question raised by the Legal Advisor in this respect because he felt it had been sadly lacking from the legislation for a number of years. Comparing the Yukon Legislation with the Labour Code of British Columbia, with which he became quite familiar at one particular time, he thought we had no Ordinance at all. We had nothing. We made a few cursory remarks about what might apply to miners in a sort of an off-hand fashion, but to say that we had a Labour Code was an exaggeration. As a result a number of abuses have cropped up from time to time where people have been actually robbed of their wages. If we have proper legislation in this respect it will serve the purpose for which it is intended, and that is to assist the employee to make proper recovery without any particular loss.

Mr. McKamey moved, seconded by Mr. Shaw that the Administration should proceed with the preparation of legislation as outlined in the memo to Council dated November 22, 1962, pertaining to Wages Recovery.

Mr. Watt inquired what about companies that are not registered in the Yukon. He would like the Legal Advisor to bear this in mind when drawing up this legislation to safeguard employees from losing wages as it would be hard to recover from people outside the Territory.

Motion carried.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Boyd, Chairman of Committee reported: We commenced our second round in Committee at 3:30 p.m. We discussed the memo re Natural Gas Franchise. It was moved by Mr. Taylor and seconded by Mr. Livesey that the Administration be requested to continue discussion with Cryogenic Enterprises respecting the Natural Gas situation. The motion was carried. We then discussed a memorandum dated November 22nd, re Wages Recovery Legislation. It was moved by Mr. McKamey, seconded by Mr. Shaw that Administration proceed with preparation of legislation pertaining to same. The motion was carried.

Council accepted the report of the Committee.

After a short discussion of the Agenda, Council adjourned until 10:00 o'clock A.M. Monday, November 26th, 1962. due to the fact that Saturday November 24th, Council Members planned on visiting the Federal Experimental Farm at Haines Junction.

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

Mr. Shaw gave notice of Motion regarding Federal Taxation Regulations. Motion No. 4.

Mr. McKamey requested that his motion regarding Mayo Airport (Motion No. 2) be discussed in Committee this morning.

Mr. McKamey directed a question to Mr. McKinnon, asking what progress had been made in respect of the Well's Subdivision.

Mr. McKinnon replied the Territorial Administration, after a long legal controversy, have bought the roads in the Well's Subdivision for \$1.00 and they are now upgrading them.

Mr. Taylor asked the Administration if it was their intention to amend the Regulations under the Game Ordinance to provide for a winter beaver season.

Commissioner Cameron replied the Regulations have been changed with this provision made.

Mr. McKamey asked what happened to the additional \$10.00 on the wolf bounty they had recommended last Spring Session.

Commissioner Cameron replied he would have to check on it.

Mr. Boyd asked Commissioner Cameron, regarding employment in the Federal Building, why very recently when Mr. Shandro's position became vacant it was filled with a man from outside who is now living in a government house supplied at less than cost. It seemed to him that they should try to use Yukon citizens wherever possible provided they have the ability and he felt that in this particular case there must have been someone here with this ability. He said there were 17 applicants who have their own home, paying their own way, etc. and yet they got someone from outside who they had to supply a house too.

Commissioner Cameron replied a committee made the selection. Although he wasn't a member of the committee, he expressed his opinion and he agreed with Mr. Boyd, although it was a committee's decision, he felt more consideration should be given to Yukon residents.

Mr. Watt asked who is on this committee.

Commissioner Cameron replied there are different ones each time and he would have to check who was on this particular one.

Mr. Taylor moved, seconded by Mr. Shaw, that Council resolve into Committee of the Whole for the purpose of discussing the motions, public bills and memoranda.

Mr. Speaker appointed Mr. McKinnon as Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Mr. McKamey requested the Committee discuss the motion in respect to the Mayo Airport. He said he would like to say a little more in respect to the points he had brought up. With the present runways, one 2500' and a cross runway 1800' long, quite often

Discussion
of Motion
No 2.

they have to use one or another with the DC-3. With a cross wind they have to use the short one and this means they have to cut down the pay load as there is a safety factor involved and the result is, if a cross wind is blowing, your reservation is cancelled and this can run into a lot of money if you have certain obligations to meet. In relation to item 2, on the west end of the runway the Mayo River runs and there is a deep valley. On the east end there is swampy country and they couldn't put in enough fill to extend it. In the winter time quite often there is a ground fog so the plane has to go on to Dawson and they have a mail contract to meet. If they do get in it is very hazardous. There hasn't been any work done in the past few years to amount to anything. There was a very thin coating of gravel originally and this has worn out and is very thin. In the summer there is a great cloud of dust when the plane lands and takes off. Right now the runway is dish shaped and in the spring the DC-3 gets bogged down and quite often they have to get jacked out to get mobile. They try to land in the frost in the morning but sometimes this can't be done. The Federal Government, some years ago, surveyed a runway out on a bench above Mayo and they can get 7500' runways with no trouble at all. It is very flat and it wouldn't cost too much to level it off. It isn't heavily wooded and this would provide a much more suitable runway. They wouldn't have the ground fog they do on the other one. The Chamber of Commerce have been in contact with Crest Exploration and they wrote to Mr. Nielsen. Mr. Boggs, who works for C.P.A. and who is on the airport committee for the Chamber of Commerce was instructed to write a letter to the California Standard. Mr. McKamey then read a letter from the Chief Pilot of California Standard Co. in support of a new and adequate airport at Mayo. The letter outlined the discoveries at Peel Plateau, Blackstone River and Snake River. Construction of an all weather strip is being planned at the head of the discovery in 1963 and if Mayo was to play its logical part in this development a new airport would have to be built as the present facilities are inadequate for modern aircraft. It would be impossible to base a large supply operation at Mayo with the existing facilities. The extent that Mayo would benefit and grow from this would depend on the adequacy of its facilities as an airbase. Recently Mr. McKamey was talking to one of the pilots based in Whitehorse and he was informed by this pilot that they are going to ship gas and oil etc. out of Mayo this year but they have 100 ton of fuel that they wish to ship in to Snake River property and due to the shortness of the runway and the load factor for safety they are going to fly this fuel out of Norman Wells as they have better facilities. This fuel would mean extra work for the district; more revenue for the Government as the fuel would be hauled over the highways and there would be nothing but gain for the project.

Mr. Watt asked Mr. McKamey whose jurisdiction would this be under, Federal or Territorial, and if he had any idea how much this was going to cost and where the money was coming from.

Mr. McKamey replied this was under the jurisdiction of the Department of Transport and it would be a Federal project and would be 100% Federally financed.

Commissioner Cameron stated the Territory would maintain it as the other airports are. It is 100% recoverable from the Department of Transport.

Motion Carried.

Mr. Watt asked if the City have approved the Lot 19 project or had some different plans been suggested.

Discussion
of Sessional
Paper No. 9.

Commissioner Cameron replied he had signed the approval for the plebiscite.

Committee proceeded with the discussion of the memorandum from Commissioner Cameron regarding Fitness and Amateur Sport. (Sessional Paper No. 17)

Discussion
of Sessional
Paper No. 17.

Mr. Taylor asked a question in regard to the application of this grant in relation to Territorial gymnasiums. He stated at the present time their gyms aren't being used to the fullest extent in the outlying areas and his question was, with the acceptance of the grant, would it be possible to use some of this money for opening up the gyms and paying for the janitorial service, its use and qualified instructors.

Commissioner Cameron replied off hand yes. As everything isn't clear yet he said it is difficult to say what is going to happen but right now he couldn't see anything wrong with this.

Mr. Taylor stated the reason he brought this question up is there are many people wanting to get into the gym for certain sports but it is difficult to do so and meantime the gym is sitting idle.

Mr. Shaw asked Commissioner Cameron if Mr. McFarlane intends to travel to all areas of the Yukon and discuss this matter with the people and if they will be advised accordingly.

Commissioner Cameron replied yes, he will travel through the Territory and will talk to any organization that wants to listen or talk to him. The problem is that he isn't coming until February, and this years operational grant of \$15,000.00 must be used or it lapses so they couldn't wait for Mr. McFarlane and would have to find someone to do an immediate study for the area and set up the basic plan but he didn't think this was too practical. Now they are trying to set some kind of a program up that can be enlarged upon to get this money and he had received an agreement that morning to be signed on behalf of the Yukon. It has Mr. Monteith's signature so it is just the case of setting up some sort of nucleus to a plan and they will get this money before March 31st.

Mr. McKamey said in relation to paragraph 14, he would like to know if provision has been made in the Financial Agreement to coincide with this.

Commissioner Cameron replied there is no allowance. This still isn't settled. The Minister has stated he would like to see an outright grant.

Mr. Shaw stated he understood some type of advisory machinery had been set up to start a program and he wondered if this was correct.

Commissioner Cameron replied that was correct. It was done on the suggestion of Mr. Shandro and Mr. B. White. However, this could only be an anchor to grab onto to get something going but couldn't be too effective as it only included Whitehorse, whereas the whole Territory must be included. Old Crow have submitted their request to step up their ski program.

Mr. Shaw asked the amount.

Commissioner Cameron replied \$4,000.00 plus the use of the nursing station for a ski training centre.

Mr. Watt wondered if it was the thought in Ottawa that the Territorial share come out of our recreational fund.

Commissioner Cameron replied it had never been discussed although they might have this in mind.

Mr. Boyd thought they should leave this in the capable hands of the Administration until they can progress a little further.

Mr. Taylor said they have not officially signed the Five Year Agreement and it had been mentioned that there could be a revision of this Agreement before it was signed, He wondered if this was correct.

Commissioner Cameron said no. To all intents and purposes, the Agreement is signed and this is merely a formality that has not been carried out due to the pressure of business. The present Five Year Agreement is an actual fact and the monies have been used and the signature is a formality. As previously mentioned new projects could permit a revision of the Five Year Agreement.

Mr. McKamey asked who would approve the expenditure of certain monies.

Commissioner Cameron replied the Minister of Health in Ottawa. We submit a programme in keeping with what they have in mind and if agreeable to the Minister, we get the money.

Mr. McKamey asked if this grant would be broke down and if they could vote on certain portions of it for specific recreational purposes.

Commissioner Cameron replied he wasn't sure how it would work.

Mr. Shaw stated he had suggested that a Member of Council be on the Committee as where there are Government grants and the Territory has to pay a portion of the expenses they should have liaison between Council and the group that are organizing the matter.

Mr. Shaw moved, seconded by Mr. Watt, that Councillor McKinnon represent the Council on any Committee formed for the purpose of assessing and developing this programme in the Yukon if and when that Committee is formed.

Mr. Livesey wondered what the situation was at present and where Mr. McKinnon sat if this motion was passed.

Mr. Shaw replied they aren't sure how the situation might exist and if and when the matter is clarified they have a member willing and able to jump into the breech and give the Committee the benefit of his experience and knowledge.

Mr. Watt stated the way he saw it is Mr. McKinnon is to keep himself informed on the activities that are being done on this programme and this Committee could report to Council at the Spring Session to see what has been done.

Mr. McKinnon remarked it would be a sad situation if this \$15,000.00 was allowed to lapse and was lost to the Territory, as it certainly is needed.

Motion Carried.

Committee proceeded with a discussion of Bill No. 13, An Ordinance to Amend the Public Health Ordinance.

Discussion
of Bill
No. 13.

Mr. Shaw said it appears that it is desirable there be a local health committee in each municipality. He didn't quite get the drift of this and as far as he could understand there is a group

active in Dawson. At the present moment they have a Member of Council on the Health Committee. However, he wondered if there was a difference in this and what existed at the present time with the exception of expanding the amount of members and the laying down of certain restrictions on the person who would qualify to be on the committee.

Commissioner Cameron suggested that Mr. Hughes, the Legal Advisor be asked.

Mr. McKamey asked if they could have the background of the Bill.

Mr. Hughes said he wasn't qualified to give the whole background as they were being amended when he arrived. He suggested that the committee adjourn consideration of Bill 13 and look at Bill 14 because the two have to go together. As he understood it the desire was to improve the provisions of the Public Health Services throughout the Territory, and two techniques had to be evolved, one for the municipal areas and one for the nonmunicipal areas and he suggested that in order to summarize the thing the committee read the marginal note - not because they are authority, but because they summarize and they might see the purpose of the legislation emerging. He thought Mr. Fingland was best informed on the early stages and he would discuss that with him before they resume.

Discussion
of Bills
No. 13 & 14.

Mr. Livesey thought from first glance at this Bill, that a question arises as to whether the Federal Government wants more control over the Yukon Territory in this particular field and he wondered if this was what they wanted or if it was something the Federal Government wanted to fit in with their medical plan for the Territory. He also noted that the Commissioner can appoint a board of health and perhaps they might not want it and then he can charge the expenses to them also and he can appoint the secretary and chairman. It seemed to him that this looks like a Federal proposition so this extra control can be put in over this question. He felt Health was an important thing in the Territory and they do have certain provisions now concerning health officers and medical health officers. In the latter case it appears they have had people who have had no qualifications whatsoever.

Mr. Shaw thought his indications were just the opposite of the Member from Carmacks-Kluane and he thought the Health Department wished to have a more active local participation in the matters of health and in view of the different interpretations he asked Mr. Chairman if they could have Mr. Fingland available or some other person to explain this at 2:00 o'clock.

Committee recessed at 12:00 o'clock noon.

2:00 p.m. Monday
26 November, 1962

Committee resumed with discussion of Bill No. 13, An Ordinance to Amend the Public Health Ordinance, and Bill No. 14, An Ordinance to Amend the Municipal Ordinance, with Mr. F. Delaute, Administrative Assistant present.

Mr. Livesey stated that prior to recess at noon he had brought to the attention of the Committee some talks he had had on this Ordinance (Reference to the Amendment of Bill No. 13) and it seemed to him in one place that Commissioner Cameron was going to appoint Boards of Health for areas in the Territory, not within the Municipality. He was also going to be empowered to appoint Boards of Health in the Municipality where the Municipality had failed to appoint these Boards. Where the Board consists of three persons, it is stated that Commissioner Cameron shall appoint the Secretary and also the Chairman. He didn't think there was much left for argument. It seemed that the whole situation lent itself to more Federal control - he was willing to stand corrected if his thinking was more suspicion than anything else.

Discussion
of Bill No.
13 and Bill
No. 14.

Mr. Delaute replied that as far as the municipalities were concerned the Explanatory Notes indicate the history behind this to implement the Health Plan which was to give the Territory authority over its own activities in matters of Health and they contemplated the appointment of these Boards of Health to make the government of Health matters in the Territory more feasible locally. If Mr. Livesey was of the opinion that the Federal authorities would have more authority than we would have locally, it was not for him to argue - it was a matter of interpretation of the draft Ordinance.

Mr. Livesey said he had made an attempt to correlate his thinking. There was another document they had just received from the Administration and this document purports to put the Council in a false position, in his estimation. It seemed that in their move towards a more responsible form of government, the thinking should definitely be more in line of giving Council more responsibility, while it seems to be going in the opposite direction. Talking about the Administration making appointments as far as the City is concerned, and also as far as other areas are concerned, we have a document dated 13 November 1962 which pointed to some control as far as the internal operation of the House was concerned. He thought we were moving towards acceptance of more responsibility by the legislative body, but this seemed to be moving in the opposite direction.

Mr. Delaute stated that going back to Mr. Livesey's first remarks where he said that Commissioner Cameron was being given authority to do certain things, he wondered if Mr. Livesey would quote exactly - was it in the draft Ordinance of Bill No. 13, or was it under Bill No. 14 that these powers have been given to Commissioner Cameron.

Mr. Livesey replied "yes", on Bill No. 13, page 2 of Explanatory Notes it says "the Commissioner may appoint Boards of Health for areas in the Territory, not within the municipality", and in subsection 3 of section 7 it says "if within two months of the mailing of the letter referred to in subsection (2) the Council has not appointed a Board of Health, the Commissioner may appoint a Board of Health for the municipality", and further on it says the Commissioner shall also appoint the Secretary and the Chairman. It appeared to him, in view of the statements in other documents that the government is the Commissioner, that we are going to have more Federal control rather than less Federal control.

Mr. Shaw stated that it was his interpretation that this was giving more control to the local municipalities where they had the power under the Ordinance to have a Board of Health, but at the same time it was creating a situation whereby it was mandatory that there should be a Board of Health in these municipalities, and if these municipalities did not provide a Board of Health then, in order to have one, Commissioner Cameron could appoint one.

Mr. Delaute replied that that was the way he would interpret it. As he understood it the amendment in its realized form was adopted by Council and implemented by the Financial Agreement Ordinance and, in order to make it work, one of the steps to be taken, as recommended in the Health Services Plan, was that this Ordinance be amended to provide for the formation of Boards of Health. Outside the municipality someone has to appoint these people if it is thought necessary on the recommendation of the Commissioner's advisors. In this case it would be the zone superintendent who is administering the Department of Health. If he felt things would work better in certain areas or districts, he would recommend to Commissioner Cammeron the Board of Health appointments, whereupon Commissioner Cameron would invoke Section 8. In the case of a municipality, it would pass its own by-laws for a Board of Health and if the municipality had strong reasons not to do so, it would probably be explained to Commissioner Cameron and he would judge his next step according to the argument presented to him. If he felt that the argument for a Board of Health was stronger, he may decide to force the issue and pass an order for the appointment of a Board of Health so that the Health authorities could do their work better by local self government. The whole theme under this is to throw it into the hands of the local people. Ottawa is more than anxious to put it in the lap of the local authorities and that was the basic principle behind the amendments, in his opinion.

Mr. Taylor said he would have to concur with this particular recommendation. Under these proposed amendments much authority is placed in Commissioner Cameron's hands. We have to have faith in Commissioner Cameron and in the Administration and he certainly thought this was a very good move.

Mr. McKamey remarked that we had been howling for a more responsible form of government and we should be happy to go along with this.

Mr. Livesey stated he was sorry but he couldn't agree and when he was talking about Federal control, he was talking about Commissioner Cameron, and from another document before Council, it was pointed out that Commissioner Cameron was the Government.

Mr. McKamey asked which document.

Mr. Livesey replied that it was in one of their folders which had just come up recently and it was also brought to their attention in the document dated November 13, and he couldn't see how this could be looked upon as more local control. He wondered if the Municipal body of Whitehorse had been approached with regard to this particular section and if so, what was their attitude toward it.

Commissioner Cameron remarked that he did not know whether they had been approached or not but he would like to comment that it said the Commissioner "may" - he did not believe it said the Commissioner "shall" - it was stating a fact that instead of having to go to Ottawa, that you could come to the Commissioner and the Commissioner may do these things, so that is getting a little better into local control. He thought possibly Council should look into the suggestions passed on by Mr. Hughes before the recess for lunch, that before passing on this, Council could through Bill No. 14, which goes hand in glove with Bill No. 13.

Mr. Livesey said that before that happened he had some more questions.

Mr. McKinnon stated that in view of the fact that Bill No. 14 might answer some of the queries raised on Bill No. 13, he didn't think it would hurt to read Bill No. 14 just in the hope that it may solve some of these problems.

Mr. Livesey said he had one specific question which he did not think the reading of any bills now would solve.

Mr. McKinnon said he would certainly let him ask that question after the reading of Bill No. 14.

Mr. Livesey replied that that was not quite correct. If a question should be asked, and if the member said it can't be asked, that would be a different thing, but there had been no opposition to him asking the question.

Mr. Taylor suggested that the member should ask his question.

Mr. Livesey said his question covered subsection (b) of Section 5 concerning Medical Health Officer or Health Officer, where it says "if no licensed medical practitioner is available, some suitable person as Health Officer, and such person shall hold office during pleasure". He said in subsection (2) the same thing is said covering "a licensed medical practitioner as Medical Health Officer, or some other suitable person as Health Officer, and such person shall hold office during pleasure". Now, to whose pleasure, does this refer to? Is it the pleasure of the individual who is involved, or is it the pleasure of the Administration in relation to who they shall hire and who they shall not?

Mr. Delaute said if it was a question of knowing whose "pleasure" it meant, and it was a matter of interpretation, he would say it was applicable to both the man who held office and the man who appointed him. If a man finds he has too many obligations and is unable to perform his duties as Health Officer, he could ask Commissioner Cameron to appoint somebody else in his stead, and again, Commissioner Cameron might feel that the person who was appointed is incompetent and notify him accordingly.

Mr. Hughes stated he supposed there was only one real definition and that could be found in the Interpretation Ordinance - he thought it was defined in Section 15 or Section 16.

Mr. McKinnon asked if he could now proceed to Bill No. 14 and this was agreed to. He read Bill No. 14.

Mr. Watt said that as he saw it we do not have too much say in the administration of our hospitals now and we are asking in that legislation to give the municipality an opportunity to participate - actually he believed we would have more participation in the Territory in the administration of our health plans. We are now in the privileged position of sitting here, not participating in the administration of the Northern Health Services. He saw these two pieces of legislation as a way to get people of the Territory to participate in not only the administration of these Northern Health Services, but possibly in the financing of it. In our Financial Agreement we had agreed to a \$25.00 a day limit on the cost of operating that hospital we also asked that this \$25.00 a day limit be held and not increased and the \$2.00 per capita for people within the municipality was thrown out by ourselves. He thought this was a way for Ottawa to get around and ask us to participate financially in the operating of some of these Northern Health Services. He wasn't prepared to say whether this was good or bad, it is a responsibility that we will have to assume - this is the first of a few steps we will have to take to finally participate fully, possibly 100% in a few years, in the operation of our Northern Health Services.

Mr. Shaw stated that in regard to Municipal Ordinance No. 14 there was an effort to have a clause in the Financial Agreement whereby the Municipality paid on the basis of \$2.00 per capita. He was wondering with this Ordinance here whether the Council may, by by-law, authorize the Mayor to enter into an agreement with any person, etc. in the sharing of costs in providing such services. Did this mean that when this is passed that this section can come in to being whereby the municipalities will be asked to dig up some money to pay for the health services that are provided.

Mr. Delaute replied that in the Health Ordinance there was no reference to the imposition of \$2.00 per capita, so the law couldn't be invoked any way. He referred Council to their Votes and Proceedings for the First Session of 1962, Volume 1 on page 10. If it were a question of collecting revenues from the public for this purpose by invoking this amended section in the new Ordinance, the municipalities come into the picture by deciding for themselves whether or not they are going to enter into any agreement. They would have the last word and if they feel that they cannot impose any levy, then it doesn't go through.

Mr. Shaw said he would answer that question by saying the Council by by-law may authorize, or may not, but then there is another section which says that if they do not, the Commissioner can.

Mr. Delaute replied that the Commissioner can only appoint them, but he cannot pass the money by-laws.

Mr. Boyd stated we have a position where the municipality is bankrupt, the Commissioner can come along and say "you are going to have a Health Officer or sanitation programme, whether you like it or not". He supposed the Commissioner would appoint a man, and he has to be paid. The question is, who is going to pay for it, if a man is appointed.

Mr. Watt asked if the duties of this Board of Health would overlap or take the place of our present Hospital Board.

Commissioner Cameron replied that the Board of Health in the municipality has usually been the City Council in its entirety or the Mayor with two or three of the aldermen.

Mr. Watt said that not too long ago a member of this Council was appointed to the Board of Health.

Mr. McKinnon stated that he was appointed a member of the Hospital Advisory Board - it is not a Public Health Board. It was an advisory board for the operation of the Whitehorse Hospital specifically.

Mr. Shaw asked in relation to Municipal Ordinance No. 14, why was it necessary to say that "the Council may by by-law authorize the Mayor to enter into any agreement with any person or with the Governments of Canada, the Territory or any Province with respect to etc. etc.". There must be a reason for providing a new Ordinance to give them this power and he wondered if he could get the answer.

Mr. McKinnon asked the Legal Advisor if this legislation was drawn up locally or was it from the Federal Government.

Mr. Hughes said that instructions were sent requesting the preparation of these two pieces of legislation. He would try to supplement the question of this by-law. The duties and powers of the Mayor of the Municipality are defined in Section 33 and there is nothing in what is set out in Section 33 of the Municipal Ordinance that empowers him to enter into an agreement of this nature, so the safest course would be, to delete this. He asked Council to notice the by-law in subsection (2) that "a by-law passed pursuant to subsection (1) shall not be valid unless prior to the third reading thereof it has been submitted to and approved by the Commissioner". That was not quite the same as the usual, and the other provision in Section 56 states that "the Commissioner may disallow any by-law made under the etcl etc.". Here, in order to avoid the embarrassment and confusion which would arise if a by-law was passed and given three readings and published, and Commissioner Cameron refused to allow it, the position is taken of making choice approved before going to third reading. For that reason as well it was felt desirable to reintroduce this provision.

Mr. Livesey said that it seemed to him this was not a question of legislation to assist the lower echelons of government to carry out any particular problem that they may have to deal with - it appeared to be legislation that has been created in order that the higher echelons of government may in some cases force upon the lower government bodies their ideas of thinking and conditions. Furthermore, it would appear to him that this Board, which is now going to be set up would be imposed on the people whether they want it or not. It says that "the duties of the Board of Health shall be to advise the Council on matters pertaining to public health in the municipality", and these selfsame individuals who are going to advise the Council on what they are going to do, these individuals are then going to administer the Public Health Ordinance in the Territory. This is an expansion of Administration in the Territory - in the event of areas outside the municipality the Commissioner is going to be empowered to appoint a Board member, or a Board, depending on how many he chooses. He felt this should be taken up with the local municipality in Whitehorse to see what they think about it before we bring this bill into law.

Mr. Watt wished to question Mr. MacKenzie regarding the financial implications of this Bill.

Mr. MacKenzie, Territorial Treasurer, attended Committee.

Mr. Taylor asked whether a Health Officer required any training?

Commissioner Cameron replied that no training was required as the Health Officer was an individual that carried out the regulations as laid down in the Ordinance to do with sanitation facilities and so on - no personal qualifications were required as far as he knew.

Mr. McKamey asked what effect the appointments to the Health Board by the Commissioner would have on the Health Officers appointed in some of these areas, for instance the Health Officer of the Mayo district. He contributes quite a bit to the district and he wondered what effect this would have on his position. He believed the Territorial Government appropriates a certain amount each year for Dawson and Mayo for these two appointments - perhaps Mr. MacKenzie could enlighten him on this.

Mr. Mackenzie replied that that was so. The Territorial Government does vote money for payment to Mr. Clark as District Medical Officer for Mayo, and also for the Doctor in Dawson.

Commissioner Cameron said this would have no effect on these two gentlemen. The Health body was selected to work in conjunction with these two men to assist them in carrying out their duties.

Mr. Livesey said that in the event the Municipal Council had not dealt with the matter as defined in the bill, and the Commissioner appointed an advisory body to the Council, just who was going to pay the cost of the body set up in this particular way. In other words, there you have something that the Municipal body does not want, it is going to be brought into being by an order of the Commissioner, they are going to advise the Council, and are going to administer the Public Health Ordinance. There is going to be three of them the Secretary is going to be appointed by the Commissioner, and the Chairman is going to be appointed by the Commissioner, and the other fellow is foot-loose and fancy free, all on his own. That was the only problem he had with regard to the financial aspects of it.

Mr. MacKenzie replied that the cost of this would fall upon the Territorial Government, it is provided in the Health Plan that this Board shall be appointed, and the money to pay for it is there. He therefore did not think that this presented any problem.

Mr. McKinnon pointed out that it seemed to him to be the municipality's duty to pay the Board of Health according to Section 2 of Bill No. 14.

Mr. MacKenzie replied that when speaking of the municipality's shares they were referring to the \$2.00 per capita contribution which they were to make to the Territorial Government towards the total cost of operating these Boards, but that \$2.00 per capita was dropped, so that would mean the full cost would be borne by the Territory.

Mr. Hughes commented that he did not have an earlier acquaintance with the Health Plan, all he could say was that it was intended to have a Board of Health and the position was envisaged that if the municipality refused to appoint a Board of Health in the circumstances where it was of paramount importance to ensure the health of the community, then Commissioner Cameron would be able to make them co-operate. That was the background of this, he believed, there was a degree of control that Commissioner Cameron would maintain if the Board was appointed. Supposing there was a definite need for some service which the municipality refused to introduce, Commissioner Cameron would perhaps persuade them to consider that.

Mr. MacKenzie asked if he could inquire whether the cost section was put in at the suggestion of Ottawa, or was it our own idea.

Mr. Hughes replied he believed that in the original instructions it went through to Ottawa and was believed to be a reflection of Council's wishes at the time of the Spring Session. If the error lies anywhere, it would not lie in Ottawa, it would lie on his desk - he had got the instructions and somehow or other he must have persuaded himself that that was the wish of Council at the time. In an attempt to steer out of one problem we seem to have gone into another. Manifestly these services that are provided must cost money and it follows that Council must direct its mind to the source of the money. It is for the Council to say "right", let us simplify 97A, let us exclude the cost for sharing the cost. Assume it isn't there, what are we left with? We are left with a vacuum. In considering this legislation, it is not only what the legislation says, but what it is attempting to move away from. What is the present position today? Where is the money coming from, what are the services? It was the intention of Council in the Spring to move from what it had at that time, to improve upon it, to build upon it, to give local authority to conduct local services.

Mr. Watt stated that in the light of what the Legal Advisor had said, it would seem that the operation of the whole plan would have to come from 800 or 900 taxpayers in the municipality of Whitehorse, this was the number of voters that was produced at the last plebiscite - plus a handful from the municipality of Dawson.

Mr. Livesey said that the contradictory sections of the bill did not make sense - that was his point, and he also felt that Bill 13. did not agree with Bill 14. He said the way it was now wasn't worth considering - there was rigidity in one aspect of it, and flexibility in another aspect of it, and we are not trying to co-ordinate them, to create some cohesion between the two, and we shall just wind up with conflict. These questions should be taken up with the municipal bodies.

Mr. Shaw said that the City of Dawson has had a Health Board since 1950 and the duties of this Board was to go around the town to see unsightly sights and report it to the Council who, in turn, reported it to the Medical Health Officer. The Medical Officer would attend to this and it did not cost anything - there was no money involved. The Medical Officer was the only member of the Board paid under contract by the Territorial Government.

Mr. McKamey stated the Ordinance did not say about anyone getting paid. There was one point, however - in the Explanatory Notes, page 16, of the Health Service Plan, it says "provides for payment by municipal councils to the Yukon Government of not more than \$2.00 per head per annum to cover the cost of local public health service." This was thrown out, but how did it creep in again.

Mr. Delaute replied that it did not creep in at all. There is no reference in the law. This was merely in the Explanatory Notes - we had told them in Ottawa that this had been thrown out. He would suggest that under Bill No. 14, municipalities are not prevented from continuing to operate on a voluntary basis, this is just in case the municipality felt it should go into expenditure they may have to make over and above the voluntary end of it.

Mr. McKamey asked what expenditure this would entail.

Commissioner Cameron explained that possibly why the suggestion of costs or funds was put in there is so that the City would carry on as it has done and not suddenly get the idea that they should have a paid health group, in which they would have to participate.

Mr. McKinnon said there was no provision for any revenue for this purpose although Mr. MacKenzie had intimated that provision had been made in the Five Year Agreement.

Mr. MacKenzie stated that money had been provided in the Five Year Agreement for this cost because the Agreement was based on this plan here. The figures in this plan form the basis of the deficit grant, and this plan talks on page 16 of this \$2.00 per capita coming in from the municipalities, therefore the cost of the scheme should also be in - it is not specifically stated. He was sure that was the situation. As to the cost clause being in here, we apparently told them to put it there, judging by a letter which was in Mr. Delaute's file.

Mr. McKamey asked again what this cost would entail.

Mr. MacKenzie replied that candidly he had given no thought to it, but he did not think it would be substantial, maybe a few thousand dollars.

Mr. Watt said it would appear that some of the cost involved could be explained by the appointment of the Board of Health. These duties are roughly the duties that are being done by our Territorial Health Inspector and if we do have a Board of Health, then we would possibly lose our sanitation inspector - these duties are being performed presently by someone who is being paid.

Mr. Livesey said that subsection 4 of Section 7 is something that did not usually occur in law. He could be corrected on that, but it seemed to him that the different levels of government operate within their own sphere and have a certain amount of democratic freedom, and here it seems that this freedom is being encroached upon.

Mr. Shaw remarked that in the matter of health it was often necessary to lay down the law for the benefit of the public in general.

Mr. McKamey stated that supposing we had a water pollution problem, and it would require an expenditure to solve this problem. Under this Ordinance would we have to dig this up ourselves or would the Territory as a whole meet the cost.

Commissioner Cameron replied that it would not be from the municipality - when he said "no" he meant the City of Dawson which, should it be involved in a situation like that, would not have the money, but there was allowance for additional funds for unforeseen problems in the Five Year Agreement. If the City of Whitehorse had a water pollution, why this is part of their operational costs.

Mr. Watt commented that from the conversation they have just had, it was clear that costs would be involved and if they vote for this bill, they were voting to tax the residents within the municipality.

