

Wednesday, April 17th, 1963.
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron: Sessional Papers

- (1) Reply to motion for Production of Papers no.7, regarding Upper Canol Road. (Set out as Sessional Paper No. 23) No. 23
- (2) Reply to motion for Production of Papers no.11, regarding Services, Haines Junction. (Set out as Sessional Paper No. 24) No. 24
- (3) Reply to motion for Production of Papers no. 6, regarding Area Development which reads as follows:
"The reason behind the recent transfer of Territorial Land Sales to the Federal Government is set forth in the answer to Question no. 1" (see sessional paper no. 8 - tabled page 33)

Mr. McKinnon moved, seconded by Mr. Watt, that it is respectfully requested that the Administration provide members of Council with any information and regulations concerning the Territorial loan programme to University students. Production of Papers No. 14.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, that it is respectfully requested that the Liquor Department table the following information for Council's perusal: Production of Papers No. 15.

- (1) Personnel employed by the department and their salaries.
- (2) What other duties do the employees perform.

Motion Carried.

Mr. Boyd moved, seconded by Mr. Shaw, that Council recommend curtailment of the licensing of any new liquor outlets until the recommendations of the Liquor Committee have been reviewed. Motion No. 5

Mr. Boyd stated that this is merely to save some embarrassment that might come up for people wishing to get licences and find that when they are ready to go into business that the recommendations of the Liquor Committee may change the rules they are governed by. He thought it wise to curtail any licencing of any new outlets.

Mr. Taylor asked Mr. Boyd how long it would take to present these recommendations and what is the earliest possible date that legislation will be enacted.

Mr. Boyd said the Liquor Committee propose to have the recommendations completed in a matter of two months and this should give ample time to put them into legal phraseology and ready for the fall session. He didn't know how slow or fast Ottawa would be.

Mr. McKamey thought they all had the experience in the past of how long it takes to have a major revision drafted in Ottawa and it takes two or three years. He was opposed to this motion and his personal thoughts were that he didn't think any recommendations of the Liquor Committee to Council was going to be legislation unless they adopted and passed them. Just because the Committee makes some recommendations doesn't mean this is going to be law. He didn't think this motion fair and didn't believe in supporting any curtailment to anyone. If they are going to have free enterprise it should be on a competitive basis and he would be highly opposed to a restriction on the amount of liquor licences they have in the Yukon. Until the legislation is tabled before them he didn't think they should allow this motion to go through.

Mr. Shaw said in seconding the motion the idea wasn't to curtail anything. It was something to be proposed. It doesn't restrict anyone but curtails

them until the committee comes up with their report. It is to give a general feeling not to be issuing licences all over the country. This idea has come from the Chairman of the Committee and he couldn't see anything bad in it.

Mr. Watt directed two questions to Mr. Boyd: As he considers it any liquor outlet that changes hands by sale or lease would require a new licence and would this motion stop them from getting a licence. The second is, does Mr. Boyd consider as a liquor licence, the licence held by restaurants. If this is the case they have passed amendments to the Liquor Ordinance and the reason was to upgrade their restaurants.

Mr. Boyd replied no to both questions. If a man wants to sell his business it won't interfere with him at all. It is intended to stop someone from buying a war asset building, setting it up along the highway or in Whitehorse, opening up 10 or 12 rooms and winding up with a rooming house and a cocktail lounge. Something like this could happen and it would be most undesirable. In regard to Mr. McKamey's suggestions he said the Liquor Committee has no intentions and never did think that they were going to present something that was going to be law. They are doing their best to present something that the Territorial Council will accept. He pointed out an instance that during the Resources Convention there were places here in Whitehorse who were not adequately equipped to handle any of the delegates - bedrooms with no washroom facilities in them, no spare space - they couldn't take care of any overflow of population yet it is rated as a hotel and in his idea this is not a hotel - and it is something like this they have in mind.

Mr. Taylor thought the motivation behind this motion sound and he could see the concern. He didn't agree with curtailment, it might achieve the one basis but it could also curtail new construction as on the Alaska Highway. This is the start of the construction season and if at this time they curtail the issuance of any licences this could have quite an effect on some points in the Territory. He knew it wasn't intended to do this but this is in effect what it will do and he couldn't support the motion. It occurred to him that in view of this the Administration could closely review any new licence applications to ensure that there are no violations on this type of thing.

Mr. Watt asked would this motion concern the liquor licence in a restaurant.

Mr. Boyd said he had no thought of restricting licences as far as restaurants are concerned. It is for the setting up of new businesses and he wasn't saying no to elaborate places and the Administration can use their discretion.

Mr. McKamey said curtail to him meant stop and this was what the motion means. He thought if the Committee were to work with the Administration and indicate their thoughts - that is all that is necessary. He didn't think this motion necessary and the Administration knew what the Committee were recommending.

Mr. McKinnon asked Commissioner Cameron if under the present Ordinance anyone coming up to the minimum requirements must be granted a licence or whether the Administration has the right to refuse them a licence.

Commissioner Cameron thought there would be a legal answer involved. If someone came up to the minimum requirements it would be difficult to refuse them a licence under the present regulations. He could see what both Mr. Boyd and Mr. McKamey were getting at. The Liquor Committee have sat on a fair number of briefs and they all seem to have

the same tone that they want the restrictions held to the letter of the law as far as enforcement of regulations is concerned. They have heard a lot about restrictions on the number of outlets in certain localities and he thought the motion was referring more to the Whitehorse area. This motion does give them a leaning post that they should tread a little slower with a new application. He stated that eating establishments do not come under the same regulations. He had no particular feeling one way or another on the motion it is whatever Council wishes.

Mr. Taylor thought possibly one answer would be to propose an amendment to the motion and he moved that in the second line of the amendment between the words "outlet" and "until" the words "in the Whitehorse area" be inserted and this might help the situation.

Mr. Watt thought this motion was to remedy a situation like Mr. Boyd brought up regarding starting a rooming house and calling it a hotel and getting a licence when they are not actually serving as a hotel. He suggested that it might be just as easy to change the actual Liquor Ordinance so this specific remedy could be enacted and not through a motion which in turn is interpreted by the Administration and what they want may not be enacted upon. He suggested the Chairman of the Liquor Committee have a look at the specific section of the Liquor Ordinance and remedy the situation instead of using a shotgun remedy to fix up everything and may do more harm than good.

Mr. Boyd stated that when you start fooling around with the Liquor Ordinance you might change one thing here and you find you have affected something else 10 pages away and it isn't very simple. It wasn't very important to him whether they voted on this or not as he was trying to do something he thought made sense. He said Mr. McKamey had an idea and you are entitled to your ideas but very recently an outfit had \$600,000.00 to put a hotel here in Whitehorse. They studied our liquor laws and outlets and decided no dice as there is no protection as a man could set up with a \$100.00 rooming house and direct the business away from him. So this hotel isn't going to be built for the time being. It is just a matter of how you look at it. This motion was intended to be a protection for the people as a whole and there was no underhanded thinking.

Mr. McKamey seconded Mr. Taylor's amendment to the motion. If the members wanted this protection in Whitehorse he felt they should give it to them but they shouldn't dictate to them in the hinterland. If they want to protect the big man that is o.k. but the big man was once pretty small and had to scrap for everything he has.

Mr. Taylor couldn't see where this situation as Mr. Boyd explained had become a problem but he could see how this nature of thing could become a problem in Whitehorse and he thought it should be restricted to this area.

Motion as amended was carried,
with Mr. Watt opposed.

FIRST and SECOND reading was given to Bill No. 11, An Ordinance of the Yukon Territory to Incorporate the Synod of the Diocese of Yukon and the Bishop of Yukon.

First &
Second
Reading
Bill
No. 11.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Supply Bill.

Motion Carried.

..... page 180.

In Committee of the Whole.