Commissioner Cameron stated that it could not be said definitely that there was going to be costs because it was not known if the situation would arise that a Health Board would be appointed. If a situation did arise that the City of Whitehorse wanted a paid Board of Health appointed, they will realize that they will have to pay a portion of it and before going to the people they would compute it at that time. There is a big "if". But if they did want a paid Board of Health they would have to realize that the way this is written they are subject to some or all of the costs involved - what they would be, we don't know - but Mr. MacKenzie said it would not be very large. This does tend to keep the present Board of Health in operation.

Mr. Shaw inquired if the present Boards of Health in the two municipalities were proving unsatisfactory, and should they be changed.

Commissioner Cameron said "no", not to his knowledge. He thought this was set up to anticipate anything that might happen, say a population explosion or an epidemic or something like that. To his knowledge the present Boards were working quite well.

Mr. McKamey inquired that if a situation should exist where structures in the Whiskey Flats or Moccasin Flats areas are considered undesirable and unsanitary and a danger to the public health, would this be a City problem or a Territorial problem.

Commissioner Cameron replied that it would be a City problem as presented and has been a City problem. Now it is a little different as we have Federal funds to clean up the areas mentioned, but actually as it is within the perimeter of the City, it is a City problem.

Mr. McKamey remarked that if this Ordinance was passed, they would be held responsible for the moving of such buildings.

Commissioner Cameron asked if he was referring to any place in Whitehorse - if so, it would be correct to say that the City would have to assume the responsibility.

Mr. Watt inquired that if these two bills were shelved, could Commissioner Cameron by regulation appoint people outside of the municipality to act as Boards of Health to make recommendations to the existing facilities.

Commissioner Cameron said he was unable to answer that, he did not know.

Mr. Watt said that Commissioner Cameron had stated that things were pretty well taken care of within the municipalities, so the problem is outside of the municipalities - what is going to be done to help them with their problems. At the moment the criticisms of the present system come through the member of this Council - maybe a regulation could get around this and perhaps have a body or Board appointed in the municipalities themselves.

Mr. Hughes stated that the request which he understood about the \$2.00 deletion was simply a deletion of the \$2.00 provision, not that municipalities should be relieved of all costs. If the attempt to provide for future contingencies was unsuccessful, at least it would have been well-intentioned. However, it seemed now that Council is moving to a point where a redraft is called for, sooner or later he would have to sit down with a piece of paper and pencil.

Mr. Watt said the intention was clear when they were discussing the health plan - that Council and Committee did not want taxation of the municipality for the benefit of the whole Territory. If cost had to be borne for our health systems, they should be borne by the whole Territory, and not by a handful of 800 or 900 people.

Mr. Taylor remarked that there was no mention of taxing anybody for anything. The \$2.00 per capita is out, it is finished.

Mr. McKinnon said that Mr. Watt's point was that provision had been made in the amendment to the Municipal Ordinance for the municipalities to enter some kind of an agreement where they will pay part of the costs of these local health boards whereas there is no arrangement made for cost sharing by people outside of the municipalities.

Mr. Taylor stated that this was not mandatory legislation - this is permissible legislation - they do not have to do it if they don't want it.

Mr. McKinnon pointed out that under the Public Health Ordinance now, Commissioner Cameron may make rules, orders and regulations respecting the establishment of Boards of Health and the appointment of members thereto. As it is now, he could establish a Board of Health in an organized municipality. If Watson Lake and Porter Creek got together and said they wanted to form a Board of Health Commissioner Cameron could make regulations now governing the establishment of such a board, could he not?

Mr. Delaute replied that this goes one step further towards self-government - you just said that under the present Ordinance Commissioner Cameron could do it, whether they want to or not, whereas this does give the municipality a chance to impose a tax on itself if it wants to.

Mr. Livesey stated that this was a most peculiar kind of democracy, the kind of democracy that points a finger at you and says "we will give you the choice to cut your head off, but if you don't do it, we'll do it for you". You are telling us that we can choose a Board of Health, but if we don't choose one, we will choose it for you. There is no choice. He would suggest that any further continuation of discussion on Bills 13 and 14 was, in his opinion, a waste of time. He did think though, it was not just a case of wiping them off the books as being incompetent or unsuitable, it was just merely saying that at the moment, the way they are written up, do not fit into our ideas.

Mr. Shaw said the only objection he had to Bill No. 14 was the possibility that at some future date the municipality might have to dig into its pockets and look after public health. He believed that public health should be the responsibility of the Territorial Government.

Mr. McKamey stated that under the Public Health Ordinance Commissioner Cameron could make rules respecting the establishment of Boards of Health, the appointment of members thereto and the definitions of their functions and duties, etc. This is already laid down in the Public Health Ordinance - what would be the reason for the duplication of these sections?

Mr. Hughes replied that he was not confident that the explanation in the Ordinance was the right one or the full one, but we are dealing with two bodies, the municipal and the non-municipal in the two Bills before us. Whereas the Public Health Ordinance was not interfering with the municipal. We do have a slight difference there. The other part of the explanation that he would offer was that the bills were before them because they represent an attempt to reduce to form what the Council had approved of at the Spring Session by accepting the health plan with its inherent principles.

Mr. McKamey moved that this be deferred to a later date to give them a chance to go over the old Votes and Proceedings with respect to the health plan.

Mr. Livesey felt they would not have time at this session to deal adequately with Bills 13 and 14 - he thought they should be left in abeyance and tackled at a later date.

Mr. Taylor remarked that they were getting back to the same old thing of deferring, deferring, deferring. Can't we face up to some of this stuff as it comes up?

Mr. Livesey said "yes", we can face up to it. He would move that Mr. Chairman do now leave the chair on Bills 13 and 14.

Mr. McKinnon read Mr. Livesey's motion seconded by Mr. Watt, that the Chairman do now leave the Chair on Bills 13 and 14.

Mr. McKamey said he would like to speak on the motion. He would like to know its intent, where do we go from here, will this just defer it until tomorrow and it can be opened for discussion tomorrow afternoon.

Mr. Livesey replied "no" - the intent of the motion was to dispense with any further discussion of the bills at this session.

Mr. McKamey remarked that that was not said in the motion.

Mr. Livesey stated that according to parliamentary procedure it most certainly did.

Mr. Taylor remarked that the motion wasn't clear to him. It is that the Chairman leave the chair with respect to those two Bills - it does not say that it cannot be brought back to committee. He would like to see it discussed further and maybe, as the Legal Advisor suggested, if we don't like what's here, we could come up with an idea for redraft. We may wish to accept it as it is written, we may wish to do several things, but to chop it off now he was in total disagreement.

Mr. McKinnon asked Mr. Taylor that in view of what he had said, it would appear that he would not vote for this motion.

Mr. Taylor replied "certainly not", but if it was the intent of this motion to discuss this further tomorrow, he would vote for the motion.

Mr. Livesey stated that Council had spent many hours on these two Bills, but have arrived at no solution. To keep on just hammering away at it, hammering away at it, chopping here and chopping there, is not going to help in the slightest bit. He felt they could be helped if they had a redraft, if such was required, of both these bills because it seemed to him that there were areas of conflict. However, there was no reason why this could not be brought up at the Spring Session. He made a motion to clean these two bills off for this Session which does not certainly prevent anyone from bringing them up in the following Session in Spring.

Mr. Taylor said he disagreed with the member from Carmacks-Kluane - as he stated earlier, deferment, deferment. As for hammering away at these bills, that was what they were here for, that was what they were elected to do, and he did not believe in this curtailment one little bit.

Mr. Watt said that he felt the discussions they have had could possibly be beneficial to the Legal Advisor if he was going to redraft it for the Spring Session. Commissioner Cameron had said there was no discontent with the systems we have at present within the municipalities and if there was a problem outside of the municipalities, it could be taken care of under our present Public Health Ordinance by regulation.

Mr. McKinnon said he had to inform Council that according to standing order 60 of Beauchesne, that a motion that the Chairman leave the chair is always in order and shall take precedence of any other motion and shall not be debatable. He was afraid he had been letting members slip away with debating on the motion, and also, that if this motion is passed, the proceedings of committee may be brought abruptly to a close by an order that the Chairman do now leave the chair. The Chairman in such cases being without instructions from the Committee makes no report to the House - the Bill deposed of in this manner disappears from the order paper, though it can be revived by an order of the House. That was the position he was in and what would happen to the Bill if this motion was carried, so he would have to put the question to them, and ask who agreed with the motion.

Messrs. Livesey, Watt and Boyd agreed, Messrs. Shaw, Taylor and McKamey disagreed.

Mr. McKinnon stated that the Legal Advisor had asked them if they wanted any amendments to these Ordinances, that they would have to give him specific instances in which we desire such changes so that he could redraft accordingly even if they were not to be presented again until the next Session and he believed that until they had given the Legal Advisor this direction, the debate should not be closed on this bill and therefore he would vote against the motion and break the tie also.

Mr. McKamey added that that was the reason why he voted against the motion.

Mr. Boyd stated he voted with the motion because he was more mixed up now than he was before. He did not think that any man at this table could put down what the Legal Advisor was asking them to do - there was not a man here competent of doing it and we would spend a long time here getting the words as he wants them.

Mr. Livesey added that furthermore Sessions are not the time to draft Ordinances.

Mr. McKinnon thought they were a good time for giving the intent for the drafting.

Mr. Taylor moved, seconded by Mr. McKamey, that the Speaker resume his chair and hear the report of the Chairman of the Committee.

Motion carried

When Mr. Speaker resumed the Chair, Mr. McKinnon, Chairman of Committee reported that Committee met at 10:15 A.M. with Commissioner Cameron in attendance. Motion No. 2 regarding Mayo Airport was carried. Sessional Paper No. 18, Fitness and Amateur Sport was discussed. Moved by Mr. Shaw, seconded by Mr. Watt that Mr. McKinnon be appointed a committee of one to represent the Council on any committee which may be formed to assess and develop the physical fitness programme in the Yukon. The motion was carried. Committee then studied Bills 13 and 14, An Ordinance to Amend the Public Health Ordinance and An Ordinance to Amend the Municipal Ordinance with Mr. Delaute and Mr. MacKenzie in attendance. It was moved by Mr. Livesey, seconded by Mr. Watt, that Mr. Chairman leave the Chair on Bills 13 and 14. Mr. Boyd, Mr. Watt and Mr. Livesey agreed. Mr. Shaw, Mr. Taylor and Mr. McKamey disagreed. Mr. McKinnon, Chairman, voted against the motion and it was defeated. Progress is reported on Bills 13 and 14.

Council accepted the report of the Committee.

Council adjourned until 10:00 o'clock a.m. Tuesday, November 27th.

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

Mr. McKamey gave notice of Motion regarding education.

Motion
No. 5

Mr. Boyd gave notice of Motion regarding priority in filling positions.

Motion
No. 6

Mr. Shaw gave notice of Motion regarding the Dawson Airport.

Motion
No. 7

Mr. Watt gave notice of Motion for the Production of Papers regarding Retarded Children's Class.

Production
of Papers
No. 3

Mr. Shaw moved, seconded by Mr. McKamey, that in the opinion of the Yukon Council it is deemed advisable and necessary that certain Federal Taxation regulations be revised in order to assist people to attain a better degree of permanency and encourage mining capital to enter into production fields. THEREFORE BE It Resolved: (1) That a bona fide resident of the Yukon Territory of single status be allowed a taxation exemption of \$1,500.00 and that a bona fide resident of the Yukon Territory of married status be allowed a taxation exemption of \$3,000.00. (2) That any person building their own home for to reside in themselves, should be able to depreciate this home for taxation purposes to be regulated under certain minimums and maximums as to the cost of an average home. (3) That it is a fact that there are two large corporations only who operate large producing mines in the Yukon Territory and that this condition has not changed for over thirty years and that it would appear therefore that a new approach is required and necessary to provide a production incentive program in order to create larger tax fields as well as increased employment in the Yukon. That in order to provide this added incentive for mineral production for increased employment and ultimate increased revenue to the whole of Canada it is agreed that it is common sense and equitable to the taxpayers of Canada that mining companies in the Yukon be allowed a corporation tax exemption on profits each year for five years following the date of coming into production. That this amount be an additional amount before taxes of 10% of the actual amount of money invested to bring the mine into production, 10% being considered a reasonable return on speculative capital. (4) That it is respectfully requested that the Minister of Northern Affairs present a copy of this resolution to the Minister of National Revenue as well as the newly formed Commission on Taxation.

Motion
No. 4.

Mr. Shaw stated this was the third time of asking in relation to this motion. The Federal Government recognizes that it does cost more to live in the Yukon by the cost of living allowance, but that privilege is only extended to a certain group and is not extended to the overall citizenry of the Territory. It doesn't matter which way you look at it the facts remain that for a country to have any stability you must have a group of people that will stay in the country and produce a certain amount of wealth. The incentive to stay here now is not very great so that if we wish to populate the north here must be some form of incentive and this motion would have a tendency for people to put their roots down and stay for a longer period of time. The Department of Revenue say they can't make the changes but they make other changes. If a person can depreciate the cost of a home say on a 5% or 10% basis each year it would provide some incentive for a person to build his own home. As for industry, the tax laws permit a company to write off 3 years corporation taxes but in many cases it doesn't work out too well because it takes a person three years to get going and by the time the three years are up the advantages aren't too great. His suggestion is for a longer period to permit a company to have a depreciation equal to 10% of the amount of capital they have put into this project over a period of 5 years - or other words a speculative return. He urged Council to take careful consideration of this as it was a move in the right direction.

Mr. McKamey supported Mr. Shaw on this motion and it left no doubt in his mind that the Federal Government have recognized the fact that it is necessary to provide certain benefits for Civil Servants in order to encourage them to live in the north and this is fringe benefits, northern allowances, etc. This Council has been on record of supporting something on the lines of this motion for a number of years and he thought it is time that the Federal Government recognize the wants of the people living in the North and furthermore this would more or less parallel their programme to develop the North. He felt it would also be contrary to the Bill of Rights as it is laid down in there that there will be no discrimination and if this isn't discrimination he didn't know what is. He strongly concurred with Councillor Shaw.

Mr. Watt felt the purpose is to either lower the cost of living or ask for subsidies which is what they are asking for here. He said the cost of living in all constituencies across Canada is different. He wasn't criticizing by offering another solution and he thought they should look into the possibility of lowering the cost of living in the Yukon.

Mr. McKamey stated he was not opposed to fringe benefits, that is required to get Civil Servants to work in the Yukon. He was simply using this as an illustration that the Federal Government have recognized the need.

Mr. Taylor thought this was a worthy motion and it offers a solution to the present situation and unless they got something like this he couldn't see any improvement in the future.

Motion Carried.

Mr. Boyd asked when an answer would be received regarding the petition submitted to Council by the people residing in Whiskey Flats.

Commissioner Cameron replied he wanted to check further with the Administration and he would be prepared to bring an answer the following morning. He stated in answer to two questions asked the day before he wished to say (1) regarding the position in the Public Service which was filled by a non resident of the Yukon, the committee set up to select an employee was set up under the amendment of the Public Service Ordinance passed April 30th, 1962. The Committee gave considerable scrutiny to 18 local applications and 22 outside and it was the 3rd application beyond the Territory before they were successful. He checked with each member of the committee and they did have in mind a local resident but none had the required qualifications. (2) In relation to the other question on wolf bounty - the Administration didn't see fit to raise the bounty. He had gone through the Votes & Proceedings himself and had asked the same question, however, in the meantime he had been signing approvals at the old price and as the austerity programme was in progress he didn't see fit to go back and raise the price.

Mr. Watt asked if it would be possible to obtain a photostatic copy of the petition Mr. Boyd is presenting re Whiskey Flats.

Clerk-in-Council said he didn't think the signatures would come out on a photostatic copy, however he could get a copy of the text.

Mr. Watt asked the following question addressed to the Administration: What plans, if any, does the Administration have for the stabilization of the escarpment areas in Whitehorse.

Question
No. 4.

Mr. McKimmon directed a question to Mr. Shaw regarding a passage in highschool text book regarding an erroneous statement on the Klondike and wished to know if Mr. Shaw was aware of it.

Mr. Speaker ruled the question out of order, and said he mentioned earlier that questions should be direct and to the point and should not be cluttered with explanations, reading from texts, newspapers or anything like that.

Mr. Taylor, referred to discussions held at the Spring Session, asked the Administration if anything was done this year on the Ross River Airport project.

Commissioner Cameron replied the Department of Transport as far as the austerity programme is concerned, refused their request for assistance at this particular time and the only thing they have done is set this land site aside for this airport until funds are available and they can go ahead with this.

Mr. Taylor, referred to a rumour he had heard, and asked if the Administration could give any details on the plans of opening of the Upper Canal Road through to Norman Wells.

Commissioner Cameron replied it is only rumour as nothing official has come through.

Mr. McKamey moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to enable Councillor McKinnon to direct his question to Councillor Shaw and then proceed with Bills, Memoranda and Motions.

Mr. Speaker asked if this is a way of attempting to reverse a decision by the Speaker of the Chair in the House.

Mr. McKinnon said he didn't think it was the intention of any of the Councillors to do that because this question was nothing serious or nerve shattering. To challenge a ruling of the Speaker on such a minute point isn't logical and this isn't an attempt. It was more in a manner of facetiousness that the question was asked of the Member from Dawson as it is something very erroneous on the history of Dawson and he thought it was ironic to find it in a Yukon Highschool text book. This was the point of it and it would be in good fun.

Mr. Speaker thanked Mr. McKinnon on his capable explanation that the question was facetious. He ruled motion out of order.

Mr. McKamey stated the reason he brought this into the motion was that he hears each day when the Speaker is sitting in Committee of the Whole talking about democratic right and this is a denial of the democratic right.

Mr. Speaker said Order, Order, there is no criticism of the Speaker while the Speaker is in the Chair.

Mr. Shaw stated the way he saw it was, when Mr. McKinnon first posed the question, in view of the discussion prior, the question should be more specific and brief. Mr. McKinnon's question was perhaps lengthy and the Speaker ruled that it was too long. That was accepted by Mr. McKinnon and also by Council. However, there is certain desire to hear the question Mr. McKinnon has to ask and Members of Council felt it was in order to have it at a later time where, and in a condition, that permitted a lengthier discussion and he couldn't see any challenging of the Speaker's rules.

Mr. Speaker stated he had ruled the motion out of order.

Mr. Watt moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda and Motions.

Mr. Speaker appointed Mr. Watt, Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Discussion
of Bills
13 & 14.

Committee proceeded with discussion of Bills 13, An Ordinance to Amend the Public Health Ordinance and 14, An Ordinance to Amend the Municipal Ordinance, with Commissioner Cameron and Mr. Hughes in attendance.

Mr. Shaw felt that the municipalities may be involved in an expenditure which he didn't think they can afford at the present time. Public health is a Territorial and Federal matter **rather than a municipal one**. Bill 13 has some very good points but he didn't subscribe to the principle as mentioned and suggested for discussion the bill be given to the municipalities to see what they think about it. They should have an opportunity to discuss it among themselves and come up with their opinions and after that is taken into advisement, it be put before Council again at the Spring Session.

Mr. Boyd said so what if you do charge the municipalities. They haven't the money to pay it and have to get it from them in the first place and by the time a municipality can pay this will be changed.

Mr. Shaw disagreed with Mr. Boyd and stated he felt the principle should be established as to whether public health is a municipal or territorial responsibility.

Mr. Livesey suggested that both Bills 13 and 14 be shown to the municipal council and also that this could come up again at the Spring Session.

Mr. McKamey thought the municipality should be responsible to a certain degree for health and if not the Territory as a whole would be penalized. It was his understanding the Territorial Council was the senior government and he couldn't see it asking the municipality to make suggestions as to what it should legislate.

Mr. Shaw wished to make his position clear. He felt the municipalities definitely have a responsibility in assisting in every way possible and he was merely pointing out the financial aspect that public health would be better organized at a Territorial level. It is beyond the municipality to absorb all the people coming in from outlying areas. It is something like roads - they are Territorial but the municipalities have a certain amount to keep up. Health must be uniform throughout the Territory and the expenditures should be a Territorial responsibility and the municipality should help organize and assist.

Mr. Taylor said under this Bill they are giving the municipalities three basic responsibilities (1) to advise Council on matters pertaining to public health in the municipality, (2) to administer the Public Health Ordinance and bylaws (that Council creates) and (3) to administer local public health services. He could see where it could cost some money - not any large sum, in the administering of local public health services. He suggested that where this health board work outside the municipality - in other words when they go outside the municipality confines, they charge the Territory for it and this would clear up the situation.

Mr. Livesey remarked that was quite clear in the Ordinance. It says the Commissioner will appoint a board failing the same appointments having been made by the municipality and in the event areas outside the municipality that the Commissioner will appoint the board for those areas. He failed to see any conflict between the two. He felt that the question of taking this matter to the municipalities involved is necessary because of the costs and the costs having been

provided in the Five Year Agreement - there is an area there of something having to be resolved. In the case of the Commissioner appointing all the members of the board, where the municipality fails to do so, this was bad and he felt it should be done some other way.

Mr. Taylor asked Mr. Livesey who he felt should select these health boards.

Mr. Livesey thought if the municipalities were going to be tied with the burden of the cost they should be apprised of the discussion Council is having so they can get answers from them and they should appoint their own boards. This is their prerogative.

Mr. Taylor thought it was quite clear that the council of a municipality may appoint a board of health for that municipality and the Commissioner may appoint boards of health where the council fails to do so.

Mr. McKamey said this is a Territorial problem, not municipal, and it seemed to him when someone handles the purse strings they have the say. He was in favour of the Bill as it is.

Mr. Shaw remarked he had raised a question but it hadn't been answered and that was whether public health was Territorial or municipal responsibility in relation to the payment of funds. It was considered at one time that the Department of Health and Welfare had the complete responsibility of this and now they are passing it along the line. He felt the Territory should accept the programme for health.

Mr. Livesey agreed with that. Under subsection (4), section 70, it states the expenses of a board of health shall be borne by the municipality. If they are going to levy the cost to the municipality they should discuss it with them. Further when the Five Year Agreement was discussed it appeared the Dept. of Health and Welfare were going to take over the responsibility for the administration of health in the Territory. Apparently they are going to foot the bill, so this conflicts with subsection (4) and should be straightened out.

Commissioner Cameron remarked he could see considerable dissension among the ranks and a different type of thinking throughout the committee. This legislation was drawn up in keeping with the N.W.T. and the City of Whitehorse won't be harmed as they have the say whether they want a health board. He wondered what would be damaging to the municipality, or to the Council, or the Administration if this was passed as it is unamended. He could visualize none himself and he couldn't see how all their points could be put into acceptable legislation.

Mr. Shaw asked the Legal Advisor, in the second paragraph of the Municipal Ordinance it states that Council as soon as possible each year prepare a detailed estimate and anticipated expenditures of the municipality for the year including and then section 3, such sums that may be necessary to meet the expenses of the board of health, etc., would it be mandatory for the municipal council to put down something more than just providing a board.

Mr. Hughes stated the obligation is to prepare estimates only.

Commissioner Cameron said that includes the cost of a municipal health inspector which in the case of Whitehorse is Mr. G.I. Cameron and he is paid a retainer by the municipality and has been for years and that is \$25.00 a month to act as their health officer and this is in keeping with the board of health and the cost of administering health and sanitation. He said the board of health itself is the City Council which doesn't receive any remuneration.

Committee recessed at 12:00 o'clock Noon.

Committee resumed with discussion of Bills 13 and 14 on the question as to whether Public Health was a Territorial or a municipal matter.

Mr. Shaw moved, seconded by Mr. Livesey, that Bills 13 and 14 be left in abeyance and brought before Council at the Spring Session with the views of the municipalities expressed in relation to them.

Mr. Taylor remarked that in speaking on the motion he would say that this Council had the same opportunity to withdraw an Ordinance or any portion of an Ordinance at any time it is felt prudent to do so. He could see nothing wrong with these two bills as they are written and as they stand and, although there has been some dissension in the interpretation of these bills, they could do no harm to the municipalities or to anyone else. Consequently, he would vote against this motion because he would like to see these bills passed. By the Spring Session, if they do not work well, the objectionable portions could be removed.

Mr. McKamey stated that as a member of this Council he would have to live up to his own convictions. They had been crying for a more responsible form of government and he could not vote for this motion because it would be in contradiction to what they had been fighting for. He was therefore opposed to this motion.

Mr. Livesey said that whenever there is a tremendous amount of opposition to anything, it would almost certainly be wise to defer the matter, especially as it would only be for a short time before they would be discussing it again. By so doing they would perhaps be better acquainted with the various aspects of the situation and it would give the Legal Advisor sufficient time to make certain adjustments and also the views of the municipalities could be expressed.

Mr. McKamey asked the Legal Advisor if he knew what adjustments this Council desired.

Mr. Hughes replied that he had no idea.

Commissioner Cameron stated that from the standpoint of the Administration he would not under these conditions ask the Legal Advisor to redraft this legislation. They would however present it to the municipalities and get their feelings on it - that was the very best they could do. Personally, he felt it was a good piece of legislation, in keeping with the uniformity of legislation and, unless Council spelled out definitely what they would like, they could not very well expect miracles from the Legal Advisor.

Mr. McKamey commented that he thought they were supposed to represent the senior government, they should not ask the municipalities what they should legislate. They were looking out for the benefit of the taxpayers of the Yukon Territory as a whole, and this was their problem and not the problem of the municipalities.

Mr. McKinnon stated he would have to agree with Mr. McKamey in respect of the principle on Bill No. 13 - it was understood by all of them that in the passing of the Health Plan they had wished to have Public Health at a more local level. Bill No. 13 provided for this quite well. Bill No. 14, according to his mind, was simply an enabling Ordinance to allow Bill No. 13 to organize these Public Health Boards so they could come into being under the Municipal Ordinance. There was a question of finance and responsibility that was met with debate around this table. He did not think it was the Administration's intent to force all of a sudden a quite drastic financial burden upon the municipalities in this Territory, thereby breaking their backs. They had agreed that municipal Health Boards at a municipal level are a good idea and they must have

some kind of enabling Ordinance in there so that, if they are at some time able to help along in the Public Health programme at a municipal level, they will have the power to do so. He knew of no municipality in the rest of the Dominion of Canada that have these public Health Boards and are not expected to pay their way when it becomes feasibly possible for them to do so. He was convinced that this financial burden will not be forced upon the municipalities until they are willing and in a position to do so. They are a good piece of legislation and he was prepared to vote for them as they stand now.

Mr. Shaw stated that he did feel the municipalities should know something about this, but that was only his opinion and, if the Councillors did not agree with his thinking, then he would accept his thinking as wrong.

Mr. Shaw's motion was defeated.

Mr. McKinnon moved, seconded by Mr. McKamey, that Bills No. 13 and 14 be reported out of committee without amendment.

Mr. Livesey pointed out that this was quite unfair to the municipalities. He said that Mr. McKamey mentioned about the question of responsibility, that we are always looking for it - this is true, and it behooved all those who were truly and earnestly and honestly thinking and accepting this form of responsibility that they would broaden their views to the extent that they are living in an area where there is a tremendous amount of people involved in the various aspects of the results of legislation. When legislation is before them so evenly divided, where there are so many for an so many against, it gets to a point where there is going to be a question of only one vote either way, just amongst seven people. It also behooved those members to realize that this may be the situation amongst the general public itself, perhaps it wouldn't be on every point, but on some things it very possibly could be so. In this respect he therefore felt it was only courteous, if for no other reason, to apprise the Council of the Municipalities of Whitehorse and Dawson of questions which are going to involve them in finance. We are here deciding something arbitrarily for them for which they have never been notified, even that it was going to be discussed here, and he had proof that these people did not know that this was going on. If one level of government tries to impose its will on another level of government, this contributes, in his opinion, to bad law.

Mr. McKinnon stated that all he could say was that Mr. Livesey was not reading the bill the way he did because all he could see, by the passing of this bill, was the authorizing of the Municipal Council to enter into an agreement with the Government of Canada in sharing these costs. If Mr. Livesey thought the Administration was going to force this down the throats of the municipalities, he would be one of the first to protest against this if it did occur. He could only conclude from Mr. Livesey's remarks that he had a much lower opinion of the Administration than he had.

Mr. Livesey objected to that. He had no low opinion of the Administration - this was an entirely erroneous impression. He was only going by what the Bills said and not by his imagination - it says "shall" and the word "shall" is imperative.

Mr. McKamey said that this was very obvious for if the municipalities refused to go along with legislation as laid down here, then somebody has to take the bull by the horns, but he did not think it was the intent of the Administration to whip anybody. The Commissioner may appoint a body, so what, that would not mean a thing, because he cannot make them do anything. It gives the Commissioner power, and this is right, because if they have not the fortitude to set up something that is possibly going to save the Yukon as a whole, then somebody will have to take the bull by the horns.

Mr. Boyd remarked that they were wasting a lot of time on things that were not necessary. In the first place when these municipalities were formed it was with the idea that they should run their own show, and if they want to run their own show, then they must assume some responsibility. In the long run where do they get their money but from the Federal Government, so whether the bills are passed or not, nothing is changed.

Mr. Watt (with Mr. McKinnon in the chair) said that it seemed Mr. McKamey, in discussing a previous motion asked the Legal Advisor if he had gleaned enough information from this to amend the Ordinance, and the answer was "no." In the meantime nothing else had been discussed in which to give the Legal Advisor information on - this is a motion that affects the municipalities in the Territory and Mr. Boyd said that nothing would be changed whether the bills were passed or not. He thought something could change, some good could come out of these present Ordinances, and some harm could come out of them too.

Motion carried with Mr. Livesey against.

Mr. Watt asked to be replaced as Chairman and Mr. McKamey took the Chair as Chairman of Committee.

Discussion took place on Amendments to Sessional Paper No. 8 (Sections 1 to 18 inclusive replaced by 3 pages of Section 1 to 25 inclusive).

Discussion of Sessional Paper No. 8.

Mr. Shaw remarked that with regard to these regulations certain parts of it would more or less be tied to the Workmen's Compensation Ordinance and would therefore require the scrutiny of Council. To go through the whole regulations, and there was a tremendous amount of it, would require a lot of time. It was quite technical in a sense and he felt sure they would not understand much of it without careful study. However, as so much of it was in conformity with British Columbia regulations, they could accept that part of it without having to go through all the smaller details.

Commissioner Cameron said that actually the 70 pages they had in front of them, with the exception of the 3 amended pages, are tied to regulations and orders as they are enacted throughout the Provinces. The amended ones are the main ones and they could ask the Legal Advisor for explanations on these.

Mr. Hughes stated that to the best of his knowledge they are based on and follow very closely the B. C. regulations. He had re-worded the first three pages because the wording of the original pages was a bit involved, but when it came to the technical parts he did not feel qualified to change. He did not disturb those, but he spelled out the rope sizes as he felt they should indicate the diameter sizes because there is a difference in practice. There was an additional regulation under tunnelling. The essential problem was that under Section 12, subsection 2 of the Workmen's Compensation Ordinance any safety regulation could not come into force until the Territorial Council had given its approval.

Mr. Taylor said he concurred with Mr. Shaw that they were dealing with a very highly technical matter and could be here many weeks debating the issue if they were to go through all the technical points, whereas if they only dealt with the three amended pages that would pretty well give them a start on it. They could take it home and if they spotted anything in those regulations that they felt did not read right they could bring it up at the Session.

Clerk-in-Council stated that these regulations were taken practically verbatim from the little booklet which he had obtained from the Workmen's Compensation Board of British Columbia.

Mr. McKamey said he had discussed these regulations with Mr. Al Pike, Manager of United Keno Hill Mines, and in the mines they have to adhere to them. He could see nothing wrong with them. These are the regulations in B. C. and they worked all right there.

Mr. Watt asked if these accident prevention regulations affected auto accidents.

Mr. Hughes said they were industrial regulations. They were not what one would consider to be the general idea of regulations in respect of a motor accident.

Mr. Taylor said that these regulations were certainly something that Council and workmen had looked for for a long time, and he moved that Council accept these regulations.

Mr. Watt inquired if it was necessary to have the service of an Accident Prevention Inspector to go around on all these jobs in the Territory.

Commissioner Cameron replied that Mr. Oliver was their Safety Officer as well as Mine Safety Inspector.

Mr. Livesey said that under First Aid, Item 23, he believed that under other legislation there is a requirement that an employer must employ a First Aid Attendant for every so many employees. The First Aid equipment, in his opinion, and from the basis of his experience, without anyone to administer it is useless. With regard to enforcement, will these safety regulations be applicable to areas under the control of the Department of National Defence.

Mr. Hughes replied that with regard to trained staff the Council will remember that Part 2 of the Public Health Act was deleted some 2 years ago and in that part of the Public Health Ordinance there was provision for employers to provide various medical facilities. In fact, this never came about and recently he had occasion to recommend to Commissioner Cameron that consideration be given to this deficiency and that Part 2 be revived in revised form. There is perhaps an area of need for trained personnel which are not wholly answered by these - these are recommendations designed to prevent accidents. With regard to the question as to whether these would apply in areas controlled by the National Defence, he was afraid that question would require further definition. The areas, of course, have their own standards and if an inspector found a civilian contractor undertaking work and the work was being done dangerously, he would have every right to look into it. However, in a state of national emergency, it might not be quite so easy for him to interfere. If the work was being actually done by Army personnel, he would be rather hesitant to say that the inspector could go on to military reserve ground and interfere.