In
Committee

Discussion took place on the Watson Lake Hospital in the amount of \$25,000.00 with Mr. MacKenzie present.

Mr. Watt wanted to know who hires the referee in regard to the referee system.

Mr. MacKenzie said no-one hires him. He is an employee of the Federal Government and his services are made available to the Yukon Government by arrangements with the Department of Health and Welfare.

Mr. Watt said he had a dissatisfaction with the referee service where individuals have been charged where they ought not to have been charged and he wanted to discuss this.

Mr. MacKenzie suggested this point be left in abeyance until they revert to Vote 11.

Mr. Shaw gave his views on Establishment 331, Watson Lake Hospital, as being very confused. He didn't know whether they needed this hospital or not and yet he was supposed to vote on it and he didn't know what to agree to.

Mr. Taylor, with Mr. Shaw in the Chair, could see the state of confusion and he understood that they may be making a visit down through his constituency in the near future and he suggested this matter be held in abeyance until the members of committee have a chance to see the situation first hand. His understanding before he left was the occupancy was from three to four but they are shipping everyone to Whitehorse if they can until the renovations are finished. He suggested they hold this matter until their visit and wondered what Commissioner Cameron had on news in respect to this visit.

Commissioner Cameron said he is still trying to locate the gentleman in charge of the airlines and see if they can make some arrangements to go down on a regular trip on a Saturday afternoon, spend Saturday night in Watson Lake, go to Canada Tungsten Mine on Sunday and then come back by plane Monday afternoon.

Mr. McKamey said there was \$25,000.00 proposed for this year and he wondered what this would build. He couldn't see the point of getting the material this year.

Mr. MacKenzie said this was to build the foundation this year and build the building next.

Mr. McKamey wondered whose dream this was.

Mr. MacKenzie said he imagined it might be the Dept. of Health and Welfare in Ottawa but he thought there were objections to building the foundation this year.

Mr. McKamey hoped to think there would be objections as this is unheard of - to build a foundation one year and put a building on the next.

After further discussion it was decided to defer the matter until committee had made the proposed trip to the Watson Lake area.

Mr. Taylor brought to the attention of committee that they should seek a cost sharing arrangement with B.C. in view of the fact this hospital when in service will be serving a fairly large resident B.C. population with the exclusion of Cassiar. It is possible that with

more adequate hospital services in Watson Lake that they might come down to Watson Lake and they may have two doctors and the same with Canada Tungsten.

Mr. MacKenzie replied we already have an arrangement with the B.C. Government whereby they will pay our costs for any B.C. responsibility.

Mr. Watt requested they discuss Vote 11 as he knew of a case where this family, under the advice of their doctor, put their child in the hospital and it so happened that he came down with a fever over night and couldn't be operated on the next day for what he was admitted for so he was discharged and was able to go home. Consequently the referee rejected this bill and the parents are saddled with it and yet the doctor had put the child in the hospital. He wondered what the answer was to this type of thing.

Mr. MacKenzie said no provision has been made for the Territory to absorb the rejection of patient days as they shouldn't have been allowed to arise. This is due to an error on the part of the doctor and is his fault. He didn't think this was their concern.

Mr. McKamey thought the medical profession was like any other profession in that they have some very qualified people in the business and he has sat in on mining business and listened to arguments between two different doctors and they had their own ideas on how it occurred etc. and their ideas were as different as day and night. He could see the same thing happening in the legal profession. He could see a doctor here sitting with his patient knowing what the trouble is, then the doctor in Ottawa and the only thing he knows about it is the report and may see fit to cut down the days. He couldn't visualize how they could arrive at such a conclusion and penalize someone on that basis. He had discussed this with doctors and they can't understand it either.