Mr. Livesey stated it was his understanding therefore that all the work of the Department of National Defence in respect of highways will not come under this - in other words they are immune from what we may do. These projects are military, but they have civilians working for them - is this law to be applicable to civilians working for a Federal Government Department. If it is not, then he felt that a number of people in the Territory would not be covered by the thing they were trying to bring into being for the safety of workers.

Mr. Shaw said that if we could not put any control over civilians working for the Army, if we cannot do it by law, there is really nothing we can do, except do it for those who are not working for the Army and hope that we have at least improved the situation to that extent.

Mr. Taylor said he believed the Army had a code of safety regulations that they followed - all organizations not covered or not concerned with this Ordinance do have their own code of rules and safety regulations.

Mr. Watt asked the Legal Advisor for an answer to a hypothetical case which he presented as follows - if there was a carpenter working on a construction job, and say he was up a scaffold that did not meet these accident prevention requirements, and there was a serious accident - how would this work out with the Workmen's Compensation?

Mr. Hughes replied that this would make no difference to his rights to make a claim on the Workmen's Compensation. The object of this set of regulations was to compel the employer to ensure that proper standards are complied with, but this does not change the man's right to recover through the Workmen's Compensation.

Mr. Shaw moved, seconded by Mr. Boyd, that approval be given to these Accident Prevention Regulations.

Motion carried.

Clerk-in-Council said the Workmen's Compensation Ordinance calls for approval by resolution of Council, so he wondered if one of the Councillors would put a resolution into Council giving approval to these regulations, rather than a motion.

Mr. McKamey stated that that would have to be tomorrow morning. This is just a matter of reporting it out of committee.

Committee proceeded with discussion of Bill No. 15, An Ordinance to Amend the Liquor Ordinance.

Discussion
of Bill
No. 15.

Mr. Watt asked the Legal Advisor to give them the full effect of the passing of this Bill and how it would affect the sale of liquor to Indians.

Mr. Hughes replied that the effect of this enactment, if it were put through, would be really to change nothing. A further step is required, and that is under the Indian Act. It is still forbidden to the Indian to buy, consume or be in possession of liquor - it is in the Indian Act, under Sections 93 and 94, 1952 Chapter 49. That prohibition, can be lifted by the Governor - General under Chapter 40 of 1956 which amended Sections 95 and 96 of the Indian Act, 1952, but he can only move to lift the prohibition by proclamation on the request of the Lieutenant-Governor of the Province. This is what we would have to do to give effect to this Bill, to give it any reality, we would have to logically support it by request for a proclamation, waiving Sections 93 and 94.

Mr. Taylor stated that in sponsoring the Bill, he had in mind the Bill of Rights. The Indians are not on reserves, we have land in the Yukon reserved for natives, however, we have no native reserves. There was never a treaty signed with the Yukon native people, and so, in view of this, there are no bands and no bands to vote. The Indian Advancement Association of the Territory circulated a questionnaire among the native people to find out how they felt about this. One said he did not request any change in the liquor laws and the other said he wanted the same liquor laws as those for non-Indians. The results of this to date have been that one-third of the adult native population of the Territory have voted and only five of these applications have been received not in favour. The rest are whole-heartedly in favour of full and equal liquor rights.

Mr. McKinnon wished to know how many in actual count of this survey had replied.

Mr. Taylor replied that all he knew from the Indian Agency was that it was one-third of the adult native population. There are 2,200 natives in the Yukon Territory, exclusive of the Old Crow people who have not been included in that figure. Mr. Taylor continued that insofar as bringing this into force, we are discriminating at this stage - it was meant for a good reason initially, but all the Provinces of Canada have gone along with this. We have given the natives other rights, we have given them all rights with this one exception here in the Territory, and he must say that the Federal Government and themselves both gave the natives a chance to voice his opinion through the members that sit at this table and through the members in Ottawa. He would say that the native people decide who these people are going to be, who sits at this table and who goes to Ottawa. If we got right down to it, this is certainly the case in many instances, and we still prohibit them from having liquor. It was his contention that by giving them this privilege we would have little trouble - it may be a little hectic for the first couple of weeks, but it would taper off. The Indian today can get his liquor, but he has to pay a supplier or bootlegger for it and he has to pay two, or three, or four times more that we do. We must accept this Bill, and if this Bill is accepted, propose a resolution along the proper lines.

Mr. Watt said the Legal Advisor had remarked that if the Bill were passed it would not make much difference, and Mr. Taylor seemed to think it would so how can we reconcile these two thoughts?

Mr. Hughes stated that passing this by itself would have no effect, it would simply delete Section 2, but it still would not give the Indian the right to go and purchase liquor. We would still need beyond that the proclamation, but the proclamation cannot start, cannot have any meaning unless this is taken out of the way. There are two blocks, this is one block, and the other is the proclamation, but either of them is inoperative by itself.

Mr. Livesey stated that although it had been said that it wouldn't make any difference, it would put the thing in the proper aspect. It would make it possible for the Federal Government to be generous enough to release the situation in the Indian Act, which is good. He thought Mr. Taylor had said there were no treaty Indians in the Yukon and he believed he was quite right, but if his memory served him correctly there are 36 out of 45 children attending the Old Crow School who are children of Treaty Indians, he wondered if the member from Watson Lake could inform the Committee why he has brought this Bill to their attention in view of the fact that so far they had not heard from the Committee they had set up to look into the question of liquor. This is more than a question of liquor. It is a question of rights to which he couldn't argue against, he was all for it. The question of rights should be the rights of all people - there was no doubt in his mind whatsoever.

Mr. Taylor stated he could concur with Mr. Livesey that there could well be Treaty children in the Old Crow School. This is quite possible. With regard to bringing up this Bill, it was his intention to bring to the attention of committee to this particular matter at the Spring Session. He lives in an area which has many native citizens and sees the effects of this prohibition on them. He was going to bring it up at the Spring Session, but there was a Federal election pending at the time and he felt it would only confuse the issue, also the length of the Session and the temper of the House toward the end of that particular Session. Further he wanted time to discuss this with agencies concerned, such as the Indian Affairs, Welfare, etc. to see how they felt about it.

Mr. Boyd said that at the present time it was the objection of the Committee on the liquor situation to get the opinions of the people, of the Yukon Territory, as a whole through the medium of organizations. In some cases there will be individuals expressing their views. They had requested that these briefs be submitted to them by December 15, after that they will look them over and call for public hearings.

Mr. Taylor said he had to apologize to Mr. Livesey for not dealing with that matter - he had intended doing so. The reason why this was brought up at this time is because it is a constitutional matter and no matter how the Liquor Ordinance is viewed, with all its implications, this is a matter for Council, for this Legislative Council to decide. This should be faced right now.

Mr. Shaw stated he had been thinking about this matter for some time to find out what the effects would be of the passing of this Ordinance. Although he was not prepared without getting more information, to sponsor something of this nature - now that the matter is sponsored, the thought that comes to his mind is "what right have I to refuse anyone a privilege or right that I have myself?" - he therefore agreed with the resolution.

Mr. McKinnon stated that he did have an idea of proposing a motion to Council at this Session asking this Council to go on record asking the Liquor Inquiry Committee to go into all the aspects of the rights of Indians to full liquor privileges and bring these findings to the Spring Session. However, Mr. Taylor had the idea of putting this in the form of a private members' Bill at this Session and the question is now thrust upon them a little earlier than he had expected. He could only repeat what Mr. Shaw said that "who am I to deny people's rights to any citizen of Canada?". This is the guiding principle behind this resolution and he could not find it in his mind to deny an equal right to any Canadian citizen. All our efforts have been made towards an integration programme so that the native will one day be able to take his place in white society as a full equal. We will find in the next few years, if this private members' Bill is not passed, that all our integration work, all the time that we have spent in developing an educational system, all this work will have been in vain when it would come to pass that the person who had been brought up right from the day he was born, on an equal status with his white counterpart, and he became 21, and was told "you are different from the white man - now you must be segregated into this place here, which is the only place that you can drink in because you are not the same as us." And even though this question has come up earlier than he expected, he would have to support it.

Mr. Livesey stated he would like to go a little further on this and say that we have been keeping the Indian separated from the white people for something like a hundred years. We have an Indian Affairs Department, something for which we have for no other member of society in Canada. If a Hindu or a Sikh came here from India or a Pakistani, there is no department for him, and no need, and yet we have a department for the Indian people. He always felt that they were somehow or other kept apart from the rest of us by acts of law which he did not think were right. The very name that an Indian has, does not rightfully belong to him - he is a Canadian, in fact he is more Canadian than we are. The word Indian does not even apply to them - it was a mistake by some of the gentlemen who explored this country. In his mind it was not just merely a question of liquor - liquor is only a privilege we have denied them up to this point - it is a question of denying them, the rights to all of our privileges. This is the problem.

Now, this is a very sorry and sad state of affairs, the same problem exists in the United States. Our own Canadians talk about "Little Rock", but we have our own "Little Rocks" up here. This is one step in the right direction, there was no question about it, and there are

a number of other steps that we can be taking too, more important than the granting of the same freedom that we are granting this afternoon.

Mr. Shaw moved, seconded by Mr. Taylor, that Bill No. 15 be reported out of Committee of the Whole without amendment.

Motion carried.

Mr. Taylor stated that in conjunction with the passage of this Bill, he would respectfully ask Commissioner Cameron to propose the required accompanying motion to accompany this resolution.

Agreed

Committee proceeded with discussion of Amendments to Bill No. 12, Fire Prevention Ordinance.

Mr. Hughes stated there were two amendments, one in the definitions where it was said that the various organizations might approve, list and label, and there was also the incorporation of the definition of fire extinguisher. Section 21 was expanded - there were no other changes. Mr. Taylor had asked for the inclusion of the words "or gases" - this had not gone in as he withdrew the suggestion.

Discussion
of Bill
No. 12.

Mr. Taylor moved, seconded by Mr. Shaw, that Bill No. 12 - An Ordinance respecting the Prevention of Fire, be reported out of Committee as amended.

Motion Carried with Mr. Watt against.

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. Watt, gave his portion of the Committee report as follows:

Committee began discussion of Bills 13 and 14 at 11:00 o'clock a.m, with Mr. Hughes present. Discussion continued on the point of whether or not public health was a municipal or territorial matter. It was moved by Mr. Shaw, seconded by Mr. Livesey, that Bills 13 and 14 be left in abeyance and brought before the municipalities and their views be expressed at the Spring Session. This motion was defeated. It was moved by Mr. McKinnon, seconded by Mr. McKamey, that Bills Nos. 13 and 14 be reported out of Committee without amendment. This motion was carried.

Mr. McKamey, Chairman of Committee for the balance of the afternoon then gave his report as follows:

It was moved by Mr. Shaw, seconded by Mr. Boyd, that approval be given to the Accident Prevention Regulations. The motion was carried. This motion would be subject to a resolution by Council which would be in compliance with the Workmen's Compensation Ordinance. Bill No. 15, An Ordinance to Amend the Liquor Ordinance was discussed and it was moved by Mr. Shaw, seconded by Mr. Taylor, this Bill be reported out of Committee without amendment. Motion was carried. It was moved by Mr. Taylor, seconded by Mr. Shaw, that Bill No. 12, An Ordinance Respecting Prevention of Fire, be reported out of Committee with amendment. This motion was carried with Mr. Watt opposed.

Council accepted the reports of the Committee and adjourned until 10:00 o'clock, A.M., Wednesday, November 28th, 1962.

10:00 o'clock A.M.
Wednesday, November 28th, 1962

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

Mr. Speaker tabled two memoranda from Commissioner Cameron
(1) in reply to question no. 4 regarding stabilization of escarpment. (Set out as Sessional Paper No. 19) Sessional Paper NO. 19.
(2) in answer to a petition filed by Councillor Boyd re removal of homes Whisky Flats. (Set out as Sessional Paper No. 20) Sessional Paper No. 20.

Mr. Taylor moved, seconded by Mr. Shaw, for leave to introduce Bill No. 16, An Ordinance to Authorize the Commissioner of the Yukon Territory to enter into and Execute an Agreement with the Government of Canada respecting Fitness and Amateur Sport. Introducing Bill No. 16.

(Proposed Agreement for Bill No. 16 set out as Sessional Paper No. 18) Sessional Paper No. 18.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, for leave to introduce Bill No. 17, An Ordinance to Amend the Fuel Oil Tax Ordinance. Introducing Bill No. 17.

Motion Carried.

Mr. Boyd moved, seconded by Mr. Watt, for leave to introduce Bill No. 18, An Ordinance empowering the Commissioner of the Yukon Territory to Grant A Franchise to the Yukon Electrical Company Ltd. to Sell and Distribute Electrical Energy in the Teslin Area, Yukon Territory. Introducing Bill No. 18.

Motion Carried.

Mr. McKamey gave Notice of Motion regarding Apprenticeship Ordinance. Motion No. 8

Mr. Watt gave Notice of Motion regarding land in the larger Metropolitan Area of Whitehorse. Motion No. 9

Mr. Taylor gave Notice of Motion respecting the Indian Act. Motion No. 10

Mr. McKimmon gave Notice of Motion regarding National Parks Motion No. 11

Mr. Boyd gave Notice of Motion regarding the Accident Prevention Regulations. Motion No. 12

Mr. Boyd gave Notice of Motion concerning Engineering Profession Ordinance. Motion No. 13

Mr. Livesey (with Deputy Speaker in the Chair) gave Notice of Motion for the Production of Papers respecting National Parks Production of Papers No. 4.

Mr. Watt moved, seconded by Mr. Boyd that the Administration be requested to furnish information to Council concerning:
(a) The number of retarded children presently in the Territory that would be eligible for a Retarded Children class. (b) The number of retarded children outside of the Territory that are being supported by Territorial funds that could possibly be trained at a retarded children's class in the Territory. Motion for Production of Papers No. 3.
(c) An assessment of the above information and an opinion from the Dept. of Education on the economic feasibility of such a class and its effects on the educational system in the Yukon.

Motion Carried.
..... page 168.

Mr. McKamey moved, seconded by Mr. Taylor, that in the opinion of this Council it is deemed most desirable to compensate parents in remote areas where no high school exists to the extent provided in the School Ordinance.

Motion
No. 5.

Mr. McKamey requested this motion be discussed in Committee of the Whole with Mr. Thompson, Superintendent of Schools, present.

All agreed.

Mr. Boyd moved, seconded by Mr. Livesey, that the Administration give residents of the Yukon priority in filling positions as they come open.

Motion
No. 6.

Mr. Boyd stated he believed his remarks of a couple of days previous were ample for the purpose and without elaborating to any length he would simply say the situation is obvious.

Mr. Shaw said he was very much in agreement with this motion up to a point. In replacing a Superintendent of a department, if the rule was inflexible it might not work to the benefit of the Territory. He felt that the top job, to benefit the Territory as a whole, should be more Canada wide. They may need special training and ability and to encompass this whole thing over the area might be restrictive to getting the type of man that would be most beneficial in that instance.

Mr. Boyd stated there are no restrictive measures whatever and obviously if the Administration feels there is no one available there is nothing to say they can't use their own discretion. He is drawing to their attention that they should use Yukon residents where they can meet the requirements adequately and he felt it left it open.

Mr. Shaw said he was referring to an advertisement for an executive position that was restricted to residents only. He felt it should have included a larger area as this was fine for lower positions but not for the top position.

Commissioner Cameron remarked he had no objections to this motion and the Administration could work within the wording of it quite satisfactorily.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor, be it recognized, that in spite of representations made to the Department of Transport for lengthening of the Dawson Airport runway the following reasons are given for a merry-go-round action with negative results: (1) the present airport is in a poor location; (2) the Dawson Airport should be located elsewhere than present site; (3) it does not have sufficient traffic; (4) there is not money available for new location and so on. Be it recognized that though Canadian planes larger than a D.C.3 have not landed at this airport there were many landings of American C.46 aircraft as well as American four engine planes and, be it recognized that airport facilities with minimum safety factors must be provided if use is to be expanded. Be it resolved therefore, that this Council respectfully requests the Minister of Transport to take steps to having this Dawson Airport Runway lengthened at least 500 feet to provide a margin of safety not now inherent, for greater use of this facility.

Motion
No. 7

Mr. Shaw stated this airport is in a very narrow section of the Klondike Valley and he supposed, from an airlines point of view it wasn't an ideal situation but that is where it has been since the early days. There have been requests from various Chambers of Commerce in the area to get an extension of this airport or to have another airport built in another location. Last summer there

were a lot of American aircraft that flew in and these were 40 or 50 passenger twin engine planes and they also brought in four engine aircraft which he would imagine would be a hazardous undertaking and probably had light loads. He watched these 40 or 50 passenger planes take off and they would just miss the fence at the end by a very few feet and he didn't feel it would be too difficult to add another 500' of gravel to give more safety. When he goes out on a trip he finds they are building huge terminals worth millions of dollars and it would appear to him that the small amount required for an extension would not break the country and it would permit larger planes to land. He thought it must be recognized in this day and age that they are getting away from the smaller craft and into the larger types and if they wish to have the benefits of lower freight and passenger rates they have to move with the times and give minimum safety to some of the fields they have at present.

Mr. Taylor stated as seconder of the motion he could certainly see the necessity of this addition and he didn't think the Dawson Airport was in the best of positions but it would certainly provide a safer and more useful facility if they could lengthen the strip at its present location.

Mr. Boyd remarked it seemed to him they have covered the Mayo and Dawson Airports but the Whitehorse Airport is in worse shape of all as they cannot land on one side. He thought the Federal Government should take things in hand and review all the airports in the Yukon and appropriate some money for that purpose so they can handle all the different types of planes.

Motion Carried.

Mr. McKinnon addressed the following question to the Administration: Could the Administration provide Council with the opening date of the Frederick H. Collins Secondary School.

Question No. 5

Mr. McKamey asked the Commissioner a question regarding snow removal to provide access to facilities by business establishments along the Whitehorse-Mayo Highway.

Commissioner Cameron replied the Territorial Government road equipment on the highway will maintain business establishments while they are doing their grading and snow removal. They will make a pass in and a pass out where there is no other equipment available to rent.

Mr. McKamey felt that, depending on the amount of snow, two passes may be required and this is very necessary as these businesses provide a facility and safety in the winter.

Commissioner Cameron replied that he would see the business establishments along this road would be kept open to the public and he was referring to business establishments only, not residents.

Mr. Taylor said he would like to ask the Chairman of the Financial Advisory Committee if it is the intention of the Committee to discuss the new committee for the coming year.

Mr. Speaker replied he was unable to answer that from the Chair.

Mr. McKamey stated perhaps one of the other members could answer.

Mr. McKinnon replied he thought it was up to Council. They would bow to any wishes Council may have concerning the discussion of the Financial Advisory Committee.

First and Second Reading was given to Bill No. 1, An Ordinance to Amend the Insurance Ordinance, as amended.

First & Second Reading Bill No. 1.

Mr. Shaw moved, seconded by Mr. Taylor, that Bill No. 1, An Ordinance to Amend the Insurance Ordinance be given THIRD reading,

Third Reading Bill No. 1.

Motion Carried.

First and Second reading was given to Bill No. 2, An Ordinance to Amend the Motor Vehicles Ordinance, as amended.

First & Second Reading Bill No. 2.

Mr. Taylor moved, seconded by Mr. Boyd, that Bill No. 2, An Ordinance to Amend the Motor Vehicles Ordinance, be given THIRD reading.

Motion Carried.

Third Reading Bill No. 2.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 3, An Ordinance to Amend the Labour Provisions Ordinance, be given THIRD reading.

Motion Carried.

Third Reading Bill No. 3.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair, and Council resolve into Committee of the Whole to discuss matters as written on the agenda.

Mr. Speaker appointed Mr. McKamey as Chairman.

Motion Carried.

In Committee of the Whole:

Committee proceeded with discussions on Superannuation with Commissioner Cameron and Mr. MacKenzie in attendance.

Superannuation Discussed.

Mr. Shaw suggested that the Administration be asked what they consider is the appropriate plan to be incorporated and then the questions will come from that point and a decision arrived at.

Mr. MacKenzie replied that the first point to make is that the majority of staff who are pressing for a pension scheme are the teachers and they want a Federal scheme. If they give them something else they won't look favorably on it. He didn't think they could match the Federal scheme, and he didn't think the private schemes were identical with the Federal scheme. He knew of one that was not. The pensions payable are less than the Federal scheme, so that isn't acceptable and he thought that every other private scheme would have a defect of some sort that would be quite serious. To find out however, what that defect is would take a great deal of time and expert attention and you would never be sure that you had them all cleared up. He didn't think there was any doubt that they should go for the Federal scheme. They know the cost to be firm but in private schemes they don't. They might give a low cost to start with but in a couple of years it might go up and he could see all sorts of reasons for taking on the Federal scheme but nevertheless they should review and consider the private schemes because they have taken up a lot of time and expense of the companies concerned. He said if questions arise from the private schemes they should consider the local agent coming in and answering them, as they are best qualified to do so.

Mr. Shaw said in reviewing this matter and from what he has studied and on what Mr. MacKenzie has said he has arrived at a similar assessment insofar as they have a Federal scheme that is set at a certain figure. As for the other schemes there is the possibility that the premiums, in a few years will increase. The only solid scheme is the Federal scheme. Another factor to be an advantage in the Federal scheme is the portability would be spread over a larger area. A teacher for example could transfer this scheme into the scheme that is in force in the Province he goes to and further to that they could work in reverse by transferring from a scheme in the Province to one here.

Mr. Taylor asked if it would be possible under the Federal Act for a person who has been with the Territorial Government for the past 4 years, to take advantage of his service in the Public Service and contribute proportionately with the government and pay for this back time so that when his pension is realized he will get full benefit for his employment.

Mr. MacKenzie said yes it is possible but whether or not they arrange to do that is a matter for their decision. He said there are two alternatives. First, if they decide the Federal scheme is the one they want then they have to consider two alternatives - one is to allow retroactive participation with cost sharing with government and employee or make the employee pay the full cost of retroactive participation. He said the first question is to decide whether or not they want the Federal scheme then they come to the alternatives.

Mr. Taylor said he understood this is only portable within the Public Service and no one could take their plan and go into anything beyond the Provincial, Territorial or Federal service and he wondered if this is correct.

Mr. MacKenzie said it is portable from one Public Service that participates in the Federal Pension Plan to another that participates in the Federal Plan. He said for example if an employee of the Territorial Government were to go to B.C. to join the public service there it is portable because they participate in the Federal Plan but if an employee went to Alberta it wouldn't be portable because they don't participate in the Federal Plan.

Mr. Watt asked Mr. MacKenzie if the peacetime and wartime armed services would be considered as Civil Servants for the portability of this plan.

Mr. MacKenzie said he understood that service in the armed forces was treated as service in the employee of the Government so they would be eligible for retroactive participation but he wasn't certain about peacetime without looking into it. He said there are other types of prior employment that are eligible for retroactive participation.

Mr. Shaw asked in the matter of portability would he say the portability of the Public Service Superannuation is much broader than a private plan would be.

Mr. MacKenzie said no, because if they took out a private plan they could make their own arrangements and put in a portability clause allowing an employee leaving them to take his pension to some other organization that had a similar scheme whereas with a Federal scheme they would have to accept the rules and regulations as they are.

Mr. McKamey asked if this has been discussed with the Superintendent of Schools and if he is in agreement with the Federal Superannuation Plan.

Mr. MacKenzie said yes and he is aware they have been negotiating and he is most anxious to have them completed so that he and the teachers can participate in the Federal plan.

Mr. Shaw stated if there is no further questions, he would move that the Committee accept the recommendations of the Administration and accept the Federal Public Service Superannuation Plan.

Mr. Taylor seconded the motion.

Mr. Livesey said he was wondering whether the Committee, in view of the fact they haven't heard anything from any private individuals, would feel they are in a position to come down with a hard fast rule and accept this plan. Do they feel they have looked into all the other aspects. He didn't think they had heard anything on the other side of the picture. His thoughts were - had they thoroughly exhausted the information as far as private plans are concerned.

Mr. McKamey stated he hadn't heard any proposals from Mr. Livesey on this plan. The Members have taken this home and studied it and he felt he should direct a question to something specific or at least lead off with his thoughts along the proposed plans.

Mr. Livesey didn't think he should be directed in this. He has the right to ask a question in Committee as any member has, and he had asked a question.

Mr. McKinnon thought Mr. Livesey had asked a very good question and if anyone was going to say yes to that question he is a lot better head with figures than he. There is one governing factor namely that the employees of the Yukon have signified their intent that they would prefer the Federal Plan and the teachers also prefer it. The trouble is they have three different private companies that have presented their superannuation scheme and naturally each thinks their's is the best scheme and better than the Federal one. In his mind the Federal plan is a good one but he couldn't say he had exhausted all the time and energy to understand the private schemes as they are now and he didn't think he could do it without an accountant. He would make his mind up on the fact that he knows the Federal scheme is a good one and it has been explained to him and also this is the plan the employees want.

Mr. MacKenzie said the private companies were asked by him to quote for a scheme identical to the Federal scheme as he wanted to compare their rates with the Federal rates to see which was cheaper. If the private scheme was cheaper that was the one to choose providing the scheme is identical. He wouldn't like to say any one of the three is identical with the Federal scheme because there is so much written about them and so many ifs and alternatives.

Mr. McKinnon remarked there is one that is lower.

Mr. MacKenzie said yes, but the pension is lower too.

Mr. Shaw said the question raised by the Member from Carmacks-Kluane is a very good one and he would answer it as follows: the business of insurance in this day and age is done with huge electronic machines to determine what certain figures will be, etc. and they do that because they would have to have batteries of accountants working out the various problems. As a Member of Council he came here, not conversant with a multitude of things saying engineering, etc. that comes up before Council but there are times when he is called upon to make a decision and all he can go on is his common sense. He has studied the various proposals and finds in not having conducted an exhausted test he couldn't come up with an educated answer to it. However, from a common sense viewpoint he would come up with the Federal scheme because it is very stable but when you enter into a private scheme there is every possibility it could cost more money and on the other hand it could cost less. He felt there was an element of risk attached to it so that something he isn't an expert on he will use common sense and go for something that is confined by an act and they know where they are going from year to year.

Mr. Livesey said he had one further question with regard to the last paragraph of the letter submitted by Mr. MacKenzie and that is that he suggested that if when the Superannuation Plan again comes before Council and if further information is needed on one or more of the quotations, the local agent for the insurance company concerned be asked to attend Council and answer questions and he wondered if Committee would consider this suggestion.

Mr. Shaw said before he made his motion he had waited for questions. When there were no further ones he had made his motion. It wasn't his intention to push anything through.

Mr. Livesey said he isn't disagreeing with the motion. He is speaking to the motion and as long it is before the House it is open for debate and he failed to see why unnecessary curtailment should be made.

Mr. McKamey thought this wasn't directed at the motion and the only way to deal with this is to withdraw the motion and make a new motion if Mr. Livesey wishes.

Mr. Watt said Mr. MacKenzie has offered them two statements. First, the private schemes are inferior as far as benefits are concerned to the scheme offered by the Federal Government and secondly, the rates are higher. So if they accept these two statements as fact he couldn't see how they could vote against it and if they don't he isn't familiar with any of these schemes to dispute them.

Mr. MacKenzie wanted to correct one thing and that was he could only say one private scheme provided less favourable benefits than the Federal scheme and in that case the pension was lower. On the other two he couldn't speak. In one case the cost was less than the Federal scheme and in the other two it was more.

Mr. Taylor said he also feels he isn't totally conversant with the implications of this Superannuation scheme but in this case he relies heavily on the advice of Mr. MacKenzie who is more conversant with these various proposals than any of them. The Territorial Employees have expressed a desire to participate in this scheme and also looking at it from a financial aspect he couldn't see any other approach other than to accept the Federal plan.

Mr. Boyd said in the case of the Federal plan they are using their own money. They are their own bank and if you are running a bank you don't go somewhere else to get the money - you use your own. It is much cheaper. He wondered how many contracts had been let to private individuals and then had to be changed because of loopholes. He would like to see them adopt the Federal plan.

Mr. Livesey said he had asked the question and had received no answer. He would like to ask the Chair if the matter could be considered and before they decide they should consider the last paragraph of Mr. MacKenzie's letter.

Mr. Shaw said he had considered this when he made his motion and his motion gives the answer to this last paragraph.

Mr. McKamey said if they wanted representatives to come in it would have to be in the form of a motion but since they already have a motion he would like to know who wants the representatives to attend and they could go on from there.

Mr. Taylor said they have it all before them and he couldn't see how any further questions or answers would change the situation. Mr. MacKenzie has looked into it at great length.

Mr. McKamey said he would ask each individual if they had questions to ask the representatives and if the majority so desired they could have Mr. Shaw withdraw his motion and they would have a motion requesting the representatives to come before Committee.

Mr. Shaw said he had no questions.

Mr. Boyd said he had no questions.

Mr. McKinnon said he couldn't ask any intelligent questions.

Mr. Watt stated when they came to all the alternatives he might have some questions.

Mr. Livesey said he would.

Mr. Taylor said he had no questions.

Mr. McKamey thought that in all fairness if Mr. Livesey had certain questions to be directed to representatives of these insurance companies he didn't think the Committee would begrudge him of that right and if it was the wish of the Committee to have these representatives come before Committee, he wanted their wishes.

Committee adjourned at 12:00 o'clock Noon.

28 November 1962

Wednesday 2:00 o'clock p.m.

Committee resumed with the discussion on Superannuation. A motion before Committee was: moved by Mr. Shaw, seconded by Mr. Taylor that Committee accept the recommendation of the Administration and accept the Federal Public Service Superannuation Plan.

Mr. Taylor asked leave to be absent from Committee to attend a meeting.

All agreed.

Mr. Livesey said, in view of what he had said before recess, he had no intention of retracting one word. He thought it would be a waste of time to say anything more.

Mr. McKinnon stated that on this debate if any member felt he was not doing his duty until he has had all his queries answered to the extent that he wishes them answered, then far be it from him to stop these queries. Mr. Livesey desires to question some of the local agents on the pension schemes submitted by them and he would not stand in his way at all. And if it means defeating this motion so that Mr. Livesey may question these agents, then he would vote against the motion.

Mr. Livesey stated it was what he had been valiantly trying to impress upon the Committee this morning. He felt that the motion had committed the Council and as it committed the Council it was a serious move - by committing the Council they were deciding for all the employees in the Territory. He felt that if they did not know enough of what the other plans offered, what right had they to decide on this one.

Mr. Shaw commented that before we had made the motion there was adequate time for any member to bring a question. There was a suspense there and he did not believe the member that is complaining at the present moment asked a question during that period at any time. The question was only asked after the motion was made which has put the Chairman in a somewhat embarrassing predicament because he has a motion there which must be cleared before another motion can be entertained. He would put it this way - that if a motion comes before the House and he made a request for something, for people to attend, who may or may not be available, what happens to that motion? What is the procedure? If the persons cannot come for three or four hours, can we call a recess on the meeting and go into something else, or do we have to dispose of this motion before we proceed to any other business.

Mr. MacKenzie thought it might be a good plan to have the representatives of these agencies present, every one of them, so that it cannot be said that they were not given the chance of explaining their proposals. We may argue afterwards.

Mr. Boyd asked if they were competent enough to ask questions that would supply them with what they should know, and are those persons they are going to question competent enough to give them facts, or would they probably wind up by saying they would have to get the information from their head office. They were dealing with highly technical data and he very much doubted if these agents had the answers off the top of their head.

Mr. Watt remarked that they should have a layman's understanding of these plans in order to pass it on to their constituents in their respective areas.

Mr. McKamey said that if it was the will of the Committee to instruct the Clerk-in-Council to contact the various agents, they could go ahead.

Agreed.

Mr. McKamey asked the Clerk-in-Council to contact the respective parties concerned and ask them to meet before the Committee of the Whole on November 29th to answer questions respecting the pension schemes offered by them. It was arranged that the Prudential Assurance Company representative be called before Committee between 10:30 and 11:00 a.m., the Excelsior Life Insurance Company between 11:30 to 12:00 noon, and the Great West Life Insurance Company between 2:00 and 2:30 p.m. on November 29, and they would defer this until 10:30 tomorrow morning. He would report progress on the consent of the Committee.

Agreed.

Mr. MacKenzie was excused from Committee.

Mr. McKinnon proposed that they discuss the memorandum concerning the Office of the Public Administrator. He would suggest the Legal Advisor be present at this discussion.

Mr. McKamey suggested that they revert to Council to table this brief and then revert back to Committee.

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

Motion carried.

When Mr. Speaker resumed the Chair, Mr. McKamey, Chairman of Committee reported:

Committee met at 11:10 a.m. and dealt with Superannuation. All he could report on this at the moment is progress.

Council accepted the report of Committee.

Mr. Speaker tabled a document in connection with the Office of the Public Administrator in the Yukon Territory. (Set out as Sessional Paper No. 26).

Sessional
Paper
No. 26.

Mr. Speaker tabled a document from Mr. Bryn Mills, Board Member of the Mayo and District Miners Union. (Set out as Sessional Paper No. 27)

Sessional
Paper
No. 27.

Mr. McKinnon moved, seconded by Mr. Watt, that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole.

Mr. Speaker appointed Mr. McKamey as Chairman of the Committee.

Motion carried.

In Committee of the Whole:

Committee proceeded to discuss Sessional Paper No. 26 with Mr. Hughes present.

Discussion
of
Sessional
Paper
No. 26.

Mr. McKinnon asked the Legal Advisor whether this was a Territorial responsibility or was it the responsibility of the Department of Justice.

Mr. Hughes replied that the Ordinance of course is Territorial, while the method of payment is on a fee basis and as we will see from the statement to Council it shows a small net gain to the Public Administrator. This paper was placed before Council because there was a request by the author of the brief that it be brought to your attention. It did not receive our support at this time because it was felt that there was insufficient time to study the points raised. He had explained to Mr. Collins that the question of whether the function itself should not be taken away from an outside office and brought in as part of the Legal Advisor's work, or the work of another Legal Advisor, was under consideration, but had been shelved because he had indicated that he wanted more time to familiarize himself with his duties when he came here. He would ask Council to defer action on the matter until the Spring Session by which time we will be able to give the recommendation of the Administration.

Mr. McKinnon said there was a submission in the brief for the fee schedule to be increased - who would be responsible for the payment of the extra funds that would be applicable to the Office of the Public Administrator.

Mr. Hughes replied that if the fees were increased it would be increased out of the estates. The money would still come from the estates - it means that indirectly the beneficiaries would not get quite so much because the Public Administrator would be getting a little more. It would not come out of Territorial funds, directly, as far as he knew.

Mr. Boyd felt that the beneficiaries from estates are now finding it difficult to get monies due them and he moved that they accept Mr. Hughes' recommendation and leave this memorandum in abeyance until the Spring Session of 1963.

Mr. Livesey seconded this.

Mr. McKinnon said that in the brief the Public Administrator foresees where he may ask for a guaranteed annual income and this would be made up from a grant by the Territorial Government. It was always his opinion that the whole matter of justice is the responsibility of the Federal Government and he thought the office of the Public Administrator would fall under this category.

Mr. Shaw asked if this office was an office forced upon a person, or was it an office that a private practitioner would like to have.

Mr. Hughes replied that provided there was reasonable remuneration for the applicant involved, he could see no reason why a private practitioner would object to the work. He did not think the present incumbent objected to the work but to the paucity in return. His senior partner was previously Public Administrator and when he was contemplating the general election he felt it was improper to associate himself with an office of that nature. He therefore resigned and as they were acquainted with the work, it was to the interest of all to appoint Mr. Collins as successor.

In reply to a question by Mr. Watt as to whether the holding of this brief in abeyance would result in there being no Public Administrator, Mr. Hughes replied that he did not know what Commissioner Cameron's views were on the subject, but he did not think there would be any vacuum.

Mr. Taylor asked how this was administered in the Provinces.

Mr. Hughes replied that he had direct experience with the Province of Ontario on this point. It is a public office there administered by a Government official appointed.

As there were no further questions on the matter, Mr. McKamey read Mr. Boyd's motion, which was carried.

Mr. McKamey asked if it was now Committee's pleasure to discuss the brief from the Union.

Discussion
of Sessional
Paper
No. 27.

Mr. Hughes, Legal Advisor, was excused from Committee.

Mr. McKamey said he believed a motion had been passed by this Council in respect of Income Tax exemption.

Mr. Shaw said that at that time the member from Whitehorse East had remarked that it would probably be thrown into the wastepaper basket - he did not subscribe to that, but that was Mr. Watt's statement,

Mr. Livesey stated that if it was not tossed there, just where did it go, because if we make something or create something, something has to be done. He would certainly recommend that the Federal Government give more serious consideration to the import of motions that Council has passed in connection with this particular item.

Mr. Taylor inquired of Commissioner Cameron if any replies had been received on their motions. Commissioner Cameron replied that he had no recollection of an answer on this subject.

Mr. Livesey stated that he had personally discussed the question in a number of areas and the answers that he had received were that they did not feel they could treat one citizen of Canada differently to another citizen. If that was the case, why did they give northern allowances - their own argument is defeated.

Mr. McKamey asked if there had been any correspondence in respect of the resolutions passed by previous Council on Income Tax exemption.

Commissioner Cameron said he had no knowledge - there had been no discussion in his time. Maybe this Committee could make a motion to the effect that Administration look into the possibility of inviting one of the Income Tax officials from Ottawa to attend the Spring Session. Unless he could locate some definite information in the files, this has been closed as far as the senior government was concerned.

Mr. Shaw remarked that in the last resolution put in, in relation to Tax Exemption, it was requested that the Minister of Northern Affairs present this to the Minister of National Revenue and also the Commission on Taxation. He had heard Council point out that resolutions must be as specific as they possibly can be, and this resolution was most specific.

Commissioner Cameron said he was just reminded by the Clerk-in-Council that some of the officers in the Administration had been digging up information on this - he had not had the chance of looking at it as yet, but if the Committee was interested, he would get it as there may be some answers in it in regard to the present question.

Mr. Livesey said that as one member of Committee he would more than appreciate it if Commissioner Cameron could offer any assistance on this problem.

Committee proceeded to discuss Motion No. 5 with Mr. E. Nielsen, M.P. present.

Discussion
of Motion
No. 5. &
Sessional
Paper
No. 27.

Mr. E. Nielsen (M.P.) attended Committee.

Mr. McKamey inquired of Mr. Nielsen what happened to resolutions that are passed by Council and submitted to Ottawa. There had been resolutions made prior to this meeting in respect of income tax exemptions but there has been no follow through by government.

Mr. Nielsen remarked that he was pleased Council took an interest in this matter. The question of increased basic exemptions was taken up by himself personally and discussed at length at a meeting in 1959/60. Mr. Robertson had asked several questions and he generally reviewed the efforts which had been made over the last decade with the Treasury Board to obtain a different tax structure, an increased basic exemption. This is the effort that has been made to date on this resolution. The Income Tax Act being a Federal statute, and because it is taxation legislation, is an act which is more national in character than other pieces of Federal legislation and must therefore be applied equally to all Canadians or it becomes discriminatory. On this theory they have adopted the position that regional problems which might justify increased exemption cannot be considered. If the Yukon is considered in the light of increased tax exemption being granted, then Newfoundland and other areas in Canada where economies are such that would justify different treatment, could also put forth their case. This is the basic problem that has to be overcome. Since the entry of Mr. McCutcheon into the cabinet, further submissions have been made through him in an effort to do two things - one, to renew the considerations concerning increased tax exemptions for residents living in the northern areas of Canada on the basis of attracting population to those areas, and - two, to increase the basic tax exemption period so that rather than going to Treasury Board to renew (it is extremely difficult to by-pass this principle), we put the problems in Mr. McCutcheon's lap and hope that he will see them in the same light. In respect to resolutions, every one of them is carefully considered by the officials in the departments to which they refer, and since he keeps a copy of them, he enters a correspondence with the relevant government department. Only those which affect northern affairs are dealt with by the Northern Affairs Department which however, do obtain the views of other departments who do not have any direct responsibility on northern affairs. Prior to Commissioner Cameron taking office it was routine for the Commissioner, after having received views from the Department of Northern Affairs, to send a letter to each member of Council outlining the progress of each resolution made and he would suggest that this practice be renewed so that members can be better informed and kept up-to-date on what the Department is doing about their resolutions.

Mr. McKamey asked Mr. Nielsen what the usual procedure was when a resolution is passed by this Council in the Yukon - was he notified immediately if he happened to be in Ottawa?

Mr. Nielsen replied that he had to await the arrival of Votes and Proceedings which are mailed to him in due course. He extracted them one by one, and had a routine for action.

Mr. McKamey said that this could be months after the Session was over.

Mr. Taylor said it was his understanding that when a resolution was presented it was sent at once to the department concerned - wasn't this the case, or was no action taken on this?

Commissioner Cameron replied that the Administration takes the motion and acts on it.

Mr. Nielsen said that Commissioner Cameron must go through his proper channels, which is Northern Affairs, to do otherwise would not be the correct procedure. He must go to his immediate superiors, it is not incumbent, it is a matter of responsibility for the Deputy-Minister to refer these resolutions to the various departments who have the responsibility to deal with them.

Commissioner Cameron added that Council's Votes and Proceedings have been going out to the Northern Affairs as soon as they come off the press from the Territorial Secretary's Office.

Mr. McKamey remarked that we are supposed to have representation in Ottawa and Mr. Nielsen was their elected member of Parliament. In respect of this Income Tax resolution directed to this Department - now if that Department down there thought that our Member of Parliament shouldn't get it, well then, that would be it, you wouldn't have it. You wouldn't have a change to act on it.

Mr. Nielsen replied it was not until he got his copy of the Votes and Proceedings and he felt sure there would be no objection to his being put on the current mailing list because, for some reason, this practice was discontinued.

Mr. Shaw thought it was a good time to take under advisement the practice of sending the Votes and Proceedings including Sessional Papers, etc., as soon as they are printed, and forward them to the Member of Parliament. It would be simpler to study a hundred small stacks received regularly than to go through a whole volume. They should be sent as they are printed.

Mr. Livesey said he couldn't see the argument that if one area of the country received a tax exemption, that consideration should be given to other areas requesting the same privilege, for, if that were the case, what about Northern allowances given to Federal employees? This is not treating everyone alike.

Mr. Nielsen said Northern Allowance was granted to put civil servants who are required to go where they are told on the same footing as they would be if they were required to go to low cost areas. Isolated Post Allowances are graduated depending on location. He only hoped they could obtain the increased tax exemption as he recognized it was necessary to keep people here and induce more people to come here and develop the national resources. This was a good reason to put forward in the request for increased tax exemption.

Mr. Shaw concurred that it was necessary to create permanency of settlement in this area. We wanted a lot of people here and to get them we must offer some incentive. Just to say that something cannot be changed is a fallacy - concessions have been made as with the Northern and Isolated Allowances. If concessions are not made, to both industry and people, people will flock to areas offering amenities in climate, lower cost of living, etc.

Mr. Nielsen stated he was in agreement with increased tax exemption for northern residents as it would encourage migration to the North and give those people already here an incentive to stay on. He had to adopt Council's stand because it is the stand of his particular party. The difficulty, of course, was that if this were granted, the same treatment would have to be accorded to other parts of Canada. Government will find all communities at their door-step demanding all kinds of concessions to cope with the difficulties of their particular areas. Mr. Nielsen added that he was just pointing out these difficulties to Council and that he was not in disfavour of the tax exemption request. Continuing, he said that civil servants are taxed on the amount of isolation allowance received. The government had established the system of isolated post allowances because they felt that it was what an employer should make up to an employee for amenities denied by living in remote areas. Employers everywhere have the same problem.

Mr. Taylor stated that what builds a country is a man with foresight and initiative, those who would develop the Yukon, and not the civil servants. There was nothing here to encourage the former class of

people and it was felt that tax exemption would at least in part put the citizens on a level with civil servants.

Mr. Nielsen said it was only fair to say that a civil servant paid quite a substantial rent for his house and he also thought civil servants made a substantial contribution to the development of the country. The civil servant finds as much difficulty in getting along as other citizens.

Mr. Taylor agreed that was true but these people are subject to come and go - they contribute a great deal over a short period, but when they leave, they leave nothing behind them, and there is a difference between this type of individual and the other.

Mr. Nielsen stated he would certainly continue in his efforts to do what he could with regard to increased tax exemption for Northern Canadian residents on a national basis.

Mr. Boyd asked what could be done about the wording on these cheques that come out from Ottawa where it says negotiable at par anywhere except in the Yukon and Northwest Territories.

Mr. Nielsen said it was certainly not government policy because all government cheques are negotiable at par anywhere, in all the chartered banks of Canada. These are the policies of the makers of the cheques, whoever they may be.

Mr. Boyd said the banks stated this stipulation in the first place, they wouldn't cash these cheques at par up here because of the distance and the long time waiting for their money. The distance now is no longer a problem and action on it is long overdue.

Mr. Nielsen stated it was one of two things - it is either the maker of the cheques that restricts the negotiability, or it is the chartered bank itself which does this, and in either case the Federal Government has jurisdiction over the policies of the makers of the cheques and of the bank.

Mr. Taylor moved, seconded by Mr. Shaw that they continue tomorrow on this brief, that Mr. Nielsen be excused if there are no further questions, and that the Speaker now resume the Chair.

Mr. Nielsen expressed his appreciation of being of some assistance to Council and perhaps, when he was in the Territory, this might set a precedent which could be very useful.

Motion carried.

When Mr. Speaker resumed the Chair, Mr. McKamey, Chairman of Committee reported:

At 11:10 A.M. Committee dealt with Superannuation with Commissioner Cameron and Mr. MacKenzie present. Progress is reported. This afternoon Committee discussed a brief concerning the Office of the Public Administrator for the Yukon Territory and it was moved by Mr. Boyd and seconded by Mr. Livesey that this brief be held in abeyance until the Spring Session of 1963. The motion was carried. It was moved by Mr. Taylor, seconded by Mr. Shaw that the brief in respect of the Mine, Mill & Smelter Workers Union be held in abeyance until tomorrow. The motion was carried.

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M., Thursday, November 29th, 1962.

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

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

Mr. Livesey (with Deputy Speaker in the Chair) read the report of the Financial Advisory Committee of the Yukon Legislative Council, relative to a recent visit to the City of Ottawa. (Set out as Sessional Paper No. 21)

Sessional Paper No. 21.

Mr. Shaw moved, seconded by Mr. Watt, that the report be accepted and the Chairman be thanked for his fine efforts in producing this document.

Motion Carried.

Mr. Taylor gave Notice of Motion regarding the Game Ordinance, and Notice of Motion regarding Teslin Street Lighting.

Motion No. 14, & No. 15.

Mr. Livesey (with Deputy Speaker in the Chair) gave Notice of Motion regarding improvements to living conditions required in the community of Haines Junction.

Motion No. 16

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Watt, that in view of current newspaper reports related to the findings of the Glassco Royal Commission which state that the bulk of Canada's National Parks are found in Western Canada, and include six mountain parks and three prairie parks with a total area of 11,357 square miles, could the Commissioner of the Yukon Territory advise the House why over 8,800 square miles are now reserved in the Shakwak Valley and Kluane Lake areas for a National Park in the Yukon by order of the Privy Council in 1941 as amended.

Production Of Papers No. 4.

Motion Carried.

Due to schedule of work for Committee, Motions were deferred until the following day.

Mr. Speaker said they would proceed with Questions.

Mr. McKimmon asked Commissioner Cameron if a reply was available to his Question No. 5, regarding the opening of the Frederick H. Collins Secondary School.

Question No. 5.

Commissioner Cameron replied there has been no actual date established at the present time. It is anticipated the move of equipment will start in December in anticipation of an opening date in the first part of January but the actual date hasn't been set.

Commissioner Cameron then replied to Question No. 1, regarding Low Cost Housing in the Yukon Territory. He said he sent a wire to Ottawa and asked the condition of the low cost housing proposal at the present time and was informed it had been submitted to the Cabinet in July. A wire received two days ago from the Director said there was no answer yet from the Cabinet.

Question No. 1.

First and Second Reading was given to the following Bills:

Bill No. 16, An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter into and Execute an Agreement with the Government of Canada Respecting Fitness and Amateur Sport.

First & Second Reading:
Bill No. 16

Bill No. 17, An Ordinance to Amend the Fuel Oil Tax Ordinance.

Bill No. 17

Bill No. 18, An Ordinance Empowering the Commissioner of the Yukon Territory to Grant a Franchise to the Yukon Electrical Company Limited to sell and Distribute Electrical Energy in the Teslin Area, Yukon Territory.

Bill No. 18

Mr. Taylor moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole for the purpose of discussing matters as contained in the Agenda.

Mr. Speaker appointed Mr. McKamey Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Committee continued with discussions of the Superannuation Plans with Mr. Stan McCowan of Prudential Life Insurance present to answer questions.

Mr. Livesey said they have been discussing the superannuation pension scheme with respect to the position of the Territorial Government employees and they are trying to evaluate the benefits of the differences between the private schemes and the Federal Government Schemes and he was wondering if he could inform them, in his opinion, the benefits of portability under his private scheme compared with the Federal scheme.

Mr. McCowan said with regard to portability they cannot, in his estimation, transfer a pension if it has been put through. Prudential would not be transferable to another department outside the Territory. This brings up the point however, that if they take the Federal Plan they are doing what the Federal Government tells them to do and they have no control over the plan itself, while with Prudential they will have 100% control. In his estimation you couldn't transfer the pension into another department outside the Yukon although there is talk about bringing in a new act for portability of pension plans throughout Canada.

Mr. Delaute, Executive Assistant, was asked to attend Committee.

Mr. Livesey asked if Mr. McCowan could tell them of the position of the teachers in B.C. Whether they are on a Federal plan or private scheme.

Mr. McCowan said he believed they were on a private scheme and he didn't think there were any Provinces under the Federal scheme.

Mr. Livesey asked if that would be in respect to teachers or other employees.

Mr. McCowan replied if they aren't Federal employees they cannot become eligible under the Federal plan. He pointed out another important part of the brief and that is they are the only company that can guarantee the premium rates. The rates used at the commencement date will apply to all members joining the plan within 5 years of that date and will be guaranteed to retirement in respect of the original benefits or any increase in benefits occurring in that five year period. He said that is very important and it means that the company cannot increase their rates and they guarantee the rates throughout the entire life of the pension. He asked if they are familiar with the various clauses in the plan, such as the employees contribution being refundable even after the first month at 3% interest. In other words an employee will always receive more money back even after a months deduction. He said the government in turn would receive a guaranteed amount of 95% and if the employee has been with the government more than a year there is a contribution earned of 3% compound interest and the government would get more than 100% back. He stated it is quite important that the employee get more back than what he puts in no matter when he leaves - he would get his entire contribution plus interest. He said this plan also provides supplementary death benefits as does the Federal Plan.

Mr. MacKenzie stated on the question of portability he has the Treasury regulations governing the operation of the Superannuation Scheme. It says the Act authorizes the Minister, with the consent of the Governor in Council, and in turn approved by Treasury Board, to enter into

reciprocal agreements with certain corporations and governments whereunder transfer of contribution payments may be made in Superannuation accounts. That means that Territorial employees leaving their service can go to any other government service and carry this pension providing there is a reciprocal agreement.

Mr. McCowan said he could not say for sure if it is possible to transfer his but he would find out from head office as soon as possible.

Mr. McKenzie stated this is also covered in the Public Service Superannuation Act - Section 28, subsection 3, and furthermore there are agreements with Alberta, B.C., Quebec and some crown corporations.

Mr. Livesey asked if the percentage of the agreements now designated be 50% or more or 50% or less compared with the total Provinces. He said he is thinking in terms of the residential origin of the teachers of the Territory and he thought that teachers of the Territory are hired from practically every Province but Quebec.

Mr. MacKenzie said it would appear from the manual that there are only a few Provinces with which agreements have been signed. In other words they are in the minority, viz., Alberta, B.C. Quebec and some crown corporation.

Mr. McCowan stressed the point that if the Federal plan is put through they will have no control, while through the Prudential they can make changes as they see fit because they control it. He said his rates are much better than the Federal Government annuity rates which means the return is greater, and it will always pretty well be. Another thing is the service in the Federal Government will not be comparable to their company. If an employee wants to know what his pension will be if they retire five years early it would take quite a while before the Federal Government could give them this information but their company could give it to them right away. He said these are small points but they are important points because it concerns a large amount of money and people and he feels that the Yukon Territory should control this themselves perhaps they do get large sums of money from Ottawa to run the Territory but it isn't always going to be that way.

Mr. Livesey asked how will the varying aspects of the results of the things that affect employees during the course of their employment, including death and being hired and fired, how would they get around the varying aspects of contributions and payments, etc.

Mr. McCowan stated in the first place their rates are controlled by the government and they are always holding a minimum of 3/4 of 1% in reserve and every 5 years that is returned to the government if it is still there and it should be. Their rates are guaranteed and they cannot raise those rates.

Mr. Livesey asked if they have something fixed and you point to the payments as being fixed and if you fix something then any variation must reflect on something else. He wondered how the company looked after the variations.

Mr. McCowan said that is handled at head office and he didn't know how they arrive at it. He asked how the Federal plan made up the difference if there is a difference.

Commissioner Cameron stated the Federal plan shows a deficit every year. He said the Government can do it because they are using the taxpayers money and they merely make a book entry and make a transfer of funds, but how can a private enterprise show a deficit.

Mr. McCowan said they operate on a profit and loss which is more efficient.

Mr. McKamey stated he could agree with Mr. McCowan after reading portions of the Glassco report.

Mr. Watt said in the case of a dispute between the employee and the insurance company how would this be settled - and he wondered if every situation was covered.

Mr. McCowan said it was covered pretty well in the brief and they will notice that the Federal brief and his are pretty well the same where they pin them down to a specific instance. He couldn't see how anything could be different than what the brief says as they cover pretty well every angle. In the case of a withdrawal from service and there was a dispute over the length of time a person was in the service they would accept the findings of the Government. He again stressed that they will not have their say in the Federal Plan where they would in a private plan. They can also ask for changes in a private plan but a Federal plan can't, and also the Federal plan can raise their rates where their plan cannot - once they are established they cannot be changed unless it is for the better but they will not go down. They also will have a local man here at all times for service and an expert is in Vancouver and they will have access to all the knowledge.

Mr. McKamey asked in regard to portability is there such a thing.

Mr. McCowan said he did not want to say but he would like the opportunity of telephoning Vancouver and finding out if there is.

Mr. Livesey stated that in regard to the rates being fixed the company must find itself sometimes in a difficult position and at other times in a very complimentary position. The company is also looking for a percentage of profit from an established fund and if this is true he wondered what kind of guarantee this is.

Mr. McCowan said there are two ways of taking a pension plan - one is a fixed cost and the other is a floating cost. They are here talking about the fixed cost. He quoted a letter from the company to him saying that anyone joining the plan at the beginning or any one joining after five years of that date, then the premium rates are guaranteed throughout until they retire. They have a holdback for five years and at the end of five years excessive dividends are given to the Government. They do not guarantee anyone joining five years from hence that the premium rates will be the same as they are now.

Mr. Livesey stated he has the answer he is looking for and it is obviously clear that things are not fixed and this is how it is done. It is fixed as far as the original employees are concerned but the ones five years from now may come up against a fresh situation. He asked Mr. MacKenzie how the Federal plan compares with this.

Mr. MacKenzie said favourably and the rate quoted to them is in effect indefinitely.

Mr. McCowan thought it impossible to fix anything for ever and the brief presented guarantees the rate for the employees joining now and for five years, and then it is reviewed and it could go up or down. He guarantees the brief itself, but he didn't think the Federal Government could guarantee their rate for ever.

Mr. Livesey asked Mr. MacKenzie what the history is of the Federal Plan and how long have they maintained only one percentage of contribution.

Mr. MacKenzie stated he believed quite a long time, but he recollected an increase of 1 1/2% a year or so ago.

Mr. McCowan said that on August 1, 1960, the rate of contributions were increased to 6 $\frac{1}{2}$ %.

Mr. MacKenzie stated that prior to the above date, it would have been the basic figure for a long time.

Mr. McCowan said there is another example that the Federal Plan changes as they see fit, and they do not guarantee their figures.

Mr. Livesey said that may be true, but in a private scheme it is fixed for a five year period the next one will be dependent on the state of the funds, so there is a difference between the two schemes.

Mr. McCowan stated he agreed, but he pointed out their earnings are greater than the Government and they are in a position to offer a better return for the money invested, and furthermore, how do they know how long the Government is going to subsidize the pension. They do not give a written guarantee to subsidize.

Mr. McKamey said there is the one question he would like answered and Mr. McCowan could contact them later on it and since there were no further questions asked if it was agreeable Mr. McCowan be excused for the time being. He was thanked for his information.

Agreed.

Mr. McKamey stated he believed the next company's, Excelsior Life Insurance, representatives were present, and he asked if it was agreeable they attend.

Agreed.

Mr. Martens and Mr. Germain attended Committee.

Mr. Livesey wondered if they could explain how their scheme was superior to the Federal plan.

Mr. Martens said one point they took into consideration was the interest factor - it is much greater. Another feature is they have an unallocated fund and all funds are set aside until time of retirement and if a man retires say at 65, they estimate what the cost will be and the funds are withdrawn from the allocated fund and his pension is bought. But if the pensioner passes away before the time originally estimated the excess money is returned to the fund.

Mr. Livesey admitted his ignorance and wondered if Mr. Martens could elaborate on the beginning of his statement.

Mr. Martens said these funds are set aside in an unallocated fund for the time of retirement and according to the information they have, the Federal Government is paying 3% interest on the funds and if they raise the interest rate, for example a 1/4 of 1% higher than the government, on the allocated fund it is estimated that the pension will be reduced 6%. He said the allocated fund is increased by interest and over the period of a mans employment with the Territorial Government, when he reaches 65, that 1/4 of 1% should reduce the actual cost to the Government by 6% for that particular employee.

They guarantee 5%, but in addition they will credit the fund the actual interest earned by the company and right now that is 5.9% so they would give the Territorial Government an accounting at the end of the year and they would credit them the extra interest earned in excess of the guarantee.

Mr. Shaw said it is based at an interest rate of 5% at the present moment.

Mr. Martens said "yes".

Mr. Taylor asked if their plan is portable.

Mr. Martens said there is so much that has to do with the income tax act and he thought legislation was being made whereby they are asking pensions to be portable whereby say if a teacher decided to move, his pension would be portable from this plan to a plan in the school district he decided to move to, but that has not been finalized and he believed they would find that with most pension plans at this time.

Mr. Shaw asked if it is not possible to earn 5% on the unallocated fund does that go up or down accordingly.

Mr. Martens said the rate is guaranteed for a five year period.

Mr. Watt asked Mr. MacKenzie if the amount of bookkeeping required in the Federal Plan and a private plan is equal.

Mr. MacKenzie stated the Federal Plan would not mean any substantial work and the accounting would be maintained in Ottawa.

Mr. Taylor asked if there are any Provincial Governments working under their scheme.

Mr. Martens said "no".

Mr. Livesey didn't feel his original question had been answered and he thought they would have more answers as to why their scheme was better than the Federal Plan and they had to compare them to see which was the better, and he would like to hear more advantages if they had them.

Mr. Martens said they were asked to present a parallel brief presenting the same briefs as the Federal Plan and the only benefit is the interest factor, they provide the same benefits as the Federal scheme so they haven't anything better to offer - the only thing they can do is give it to them at less cost.

Mr. Livesey said if that is their answer that is quite acceptable to him.

Mr. McKamey said if there were no further questions he would call and adjournment and he thanked the gentlemen for attending.

Committee recessed at 12:00 noon.

29 November 1962
Thursday, 2:00 p.m.

Committee resumed with discussions on Superannuation.

Mr. McKamey introduced Mr. Anderson, local representative of the Great West Life Assurance Company, who was present to explain to members of Council the scheme that his company had to offer in connection with a Pension Plan.

Mr. McKinnon asked Mr. Anderson to submit his plan so that a comparison may be made with the Federal Civil Service Superannuation Act.

Mr. Anderson stated that in the first place the plan they have suggested is not 100% comparable to the Federal Plan - the Federal Plan is an excellent one. He had requested exact comparisons and was told that it was impossible for a commercial company to give an exact pattern of the Federal Plan. He said the one the Territorial Government had did differ a little bit, he thought the cost was a good deal less than the Federal Plan, if the information he read in last Thursday's newspapers was correct. They do not quite, nor do the other life companies as he understood, offer benefits such as are in the Federal Plan. His group department in Winnipeg had recommended that group life insurance, in much the same way as the R.C.M.P. had it through Great West Life, would accomplish the same purpose. In his letter, which was attached to the proposal, it had a schedule of benefits that would have very much the same benefits as the Federal Plan. In other words, the male employees in the younger age bracket, most likely to have children, would have the greater benefit. Mr. Anderson now went into costs and figures, comparing those of his company with those of the Federal Government. He was expecting supplementary information from his Group Department, but for the present, the proposal before Council was actually an introduction to show what a private company can do, stressing the fact that first of all they believe that through the efficiency of private enterprise they could present the same or very similar benefits for an ultimately or even beginning lower cost. It also had the further advantage that if at any time the Territorial Government wished to change any features of the plan they could negotiate directly with the company and can do so at all times. They were the only company that used the new money basis of crediting interest, full disclosure of participation, in other words the chief factors governing any pension plan or mortality, interest and expenses. These three important factors are revealed in periodic reports to their policy holders. Their rates are guaranteed for five years, and from what he understood the long range trend of all of their policy holders is to have an ultimate reduction in the cost. This was not exactly the same as the Federal Plan - he believed that in the long run they could not only beat it as a lower going in-cost, but ultimately, with full participation, to reduce the cost or increase the benefits to employees if so desired. There were a few minor points on which he experienced difficulty to have an apple for apple comparison because of the difficulty of commercial companies underwriting specifications in the way that the Federal Government does - no company would have the widows and orphans' benefit in the way that the Federal Plan does but their group of life insurance is a substitution to that in that it approximates very closely. He did not know why there was a small difference in the interest they guaranteed in the event of an employee terminating and the employer contribution is refunded - under the Federal Plan it is 4% and under theirs it was $3 \frac{3}{4}\%$.

Mr. Taylor inquired as to the portability factor of this plan.

Mr. Anderson replied he understood it adhered definitely to portability that upon termination the complete guarantee is there, it is a reduced paid-up benefit rather than a continuation, and he understood the policy is that if it should be a lump sum transfer of funds from one pension plan to another, that this could be done directly. In other words, should

it be a transfer of a particular employee from the Territorial Government to either another Government agency or private enterprise that the funds can be transferred and portability is thus ensured.

Mr. Boyd said he understood from Mr. Anderson's remarks that it is anticipated over a long term period that the cost would probably be reduced or the dividends increased. What prompted this reasoning- what was the basis for it?

Mr. Anderson replied that first of all it was the overall experience of the company which in almost every case paid well in excess of their guarantee. He was assured by the head of the group department in Vancouver that he knew of no case where the pension plan had cost more than the initial guarantee. A lot depended on general principles - there were three main factors governing the cost of any pension plan: there is an assumption of mortality, and assumption of interest, and an assumption of expenses. They had set a very reasonable rate and beyond that, if their assumptions were not 100% accurate (and they no doubt would not be 100% accurate), they varied, from their experience, in a very small range. Then, through full participation, it means a very probable increase of the funds they administered for participants in the plan would result in, according to choice, increased benefits to employees in terms of higher retirement income, or reduced employer costs. The absolute guarantee is there for five years and beyond that it is full participation which means a full accounting statement is given to double check this. Any excess funds that can be created are turned back to the policy holders. No one can look into the crystal ball but provided the future of Canada is bright, the more bright this whole pension plan will be. In case of dire depression the guarantees are still there, but they won't be as great as if the trends were definitely up. The Federal Plan is guaranteed, cost basis, with no additional levies on policy holders, which is a very good feature. On the other hand private companies, in almost every case, have earned a much higher rate of interest on their funds.

In reply to a question by Mr. Shaw, Mr. Anderson remarked that his company's proposal in spite of the much lower cost gives a higher income to the lower-age people while the Federal Plan is particularly favourable to the older people who are getting obvious subsidy through the government for faithful service, it is a specification that no private plan have been able to use. According to their present plan they pay a higher income to the lower ages and a lower income to the higher ages and the overall comparison, considering a savings of what seems to be in excess of \$8,000.00, could be adjusted to equalize these figures and that was why he asked his company to give these figures in a form that is more comparable. The Federal Plan is subsidized by taxes and the security of the whole country is behind it while in the case of every commercial company, they are supervised by government agencies and must be actually sound.

Commissioner Cameron inquired what about portability - how would it work in a state of war, assuming that a person was paying, and then joined the services, and returned back to civil service. Would the government credit the person for time spent in the Armed Services?

Mr. Anderson said their plan did not provide for that. It is for direct service to the Territorial Government unless the Territorial Government informed them that these people were considered on the payroll. This was one difference between the Federal Plan and theirs - there are certain favourable things about the Federal Plan that allows for the picking up of past service as a result of service in the Armed Forces.

Mr. Livesey said that Mr. Anderson had done a wonderful job in coming here and giving the views of his company's proposals. He deserved a great deal of thanks for coming here and assisting them in that respect.

Mr. Anderson was thanked by Mr. McKamey and excused from Committee.

Mr. McKamey said it would appear that some very stringent book-keeping would have to be set up here - whose responsibility would it be and at whose cost?

Mr. MacKenzie replied that the responsibility would not be ours, but that of the Federal Government. They maintain all the Superannuation Accounts - there was no word of any Administration costs being tacked on to them - if there had been, they would have been provided for in the Financial Agreement. The Federal Scheme would be a particularly easy one to administer from their point of view. There was one point he would like to mention, which may be of interest. He had figures extracted showing the Provinces where these teachers came from because the Federal Scheme is portable insofar as B.C. and Alberta are concerned. He gave the figures to Council, with Saskatchewan the highest at 47 teachers. Two of the Provinces with whom portability agreements are being negotiated with figure prominently in the list he gave them - B.C. and Alberta.

Mr. Shaw asked what plan did Saskatchewan have?

Mr. MacKenzie replied he could not answer that and it was suggested that Mr. Thompson be called to supply the required information.

Agreed.

Mr. Thompson, Superintendent of Schools, attended Committee.

Mr. Shaw asked Mr. Thompson what type of pension plan did Saskatchewan have?

Mr. Thompson replied that he really couldn't answer that, but he did know there was a pension scheme there and he believed it came under the Provincial Government. In all of these Provinces he believed the scheme came under the Provincial Government - in B.C. he knew it came under the Provincial Government - in B.C. there is one plan for the teachers and one for the civil servants, both administered by the same people.

Mr. McKamey remarked that the problem was the portability clause.

Mr. Thompson commented that when he was in Victoria last month he attended a meeting of the District School Superintendents there and they were meeting with the chap in charge of pensions. This was what the gentleman had to say: "As far as pension schemes all across the country are concerned, he did not think the talk of having a teacher take the pension money from one fund to another was the main issue as this was a long way off. The feature of portability that he thought was quite feasible and could be implemented was that if, say, you worked with an employer for 5 or 10 years and built up a certain pension for that period, when you left you took this pension state with you and by the time you retired you may have worked for 5 or 10 employers and from each of these different groups you would receive a certain pension". This, Mr. Thompson remarked isn't complete portability but it is a step towards it and, from a personal viewpoint, he thought it was the only type of portability that they could see across Canada in the near future.

Mr. Taylor said that under the Reciprocal Transfer Agreement they could make arrangements with any of the Provinces regardless of whether the teachers are under a private plan or not.

Mr. MacKenzie said the answer is "yes", arrangements can be made, but two people have to agree on it.

Mr. McKinnon said that teachers had been told of this Federal Plan and wondered if it had been done recently.

Mr. Thompson replied that teachers were told at the same time as the Territorial civil servants and it was his understanding that the teachers supported it wholeheartedly and certainly the Teachers Salary Committee, which is the spokesman of the Teachers Association, are definitely in favour of a pension scheme. His own feeling was that if they had this scheme whereby if a teacher puts in 5 years here and then is able to take his pension with him when he leaves, this would be an awfully strong point to keep these people here for at least 5 years because the pension that they would be getting here as a result of their service would be much better than any pension scheme available across the country in respect of teachers.

Mr. MacKenzie stated that they sent out 250 questionnaires and received back 187 - those in favour of the Federal Pension Scheme was 156, those against 31. Teachers accounted for 108 questionnaires and turned in 76 - 69 in favour, 7 against.

Mr. Thompson said the important point is not so much the teachers, but the key people, such as Principals and Vice-Principals - these are key people and they are vitally interested in their future, and he thought the pension scheme was the determining factor in keeping them here. Speaking for himself, he was also concerned about it because if there is no pension scheme, there is no future in the Territory unless salaries are so high that he could provide for some sort of annuity or pension scheme with a private concern.

Mr. Shaw said it wasn't a question of wanting or not wanting a pension scheme, but as to which scheme was the most desirable of the four that had been presented.

In reply to a question by Mr. Livesey, Mr. Thompson said that each Province had its own scheme operated by the Provincial Government and the schemes vary from Province to Province. From the information he has had from the teachers, they feel that the Federal Plan surpasses any of the Provincial schemes.

Mr. Thompson was excused from Committee.

Mr. MacKenzie stated that if a private scheme were selected, it would have to be examined by an expert - Ottawa would not be inclined to help for we have been fighting two years or more to join this Federal scheme and now they say "yes", and we "no, thank you, we have our own private scheme."

There followed a general discussion on the various aspects of the Federal Superannuation Scheme.

Mr. Taylor said he certainly felt as seconder of the motion that in view of the tremendous amount of information they had been able to gather they should adopt the Federal Plan at this time and to vote for it accordingly.

Mr. Livesey asked Commissioner Cameron if he felt anything could be gained by waiting for further information and bringing this question up before the Spring Session.

Commissioner Cameron replied that he could not see any advantage to this, in fact it could possibly be a delay in getting this off for a start in the fiscal year. He would much sooner see it go through now so that they would have this winter to get the processing done. It was his own opinion that the employees will have no complaint with the Federal Plan and he was very doubtful if any plan which could come up would be as satisfactory or as acceptable.

Mr. Livesey asked what the cost of this would bring down on their heads.

Mr. MacKenzie replied that to administer the Federal Scheme would cost the Territory nothing, no extra staff would be needed and very little in the way of paper work, and he knew of no fee likely to be charged by the Federal Government for operating it there. Whereas with a private scheme there would be a tremendous amount of preliminary work, months of it, and even at the end of it they wouldn't know exactly all about it. They would have to employ a specialist from outside to guide them so as not to be misdirected.

Mr. McKamey stated that it was moved by Mr. Shaw and seconded by Mr. Taylor that the Committee accept the recommendations of the Administration and accept the Federal Superannuation Plan.

Motion carried.

Mr. Taylor asked Mr. MacKenzie if he could enlighten them on retroactive participation.

Mr. MacKenzie referred members to the file on the Superannuation Scheme and to the copy of the letter dated August 16, 1962.

Mr. Taylor asked if he was to understand that under alternative (1) members of the Armed Forces or anyone in the Public Service as defined under the Superannuation Act would be entitled to retroactive time.

Mr. MacKenzie replied that on the question of war service he would refer them to the sheets at the back of the folio, page 2, headed "War Service". He stated that under alternative (1) they had no choice, the Government had to pay back contributions; in alternative (2) it does not have to pay, in fact it cannot pay whether it wants to or not. We want to go a bit further and allow the employee to pay both. That's a point we have to take up.

Mr. McKinnon remarked that under Schedule (2) we could write our own ticket, whereas under alternative (1) it was inflexible.

There followed a long discussion on the various aspect of retroactive contributions.

Mr. MacKenzie asked Council if they would like him to give some figures on how much it would cost the government on retroactive participation. This was agreed to and Mr. MacKenzie offered to have the figures ready by lunchtime tomorrow.

This matter was therefore held in abeyance until tomorrow.

Mr. MacKenzie was excused from Committee.

It was decided to return to a discussion on the Mine Mills Smelters Union memorandum.

Mr. McKamey read item 1 of the above memorandum under section - "Modernize the Workmen's Compensation Act".

Mr. Taylor stated this was a wonderful thing and they had certainly tried for it on many occasions and eventually during this past year they had made provision for a Labour Compensation Officer. He was not sure if we had one as yet.

Clerk-in-Council said that at the time the motion was passed there was a man hired to take on this work as an assistant in his office, but the original understanding was that it wasn't to be a full time work and the situation still stands. A portion of his salary is charged Workmen's Compensation Assessment Account. He does any Workmen's Compensation work that we have to do. His chief function is to get the paper work through from this end

and he has proven very satisfactory up to now.

Mr. Shaw stated at the time the motion was made it was requested that an office be set up here to deal with these Workmen's Compensation Claims but this was turned down on the grounds that it would be too costly. He wondered if the situation had changed.

Commissioner Cameron said that situation had not changed. It was unrealistic to have any office here with the population that we have in the Territory. It was not practicable.

Mr. Boyd wished to know that with regard to the people in Edmonton who are looking after this matter - how many are there, what people are they looking after? Is it just the Yukon Territory and the Northwest Territories or do they service Alberta residents as well.

Clerk-in-Council replied that from one point they do look after only the Yukon and Northwest Territories - they have nothing whatsoever to do with Alberta. To his knowledge there were two, possibly three men, and about three stenographers in the office now.

Mr. Boyd said that if they were only looking after the Yukon and Northwest Territories, why should the office be in Edmonton?

Mr. Shaw said that the answer as received from Mr. McKee and the other persons was that it wasn't the actual administration that was the problem, the problem was to have these specialists, doctors, and board of referees. In most cases at that time, with serious problems, they had to have professional experts who were not available in the Yukon Territory.

Mr. Boyd stated it still did not make the situation any different to what it is where everybody here is subject to serious problems and this will happen everywhere. He couldn't see why a Utopia should be set up there for 3 or 4 men to look after a few in the overall picture. It did not add up. The hospital has been built since and he thought the situation has been considerably changed.

Mr. McKamey said he understood this Compensation Board is comprised of several insurance companies who were reluctant to participate in this and the Territories had to more or less meet certain demands before they could interest them in this. That was the impression he got out of discussions on this matter. That was one of the reasons why this was set up in Alberta where they have their Head Office and could cut down on administrative costs. The way he understood it these companies could probably provide compensation whereas it would be pretty expensive for a small operator or any operator to participate in this plan and, if they were to set up here, it would increase the operating costs so that the fee that would have to be paid to maintain this operation would put everybody out of business, or we'd end up with no compensation.

Clerk-in-Council said he could offer a few points that might help. For one thing the expenses for the office in Edmonton are split fifty-fifty between the Yukon and Northwest Territories, it would therefore cost half as much to set up our own office here. Secondly, these people are in constant communication, daily, almost hourly, with the Alberta Board over Workmen's Compensation cases - and the cases which are not settled by the insurance adjusters, who are resident in Edmonton, are turned over to the Alberta Board, who act as our referees. All this is done at the local level, right in Edmonton, and if the Administration was moved up here it would mean that difficulties would be almost insurmountable. We would be far away from the people that do the actual adjusting, and from the actual referees. If we had our own Board, which is way beyond question, then it would be a different question - but if we do not have our own Board and have to rely on an insurance adjuster, it is not feasible to have the administration office here.

Mr. Livesey stated that so far as the miners are concerned they feel, and some other sections of labour do feel, that it would be preferable to have this sort of thing here in the Territory, especially in Whitehorse, but he certainly agreed that the cost involved would be quite high. He did not have the answer at the moment as to how the situation could be changed.

Mr. Shaw remarked that this is the second time they have had this before them and it is just something that we cannot for practical purposes handle in the Territory. He wondered if a paper could be prepared and given to Council pointing out the reasons why it cannot be implemented at the present time and perhaps a copy could be sent to the Union to let them know the situation, that it was not the Council or the Administration's view to create hardship, but there are things that are practicable and this just doesn't happen to be practicable. That would give them an overall picture of the situation.

Clerk-in-Council asked if he could suggest that it be handled by our Edmonton Office and treated as a common request. The same request could go to the Northwest Territories. He would discuss it with Commissioner Cameron.

Mr. Taylor moved, seconded by Mr. Watt, that the Speaker resume his Chair and hear the report of the Chairman of the Committee.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. McKamey, Chairman of Committee, reported:

At 11:00 O'clock A.M., Committee proceeded to discuss Superannuation. Mr. McCowan representing Prudential Life Insurance Co. Ltd., appeared to answer questions.. At 11:45 A.M. Mr. Martens and Mr. Germain appeared before Committee to answer questions relative to Excelsior Life Insurance Pension Scheme. At 2:00 P.M. Mr. Anderson, representative of Great West Life Insurance Company, appeared before Committee to answer questions. Mr. MacKenzie and Mr. Thompson both attended Committee to answer questions put to them. There was a motion on November 28th, moved by Mr. Shaw, seconded by Mr. Taylor, that Committee accept the Federal Superannuation Plan. Motion was carried at 4:00 o'clock P.M. November 29th. At 4:30 P.M. the Mine Mill Smelter Workers brief was discussed and progress is reported.

Council accepted the report of the Committee and following a short discussion of the Agenda adjourned until 10:00 o'clock A.M., Friday, Nov. 30th.

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

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

- (1) a reply to Production of Papers No. 3, set out as Sessional Paper No. 22. Sessional Paper No. 22.
- (2) regarding Motion No.5 which read as follows: "Motion no. 21 of the April 1960 Session of Council requested the Administration to pay to parents, living over 13 miles from a school, a maximum of \$1.00 per school day towards the cost of supporting a child at a school, provided the child no longer lived at home. The Administration has carried out the wishes of Council in this respect with the added proviso that parents must be Yukon residents with the dependents attending a Yukon school, and the parents not receiving assistance from some other government group or corporation. During the term of the present Five Year Financial Agreement, it is not the intention of the Administration to extend the privilege as set forth above. Motion No. 5.

Mr. Taylor gave Notice of Motion re Financial Advisory Committee. Motion No. 17.

Mr. Boyd gave Notice of Motion regarding the Conference on Northern Resources. Motion No. 18.

Mr. McKamey moved, seconded by Mr. Taylor, that it is deemed most advisable to adopt an Apprenticeship Ordinance to parallel the program of establishing a Trade School. He said this is something that is required once the Trade School is in operation and the different types of courses that they will be teaching and instructing in that school and following this An Apprenticeship Ordinance will be required to make this a success. Motion No. 8.

Mr. Shaw thought that this is a very good idea and it is obvious that when a person comes from school they aren't going to be fully qualified and they need a certain amount of experience.

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, that it is requested that the Administration provide Council with a list of all land within the Metropolitan Area of Whitehorse that is not included in (a) the municipal boundaries of Whitehorse, (b) Federal land, (c) Territorial land, (d) D.N.D. land, (e) within the boundaries of surveyed subdivisions. It is requested that the above information list - (a) name of owner of each piece of land, (b) size or acreage of each piece of land, (c) amount of taxes on each piece of land, (d) amount of taxes on the improvements on each piece of land. He said they have the memorandum from Commissioner Cameron and it says that the preparation of this information will be ready for Spring Session 1963. He didn't think the information would be so hard to obtain so he would hold it over until spring and they could use the information then. Motion No. 9

Mr. Taylor asked Mr. Watt why he requires this and he thought it would be a tremendous undertaking. He wondered what the purpose was.

Mr. Watt said the reason for this is to find out how much land could be made available to build on privately and secondly to find out if there is a fairly even and uniform taxing being done to this private land within the metropolitan area.

Mr. Shaw also thought this would be a tremendous task and it would take a person a week to gather up this information and compile it. He could understand Mr. Watt wanting information but he suggested he go to the office and obtain the information from the persons that have it rather than supply all the details and have it produced for Members of Council as he isn't interested in all that.

Mr. McKamey asked Mr. Clerk how long it would take to obtain this.

Clerk-in-Council suggested that the information is available from the tax roll and Mr. Watt could come in and look it over and get the information himself.

Mr. Watt stated that by this motion it might encourage the City to take a step and relook at their assessments as he thought by next spring they would need more land for the people that are going to be moved.

Mr. Shaw asked if the alternative suggestion made by Mr. Clerk would be satisfactory with Mr. Watt.

Mr. Watt said it would be fine but if the information isn't too hard to obtain could they just leave it and comply with the suggestion of the Administration that the information be given to them in the Spring.

Mr. Speaker stated the motion must be dealt with, either agree, disagree or withdraw the motion.

Mr. McKimmon couldn't see why the motion shouldn't be accepted if the information could be taken from the tax roll and both he and Mr. Watt could see it as valuable information.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that the Commissioner be requested to take all steps as may be necessary for the issuance by the Governor in Council of a Proclamation bringing into force subsection (2) and subsection (3) of section 95 of the Indian Act. He said this motion arises from Bill No. 15, where they have amended the Ordinance respecting the permission of Indians to have full and equal liquor rights in the Yukon and it is necessary that they forward their intention and request to the Minister in Ottawa asking him to make the necessary changes to the Indian Act through the Privy Council and this is what the motion is for.

Motion
No. 10

Motion Carried.

Mr. McKinnon stated in regard to Motion No. 11, he would rather wait until there is a reply to Mr. Livesey's Motion for the Production of Papers (no. 4) on National Parks as he thought one would tie in with the other.

Mr. Boyd moved, seconded by Mr. Shaw, that the Accident Prevention Regulations be accepted as presented. He said this is a matter of formality tidying up the situation.

Motion
No. 12.

Motion Carried.

Mr. Boyd stated he did not wish to bring up his motion regarding the Engineering Profession Ordinance at this Session.

Motion
No. 13.

Mr. Taylor moved, seconded by Mr. Shaw, that the Administration are requested to study the possibility of amending the Game Ordinance to provide for the following: (a) a cow-moose season on each or alternate years, (b) a reciprocal agreement with B.C. and Alberta respecting Bird licences. He said he had three proposals to bring to Council this Session and the one regarding the winter beaver season has already been dealt with. The second was the cow-moose season and the reason this was asked for is that it appears to those travelling through the bush that they have far too many cow-moose. That is why he asked that the question be taken under advisement by the Game Department and if they feel it is a sensible thing to do they can proceed with legislation at the Spring Session along this line. In regard to the reciprocal agreement with B.C. and Alberta respecting bird licences he would like to add Saskatchewan as well. However he said these three Provinces have a reciprocal agreement whereby if you get a resident bird licence in say B.C. you can go to say Saskatchewan and get a resident licence there.

Motion
No. 14

A resident licence in any Province will give you a resident licence in any of the three. As many Yukon residents go out to hunt ducks, geese, etc. in the fall it is the feeling that they would like to reciprocate with these people and vice-versa.

Mr. Shaw said in regard to the cow-moose situation he would like to know why this would be a good thing.

Mr. Taylor replied the reason is they have cow-moose seasons in B.C. and it has worked out satisfactorily. In recent trips he has seen in a space of 2 miles 14 moose - 5 of which were bull moose and very few calves and he couldn't see it doing any harm. He understood a mammalogist is coming to the Yukon and he thought he could advise and work with the Game Department on this matter this winter in preparation for the Spring Session.

Mr. McKamey said there was a lot of truth regarding this cow-moose season and he didn't think bringing a mammalogist in would solve the problem as he has no experience in the Yukon. You come face to face with this problem when you are out in the bush and he spends a lot of time out in the boondocks and he certainly supports the cow-moose season. It is the practise in Alaska and it does more good than harm. He stated he has seen pictures of moose starving to death due to overpopulation and perhaps nature can look after the balance but she doesn't provide a balance when people shoot off the bull moose. He thought this motion a very good point. He didn't understand the reciprocal agreement regarding bird licences.

Mr. Taylor elaborated a little more on his previous statement and said the differences in prices of bird licences for nonresidents is approximately \$50.00 but if you are a resident you can get one for \$3.00 or \$7.00. There are fewer people coming into the Yukon to hunt but more go outside and he would like to see them reciprocate with these three Provinces.

Mr. Watt remarked that a few months ago he introduced a motion giving hunting privileges to servicemen and the reason was to bring in line the Game Ordinance of the Yukon with the 7 out of 9 Provinces of Canada and it was turned down cold because they wanted to preserve the game particularly the moose. He couldn't understand now how this was going to be a good thing. He also suggested a mammalogist be called in and it was turned down cold. However, he was in favour of the motion.

Mr. McKamey said in respect to the motion that they should take into consideration the Yukon is the birds nesting ground.

Mr. Taylor stated he thought very few people would come into hunt as the hunting enjoyed here is nothing compared to what you find outside. He understood the present Game Director was studying a change of fees and he thought this reciprocal agreement could come under study as well and this motion asks that it only be studied and if deemed advisable they could present it for legislation.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Shaw, that in view of the present installation of commercial power in Teslin, and in view of the desire of the residents of that area to have street lights placed in the community as soon as possible, the Administration is respectfully requested to provide to the community of Teslin the street lights required. He said at Teslin this year the Yukon Electrical people have put in power and people are now receiving commercial electric power and there is a desperate need for proper and adequate street lighting around the school and around the rest of the village where children and people walk. They have had no street lighting and he thought their request valid. Not much money has been spent in the community over the past number of years other than for roads.

Motion
No. 15

Mr. McKamey questioned Mr. Taylor as to what the charges would be for the street lighting, how many lights would be required and which village did he refer to, the Indian village or the village of Teslin.

Mr. Taylor replied that Council is not committed to look after the native village and there is no village of Teslin it is just a settlement. He thought the Administration could give an answer to the cost of street lights and the number required would be ten.

Commissioner Cameron stated an incandescent lamp is approximately \$4.50 per light per month and \$7.50 for the mercury vapour per light per month.

Mr. Taylor said he thought the standard lights would be satisfactory.

Motion Carried.

Mr. Livesey, (with Deputy Speaker in the Chair) moved, seconded by Mr. Boyd, that in the opinion of Council, the Administration should give immediate consideration to the implementation of the following requirements for the benefit of residents of the community of Haines Junction. (1) That an adequate fire alarm system be installed in the school. (2) That the siren be located in a more central location or additional stop start switches be installed at convenient locations. (3) That the possibility of arranging for a special ring within the Haines Junction Telephone system for emergencies be given further study and consideration by the Administration. (4) That official permission and sanction be obtained whereby the people of Haines Junction could use the water supply presently available in the refinery area. (5) That a qualified first aid attendant be permitted to use first aid supplies now available at the health station in view of the lack of other qualified personnel. (6) That additional street lights be installed of the mercury vapor type. (7) That the refuse grounds be relocated at the original site. He said the situation is one where he feels that the Administration has not paid sufficient heed to the questions brought to their attention and there may be a number of reasons but he has brought these to the attention of the House in view of the new recent election of an Advisory Committee for the Junction and these questions are their questions and the things they are dissatisfied with. In regard to item (1) they haven't taken this up with Mr. Thompson because of the timing of the request and he felt this a necessary thing. If it had a fire alarm system it would be safer and the school should be brought into line. Presently they have a bell and the students don't always hear it. In regard to item (2) he said it is in reference to a community siren that is now located at one of the gasoline service stations and you have to go across the street and press the fire alarm button and it is in a most inconvenient place. The people of Haines Junction think it should be more central and it would be quicker to get the firemen out and everyone would know what is going on. In regard to item (3) this is another way of helping the people of Haines Junction to be provided with an all purpose alarm if possible and it is more or less a query to see if this is possible. In regard to item (4) he brought this up the other day where some people are actually using this water and they feel the well that has been provided by the Territorial Government is inadequate. It is in an area where there is flood conditions in the spring and there is silt in it etc., but they are satisfied with the water in the refinery area. They are looking for an official form of sanction so they can use it. In regard to item (5) this is due to the fact that they have no nurse at the nursing station due to lack of personnel and difficulty of obtaining personnel with the proper qualifications etc. The nurse at Haines Junction serves the highway and if they can't obtain a nurse they would like the permission of a first aid attendant to use the supplies. In regard to item (6) possibly the people have seen other places with mercury vapor street lighting and they feel the lights at Haines Junction are inadequate and they need more lights and they would like them to be of the mercury vapor type. In regard to item (7) the original site is some distance further than the present location and they feel the present location is too close to Haines Junction. With a

Motion
No. 16

high wind the refuse gets blown all over the country and they are afraid of it blowing to the pipeline and starting a fire. They would like it to be put back where it used to be.

Mr. Taylor suggested, with reference to item (2) and (3) that they were faced with this problem in Watson Lake and have a very good working fire department. Instead of putting in stop and start buttons they put in telephone boxes around the community which are principally fire boxes but are an all emergency type of thing. It is a private system going directly to the repeater which is their fire alarm. They have two stop - start buttons on the siren and in the case of a fire you either go to one of these call boxes, dial the telephone or go to the fire hall. As far as the schools are concerned he said there is very little fire protection provided for in the Territory and their department in Watson Lake found there was no provision for a stand pipe and a hose which would go to any part of that building so they got together with the Territorial Engineering Department and they now have a stand pipe and enough hose to go to any part of the building.

Mr. Boyd asked how many rooms there were in this school.

Mr. Livesey replied two with a basement with a stage at one end similar to the Destruction Bay and Beaver Creek Schools. He stated he had made a submission some time ago where he thought the school was a fire trap as far as the basement was concerned. The Administration helped by knocking one end of the wall out so the children could escape through this area in the basement.

Mr. Taylor said with regard to the nurse, they have a nurse at Watson Lake who is to be transferred to 1016 and two nurses will then be replaced in Watson Lake.

Motion Carried.

Mr. Watt directed a Question to the Administration which read as follows: Would it be possible to have Fishing Guide signs put on the main roads in the Yukon.

Question No. 6

Mr. Taylor asked Commissioner Cameron if at the present time the Administration is considering the transporting of Council to Watson Lake sometime during the Spring Session.

Commissioner Cameron replied it is considering a trip for the Legislative Council to Watson Lake and Canada Tungsten area during the Spring Session.

First and Second Reading was given to Bill No. 4, An Ordinance to Amend the Municipal Ordinance, as amended.

First & Second Reading Bill 4.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 4, be given THIRD reading.

Motion Carried.

THIRD Reading Bill 4.

Mr. Taylor moved, seconded by Mr. Shaw, that Bill No. 5, An Ordinance to Facilitate Cornea Transplants from the Bodies of Deceased Persons to Living Persons, be given THIRD reading.

Motion Carried.

THIRD Reading Bill 5.

Mr. Boyd moved, seconded by Mr. McKamey, that Bill No. 6, An Ordinance Respecting Survivorship be given THIRD reading.

Motion Carried.

THIRD Reading Bill 6.

Mr. McKamey moved, seconded by Mr. Boyd, that Bill No. 7, An Ordinance Respecting the Presumption of Death, be given THIRD reading.

Motion Carried.

THIRD Reading Bill 7.

Mr. Boyd moved, seconded by Mr. McKamey, that Bill No. 8, An Ordinance to Extend the Jurisdiction of the Territorial Court to Approve the Variation of Trusts in the Interests of Beneficiaries and to Sanction Dealings with Trust Property, be given THIRD reading. Motion Carried.

THIRD Reading Bill 8.

Mr. Taylor moved, seconded with Mr. McKamey, that Bill No. 9, An Ordinance to Amend the Liquor Ordinance, be given THIRD reading.

Motion Carried.

THIRD Reading Bill 9.

Council recessed at 12:00 o'clock Noon.

Mr. Speaker called Council to order.

Mr. Boyd moved, seconded by Mr. McKamey, Bill No. 10, An Ordinance For Granting to the Commissioner certain Additional Sums of Money to Defray the Expenses of the Public Service of the Territory, be given Third reading. Motion Carried. Third Reading Bill No. 10.

Mr. Shaw moved, seconded by Mr. Taylor, that Bill No. 11 - 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. Third Reading Bill No. 11.

Motion carried.

First and Second Reading was given to Bill No. 12 - An Ordinance respecting the Prevention of Fire, as Amended. First and Second Reading Bill No.12.

Mr. Shaw moved, seconded by Mr. McKamey, that Third Reading be given to Bill No. 12 - An Ordinance Respecting the Prevention of Fire. Third Reading Bill No. 12.

Motion carried.

Mr. McKamey moved, seconded by Mr. Boyd, that Third Reading be given to Bill No. 13 - An Ordinance to Amend the Public Health Ordinance. Third Reading Bill No. 13.

Motion carried.

Mr. McKamey moved, seconded by Mr. Shaw, that Third Reading be given to Bill No. 14 - An Ordinance to Amend the Municipal Ordinance. Third Reading Bill No. 14.

Motion carried.

Mr. Taylor moved, seconded by Mr. McKamey, that Third Reading be given to Bill No. 15 - An Ordinance to Amend the Liquor Ordinance. Third Reading Bill No. 15.

Motion carried.

Mr. Boyd moved, seconded by Mr. Taylor, for leave to introduce a private member's Bill No. 19 - An Ordinance to Amend the Municipal Ordinance. Introducing Bill No. 19.

Mr. McKamey gave Notice of Motion in respect of Joint Council Session with the Northwest Territories. Motion No. 19.

Mr. Taylor moved, seconded by Mr. McKamey, that the Speaker do now leave the Chair and Council resolve into Committee of the whole to discuss such matters as may be found in the agenda for the day.

Mr. Speaker appointed Mr. Taylor as Chairman of the Committee.

Motion carried.

In Committee of the whole:

Committee proceeded with discussion of Sessional Paper No. 27 at subsection 2 of section entitled "Modernize the Workmen's Compensation Act". Discussion of Sessional Paper No. 27.

Mr. Livesey stated that this particular aspect of their submission was amply demonstrated when they met the Mine Mill and Smelter Worker's the other evening and they brought with them a man named Mr. John Doherty for the purpose of showing results of the particular aspects of the legislation which prevented a review of this man's actual position. This man definitely was crippled and his understanding was, from the information supplied by Mr. Murphy, that Mr. Doherty had been given a very poor showing inasmuch as he was given to understand that his injuries were not permanent and the remuneration coming to him had been cut quite a little since the date of the accident. When they examined Mr. Doherty he was moving around on crutches, he had leg braces and a back brace - how anyone could consider that this man was not crippled, he really didn't know. His future looked quite bleak due to the fact that the legislation certainly did create a condition whereby he had no access to further consideration. This seemed to be the problem and he thought it would be a good thing if Council would consider repeal of the legislation and advise the Administration of the result of the Committee meeting here that they would like draft legislation created to be discussed at the Spring Session of 1963.

Mr. Shaw stated he agreed with Mr. Livesey's request, however, in looking into all phases of it they should ascertain at the same time the additional cost, if any, that may arise in an extension of this. It appeared to him that there must have been some reason for the statute limitation and it may be such that it might substantially increase the rates over this period of time, or less over another period of time. In any event all the facets should be looked into. He had seen Mr. Doherty and anyone who considered him as partially disabled must have a large imagination.

Commissioner Cameron said he would take action on the discussion.

Mr. Livesey stated that in addition to his previous remarks it seemed that this five year limitation, like any other limitation, has its limits of usefulness and purpose. He thought that possibly the five year limitation was put down principally to keep clear of the possibility of creating extra calls upon the revenue required from insurance by individuals with whom one could not pin-point the actual time and place where the accident or certain conditions had developed. This, to his mind, only worked on a spectrum of the scale, it is only useful in a certain area, in a certain channel, useful in certain cases. Here they had a case where revision could bring relief.

Mr. Boyd remarked that in the face of it, it looked like rank discrimination and all in favour of the insurance company and it says very little for the man they have representing them in Edmonton.

Mr. Boyd referring to subsection 4 of Section entitled "Give workmen the right to attend a Doctor of their own choice", was very much in sympathy with this suggestion. He could not see where a patient who had a doctor that he would like to have in attendance, be told that he couldn't have him, that is of course if the doctor was in the vicinity, and not say from England.

Mr. Livesey stated he could see the possibility in the minds of some that if an injured workman was able to retain his own doctor there may be some feeling that there could be the possibility of extra sympathy between the medical officer and the individual concerned, but they had to think of the doctor's certificate and the oath he adhered to when he became a doctor.

Clerk-in-Council commented that the workman has the perfect right to go to any doctor that he wants to, but if he wished to bring a doctor from Timbuktu that was another thing. Sometimes an injured workman is sent outside to a specialist at the discretion of the insurance company and he didn't think they could disturb that at all.

Mr. Boyd said that Mr. Doherty had requested to have another doctor look at him but was refused the request, unless it was done at his own expense, and which he did. He certainly was not allowed to change doctors, even though the other doctor was in his vicinity.

Mr. Shaw remarked that he knew of an actual case where a man went to one doctor, he wasn't satisfied, so he went to another doctor and was fixed up. The bill was paid by the insurance company and there was no aftermath, no complaints. Generally speaking, he would say that patients could go to doctors of their own choice.

Mr. McKamey said this had been gone through in a previous session with Mr. McKee and he wondered if they could have the tape recording on it. He would point out that in the second item of the Compensation Act maximum wages for compensation purposes had been increased. He read the first sentence on the brief. Going back to the Votes and Proceedings, motion No. 22, he read: "Mr. Smith moved, seconded by Mr. Taylor, that this Council request the Administration to amend the Workmen's Compensation Ordinance to provide the following benefits - 1) widows' benefits of \$100.00 per month, 2) dependent children up to the age of 18, \$35.00 per month for the first child, \$35.00 per month for the second child, and \$20.00 per month for each succeeding child, 3) funeral benefits of \$250.00". These benefits were increased and therefore contrary to what he had read in the brief.

Clerk-in-Council suggested it would serve a useful purpose if he could, with Commissioner Cameron's approval, supply a copy of the reply to the brief that was sent subsequent to that Council Session where all the points were enumerated and the action of Council shown in each case.

Mr. Taylor said this method would prove a less time-consuming proposition than going over the tapes.

Committee agreed.

Mr. McKamey referring to subsection (5) asked what progress had been made at the Federal level or any Provincial level with regard to silicosis.

Mr. Shaw replied that this was a somewhat highly technical proposition and refers to emphysema. He did not know what that was. Bronchitis is an industrial disease, but it seems to be a disease that children can get from an early age, and he thought that clauses (5) and (6) of this brief required study and some sort of submission by somebody who could study it very impartially. The Mining Inspector and the Doctor could get together and give forth their suggestions from their intimate knowledge of the conditions that exist. He could not possibly come to any conclusion without expert opinion on this.

Commissioner Cameron said there was a study going on at the present time by the Federal Departments of Health, and Dr. Butler was attempting to get some information to Council as to what was being done in regard to silicosis.

Mr. Boyd suggested this should be left in abeyance for at least another session until something further developed.

Mr. Shaw wondered if it was possible to get some sort of submission from the medical profession and the Mining Inspector for next Spring.

Commissioner Cameron replied that, if he might be so bold as to say, the Mine Mill and Smelter people were taking advantage over this legislative group. He did not think that any group of individuals in an elected body such as this could sit down and answer the questions that they have asked without a terrific amount of professional help from all sources.

He suggested that if there was one or two items that they felt were definitely improper and wished to change, that they pass on their feelings to the Administration. For the remainder they could make a motion that the Administration look into it in its entirety and notify the members of Council through the mail as to the different portions of it and what the Administration felt might be done. They could also prepare an answer to the Mine Mill people and submit some material to Council in the Spring as to what could be done within reason, otherwise they would not be able to come to end of it to their satisfaction.

Mr. Taylor suggested that this should go hand in hand with a complete review of the Workmen's Compensation Ordinance by the Administration.

Mr. Boyd moved that they accept the recommendations of Commissioner Cameron.

Mr. Livesey said that silicosis was primarily related to mining, but not necessarily so - it could be looked upon as a condition that could be created by a number of things and, of course, road dust was one of them. He did feel they should look over the brief and come up with suggestions to the Administration for further consideration.

Mr. Boyd moved again, seconded by Mr. Shaw, that the Administration take under advisement the matters raised in the Mine Mill brief respecting Workmen's Compensation and requesting suggestions in the form of a report at or before the Spring Session.

Mr. Livesey stated he did not think that was adequate. He thought that in their position as legislators they should come up with some suggestions to advise the Administration on matters they were capable of dealing with.

Mr. McKamey said he thought the idea of the motion was to get specific information which was possibly highly technical and before they could arrive at any conclusion on what type of legislation is required they had to have this information placed before them.

Mr. Boyd agreed that they should have the whole issue covered by somebody who has the time and the ability and the know-how and then give them a clue - this would put them further ahead.

Mr. Taylor said it did appear that a great deal of study would have to be made over this.

Mr. Livesey proposed an amendment to the motion. He moved that with regard to Workmen's Compensation on the following subsections -

- (1) that information be obtained with reference to the objection raised during a prior discussion with any new possible proposals now feasible,
- (2) that the desirable and undesirable effects of this section be enumerated,
- (3) that a study of draft legislation be made and the possible additional cost, if any, brought to the attention of the Council,
- (4) give reasons why this should or should not be implemented,
- (5) give Council advice with reference to the implementation of section suggested.

Mr. Shaw seconded the motion.

Motion as amended carried.

Mr. Watt in referring to subsection (a) of section - A Labour Code for the Territories, said he had spoken to the Legal Advisor about it and the Legal Advisor thought a minimum wage could be instituted without much trouble. He did not mean a complicated minimum wage where each category of labour was itemized, but a basic minimum wage that would prevent anybody being paid at say .50¢ an hour - this has happened. If a minimum wage of \$1.00 per hour was established, it would keep labour from being paid less than this amount. This would exempt baby-sitting, of course.

Mr. McKamey stated he would like to say at this time that the suggestion was premature. He did not know who were becoming the legislators here in the Yukon Territory, the Mine Mill workers or the elected members. This suggestion might be fine in town here but certainly would create a hardship in the rest of the Territory - on the Highway, for example, people find it difficult to provide the public with a service in the winter time and some of them stay open 24 hours a day, and when business is slow it really created a hardship. He believed there was some amendment to the Labour Provision Ordinance recently that would cover anything that was required, but he did not think at this particular time they should create any rigid legislation that would drive industry out of the Yukon. This is a critical period for the Yukon Territory - once business has been established, they could tackle the question, but not at this time.

Mr. Boyd said he agreed with Mr. McKamey on the overall picture, but abuses are taking place and they should not be allowed to go on. He had heard of a taxi driver being paid at .75¢ an hour, and the only way that taxi driver can live is by boot-legging, and then we would pick him up for boot-legging.

Mr. McKamey stated that in answer to that, there was nothing to stop the taxi drivers from being organized and entering into some sort of agreement with their employers. They are trying to make us the scape-goat rather than do their own fighting with the company.

Mr. McKinnon remarked that his objections to a minimum wage are summed up very well in the Northwest Territories. "They say the Provinces no longer establish a general minimum wage, this is true. There were many factors that made a single minimum wage impracticable, such as classes of trade, the variety of living standards and cost in the Territories, etc. Any legislation of this type might provide for the establishment of standards for specific areas and industry by order of the Commissioner - it had to be recognized however, that this would be complicated and even difficult to enforce. Whether we have the Administrative structure needed to cope with it adequately in present circumstances seems very doubtful. In the provinces they found the minimum wage to be extremely impracticable and they had to set up a system of wage orders which is very good as it gives the class and what this particular person is to be paid. This works quite well but it is very difficult and costly to administrate". He had to agree with Mr. McKamey that he would like to see this wage structure order in the Yukon but it would be too difficult at this time to put any administrative control over it. They did not have the facilities and all over the country it was found that the minimum wage is chaotic and outmoded and just cannot be worked practically and until they reached the point where they could set up this wage order structure, they should not legislate on it at the present time.

Mr. Livesey stated that he took a little different view on these things. The Labour Legislation in the Yukon was quite inadequate in many ways where it says nothing and gives no direction and if compared with the Provinces of Canada we are so far behind that comparison is odious. There may have been reasons for this in the past and some of the reasons may still be with us - he would not go into this at the moment. The Province of B.C. has much more authentic data to go by as a guide for both the employer and the employee. As far as the minimum wage is concerned, within the last few months the United States set forth their minimum wage level at \$1.15 - when speaking of a \$1.15 minimum wage, they were not thinking of the higher

brackets of work but of the lower paid brackets and trying to establish a minimum in this area. To say a review was unnecessary is inadequate, for reviews must take place from time to time. Without the proper legislation we would find ourselves in a very poor position with regard to the type of personnel we may require - also they would not come here, they would stay in the Provinces. There are a tremendous number of difficulties to be encountered in saying what a minimum wage should be, but he did think that Labour Legislation in the Yukon was worthy of some review.

Mr. Shaw said that a minimum wage is difficult to legislate but to some extent it should be considered to stop abuses. He was very strongly of the opinion that a standard set is perhaps a good thing, say a dollar an hour, anyone being paid less than that is being exploited. To set it at \$1.50 would make it very difficult for small businesses as pointed out by Mr. McKamey. Many benefits have been obtained by organized labour but we do have a group that for various and sundry reasons cannot get organized and to set a minimum rate gives them a certain amount of protection. A minimum could very well be set of \$1.00 an hour.

Mr. Taylor stated that the proper approach to this is to take it in categories and establish basic minimums, he believed this was the most effective way of doing it. However, he would like to see a basic minimum of \$1.00 an hour. He thought the legislation was necessary and he would like to see the Administration undertake something along this line as they owed it to the workmen to provide some safeguard against exploitation.

Mr. McKinnon remarked that the problem of legislation in the Yukon is the enforcing of it. He thought that practically every type of worker was covered under Sections 5 and 7 of the Labour Provisions Ordinance and after that Ordinance was passed, sometime in 1958, it took them only this year to provide provisions for an officer to enforce it. Now we are asking for a minimum wage and we will come to the same problem again - it will sit in that book for another five years before anybody gets around to enforcing it, and now we are off again at another tangent to start on a new type of labour legislation when we haven't found out how this one is going to work yet - he had to say that it was premature. Mr. McKinnon added that they did have good legislation to make sure that labour does not get a bad deal until such time as they could make a wage classification scale.

Mr. Shaw thought the way it is set out in the Ordinance was most ambiguous, he did not think a basic wage had been set for the small jobs which are seldom classified, and this was the class of workers he would like to protect.

Mr. Taylor stated that in view of Mr. McKinnon's remark on enforcement he would like to ask the Clerk-in-Council, in Commissioner Cameron's absence, as to what steps had been taken along the lines of the motion at the Spring Session wherein it was moved and carried "that it was the opinion of Council that a Labour Provisions Officer be provided for the Yukon Territory, etc. etc."

Clerk-in-Council said the Administration had been following up the motion whereby they would be appointing a full time Labour Officer whose main duties would be to make a complete study of the Labour Legislation and set it all up under one proper Labour Provisions Ordinance covering all angles of it. It was going to be a Federal position, but the austerity programme came along and all plans had to be cancelled and now, he understood, he would be made Labour Provisions Officer, pro tem, until they found out what was going to happen to this austerity programme. The Northwest Territories had a similar officer appointed, and he had been working on the Northwest Territories Labour Code for a solid year and only recently has he come up with a complete new Labour Code for the Northwest Territories. He has not seen a copy of it as yet and it was his intention to have a look at it when available and see whether some of it could be adapted for use in the Yukon.

Mr. McKamey said he thought this would be along the lines of wishful thinking - he really thought it would be unfair to industry and all businesses in the Yukon to take any drastic steps on any labour legislation. He did not think we should be too hasty on something like this, especially at this time, because it is pretty important to support industry in the Yukon, which is mostly seasonal.

Mr. Watt remarked that we would always have businesses that are not fully established and we would therefore always have reasons for not having a minimum wage law. These businesses would try to get away with cheap labour, but to get away with labour at less than a dollar an hour, is to live of somebody's sweat.

Mr. McKinnon said he had no objections to the Legal Advisor studying the Labour Ordinance and coming up with something. It was just his candid opinion that he would not be able to come up with Labour Legislation that would be enforceable at the present time.

Mr. Shaw remarked that we have a man now to take over the job, but he had half a dozen other hats to put on at the same time, and it would be unreasonable to expect that he could come up with any detailed legislation and to study the present Ordinance would be a complicated procedure and a full time job.

Mr. McKamey said that by establishing a minimum wage of \$1.00 this could act as a double-barrelled effort. If he were earning \$1.60 an hour, and this minimum wage of \$1.00 was set, his employer could fire him and secure the cheaper labour.

Mr. Shaw replied that he did not think it would really apply that way - there would still be the question of supply and demand.

Mr. Livesey stated that his point was review of the Labour Code to bring it up to date.

Mr. McKamey said he would like to get the Legal Advisor's opinion on the establishment of \$1.00 an hour as a minimum wage.

Mr. Livesey moved, seconded by Mr. Watt, that when available copies of the new Labour Code for the Northwest Territories be distributed to members of the Council.

Motion carried

Mr. Hughes, Legal Advisor, attended Committee.

Mr. McKamey inquired if provisions had been made under the Labour Provisions Ordinance here to establish a minimum wage of \$1.00 an hour and if he were working for \$1.60 an hour, would that company be compelled to pay him \$1.60 when he could pay him \$1.00.

Mr. Hughes replied that "if you were working under a contract which could be supported by evidence, even if it were oral evidence, you could sue the employer for \$1.60 - the fact that there was a minimum wage would not affect that".

Mr. McKamey said this was on written contract.

Mr. Hughes replied that most people in fact go to work on an oral contract and if the agreed wage was \$1.60 an hour, then this is what the man should be paid. The fact that there is a minimum prescribed \$1.00 an hour would not make any difference, but nobody under a minimum wage scale would receive less than \$1.00 an hour, so that the recruiting of juvenile labour at .50¢ an hour, or emigrant labour at .50¢ or .60¢ an hour, would be disallowed.

Mr. McKamey said that did not clarify his point. If he were getting \$1.60 an hour, and this was an oral agreement, his employer could fire him and get somebody else at the minimum wage.

Mr. Hughes replied that an employer could always let a person out and hire somebody who does the work more cheaply, but he could not hire anyone for less than a dollar an hour - this is the essence. If he was satisfied that he could get a man for less than he is paying you, and get an efficient job, then he is free to do that. It might be useful if some consideration be given to the thought of insisting that an employer be bound to give a written statement of terms to anybody he takes on, and then it is up to the workman to keep that as a record of what was agreed.

Mr. Livesey stated that in the odd case what Mr. McKamey had stated might happen, but generally, especially with a large staff an employer would give careful consideration to adopt such a policy as he would have to content with the result of such an action.

Mr. Hughes said he would like to offer a comment arising out of a particular case. They received a letter from a workmen who had complained of being abused by his employer and the tragic thing about these cases is that so often the workman has been imported from outside and he goes back home before he complains, and it may be months afterwards, so that the difficulty of getting together supporting evidence prejudices the whole basis of his rights by the lapse of time. The proceedings under the Labour Provisions Ordinance depend upon summary conviction - one is limited to the time one can take one's proceedings. Today he was somewhat frustrated as a result of the delay of the workman communicating.

Mr. McKamey said that the State of Alaska has pretty rigid labour laws and he believed a carpenter gets around about \$5.60 or \$6.60 an hour, and steam-fitters, plumbers, \$5.00 or \$6.00 an hour, but one can certainly see the results there. The company that he represented had one coal mine in the Anchorage district, there was a mercury deposit being mined over there, but the last time he was there, over two years ago, they were talking of closing the mine down - the deposit is extremely rich, but labour was so high, that it was impossible to keep that mine in operation. Right in the Yukon here he could give as an example the Vangorda Creek - it's a lead zinc low grade deposit, which is very marginal, and right now if the road was in from Carmacks to Ross River this thing could go into production and they might realize a profit of \$2.00 a ton. It would not take very much legislation here to change the view of this entirely. Taking another example, the Snake River iron ore deposits, we have to tread very lightly here to prevent the development of this industry.

Mr. Watt said that the intention of the minimum wage suggestion was not to legislate wages but to prevent gouging. He moved, therefore, that the Committee direct the Legal Advisor to draft minimum wage legislation of \$1.00 per hour for the presentation at the Spring Session.

Mr. Boyd seconded the motion.

Mr. Livesey thought the motion was a little premature in view of the fact that a tremendous amount of information would have to be gathered and studied before action could be taken.

Mr. Boyd stated that when this comes up for discussion in the Spring and it was felt that the \$1.00 an hour should be reduced to .75, it could be done. This move was being started to stop exploitation.

Mr. McKinnon stated that even if the motion were to go through they would still have to study the legislation before it passes this Council at any rate, so it didn't really matter so much if the motion was for draft legislation or if the motion was for the requirements to go into legislation. They may be a little hasty but he did not see any great harm in the motion.

Motion carried.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported:

Committee convened at 2:30 P.M. and discussed the Mine Mill brief. It was moved by Mr. Boyd, seconded by Mr. Shaw, that the Administration take under advisement the matters raised in the Mine Mill brief respecting Workmen's Compensation and request suggestions in the form of the report at or before the Spring Session. An amendment to this motion was moved by Mr. Livesey, seconded by Mr. Shaw, that (1) information be obtained with reference to the objection raised during a prior discussion with any new possible proposals now feasible; (2) that the desirable and undesirable effects of this section be enumerated; (3) that a study of draft legislation be made and the possible additional cost, if any, brought to the attention of the Council; (4) give reasons why this should or should not be implemented; (5) give Council advice with reference to the implementation of section suggested. The amendment was carried. It was then moved by Mr. Livesey, seconded by Mr. Watt, that when available copies of the new Labour Code for the Northwest Territories be distributed to Members of Council. This motion was carried. Mr. Watt moved, seconded by Mr. Boyd, that this Committee direct the Legal Advisor to draft minimum wage legislation of \$1.00 per hour for presentation at the Spring Session. The motion was carried.

Council accepted the report of the Committee.

Following a discussion of the Agenda, Council adjourned until 1:00 o'clock P.M., Saturday, December 1st, 1962.

1:00 o'clock P.M.
Saturday, December 1st, 1962.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron in reply to Motion No. 9, regarding a list of all land in the Metropolitan area of Whitehorse, which read as follows: " The preparation of this information will take a considerable amount of time, and it would be appreciated therefore, if Council's permission could be obtained to hold the answer to this Motion over until the Spring 1963 Session.

Motion
No. 9

Mr. Taylor moved, seconded by Mr. McKamey, that Council discuss the appointment of new Members to the Financial Advisory Committee in Committee of the Whole prior to prorogation of this Session.

Motion
No. 17

Motion Carried.

Mr. Boyd moved, seconded by Mr. Livesey, that the Territorial Government lend every assistance toward an successful organization and promotion of a conference on Northern Resources to be held in Whitehorse during 1963 - sponsored by the Whitehorse Board of Trade. He thought that it was fitting that Council should express themselves concerning the Resources Conference and it would seem common practise in the case of such conferences for the Territory to lend some aid in one way or another and he would ask the Councillors co-operation in this respect.

Motion
No. 18

Mr. Shaw stated he would like to hear from Mr. Boyd, suggestions as to the specific assistance he may require.

Mr. Boyd said he didn't want to be specific but that it would be left to the discretion of the Administration and it is anticipated there will be 70 - 75 people from outside and it could be the Territorial Government could pick up say a dinner tab or something like this.

Mr. Taylor stated this Northern Resources Conference is designed specifically to assess the potential of the Yukon and find in effect where one industry can be of value to another. He thought this was an important step for the Yukon and he would support any motion that would provide for Territorial assistance in this regard.

Mr. McKamey thought it a very good thing and that it will give the Yukon good publicity. He thought that for the people that are interested in spending large sums of money in exploration and development in the Yukon, this will give them some idea of the type of support they will have in the future and he thought it would probably draw together the Provinces and the Territory and a lot of points will be raised. They have a lot of things in common and the problems will be tackled and discussed at some length. Any financial support from the Territorial Government would be well spent.

Mr. Shaw thought they should be a little more specific and e.g. that the Territory be host at a particular luncheon or the delegates be the guests of the Commissioner at a specific function on behalf of the Government, etc.

Mr. McKamey thought it impossible at this time to decide something that definite. He didn't think the Administration would go overboard and they could leave it to their discretion as this is only tentative at the moment and it is going to take time to lay out the program.

Mr. Taylor agreed with Mr. McKamey and the suggested program calls for two luncheons and a final banquet and he thought it would be difficult to say which of these functions they should participate in. He thought it should be left to the Administration.

Mr. Shaw said the recommendations should be made that they play a certain part rather than assist.

Motion Carried.

Mr. McKamey moved, seconded by Mr. McKinnon, that it is the opinion of this Council that a joint session between the Council of the Northwest Territories and the Council of the Yukon Territory, to discuss items of mutual interest, would be of great benefit to both Councils. He said if they go back a year or two ago he believed Colonel Jones a member of the N.W.T. Council, suggested something along this line and they heard a great hue and cry in the House of Commons or in one of the Committee's. He said he has discussed this on many occasions in many parts of the Yukon with different people and the intent was to try and arrive at the general public's feelings of such a thing. Most of them thought it would be a good idea. They have a border to the east, indicated on the map but it didn't have much meaning as far as he was concerned, only in law. Today, they have many mining properties being found along this border and the reason for this is the Canadian Shield which is very rich in mineral. To prove this they have the Snake River Iron Deposit. This property extends into the Yukon. On one side of this imaginary line they have the Canada Mining Regulations and on the other side is the Yukon Quartz Act and this makes it difficult for any mining company to abide by both Acts as they are as different as day and night. They are putting up a great battle to maintain their Federal Statute that supports the mining industry in the Yukon. In the N.W.T. they have the Canada Mining Regulations in effect and apparently this worked too well and the amount of exploration proves this point especially when you see major mining companies from the N.W.T. over in the Yukon looking for mines. The reason behind this is they like our statute in preference to the regulations and this indicates there is a confliction between the McKenzie River District and the Yukon. If they were to look through the Sessional Papers and the Votes & Proceedings of the last session of the N.W.T. they will see they have dealt with practically every Ordinance the Yukon Council has dealt with this session. He thought it important they have a uniformity of legislation in the McKenzie River District and the Yukon Territory. It would add a lot to the wealth of the two if eventually they could combine the two Territories and he suggested the first step in such a thing would be to meet the delegates of the N.W.T. A lot of the legislation at the Territorial level is identical although at the Federal level it is different.

Motion
No. 19.

Mr. McKinnon thought it was a good idea. They are both dependent on Ottawa for stipend and he would like to know how the N.W.T. wangle more out of the Federal Government than the Yukon. He knows they have 25 case workers paid by the Federal Government where we have 5 or 6. He knows their teachers salaries are higher. Besides mining interests there are other areas where we share common ground. He thought it would be interesting to find out how they pass the same number of Bills as we do and yet it only takes them 5 days.

Mr. Taylor thought it well to bear in mind the N.W.T. have 5 appointed members from Ottawa and 4 elected members - in other words the Administration rules the roost. He thought what Mr. McKinnon

He thought what Mr. McKinnon said was true, and things seem to be so much better in the Northwest Territories including Health and Welfare. He did not agree that the Yukon should join with the McKenzie and strive for provincehood, he thought the Yukon should become a province of its own and as far as the meeting of councils he thought this a very good idea as they have so much in common and it would be very enlightening.

Mr. Watt thought this a good idea but he wondered if Mr. McKamey wanted them to hold a joint Council Session or a special Session. He said there are many things they could discuss but in a regular Session there would be no legislation they could pass.

Mr. McKamey stated he meant a regular Session and he thought there was a lot to be gained.

Mr. Boyd said Mr. McKamey wishes to have a meeting with the Northwest Territories and to go over and take over the Northwest Territories and he is wondering if the Northwest Territories have the same feelings. As for Mr. McKinnon's statement comparing salaries, etc., there is no room for argument as this point has been looked into to some extent. He felt they should do some ground and spade work first and find out if the Northwest Territories are agreeable.

Mr. McKamey said this is what the intention was behind his motion and he thought they had everything to gain and nothing to lose by this spade work and he could not care less if the Northwest Territories took over the Yukon Territory or if the Yukon Territory took over the Northwest Territories.

Mr. Watt said he would go along with a conference but not a Council Session, as they have a lot of things to do and nothing would be gained out of a Session if they could not pass any legislation. He thought they could send over the Financial Advisory Committee or another committee and they could bring back a report, but he would not vote for it as it is.

Mr. McKamey thought they might deal with Yukon legislation one day and Northwest Territories legislation the next and they could sit in.

Mr. Taylor said the Northwest Territories Council is a moving group as they sit in different parts of the Northwest Territories, and he thought maybe they could come here.

Mr. Shaw thought such a meeting would be very enlightening, but he could not see how a joint Session of legislation would work out. He felt they should work out a program for a meeting where certain matters would be discussed which would be of common interest to the two Territories. He said there is a difference in the function of the Governmental Departments so it would be pretty difficult to hold a joint Session, but a mutual interest meeting would be a lot better in order to work out matters about mining in the Territories, etc., and a great deal of good would come from a conference like this.

Mr. Boyd thought a lot more work should be done and this could be brought up at the Spring Session. He felt this was jumping the gun with no concrete facts or any ideas of what other people think, and he felt they should know what their ideas are before they come up with something.

Mr. McKamey re-read his motion and said it is just an opinion. This is something to get started on and he did not feel they should put it off until next Session. He said they had everything to gain and nothing to lose.

Mr. Shaw wondered if Mr. McKamey meant, when he said joint Session, he meant a Session for a special purpose and not a normal legislative Session, and he would be in accord with that.

Mr. McKamey stated that is something they will have to work out and decide.

Mr. Boyd asked if the word discussion and session had the same meaning.

Mr. Shaw said that a joint Session would go down on the Territorial records, if it was a meeting it would be a meeting.

Mr. Watt stated he had already asked this question and Mr. McKamey said it was a joint special Session. If it was worded a joint conference he would go along with this but not a joint session.

Mr. Shaw thought this has had a lot of discussion and he is sure the Administration, when they look at this, that a resolution isn't sufficient to base a program on and they revert to the minutes of the Votes and Proceedings to get a general opinion and in this case they will look at the records and see the intent of the motion and see the feelings of Council and they will base their actions on what they find, so he could not see any harm in agreeing to this.

Mr. Taylor thought Mr. Watt and Mr. Boyd had failed to grasp the intent of the motion that they were to discuss matters of mutual interest only. They are expressing an opinion and not saying this or that will be done.

Motion carried.

Question No. 6

Mr. Taylor asked Mr. Watt, in regard to Question No. 6, the reasoning behind this question.

Mr. Watt said he has a list of 45 assessments made on creeks and lakes along the Alaska Highway and the Mayo Road, Haines Road, etc., and assessments have been made of the fishing in the streams. If an attractive sign could be made for each of these spots it might hold the tourists an extra couple of days in the Territory to try out these spots. He brought it up now because the making of signs is largely labour and they could do it under a Federal Winter Works Program.

FIRST and SECOND Reading was given to Bill No. 19.

Mr. Taylor moved, seconded by Mr. McKamey that Council resolve into Committee of the Whole for the purpose of discussing Bills, memoranda, motions, and more particularly discussions as outlined on the order paper in Committee.

FIRST and SECOND Reading Bill No.19

Mr. Speaker appointed Mr. Shaw Chairman of Committee.

Motion carried.

In Committee of the Whole:

Committee proceeded with discussion on Motion No. 5 with Mr. Thompson and Mr. MacKenzie present.

Discussion of Motion No. 5.

Mr. McKamey said in regard to Motion No. 5, right at the moment the problem exists in his district where there is one student in grade 12 and this is an undesirable thing to happen as it provides no competition. But, nevertheless under the Ordinance if this facility is provided you are unable to send the student where there would be competition. In other places there is no high school provided and unless the child goes to school in the Yukon they are not

eligible for the financial support that is provided by the Territorial Government. He said in one of these outlying districts, where there is no school, and you wanted to send your child out, around the age of 14 or 15, in grade 10 or 11, and you wanted to send them to B.C. or Alberta you would not be eligible for financial assistance. He said the Territorial Government pays up to \$35.00 a month, if one wished to send a child to Whitehorse, towards the keeping of the student. He would like to ask Committee to give their consent because there are students being sent to Edmonton. It creates quite a hardship to try and pay for the keeping of this person outside.

Mr. Thompson gave the background on this assistance. He said about 2½ years ago the Territorial Council passed a motion that recommended the parents of pupils in isolated areas, that is to say live over 13 miles from a school, will be paid a sum equal to that paid for transportation subsidy for the cost of the pupil's living expenses in the center where they attend school provided they are forced to live away from home in order to attend school. He and Mr. MacKenzie then got together and made certain qualifications because of various factors. The qualification they had was that parents must be Yukon residents with dependents attending a Yukon school and furthermore the parents or students must not be obtaining assistance from some other government, group or corporation. He said if the home is more than 13 miles away from a school and if the child is boarded in a center where there is a school with the grades, the Territory pays \$1.00 per school day attended which is approximately \$20.00 per month. He said further that approximately 1½ years ago the Administration had a request from a parent who was living in tax free housing and they were sending their daughter to Victoria to school and they wanted this \$20.00 assistance and at that time the Commissioner said no. He said if they wished to provide this assistance regardless if the child attends school in the Territory or outside they must also consider that they are going to provide this assistance, in some instances, to people living in tax free homes. The Territory is not receiving any school taxes and yet they are going to turn around and pay them \$200.00 assistance per year so this youngster can attend school outside.

Mr. McKamey didn't understand the point on tax free homes and he thought there was provision in the Ordinance if there is a high school within the immediate area you would not be eligible for the assistance as the mileage factor has to be taken into consideration and if it is impossible to get to one you would be eligible.

Mr. Thompson stated that a child's parents living in tax free quarters, government quarters, if that child attended a Yukon school they would receive \$35.00 per month, but if that child went to school outside, then they do not receive the grant and at the same time they would be paying out \$20.00 per month for the room and board of that particular child.

Mr. Watt asked Mr. McKamey if he wanted to extend this to anyone in Whitehorse wanting to go to school in say Victoria, or just people a long ways away from a high school who wanted to go to Victoria.

Mr. McKamey said they should allow this for the area that have no high school and then they should make some provision to provide education for these children.

Mr. Boyd asked Mr. McKamey if this particular person was white or native.

Mr. McKamey said "white status".

Mr. Watt said if they had two students going to school, one from Whitehorse and one from Mayo, and they both are residents, one would get assistance and one would not. The one getting assistance might not be contributing to taxes of the Territory and the other one would be.

Mr. McKamey said Whitehorse will eventually have a school with up to grade 13. He did not think it was feasible to maintain these grades as they would have to pay \$8,000.00 for a high school teacher whereas if they provided \$20.00 per month for this student's education in a school outside, he thought they would be saving a lot of money.

Mr. Boyd said 95% of the people along the highway are living in Government buildings which are tax free property and that is where they would be losing out.

Mr. Watt asked Mr. McKamey how he was going to get around paragraph 2, of the memorandum from Commissioner Cameron regarding Motion No. 5 which states that during the term of the present Five Year Financial Agreement, it is not the intention of the Administration to extend the privilege as set forth, and he wondered how they were going to get around this agreement.

Mr. McKamey said perhaps that is the answer, but he thought they were elected to represent their constituents and he did not remember any amendment or any provision incorporated into the school Ordinance that would hold this up. He thought it only common sense if you can provide \$20.00 to a student and put him in a high school rather than pay \$8,000.00 for a teacher's salary.

Mr. Thompson said there are several schools with secondary education, Dawson, May, Whitehorse and Watson Lake, and they also pay for those students that have to attend elementary school away from home.

Mr. McKinnon thought it was very fair the way it stands. If they made this universal so that anyone anywhere could send their child outside to a school because they have not faith in the Yukon schools, this parent could be living in government housing so they are going to lose the \$350.00 per year that they get from the Government for every dependent they are sending to a school and also, if this motion passes, they are going to get \$200.00 per year from the Territorial Government, because they do not think too much of the Yukon education system. As it is now if this person living over 13 miles from a secondary or elementary school, sends their child to a school in the Yukon, they are given up to \$200.00 to help defray the expenses and the Territory is gaining because they get \$350.00 for each dependent if they are in tax free housing which they would lose if they let them send students wherever they wanted to.

Mr. McKamey thought Mr. McKinnon was only interested in the dollars and cents and not the education of the children of the Yukon Territory. He asked Mr. MacKenzie what they receive from the Federal Government in lieu of taxes.

Mr. MacKenzie said \$350.00 per pupil per year.

Mr. McKamey asked what it costs per student in Mayo, Dawson, Beaver Creek or Carmacks.

Mr. MacKenzie said he did not have the exact cost per school but, in average over the Territory it is \$350.00.

Mr. McKamey stated that this is not the point, he is dealing with the hinterland where the problem exists. He said he knew for a fact a couple years ago it cost \$650.00 per year per student in Keno City and he thought it wiser to pay \$200.00 a year to educate a child than pay \$650.00.

Mr. McKinnon said this is exactly what the parent would get if he would send his child to one of the centers where higher education is offered. He thought it was fair the way it was, and the parents should not be allowed to send their child outside and get paid for it when they can get just as good an education in the Territory and they are striving to bring their standards up. He wanted to know the reasons for sending the students outside and not to a Yukon school.

Mr. McKamey said perhaps they have relatives in say Edmonton and they provide good education out there and he said it was impossible to provide for a child of that age for \$20.00 per month. If he was to send his daughter to Whitehorse, it would cost at least \$1,200.00 per year and he would collect \$200.00 out of this, but if he has relatives or friends in say Edmonton or Vancouver and they were willing to take this child into their home and let the child go to school it would cut the cost a great deal.

Mr. Boyd asked Mr. McKamey what he thought of a parent sending his child out to school who have no relatives or friends and he thought he was picking specific places because of relations and he knew of people sending their children out of here because they do not want them in Whitehorse and the parents are paying for it and Mr. McKamey is suggesting the Government pay for it.

Mr. McKamey said he is not suggesting they finance people who are living in a district where there is a high school provided, he is talking about the areas that have to facilities.

Mr. Boyd said there are people living along the highway who prefer not to send their children into Whitehorse and it is not because of education, but he thought the situation is fair as it is.

Motion not carried.

Mr. Shaw (with Mr. McKamey in the Chair) asked Mr. Thompson a question regarding the Granville School. He said as he is aware they are operating under the terms of the Committee on education and they are paying an amount of \$35.00 per child per month. The people in that area wished to have this school and when they approached him, as well as the Administration, he pointed out the only assistance that could be provided was that put in the School Ordinance and that was a maximum for each child of \$35.00 per month unless they had a school occupied under the School Ordinance so they proceeded and the company, Y.C.G.C., accepted the fact the only government assistance they could receive was the \$35.00 and they agreed. He said he heard a rumor that the families were being asked to pay so much a month so that their children could be educated. He sent a telegram to find out for sure and it stated that seven children are attending this school and that is four families, and each family is paying \$15.00 per month towards the cost of this school. He would like to ask Mr. Thompson if there are any children in the Territory that are paying for their education in this manner.

Mr. Thompson said to the best of his knowledge there are no families in the Territory paying for the education of their children in grades 1 to 13 where it applies in the Territory.

Mr. Shaw said in assessing this situation it is the policy of the Canadian Government that they do not ask parents to pay for the education of their children and he objected very much to a policy such as this. He asked Mr. Thompson if he could give an approximate amount of money that this company would have to pay to keep this big project going each year.

Mr. Thompson believed, based on seven pupils for the current year it would cost the company about \$1,200.00 for the 10 months.

Mr. Shaw said that would mean the parents are paying about \$600.00 of this and it did not seem right. He asked the Administration to take every step possible to see if they can eliminate this type of condition.

Mr. Watt asked what the minimum number of students that are required to keep a school open, under the Ordinance.

Mr. Thompson said there is no minimum number in the Ordinance for opening a school it states that the Commissioner may open a school where he sees fit, but the school must be closed by the Superintendent of Schools when the average regular attendance falls below seven students, but the Commissioner may establish schools anywhere in the Territory.

Mr. Livesey stated he would like to ask Mr. Thompson a question in relation to the setting up of a Committee among the parents, and he was wondering if anything had been done in this regard.

Mr. Thompson said no such Committees have been set up and no requests have been received to set them up.

Mr. Shaw requested that they get working on this Committee as it is a good thing and this was one of the recommendations of the Committee on Education. He would appreciate it if the Administration could get this matter organized so the Committees are set up.

Mr. Livesey agreed to this.

Mr. Thompson asked if it was the Superintendent's duty to see these Committee's are set up as it does not say so in the Ordinance.

Mr. Livesey said no, but it does say that when the Ordinance was to be interpreted that any interpretation would take into consideration the report of the Committee on Education and also the results of any decisions that Council had made with respect to the report of the Committee on Education and in that, he believed it was recommended that it come under his jurisdiction.

Mr. Shaw said the Administration and he did not think the Administration would appreciate it very much if he started cooking up a Committee in Dawson and they were not aware of it, so he felt they should get this into being. He added that the people in Dawson have asked him when this was going to be formed and they might have some good suggestions.

Mr. Thompson said he was under the impression it was to come from the parents and not that the Administration was to set them up.

Mr. McKinnon did not think it was the Administration's job to force committee's on the people if they did not want them, but in a specific instance where the people have asked for such a committee he thought the Administration should start organizing such a thing.

Mr. Shaw said he is taking this means of saying here is something that is desired and he is wondering how it is going to be set up.

Mr. Taylor suggested that where the Administration could fit in is to advise all the parent teacher groups around the Territory that provision has been made for this advisory committee and if they want one fine, and if not they don't.

Mr. Livesey said the point of it was they have to establish liaison with the Superintendent of Schools.

Mr. Shaw suggested that perhaps the Superintendent or one of his officers could advertize, when he is going to, say Dawson, that he is going to hold a meeting for those interested in appointing this group and when he came down, he would have the functions of this committee, outline the duties, etc., and he did not think it would be too difficult.

Mr. Thompson said they could get this going early in the New Year.

Mr. Shaw suggested that the members could make the request in the different areas and then the Administration, carry on.

Committee next discussed Superannuation with Mr. MacKenzie present.

Discussion of Superannuation

Mr. MacKenzie stated he had extracted the cost to the Government of retroactive participation in the pension scheme. He has done this for the past five years and the figures are based on the assumption that all the eligible members of the staff will want to go back and in practice not all members will want to go back, so the figures are quite high. He stated further that if they go back for one year to the 1st of April 1962, it will cost \$58,000.00, for 2 years it will be \$93,000.00, for 3 years add \$24,000.00 for a total of \$117,000.00, for 4 years add \$18,000.00 for a total of \$136,000.00 and for 5 years add \$13,000.00, for a grand total of \$149,000.00, assuming all the eligible members of the staff want to participate, which they won't, but the figures are extremely high. He thought it barely justifiable to go back, but he thought they should consider the fact they have been negotiating for this scheme for five years and it is no fault of the employees that the scheme has not been available to them and that point should receive consideration.

Mr. McKamey asked what it would cost to exclude the teacher from the five year retroactive scheme.

Mr. MacKenzie stated it would be roughly half - to qualify for five years retroactive there are 58 persons - 25 teachers; for 4 years, 76 in all, 29 teachers; for 3 years, 99 in all, 37 teachers, for 2 years, 151 in all, 59 teachers. He did not think many members of the staff would want to go back as they could not afford to as they also have to find that amount of money too as this is only the Government contribution.

Mr. Boyd said as far as this position is concerned they have not come up to a point where it looks like they will have Superannuation effective at the Spring Session and if it has taken them five years to get to this stage it is because it has taken this long and they should not have to go back five years - they have it now, and that is the best they could do.

Mr. Watt said if they found they could not find the money to pay the Government share, it would not bar the employees from paying the whole works themselves.

Mr. MacKenzie said "no", it could be arranged for. He said the size of these figures makes him hesitant about supporting the Government or pay anything towards retroactive participation.

Mr. Taylor stated they do not have to go back the entire five years but if they go back for three years they may as well go back the entire five.

Mr. Watt asked Mr. Thompson what effect the accepting or rejecting of the retroactive scheme would have on the permanency of the teachers in the Territory.

Mr. Thompson could not answer this. He stated that some of the teachers are anxious to have this retroactive feature but he did not know how this would affect their thinking as to whether or not they wanted to stay on here. He pointed out some of the teachers, as well as some of the employees have been contributing to the present annuity scheme.

Mr. McKinnon thought all the employees would be happy to receive this Public Service Superannuation Scheme and he did not feel any of them had any idea of any Government retroactive contributions until Mr. MacKenzie mentioned it.

Mr. MacKenzie thought it had some points, so they had to discuss it.

Mr. Taylor stated he had mentioned the retroactive contribution.

Mr. Boyd thought Mr. MacKenzie had given the answer and he did not think there was any further discussion necessary.

Mr. MacKenzie suggested they need a resolution from the Committee on which alternative to adopt and also the extension of that alternative to allow an employee to contribute 100% in respect of prior service.

Mr. Watt suggested they put this discussion off until Monday if it was agreeable with Mr. MacKenzie and the Committee.

Agreed.

Mr. Thompson and Mr. MacKenzie were excused from Committee.

Discussion took place on Bill No. 19 - An Ordinance to Amend the Municipal Ordinance, with Mr. Hughes present.

Discussion of Bill No. 19,

Mr. Hughes said the members will notice that the change proposed is the substitution of the word 'actual' for the word 'assessed' in Section 240 (1) (b) (i), and this is a simple change. He did not recommend this because once you have introduced the word 'actual', you have to have some standard, and he wondered how you ascertained the actual value of the property - by sale. But when you have the word 'assessed', you have a standard whereby the assessor, and identifiable person, can put a value on it. He recommended that they take the words 'greater than all encumbrances registered against it', away from the present form so they say 'the assessed value of which is at least one thousand dollars'. He said looking back over the Municipal Ordinance as it was in the revised statutes in Section 16 and 17 it said 'no person shall be qualified as mayor of the municipality unless he is a British subject, 21 years of age or upwards, a taxpayer of the municipality and has resided there for at least 6 months prior to his nomination for such office, and taxed upon real property assessed not less than \$1,500.00', and it says almost the same thing for men running for alderman and there they would have to be taxed upon real property assessed at not less than \$1,000.00. He said there was never reference to encumbrances at all, the state of his mortgages did not enter into it and for some reason or other the state of mortgage was regarded as rather vital when they came to the revision in 1959, and he has never been able to find the reasoning, but there is a possibility that this draft form that was adopted in 1959 was imported from an area where the assessing technique was not the same as it is here where they were assessed on 100% of value, and not a 2/3 of the value as they do here. With those observations in mind, he summarized that he could not recommend the change proposed because it introduces an untested word like 'actual', but if it is Committees wish to pursue legislation along these lines, he suggested they drop the words 'greater than all encumbrances registered against it'.

Mr. McKinnon said he was all for anything that will allow a greater number of people to run for office and if the Legal Advisor felt this was a better way and it allowed more people to run for aldermen in the municipalities he would propose an amendment if the Committee so desired.

Mr. Livesey said he very much liked to see the area where the Ordinance would allow more people to become eligible as candidates for election to the municipal councils to the Territory, but where his problem lies is in the question of ownership. He felt the real necessity is to establish ownership and he wondered if Mr. Hughes could help him in defining whether when someone has a down payment on something what relation can they describe this in regard to ownership.

Mr. Hughes said there are some people who would still not qualify because of the technique which prevails in the Territory of private deals where the properties do remain taxed in someone elses name for many years while the person is slowly buying or paying off the property and this will not help those people but it will help the person who becomes a figure on the assessor's list.

Mr. Taylor moved, Mr. Boyd seconded that, the word 'actual' in Section 240 subsection (1), subsection (i) of paragraph (b), be changed to 'assessed' & the words 'greater than all encumbrances registered against it', be deleted.

Motion carried.

Mr. Boyd moved, seconded by Mr. McKamey, that Bill No. 19 be passed out of Committee as amended.

Agreed.

Mr. Taylor 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 of Committee reported as follows:

The Committee convened at 1:20 p.m., Mr. Thompson, School Superintendent and Mr. MacKenzie, Territorial Treasurer attended and the discussion first centered on Councillor McKamey's Motion No. 5, which was not accepted by the Committee and they also discussed matters pertaining to the Granville School and the activation of the Recommendations of the Committee on Education in relation to the Advisory Committee to the Superintendent of Schools. They next discussed Private Members Bill No. 19 respecting municipalities and it was moved by Mr. Taylor, seconded by Mr. Boyd that the word 'actual' in subclause (i) of paragraph (b) of subsection (1) of section 240 be deleted and replaced by the word 'assessed' and the words 'greater than all encumbrances registered against it' be deleted. This motion was carried. It was moved by Mr. Boyd, seconded by Mr. McKamey that Bill No. 19 be reported out of Committee as amended. This motion was carried.

Council accepted the report of the Committee.

FIRST and SECOND Reading was given to Bill No. 19 as amended.

FIRST and
SECOND
Reading
Bill No.19.

Mr. Shaw moved, seconded by Mr. Boyd that Bill No. 19 - An Ordinance to Amend the Municipal Ordinance, be given THIRD Reading.

THIRD
Reading
Bill No.19.

Motion carried.

Following discussion of the agenda, Council adjourned until 10:00 o'clock a.m., Monday, December 3, 1962.

10:00 o'clock A.M.,
Monday, December 3rd, 1962

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

Commissioner Cameron said he hereby ASSENTED to Chapter 16, An Ordinance to Amend the Municipal Ordinance. (Bill No. 19)

Assented
to
Bill 19.

Mr. Speaker tabled a memorandum addressed to Commissioner Cameron from the Territorial Treasurer regarding proposed pension scheme for Territorial employees. (Set out as Sessional Paper No. 25)

Sessional
Paper
No. 25

Mr. McKinnon moved, seconded by Mr. Shaw, that it is the opinion of of this Council that: The Federal Government should proceed with positive plans for the immediate establishment of a National Park within the Yukon Territory, subject to: (1) A reduction in the area of 8500 sq. miles now planned. It is the opinion of Council that an area of approximately half this size could contain all the features of the district while not withholding such a large block of land from future development. (2) Before final determination of the boundaries are established an extensive and exhaustive survey is to be conducted for the purpose of establishing those areas of potential mineral wealth within the proposed park boundaries and such areas of potential mineral wealth should be excluded from the Park boundaries ultimately fixed.

Motion
No. 11

Mr. McKinnon stated if an answer to Mr. Livesey's motion for the Production of Papers No. 4, is not forthcoming before Council prorogues, he would like to discuss this in Committee of the Whole.

Agreed.

Mr. Watt requested that his Question No. 6 be discussed in Committee of the Whole.

Mr. Taylor moved, seconded by Mr. McKamey, that Council resolve into Committee of the Whole for the purpose of discussing matters as they appear on the agenda for the day.

Mr. Speaker appointed Mr. Boyd Chairman of Committee.

Motion Carried.

In Committee of the Whole:

Committee first discussed Superannuation with Mr. MacKenzie present.

Discussion
of Super-
annuation.

Mr. McKinnon thought the draft resolution covered most of the points that were brought up on the superannuation scheme and he was just wondering on this borrowing money to pay the retroactive pension payments - how the Federal Government would be able to say they have finally classified the Territorial Civil Servants as Federal Civil Servants for the plan and then all of a sudden say you can't borrow money from the Federal Government because you are Territorial Civil Servants and this didn't seem to ring a bell.

Mr. MacKenzie said they may take the stand that they are Territorial employees and should therefore look to their own Government for any funds necessary. Since writing that, he had looked into the Federal Pension Plan Regulations and saw that it was automatic for anybody wishing to contribute retroactively to pay his back contributions by instalments. So it seemed to him that once they join the Federal scheme that option will be available for them too, so that particular section wouldn't have much point.

Mr. McKinnon asked if the employee could make an option with Mr. MacKenzie to have it deducted from their cheque at whatever percentage they wanted to pay it.

Mr. MacKenzie replied that the amount due is spread over a reasonable amount of time. He quoted from the regulations stating that "where the election is in favor of instalments it will be for a designated monthly payment and the duration of the payments will be determined at the time required to liquidate the debt at that rate. He said the amount of the debt is the amount of the contributions and interest at the date of election amortized over a period of payments and if the contributor dies before payment is completed the debt is wiped out. The amount of monthly payment must be sufficient to liquidate the debt, etc.

Mr. Shaw said in the event that the Federal Scheme will not permit this participation that could always be brought up before Council at the next Session. Or the information could be acquired up to that time and this matter could be left until next Session on account of the reasons given by Mr. MacKenzie.

Mr. Taylor could see no harm in leaving clause 5 in as it will give the Administration some flexibility in setting up this scheme for next April and as Mr. MacKenzie has pointed out, if provision cannot be made under the Federal scheme to allow for people to get loans to pay their back contributions then this would be brought into force, having the express consent of Council and if it was unnecessary it would just be deleted.

Mr. McKamey said he had noticed in Saturday's paper that R.C. and Alberta have entered into an agreement where they would accept a portability clause for the teachers of the two Provinces.

Mr. Watt asked Mr. MacKenzie to describe how this would affect the present scheme. He wondered if there was anyone presently pensionable under the scheme they are using now and how will this affect it as he understood it the present scheme will be completely annihilated when this scheme goes into effect.

Mr. MacKenzie replied if Mr. Watt means are any exemployees drawing pensions now the answer is yes. As he saw it the Ordinance will be repealed and they shall stop accepting any more contributions but it won't affect anyone drawing a pension and it shouldn't affect anyone who wishes to cease making any further contributions and wishes to join the Federal pension scheme. He could let his contributions to the existing scheme stop and receive a deferred annuity at the age of 65 depending on the amount of contributions to date.

Mr. Watt thought if this scheme was accepted it was mandatory for all Territorial Civil Servants.

Mr. MacKenzie said it is mandatory for all employees but an employee who is a member of the present scheme may not wish to transfer his contributions to the existing scheme to the new scheme and they have to think of that possibility. He said it will be mandatory for him to contribute from the date of introduction of this scheme. He didn't think it was mandatory for them to transfer to the new scheme, although they could make it so if they wished or they can make it optional, which he thought of as some members might not want to join.

Mr. Shaw said he was of the understanding that as soon as this came into force the present scheme dies immediately and those that wish to benefit from that or transfer it, that will be optional, but they will no longer participate in any annuity scheme. He asked if this person wishes to continue this annuity scheme on his own, he wondered if this was precluded and if it was a private scheme or with the Government.

Mr. MacKenzie said the scheme is a Government scheme and there is nothing to stop the employee from making the full 100% contribution out of his own funds after the Federal scheme comes into force and

this is being done now by one person. Mr. MacKenzie said he wrote this yesterday and he wasn't too sure of one or two of the facts and he would like to speak now in regard to point 4 of the draft resolution and that is the period of grace. He spoke of a 2 year period and he noticed in the regulations for the Government superannuation scheme that the period is 1 year. He then read the regulation and thought that one year should go in place of two years.

Mr. Shaw thought that one year should be enough to study the scheme and decide whether they do or do not want it.

Mr. Shaw moved, seconded by Mr. McKamey, that the suggested items as follows be accepted:

RESOLVED that participation by members of the Territorial Public Service in the Federal Superannuation Scheme shall take effect on the 1st April, 1963, or such date thereafter as shall be convenient, and that the following arrangements shall be made:

- (1) Members of the Territorial Public Service with prior service as defined in the Federal Superannuation Act and Regulations may participate retroactively in the Federal Superannuation Scheme within the limits of their prior service, the cost of such retroactive participation being borne wholly by the members, subject to item 2 hereunder.
- (2) Members of the Territorial Public Service who on the date on which participation in the Federal Superannuation Scheme becomes permissible are contributing to the Territorial Pension Scheme in force on that date may, if they wish, have their contributions to that scheme and the contributions made on their behalf by the Territorial Government transferred to the Federal Superannuation Scheme.
- (3) Since the rates of contribution under the Territorial Pension Scheme are 5% for male and female alike and the rates of contribution under the Federal Superannuation Scheme are 6½% for male and 5% for female, members of the Territorial Public Service who wish to take advantage of the arrangement outlined in item 2 above shall be required to pay all the additional contributions and interest necessary.
- (4) There shall be a period of grace amounting to one year during which members of the Territorial Public Service may decide on the question of retroactive participation in the Federal Superannuation Scheme on the grounds of prior service and on the question of transferring to the Federal Superannuation Scheme contributions to the Territorial Pension Scheme. The period of grace shall expire one year from the date on which participation in the Federal Superannuation Scheme becomes permissible.
- (5) In order to assist members of the Territorial Public Service with service prior to the 1st April, 1963 who may wish to participate retroactively in the Federal Superannuation Scheme or who may wish to transfer to the Federal Superannuation Scheme, contributions made under the existing Territorial Pension Scheme, funds with which to meet their obligations shall be loaned to members over a suitable period and at a suitable rate of interest in the event that necessary funds may not be borrowed by members from the Federal Government as, it is understood, can now be done by Federal employees.

- (6) When the Federal Superannuation Scheme becomes available to Territorial employees, contributions under the current Territorial Pension Scheme will cease to be accepted and matched by the Territorial Government. The relative Ordinance, the Annuity Plan Ordinance will be repealed.

Motion Carried.

Mr. MacKenzie was excused from Committee.

Discussion took place on Mr. McKamey's motion no. 3, regarding McQuesten Valley Road with Mr. Hughes in attendance.

Discussion of
Motion
No. 3

Mr. McKamey said a provision was made under the Financial Agreement for mine development roads and he quoted from the draft agreement giving the definition of such a road, the construction standards, the construction, and maintenance. He said you travel to the United Keno Hill Camp and about 4 miles S.W. of that is the road known as the Proctor road takes off down the McQuesten Valley travelling easterly to the Stewart River. He thought the road would be about 14 miles long and it comes up to all the requirements to be reclassified as a development road. In that particular area in the last 2 years there have been about 1,000 claims staked and he thought these covered an area of about 25 miles in length and 5 miles in width. There was a lot of activity last year as Peso Silver spent a lot of money on development, geophysical and geochemical work and through the surveys they have found areas that require further work. In the same area they have Silver Titon, Mayo Silver Mines situated on Haggart Creek; also Rio Plateau Mines Ltd. and this road would support the mining companies mentioned. They also have several placer miners well established in the area and they are operating on a paying basis. He mentioned that last spring when the companies tried to move their equipment and supplies in, they had a lot of trouble and this was due to lack of snow removal and culverts and drainage. Since that time the companies have spent a lot of money on the road and put in culverts, partially at their own expense and he thought it only right if the Federal Government would recognize this as a mine development road because there is no doubt about it that it provides timber and lumber for the mines that are in operation and in the development stages and they must have access to their properties.

Mr. Shaw remarked a great deal of work does go on in this area and it has good prospects. He had one question to ask and that was in Mr. McKamey's opinion was the present road in a good location relative to terrain.

Mr. McKamey replied yes, it was constructed very well. The only problem was large enough culverts and they have rectified this now. He said it is as wide as the highway between here and Dawson and it travels over gravel terrace and the maintenance would not be too high. He pointed out the Government contributed to half of the cost of the bridge across the McQuesten River which is approximately 80' long.

Mr. McKinnon asked if it was an area development road.

Mr. McKamey said no it is maintained by everyone that will contribute to it and it is difficult because there are so many in there.

Mr. McKinnon said he approved of the motion if they can have the Federal Government reclassify this as a mine development road it means they will pay 100% of the cost of construction and maintenance and he thought this would benefit the Territory all around.

Mr. Taylor said the Federal Government will pay 100% of the construction but only 85% of the maintenance and the Territory pays 15% but he thought this was a must as the companies in that area are contributing a great deal and will continue to do so in the future and he thought it a worthy expenditure.

Mr. McKimmon asked Mr. McKamey when can it be expected that one of these mines will go into production.

Mr. McKamey replied he couldn't say on the hardrock but they are making an honest attempt to make a mine and if they do, it will have considerable life so it would contribute to the economy of the Yukon.

Motion Carried.

Mr. Taylor requested that Committee discuss motion no. 17, regarding the Financial Advisory Committee. The reason for bringing this to the Committee's attention was the fact that the year has passed and the time has come when they should review their financial advisory committee and possibly give three new members the opportunity of participating in the preparation of the annual budget and working with these financial matters during the coming year and he thought that in this manner they will all have an opportunity of doing this, which was their right.

Discussion
of Motion
No. 17.

Mr. Shaw said in regard to this matter he has been a member of this committee for a year or so and he anticipated that this financial advisory committee would shorten up immeasurably the matters of Council but that was wrong as it hasn't shortened up the matter in that they go through every individual item. It was his impression that the committee would go through the subject matter on certain things and then report that they had cleared all this and the members would then direct questions to them, but it didn't work along this line and they go through each item and he felt they would continue to do so as they have done in the past. In this respect the committee hasn't served its purpose. However, it has served a useful purpose in giving 3 members of Council a means of better seeing how the Government operation works and also it has brought, in his estimation, the Administration and Council much closer to understanding each others problems. The trip to Ottawa was most educational and he thought this type of yearly visit should become a policy and he felt that it should be something that should be available that all members, through their turn, are able to make this trip as the educational part of this is really something that has the most value. He thought it obvious that when matters of finance are placed before Council or the Financial Advisory Committee, they cannot go into all the details and at the same time make plans and they must depend on the Administration. After they have given their advice the budget is presented and at that time the whole committee decides whether or not it should be accepted. He said a lot of recommendations came out of the last committee meeting and they were not accepted by Council and he isn't saying that Council was wrong, he is saying that what the committee recommends other members of Council may see different so they go through the whole thing again and this is right but it points out the fact that a minority of Council is advising but the majority can accept or reject and so far it hasn't been accepted. Therefore it doesn't serve that function but it is very educational and he thought that is where its value lies. He felt it a good idea to rotate them and they might want a member to remain and guide the new members but they could decide on this.

Mr. McKamey thought if this was dealt with on the rotation basis it would provide continuity from one advisory committee to the other and he also thought with the rotation system new members would find out how Ottawa operates and the retaining of one old member to provide continuity would be a good idea.

Mr. Shaw said he would like to resign at this time and make his position available to some other member.

Mr. McKinnon said he would follow suit and he thought it is advisable to have one member from the former committee on the new one as it will provide continuity and they spent most of the year finding the function that they were founded for and at the last meeting they came to a point where they felt they were serving some function. He felt he was fortunate in serving on the original financial advisory committee, and would resign to make his position available also.

Mr. Livesey remarked the question of the Financial Advisory Committee arose from a desire for a more responsible form of Government and he thought they all stated that is definitely a desire. He thought when the day arrived, their position will be much improved when they decide to become a Province and he thought the committee would be the nucleus for a cabinet. He then gave the background of the Financial Advisory Committee and how it was set up. He didn't feel the actual function of the committee for the first year was critical as the first year in most things is the period of difficulty and he thought it did contribute to something worth while and he felt that a certain amount of continuity and benefit would be gained by retaining one member from year to year. He thought the trip to Ottawa was very educational but as far as he was concerned it wasn't entirely looked upon as being something which was a permanent function. He thought all members of the Council should work harder in the years to come so that the committee will really mean what it was set up to mean. He felt the continuity is good and a certain amount of selection should take place as he couldn't see how they could advise on millions if one fumbles with dimes and nickles. The question of dealing with a budget is something they didn't really do the first year but they dealt with Administrative proposals and prior to dealing with these proposals they had no idea what they were. He pointed out at the last meeting that he thought it would be of great benefit to the committee if the Administration could bring to their attention, prior to any meeting, the proposals they were going to bring up and he also extended this to the meetings of the Council. He also felt that if the members of the committee know what they are going to talk about before they arrive at the meeting, it will be more successful. It will be shorter and they will be able to arrive at some conclusions. In regard to the remark that the Financial Advisory Committee meetings should shorten the meetings of Council as a whole, he concurred in this. He felt that looking at this session, where matters had been brought to their attention by the Administration, prior to sitting in the House, they went through them in very short order and they got bogged down with memoranda which had nothing to do with the Financial Advisory Committee. He felt they were going to get the co-operation he had asked for and it would help very much. He felt the Committee had a greater purpose than a program of education and this was that the Committee should bring about counterproposals to those of the Administration in order that members can present new ways of dealing with questions of Government and these proposals should be presented at meetings of finance. He felt that a plan could be adopted whereby the committee members divide the number of departments of the Administration up between themselves and concentrate on these and he felt the next Committee should consider this.

Mr. Taylor stated his motion has now been dealt with.

Mr. Shaw thought they should elect two members to the Committee.

Mr. McKamey moved, seconded by Mr. Watt, that Councillor Boyd from Whitehorse be appointed as a member of the Financial Advisory Committee.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Taylor, that Councillor McKamey be appointed as a member of the Financial Advisory Committee.

Motion Carried.

Committee proceeded with discussion of Bill No. 17, An Ordinance to Amend the Fuel Oil Tax Ordinance.

Discussion of Bill No. 17.

Mr. Shaw asked if the Legal Advisor would have something to add to clarify this.

Mr. Hughes said that certain requirements were imposed at the last session in order to qualify fuel as tax exempt. In particular it provided that it would be exempt under subsection (3) of subsection (1) if the purchaser at the time of the purchase or receipt of delivery furnished to the vendor a certificate or prescribed form to that effect. That is the fuel is going to be used for sprinkling on roads, propel aircraft, heating, etc. and in many cases it is impossible to get that affidavit at the time and then they are involved in finding a Commissioner for Oaths as the householder wouldn't have one tucked away in the kitchen to produce on these occasions and the man delivering oil hasn't one riding in the cab with him so some practical solution had to be found and this is an attempt to do that. It is now possible for the man delivering the oil to make out a list of the accepted deliveries and certify that he believes the oil was going to be used for that proper purpose.

Mr. McKamey thought this was a very good amendment and it is ridiculous the way it is now as it is forcing people to break the law.

Mr. Taylor moved, seconded by Mr. Shaw, that this Bill be reported out of Committee without amendment.

Mr. Livesey asked, with regard to this Fuel Oil Tax Ordinance, it seemed to him that after they had passed the amendment to the Fuel Oil Tax Ordinance at the spring session that those persons most vitally affected by the changes ran into some difficulty and some of it expensive. He asked Mr. Hughes when the changes are made in this Ordinance - when will the wholesale distributors be notified or what procedure do the Administration use in this respect.

Mr. Hughes replied there is no obligation on the Administration to give special notice to these oil companies but as a matter of fact the matter now before them has come before them at the request of two of the oil companies who are experiencing this difficulty and he was sure they would inform themselves very quickly. He said the normal channels of communication will be available to them but no special notice.

Mr. Livesey said the reason he raised this question was because after the last bill was passed that for some time these companies were unaware of the contents of the Ordinance but the Ordinance applied and directly it was agreed to by the Commissioner in the House. Sometime later, when the tax differences accumulated to quite a little difference in money between that collected and that which they had to pay and he thought it costly so that was why he raised this question.

Motion Carried.

Mr. Taylor, referring to Bill 18, a franchise bill, said he had been in communication with his constituents in the Teslin area and they have requested this bill be deferred to the Spring Session in order that they may confer with the Yukon Electrical Company and enter into an agreement with them. They would like to decide who to buy power from and at this time he cannot deal with this and they have asked that it be deferred.

Discussion of Bill No. 18

Mr. Taylor moved, seconded by Mr. McKamey, that Bill No. 18 be resubmitted for consideration at the Spring Session.

Motion Carried.

Committee recessed at 12:00 o'clock Noon.

3 December 1962
Monday, 2:00 p.m.

Committee resumed with Mr. Boyd as Chairman.

Discussion
of Bill
No. 11.

Commissioner Cameron stated he had some information to give Councillors regarding the Hospital Insurance System. The information had been received by telephone from Mr. W. G. Brown, Department of Northern Affairs, for passing on to members of Council. He said they would recall their discussion on the Hospital Insurance System and how they were going to cut down on expenditure by offering a referee service. They had also had hopes of obtaining the use of a Board, the Hospital Insurance Board as set up by the Northwest Territories, but they could not commit these people as they would not come out and say that they would act for us in place of our Hospital Advisory. Mr. Brown stated that the Northwest Territories Hospital Insurance Board will act for us, they do not wish to do it for an indefinite period, but they will do it for a couple of years or so; however, they would like us to eventually have our own Board set up. Commissioner Cameron stated he told Mr. Brown that this would be quite agreeable because it was understood by members that by the next Five Year Financial Agreement they would be taking over all of their health services. Mr. Brown said he had discussed this with the Deputy Minister and other members of the Board - they are fully qualified and well versed in this type of problem and therefore they could start right away in cutting down expenditure on this Hospital Insurance.

Mr. Shaw asked if the fee for the referee service was .25¢ a head.

Commissioner Cameron replied that it was.

Mr. Shaw asked if this would be every case or just matters on which there were some doubt as to the correctness of the account.

Commissioner Cameron replied that it was for every case and that the Board would check each case and process any that they think will have to go to the referee. It would be the same as what our Hospital Administrator, Mr. Simons did. Now, in order for them to hire another Hospital Insurance Administrator they would have to advertise, it would take them two or three months to find one, it will take him three or four months to get the feel of things, and they would be losing what they are trying to gain right now by the saving of actual dollars between now and the end of the fiscal year. He thought this would work out quite satisfactorily because these men have been at it since the inception of the Hospital Insurance in the Territories.

Mr. Shaw remarked that they did not seem to have a Hospital Insurance Officer at the present time. Was some other Department taking that over, or was it the intention to advertise shortly for this position?

Commissioner Cameron replied that they were definitely not going into it now with the Northwest Territories Hospital Insurance Board taking over for us - they will not hire one at all. What had been happening was that all this had been going through the Treasury Department, which is our one outlet fund and, one of the Treasury officers, already on the payroll, had been looking after this.

Mr. Shaw inquired if any correspondence or questions relating to Hospital Insurance be directed to Commissioner Cameron's office.

Commissioner Cameron replied in the affirmative.

Mr. Taylor suggested the Committee deal now with Bill No. 16 - An Ordinance to authorize the Commissioner of the Yukon Territory to enter into and execute an agreement with the Government of Canada respecting Fitness and Amateur Sport.

Discussion of Bill No. 16.

Mr. Livesey remarked that this was certainly an open sesame, giving the Administration full and vibrant powers to proceed north, south, east and west and he hoped there would be no opposition or objection to this.

Mr. Shaw commented that he noticed in the papers the other day that they would have an additional \$15,000.00 for this programme for this year and he wondered where the money would be coming from.

Commissioner Cameron replied that the \$15,000.00 was available but they must come up with a programme before March 31st of next year, otherwise it will lapse.

Mr. McKinnon inquired if Commissioner Cameron had entered into any correspondence with the Federal Government so that if a planned programme is not available before March 31st, but there were worthy projects to take some of this \$15,000.00 would it be possible to utilize this before it lapses.

Commissioner Cameron replied that if the Administration could submit to the Minister of Health a satisfactory programme, or part of a programme, that money could be received.

Mr. Watt stated that it would be a shame to see this \$15,000.00 going back to Ottawa for lack of ideas. He was willing to give Mr. McKinnon, their representative on this programme, some ideas and he trusted the other Councillors would do likewise.

Mr. McKinnon requested members of Council to let him have their ideas as soon as possible on how this money should be spent as not much time was left until March 31st. They could all share in a small slice of this money for their various districts.

Mr. Taylor moved, seconded by Mr. Livesey, that Bill No. 16 be reported out of Committee without amendment.

Motion carried.

Committee next discussed Motion for Production of Papers No. 4 regarding National Parks. and the reply (Set out as Sessional Paper No. 23)

Discussion of Production of Papers No. 4.

Commissioner Cameron stated that in discussion with Mr. Coleman, Chief of the National Parks, the Federal Government is against small National Parks. He could not give all the reasons why, but large sums of money are being spent on National Parks, and in order to justify the continued spending of large sums, they must have a terrific future in area to work on.

Sessional Paper No. 23

Mr. McKinnon stated he had a motion before Committee on national parks and he wondered if he could discuss it at this time. The first part of his motion dealt with the few acres that have been set aside by the Federal Government for a National Park if it does develop in the Yukon. This is an area of some 8,500 square miles. The whole area of parks in the Dominion of Canada is 29,000 square miles, in the whole of Western Canada there are only some 11,000 square miles. He felt that an area of 8,500 square miles was most unrealistic and would almost present an impossibility to ever develop thoroughly. The Federal Government should take a much more realistic view of the size of the park, say a size of half that acreage would be more feasible. When the Financial Advisory Committee were in Ottawa discussion had come up on a National Park in the Yukon Territory and the Federal Government is anxious to take steps in this direction - however, they felt they could not until some positive

Discussion of Motion No. 11.

directive came from the Territorial Government as to what procedure to follow in the establishing of this park. The Federal Government has spent millions on national parks and have made a good job of it - it is a great tourist attraction, attracting them not only to visit, but to stay for an extra day. The second part of his motion dealt with mining interests in the Territory. He was in full agreement that the Territory would prosper in accordance with how the mineral development takes place, but he did not think they would exclude the possibility of the Yukon as a tourist attraction. The second largest industry here is from the tourist industry and one of their greatest problems is trying to hold these people in the Yukon and not just make it a passage to Alaska, which is all the Yukon is being used for at present. They had tried it through the Dawson Music Festival and had some success there and he thought a national park on the main thoroughfare would be a definite asset in collecting some of this tourist money to put into the till. However, before any area is defined definitely as a national park area, and this was part of his motion, is that an extensive and exhaustive survey be conducted for the purpose of establishing if those areas are a potential source of mineral wealth and if so, they should be excluded from the park boundaries ultimately. If this preserve that is now set aside for a national park proves to be so highly mineralized that it would be a detriment to the Yukon if it was developed as a national park, then he thought that the Federal and Territorial Governments will just have to look for another location, but until such a survey is conducted, they could not shrug aside the suggestion of the Federal Government pouring millions of dollars into the Territory in developing an area that would be the Yukon National Park. He believed that they had another duty, as representatives of the people, and that is having enough foresight to set aside parts of the Territory so that it will remain a heritage for future generations of Canadians to enjoy. He could not believe that the people sitting around this table would have the lack of foresight to at least hope and wish that the Federal Government would one day set aside such an area for a National Park in the Yukon.

Mr. Taylor said that this subject had been discussed for some time now and all the pros and cons had been forwarded, particularly at the Spring Session. He thought it had been clearly pointed out that national parks at this time in the Yukon were premature. A survey of this park is an undertaking that would require years of survey and this is going on partly through private enterprise and partly through geological surveys and every year something is turning up in the mineral line, so to take this Kluane area of 8,500 square miles and make a national park out of it constitutes sheer and utter sterilization of resources which they could not afford at this time. Any move that would preclude mining is economic suicide. Tourism is fine and should be given every encouragement, but by making the St. Elias mountains a national park is not going to change its scenery. If we want roads in the park then we should encourage mining development - all mines encourage tourists to go through their operations. If we must have a national park at this time, then consider those areas that have great historic significance and are barren areas for minerals. This Territory from a mining viewpoint, is virtually untouched. The Kluane reserve is now a game preserve and if we do get a biologist in here, he will back us up by saying "let's open that up for some sheep hunting". If we made a national park we could not do that, but if we don't open it up for sheep hunting, we are going to lose the sheep we have in it through over-population and disease. Mining explorations spend in the vicinity of \$1,500,000 a year in this country and the total mineral production as of about four years ago was \$260,000,000 and he did not think tourism had brought that in.

Mr. McKinnon thanked Mr. Taylor for echoing his sentiments - he agreed that too large an area had been set aside and also that an exhaustive survey has to be made of any area before setting it aside as a national park area. All he wanted through his motion was that Council should agree in principle that a national park be established in the Yukon at some time and he was sure no one could or would object to this.

Mr. McKamey stated that in his experience with the Federal Government the thin edge of the wedge is a way over which they would have no control later. He thought a national park was necessary, but he was inclined to think it a little premature. All Federal lands are under the jurisdiction of the Federal Government, all we have to do is give them the green light and that would be the end of it - they would have no more control. Once the principle was endorsed, they would have no further control. He thought this was a critical period in the Yukon, they would have to watch for the next year or so to see how things go with a lot of the larger exploration companies, oil industries and mining industries having their eyes focussed on the Yukon Territory. Therefore any legislation passed at this time in favour of national parks could be detrimental to the future economy of the Yukon Territory.

Mr. Boyd remarked that we have a national park now - the whole of the Yukon is a national park. If we set aside a reserve of some kind nobody is going to get hurt, that gives the Parks Board the protection they require until such time as a survey has been made - it might be 10, 15 or 20 years from now, but, in the meantime, the Yukon is a national park to start with as nothing has been changed. When we go into a place that we have been talking about and start putting in 2½ million dollars or more, it is not natural anymore - you get golf courses, everything. Today we have none of that. It is natural. It is sufficient for the time being to have wilderness reserves set aside and that would be all he would want done.

Mr. Taylor said that Mr. McKamey's reference to the thin edge of the wedge is true - national parks are created by order of the Governor-in-Council, they do not have to give notice, the Federal Government could make one tomorrow without having to notify them, and this is just giving them the wedge they require to blast through.

Mr. Shaw felt it was time something was done about this question which had been tossed around for the past four years, and he thought it was only logical if there is a park to have it adjacent to the Alaska Highway and not at some remote place far from the main thoroughfare. The mining industries have been adamant in their attitude that no area should be restricted from mining so, in order to get around it, a motion was moved last year that the Federal Government change the National Parks Act and permit mining under certain regulations in those areas reserved for parks. Mr. Shaw said he did not wish to restrict mining anymore than anyone else but he thought that if so many miles of the area referred to could fit in with the plan, they could ask the Federal Government to cover that area with a survey to see if there is any mineral in it and, if nothing is found of any particular use, that could be a point to start from. He thought it was time to start something constructive and not put up a wall and say "we will not compromise".

Mr. McKamey stated that the only way to find out whether or not we are sitting on one of the richest mines in the Yukon is by drilling and the only way to do this is to allow mining companies to get in and do a certain degree of geological mapping, exploration, and so forth. There are a lot of minerals in the St. Elias range and the only reason no one has conducted very extensive programmes there, is the fact that it is inaccessible at the moment and very costly to operate, but from reports that he had there is every indication that the St. Elias range is very rich and can offer a lot to the economy of the Yukon. He disagreed with Mr. Shaw that a national park should not be established in a remote place - if these areas are so remarkable and would be such a tourist attraction, it would not matter where you set them.

Mr. Livesey stated it did him a world of good to see the members so enthusiastic in chopping up the electoral district of Carmacks-Kluane Lake. He had no doubt in his mind that if there is to be a Switzerland of the North, it would be the Kluane Lake. He thought the concentration should be on a smaller area, and not on the large area the Federal Government had in mind; they should have this area defined, and get all the answers on it, taking out the most scenic and picturesque parts. By adopting a dog in the manger attitude and holding on to all this particular amount of ground and say we cannot have a national park, we will wind up with nothing and, by taking this attitude, we are cutting ourselves off from millions of dollars spent by the Federal Government over years and years on national parks. He did not dispute that a lot of money has been brought in by mining, he thought this was fine, he was all for it and hoped we will get more money from mining next year, but if we do not consider that a national park is going to be an attraction to tourists, then all we are saying is that the rest of Canada is wrong, we are right, and we know more than they. This could not possibly be true. We have to create places of interest, we have to attract the Americans here and very necessarily so for the simple reason that for years the shoe has been on the wrong foot. We, as 18 million Canadians have been spending more Canadian dollars than the United States as tourists from 188 million people have been spending in Canada. This is surely an incentive for us to get more of that tourist dollar and that tourist dollar is very important. It is something that will boost the economy of the area and the more wealthy we are here, the better it will be to live here, people will find jobs here, employment will increase and our standard of living will go up. We do not need all the land set aside, but we could concentrate on a small area and surely this is not an obstacle. This is preferable to going on from year to year with 8,800 square miles of ground that nobody can buy, just sitting there in his electoral district. As long as it sits there it will earn nothing until somebody puts it to use.

Mr. McKinnon remarked that trying to get through to some of the members present is like bashing one's head against an extrusion of Rapitan. You appeal to them philosophically, you tell them they have a responsibility to maintain a part of the heritage of Canada for future generations, it goes right over their heads. You appeal to them pragmatically, you tell them the Federal Government is willing to spend millions in developing a national park for the Yukon Territory that is going to be a benefit immediately and for all time, and they will not listen. This was one time he wished he could be reincarnated and come back to the Yukon one hundred years hence and hear the hue and cry of the people about the myopic thinking of the Councillors around this table who had their chance in the Fall of 1962 to start proceedings on a national park and that there were few with foresight and intelligence enough to start this park.

Mr. Taylor said the Yukon is already a national park and if anyone disagreed, just try to buy a lot sometime and see how well the Federal Government guards our 200,000 square miles, very, very precious he would say.

Mr. Livesey said all they were asking for is a small area, not the whole of the Yukon. If the Federal Government had money to spend on national parks, they were entitled to a share of it. He has heard a lot on mining, he was not against it, he was all for it, but there is a limit to what we can go on this mining. Now what do we have of mines that are producing? Looking throughout the Territory we will not see too many - we have one real good one and a number of others coming along, but in comparison to the tremendous area that is in the Yukon Territory of 207,076 square miles, why the number of producing mines at the moment is not too large. Mining is the number one resource of the Yukon Territory, he agreed to that; the national park was a secondary one, it was necessary for the tourist industry, to bring

in more money and increase the economy of the Territory. It should assist the mining industry, and not pit against it. One should assist the other - the only things we have in the Territory are mining and tourism.

Mr. Shaw seconded the motion and said he felt it was absolutely imperative that they got down to brass tacks on this business and he was happy that Mr. Livesey had mentioned how important it was to have this national park.

Mr. Taylor said that Mr. Livesey had mentioned they should choose a small area, but the motion had already stated the area - the Kluane reserve for a park, asking that this be reduced to a smaller area and made into a park. To this he was completely opposed and talking of millions of dollars flowing in here, he doubted that very much with the 10% austerity cut-backs.

Mr. McKamey referred to Mr. Livesey's statement that the opening of a national park would provide employment - he asked what kind of employment would it provide for 8 months of the year, about as much employment as the tourist industry does. He said that that particular area was not tied up as mining companies were welcomed and encouraged to go in there and assess the potential of that district.

Motion No. 11 was voted on.

Mr. McKinnon, Mr. Shaw and Mr. Livesey for the motion.

Mr. Watt, Mr. Taylor and Mr. McKamey against.

Mr. Boyd said he had to vote against the motion because of the way it was worded.

Motion defeated.

Committee proceeded to Question No. 6. (Reply set out as Sessional Paper No. 24).

Sessional Paper No. 24

Mr. Watt began to speak "that the idea behing this", but was interrupted by Mr. McKinnon who said "a point of order - this is a question, and the question is answered - there is no debate on the question".

Discussion of Sessional Paper No. :

Mr. McKamey thought that if Mr. Watt wished to make a statement, it was the prerogative of the Committee to hear him and then say yes or no, not one member.

Mr. McKinnon replied that the Committee should agree on it then.

Agreed.

Mr. Watt stated that under the circumstances he did not wish to make any comments.

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

Motion Carried.

When Mr. Speaker resumed Mr. Boyd reported:

Committee met at 10:30 a.m. and discussed memorandum re Proposed Pension scheme. It was moved by Mr. McKamey and seconded by Mr. Shaw that paragraph 4 be changed to read "or year". This motion was carried.

Moved by Mr. Shaw and seconded by Mr. McKamey that the resolution be accepted as amended. This motion was carried.

We then dealt with Motion No. 3 - McQuesten Valley Road. This motion was agreed to.

We then discussed Motion No. 17 - Financial Advisory Committee. Mr. Shaw and Mr. McKinnon expressed their desire to retire from the Committee. It was moved by Mr. McKamey and seconded by Mr. Watt that Mr. Boyd be appointed as a member of the Advisory Committee. This motion was carried.

It was moved by Mr. Shaw and seconded by Mr. Taylor that Mr. McKamey be appointed as a member of the Advisory Committee. The motion was carried.

Bill No. 17 was discussed. It was moved by Mr. Taylor and seconded by Mr. Shaw that this Bill be reported out of Committee without amendment. The motion was carried.

Bill No. 18. It was moved by Mr. Taylor and seconded by Mr. McKamey that same be re-submitted at the Spring Session. Motion carried. Committee met at 2:00 p.m. and Commissioner Cameron commented on Hospital Insurance under (Bill No. 11). We then discussed Bill No. 16. It was moved by Mr. Taylor and seconded by Mr. Livesey that the Bill be reported out of Committee without amendment. This motion was carried.

Committee next discussed Motion No. 11 - re National Parks. Defeated in Committee.

A reply to Question No. 6 was received from the Administration and noted.

Mr. Shaw said he thought the vote on the National Park issue should be recorded.

Mr. McKinnon agreed that it should be, for posterity's sake, so that those intelligent enough to have a little foresight will be recorded in the books.

Mr. McKamey moved that THIRD Reading be given to Bill No. 16 - An Ordinance to authorize the Commissioner of the Yukon Territory to enter into and execute an agreement with the Government of Canada respecting Fitness and Amateur Sport. Seconded by Mr. Taylor.

THIRD
Reading
Bill
No. 16

Motion carried.

Mr. Boyd moved, seconded by Mr. McKamey, that THIRD Reading be given to Bill No. 17 - An Ordinance to Amend the Fuel Oil Tax Ordinance.

THIRD
Reading
Bill
No. 17

Motion carried.

Mr. Livesey said that as usual, at this time, he would call for their replies to the speech from the Throne made earlier in the Session.

Mr. Shaw: On this occasion Mr. Speaker, I would like to discuss but one item which I will term "An aspect of the economic future of the Yukon Territory". As you are aware, next to Government expenditures, direct or otherwise, mining is the second source of providing payrolls. When I first came to this Territory there were two large mining concerns operating with substantial payrolls. Now, 26 years later, the same ratio exists in exactly the same area. I agree that the future looks bright, it has been for many years, but so far we must be content with the millions of dollars spent on exploration, and pray, that the exploration will soon turn into production. By nature I am an optimist, however, one must accept a certain amount of realism, and while we are waiting for this upsurge of mineral wealth to be taken from out of the ground, we would do well to make a very close assessment of a renewable resource industry which we can expand immediately and which has already proven it's value to us, namely the tourist industry.

The recent Festival at Dawson in which many newspapers and politicians had so much fun in deriding, was not disastrous for the Yukon taxpayer, on the contrary, the Territorial public purse was fattened to the extent of at least \$35,000.00 net profit, apart from the employment it created.

The Dawson City Festival is called such, by virtue of it's location, in reality it should be called a Yukon Festival. Surveys have indicated without doubt that car travellers going to and from Dawson, spent an equal amount of time in other parts of the Territory, thereby benefitting other areas of the Yukon besides Dawson. In spite of this fact, I have heard many people say, and I am sure they were most sincere in their thoughts, that the Dawson Festival was a local matter, and only important to the Northern part of the Yukon. These people could not see why they should become involved in something so far away, and expected the small population of Dawson to carry a load out of all proportion.

In this Mr. Speaker, I do not refer to the many fine people in various parts of the Yukon and Alaska who helped so much this last summer. I thank them most sincerely. I am referring to what appeared to me to be a general attitude.

If I might be permitted, I will take a quick trip to another Province, to Stratford, Ontario with a population of 18,000 people, hundreds of thousands of people visit this city each year, well, at it's start the City Council of Stratford generously voted \$50.00 to aid it's Festival, in looking ahead, this is the value they placed on this event, subsequently the Province of Ontario put hundreds of thousands of dollars into this Festival which has this year for the first time broken even dollarwise.

The people of British Columbia did not expect the nearby town of Quesnel to rehabilitate Barkerville, it was the Provincial Government who took this under their wing and spent hundreds of thousands of dollars in promoting this project, and rightfully so, it benefitted all the people of British Columbia in one way or another by playing it's part in a tourist industry worth \$135,000,000,00 each year to the people of British Columbia.

I and other members of the Financial Advisory Committee had the pleasure of a tour through Upper Canada Village on the Historic Chrysler Memorial Park Battlefield. This is an investment of over three million dollars, was this project financed by the small and historic town of Morrisburg adjacent to this Memorial, most certainly not, it was instigated by a group of dedicated people who had pride in their country's history and financed by the Province of Ontario. This Village had 250,000 visitors this last summer and is a credit to all of Canada.

But, to get back to the local scene, I will be the first to admit that the operation of the Dawson City Festival this last year left much to be desired, and I still shiver when I recall some of the problems which were involved. I say, let us take the mistakes of the past and utilize them as experience for the future for a project that can be of enduring benefit for the whole Yukon. With complete budgeted control in the hands of Yukon people, with the backing and support of Yukon people as a Yukon project, to perpetuate and profit from one of the most colorful and romantic periods of Canadian History is an objective well worth striving for. The people of Dawson City indeed, have their part to play, but surely cannot be expected to carry the whole load as if it were a personal matter. I feel it should be looked at in it's proper perspective as very much a Yukon responsibility, with the assistance and brains of the Territory working on this project to make it the success it can be.

Yukon people are proud of their short but colorful history, but this in its-self is not sufficient. It will take co-operation and work of most communities for a common goal of bringing visitors up here to enjoy a worthwhile visit.

The new Alaska Ferry Service, if reasonable rates are established, will be a large attraction in itself, as well as providing an alternative route for visitors to the North. Another coming attraction south of here which should not be under-estimated for it's value to us, in the matter of overflow of visitors is the new Peace River Dam project now in the process of construction.

Thousands of people each year visit the Grand Coulee power development, yet this installation in Northern British Columbia will upon completion be larger and likely to be made into quite a tourist attraction, at least it should be.

All these separate projects put together will engender more interest in the North and give more reasons for visitors to spend their holidays up here.

To refer ^{to} my earlier remarks and in conclusion Mr. Speaker, I would say that a Festival should not be considered as a direct revenue producing effort, I doubt if many festivals, if any, make a direct profit. Better should we consider them in the same category as a newspaper advertisement with the special purpose of promoting an industry which is at our back door, and like opportunity is knocking, I say it is up to us all to open this door and reap the benefits of this potential.

Mr. Taylor: Mr. Speaker, Honourable Members;
Prior to prorogation of this our Fifth and final Session of 1962, I would like to pass comment on a few items of importance as were discussed at this table during this Session.

Firstly I would like to deal briefly with resources, the ultimate development of which is so vital to the future economic growth of our vast Territory. We are of course, cognizant of the importance of sound legislative environment and reasonable tax incentives and I most certainly hope that the proposals produced at this table in this regard will receive the most careful consideration at the Federal level. Tote Trail assistance this year contributed much to resource development and made it possible for many small operators to further develop and evaluate their respective properties and prospects.

This coming March will bring to the Yukon Territory its first Resources Conference and will do much to formulate a guide to future programming of development in all fields of resources within the Territory.

Land policy came under discussion at this Session and a review was made of several aspects of Territorial policy in this regard. I am not in total agreement with the administration and some members of this Council regarding land disposal in Territorial sub-divisions. I would strongly urge a reform in this policy which would provide land title upon purchase of land and enforcement of zoning controls, rather than the unrealistic approach now in force. May I say gentlemen, that without some reasonable degree of speculation you discourage development and industry.

Also required in this field is a three stage development programme for growing Yukon settlements, that is to say, Improvement Districts, to town or village to municipality. This of course would mean a re-direction of tax dollars to these communities and a reasonable degree of self determination in their growth. Equally important is the necessity in some areas for complete planning projects during early stages of development and an increase in the amount of annual surveys directed towards making more lots available in some subdivisions.

In the Health and Welfare field, I would be remiss if I failed to pay credit to our newly appointed Chief Medical Health Officer, Dr. Butler, whose direct and purposeful approach to our Yukon medical needs is most certainly deserving of the highest commendation, however, much remains to be done in this field. Resident nurses are needed in many of our smaller communities and of course also required are the necessary medical and treatment facilities now lacking in many areas.

In the field of labour, may I say that the Accident Prevention Regulations provided at this Session will be welcomed warmly by the working people of the Territory, and the appointment of a Labour Provisions Officer to act upon labour problems represents a long awaited and much needed step forward in the area of more adequate enforcement of the Labour Provisions Ordinance.

Finally I would deal with the plight of the native citizen, and would appeal to the Federal Administration to curtail its present handout policy and replace it with a programme directed at social education and restoration of moral and physical responsibility. Social workers are needed to work in the villages and could do so much towards lifting our native citizens from the depths of squalor and alcoholic depression in which many now exist. The decision of this Council to accord the native full and equal liquor privileges represents a very important step in the removal of the word 'discrimination' from our Yukon scene and I foresee as a result of this move, a eventual reduction of abuses reflecting in all fields of endeavour

In closing may I and all my constituents thank the Honourable members present, as well as members of the Administration for their consideration and support in dealing with the problems of our area as presented to you at this table, and may I in closing extend to you all our sincere wishes for an enjoyable festive season and health and prosperity in the coming year.

Mr. Shaw: The new members of this Territorial Council have reached the half way point in their term of office. As one of these new members I feel, what we have done so far has fallen short of what is hoped for before my term is up.

A motion was passed at the last Session of this Council concerning the Whitehorse-Skagway highway. At this Session, the subject was again brought up, but no action has been taken with respect to this road. I believe the question of the feasibility of this road is a matter of primary importance because it concerns the future of the City of Whitehorse as a trans-shipment area. I hope that by the next session in the spring of 1963, we have definite intentions as to what action the Administration intends to take in this regard.

This Council has passed a motion to ask the Administration to draft legislation for a minimum wage law for the Yukon. This legislation would not take the place of wage negotiations between employer and employee but would prevent the unfair exploitation of the labour force in the Territory.

An Ordinance concerning the physical fitness program has been passed and I hope this legislation will assist amateur sports in the Yukon and help us to become more competitive with other parts of Canada.

I was disappointed that this Council could not spend more time on some of the Whitehorse problems, particularly with respect to the squatters within the area. A sorry need is a lack of residential land, but this problem is being looked into by the Administration. They will assess and estimate the amount of residential land in the area and will be giving this information to the Council by the spring session.

We have discussed matters concerning the Municipal Ordinances and these discussions have further impressed upon me the fact that the Whitehorse area should have more representation in this Council. We have the majority of the population but we can be relegated by the wishes of the Territorial Councillors from the hinterland. This situation, Mr. Speaker, I hope is altered when the next Territorial Council is elected.

Mr. McKamey: I beg leave to rise and say a few words on the development of the Yukon Territory.

At the Territorial level, the Council has enjoyed the privilege to exercise it's rights under the Yukon Act to implement the Financial Advisory Committee. This is a tremendous stride in achieving our goal to have direct representation in Ottawa from the Territorial level. We are provided with an opportunity to discuss our problems directly with the Ministers of the respective departments in question. We have taken the first step and now I would like to suggest we take the next step, each member would be designated and responsible to certain Departments of the Territorial Government. This would alleviate the load on each member and enable him to comprehend all problems

to a greater degree. Every member of Council would know who to contact and who would be representing his district in the event of some requirement from a specified Territorial department.

I would like to thank the Financial Advisory Committee and Chairman Livesey for his very comprehensive and informative report on the Ottawa trip, also I would like to thank the Ministers for their co-operation.

On December 1, 1962, we discussed and passed a Motion in Council respecting a joint Session with the MacKenzie River Council, better known as Northwest Territories Council. In speaking on this Motion, a lot of valuable points were raised. There was some doubt to the possibility of such a Session, but, I assure you nothing is impossible under a democratic flag. We are not a part of the Communistic Bloc. Anyone who wishes to recommend, suggest, or advise anything to support our economy and democracy would be remiss in his duties if he did not do so. The Northwest Territories and the Yukon Territory have many things in common. We have one great advantage over the MacKenzie River District, we are much closer to the Pacific Ocean which provides cheaper transportation. We have the resources they have the oil, one complements the other, in other words, if you have the money and I have the ability lets go into business together. We have no great barriers between here and the MacKenzie, this is very erroneous, we have many low divides to gain access to the Northwest Territories. This supposed barrier is a barrier of wealth in order to exploit this wealth we need a cheap form of transportation, namely a modern high speed, heavy duty type railroad, the most modern and fastest in the world, because we have to compete with world markets. Following this project I can visualize Prime Minister Deifenbaker's dream of developing the North to be a reality.

Let's stop and assess our potential. Suppose Crest Explorations decided to develop the new iron ore discovery, first of all they would require a market for about 20 to 25 million tons of iron ore per year. To make it economical, this would mean transporting at least 55,000 tons of ore per day at least 550 miles to tide water, 6 trains consisting of a 100 cars with a 100 ton capacity would be required, this would almost necessitate a double or two-way track. The Norman Wells Refinery could play a vital part in supplying oil to the Snake River town and railroad, Major industries always support secondary industries, which in turn support towns and people. Once you establish railroads, smelters follow. Smelters need ore so mines develop. Allow me to clarify this point, we already have enough lead zinc to support a smelter.

Let us go back to this imaginary boundary that divides our laws from the Northwest Territories. In the last few years, major mineral discoveries were found extending over and sometimes just over this line. To develop these properties, you have to develop roads and provide the shortest route to the coast. The Federal Government pays 85% of the maintenance cost, we pay the remaining 15%. The Northwest Territories collects the tax revenue. It does not sound like much, but when you pay 15% on hundreds of miles of road, it is a terrific amount.

We have a small population and only one producing mine, we are going to require more money to keep up our end, the first one you look at for money is the one that can afford it, you raise the taxes, this may be the improvement tax or perhaps the fuel tax.

Now what have we done? We have decreased the ore reserves of the mine we have decreased the life expectancy of the mine because this mine has to produce higher grade ore to meet the financial demand not only that the large lower grade property down the road will not be able to open for another twenty years. We have to be realistic about these problems confronting us, and use our foresight rather than our hindsight. It is a proven fact that one industry is complimentary to the other as one state is complimentary to the other. After all, we are all Canadians let us not be carried away by a boundry line implemented to make a division line so various Territorial and Federal laws will not conflict.

I have one more item which is vitally important to everyone especially our two levels of government, Federal and Territorial. This deals with resource potential and development and how are we going to assess and sell our product. First of all, I would recommend the formation of a society known as the Yukon Economic Development of Resources Association. This organization would require the support of the Yukon and B.C. Chamber of Mines, Board of Trade, Chamber of Commerce. Representation from all levels of government, administration and policy setting levels, and a very important part could be played by the Department of Mines and Technical Survey. Such an organization could be financed from the Federal level right down to the municipal levels of government.

The purpose of such an organization would be to assess our resource potential, such as mineral, oil, timber, coal, hydro-power, thermol-power, forest products, non-metallics as well as metallics. Transportation requirements, markets, marketing, smelter feasibility, customs, milling recommendations to various government departments re taxation structure recommendation to department of mines and technical surveys. Feasibility of manufacturing our own product utilizing our own resources such as asbestos, why is this information necessary, again we have to be realistic, so allow me to illustrate in the Ross River area there is a potential of 20 to 40 million tons of low grade ore, suppose a company is formed to build a smelter in the Ross River District, what is required, first of all access by road then by railroad. Will the grade permit a railroad, and if so, we will need coal, have we got coal and where is it at or where do we prospect for coal. Have we got sufficient hydro-power or can we use thermol-power. A town would be established. Is there an area suitable for a town. Is there forest products available and if so, to what extent.

I know as well as anyone that the Federal government has on file some of this information and on many occasions they are unduly criticized for being bureaucrats. We are at fault this type of thing is our responsibility to a degree, they can only guess and hope that they can provide all the answers to our problems.

Before concluding my remarks, I urge 100% support for this very essential organization. It is also obvious all through the History of Canada and the United States the railroad came first, industry after. Railroads of today are not obsolete they are antiquated and slow. In summary, let us build a railroad 100% government to support all industry.

I thank you Mr. Commissioner, Mr. Speaker and Members of Council and especially those who hold the purse strings.

Mr. McKinnon: I think this is the first Session since I became a Member of this House that has not been racked with violent controversy and very difficult decisions. Rather, I think it was a Session where we met to conduct the business of the Territory as it had to be conducted. I think this allowed the Members a little more give and take in their debate and I saw a note of humour creeping into some of them which saw the seriousness of debate rather lessened a bit. I think this helped to make the Session quite enjoyable and interesting besides being a very productive three weeks. Mr. Speaker, I would just like to wish the Members from the outside districts whom I probably will not see until next Spring, the Merriest of Christmases and all the best for the New Year.

Mr. Boyd: Without wasting a lot of time, my sentiments are the same as those of Mr. McKinnon.

Mr. Livesey: Mr. Commissioner, the Council of the Yukon Territory has at its present sittings thereof passed a number of bills to which in the name and behalf of the said Council I respectfully request your assent.

Clerk-in-Council said: "The bills requiring assent are -

- Bill No. 1 - AN ORDINANCE TO AMEND THE INSURANCE ORDINANCE
- Bill No. 2 - AN ORDINANCE TO AMEND THE MOTOR VEHICLE ORDINANCE
- Bill No. 3 -- AN ORDINANCE TO AMEND THE LABOUR PROVISIONS ORDINANCE
- Bill No. 4 - AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE
- Bill No. 5 - AN ORDINANCE TO FACILITATE CORNEA TRANSPLANTS FROM THE BODIES OF DECEASED PERSONS TO LIVING PERSONS
- Bill No. 6 - AN ORDINANCE RESPECTING SURVIVORSHIP
- Bill No. 7 - AN ORDINANCE RESPECTING THE PRESUMPTION OF DEATH
- Bill No. 8 - AN ORDINANCE TO EXTEND THE JURISDICTION OF THE TERRITORIAL COURT TO APPROVE THE VARIATION OF TRUSTS IN THE INTERESTS OF BENEFICIARIES AND TO SANCTION DEALINGS WITH TRUST PROPERTY
- Bill No. 9 - AN ORDINANCE TO AMEND THE LIQUOR ORDINANCE
- Bill No. 10 - 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. 11 - AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY
- Bill No. 12 - AN ORDINANCE RESPECTING THE PREVENTION OF FIRE
- Bill No. 13 - AN ORDINANCE TO AMEND THE PUBLIC HEALTH ORDINANCE
- Bill No. 14 - AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE
- Bill No. 15 - AN ORDINANCE TO AMEND THE LIQUOR ORDINANCE
- Bill No. 16 - AN ORDINANCE TO AUTHORIZE THE COMMISSIONER OF THE YUKON TERRITORY TO ENTER INTO AND EXECUTE AN AGREEMENT WITH THE GOVERNMENT OF CANADA RESPECTING FITNESS AND AMATEUR SPORT
- Bill No. 17 - AN ORDINANCE TO AMEND THE FUEL OIL TAX ORDINANCE
- Bill No. 18 - AN ORDINANCE EMPOWERING THE COMMISSIONER OF THE YUKON TERRITORY TO GRANT A FRANCHISE TO THE YUKON ELECTRICAL COMPANY LIMITED TO SELL AND DISTRIBUTE ELECTRICAL ENERGY IN THE TESLIN AREA, YUKON TERRITORY
- Bill No. 19 - AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE

Commissioner Cameron replied: "Mr. Speaker, Members of Council, you have now completed another Session of Council during which time you gave considerable thought toward detail and content in order to maintain normal progress in Territorial legislation. Since a change has been made in the Yukon Act during the past year or so, it is permitted the Commissioner sit with you at the time. This, I believe, should assist the Administration in carrying out your wishes. It should also, I hope, assist you in your Council deliberations by being able to give the occasional immediate verbal answer to your queries or questions thereby eliminating time consuming delays in asking the Administration to attend or awaiting their written replies in all instances. I believe the trip to Ottawa by the Financial Advisory Committee has been beneficial and should be continued each year in order to give all Councillors a better understanding of the operations of government. Every attempt shall be made to carry out your resolutions so that progress can be reported to you at the Spring Session. All bills, as enumerated by the Clerk-in-Council, are hereby assented to. I would like at this time to extend the best wishes of the Administration to yourselves and your families for a very merry Christmas and a happy and prosperous New Year. Thank you, Mr. Speaker, Members of Council."

Mr. Livesey: "I would like to thank Commissioner Cameron for his closing address and all members of the Council staff for their untiring efforts on our behalf. With every hope and wish for a happy Christmas season and the best of health to you all till we meet again at the Spring Session."

Clerk-in-Council: "It is Commissioner Cameron's will and pleasure that this Council be now prorogued and this Council is accordingly prorogued."

Council prorogued December 3rd, 1962.