Commissioner Cameron explained this regarding Mr. McKamey's remarks. He said this referee system has worked very well in the Northwest Territories and possibly other places in Canada and is fairly cut and dried as to whether or not a person would stay in the hospital. They have a table set down for say appendicitis, etc. and there are so many days under normal conditions that this individual would be in hospital. If a particular case arises where an individual is in an extra day or two the doctor puts in the report and specifies that there was certain conditions over and above the normal conditions and this is passed. The referee is a very realistic individual and has to look into these things carefully and where there is any doubt the benefit is given to the patient. He stated the doctors sometimes slip up as this is fairly new in the Territory and they have been checked up a number of times already. In relation to Mr. Watt's problem where an individual says his doctor suggests he go into the hospital and the referee doesn't accept these three or four days and the individual says it was on his doctors recommendation then this is between the patient and the doctor. He would have to go to the doctor and they could have an argument between themselves. If it can be shown where it is the doctors fault then the doctor should have to pay. A doctors instructions can be easily misunderstood but they should explain that if a person wants to go into hospital he can do so if he is willing to pay \$25.00 per day. If he wants to stay in hospital rather than a hotel while he is waiting to get in for an operation.

Mr. Watt wondered where they were going to draw the line between the doctor's and patient's responsibility. He thought before anyone is admitted they should have a chat allowing his admittance. He thought they should get a suggestion on how a circumstance, as he related previously, could be clarified where the responsibility is clearly

on the doctor or the patient in this case the doctor had ordered the child to go to the hospital.

Mr. MacKenzie said the procedure should be that this individual who has been billed should go to his doctor and raise a fuss about it and his doctor should take the matter up with the medical referee. The final decision as to whether it should be paid or not rests with them and they don't need to take the advice of the referee.

Mr. Shaw couldn't see why there should be any problems as in Dawson the doctor has to admit the patient to the hospital and give his o.k. When a doctor says you go to hospital - you go and in due course he will say on such and such a day he will discharge you. Therefore he felt the doctor should pay if he can't justify why the patient is in the hospital. If it is the doctor that is making the patient stay in too long he should be reprimanded from the Medical Profession or whoever does the reprimanding. The patient has no responsibility if he is following the doctors orders but if he is staying on his own hook then he should pay \$25.00 per day.

Mr. Watt said a case has arisen and the patient got the bill and he thought if some thought went into it they might clarify this by a note from the doctor saying this person is admitted and from then on it is the doctors responsibility and it is off the patient.

Commissioner Cameron said the doctors are really sweating this out. They have a hospital board meeting every month and this always comes into the discussion - there are too many cases to mention of impossible situations. He stated this is a real problem and the blame couldn't be put on the doctors in all cases. In the case Mr. Watt is talking about they should go to the Chief Medical Health Officer as he rides herd on the medical profession and in this case Dr. Butler would check into it and get the complete history and put a report into them stating the case of the individual and he wouldn't be billed.

Mr. Watt suggested that if the Chief Medical Health Officer and a doctor were to have a board sit once a month to hear the claims of individuals a person wouldn't have to go to a lawyer to protect himself. He could explain the situation to them and they can explain why he might be wrong etc. and this should eliminate quite a few of these cases.

Commissioner Cameron said there are quite a number of cases and you would have to have a battery of doctors to answer questions. The doctors have a board now that sits every week to discuss problems but he didn't think they could have a board to deal with the public individually because they would be swamped.

Mr. McKamey said they could join the Yukon Medical Association that pays all those services. He wanted to find out why this isn't accepted by Northern Health Services because you have to pay the bill yourself and then collect from the association.

Mr. MacKenzie thought it went back to the early years and just hasn't been changed.

Mr. Watt thought Mr. McKamey was talking about Medical Insurance and not Hospital Insurance and this was a different field as medical insurance wouldn't cover what they are talking about.

Mr. Shaw said that in the case of people who need care but not sufficient to keep them in hospital should be told that it will cost them so much etc. and they will have the choice of that or going home.

Mr. MacKenzie said there is provision in the welfare section for the payment of \$10.00 per day for these individuals who are not eligible for Y.H.I.S. and need additional care.

Mr. Livesey thought the problem lies in not having any definite area of responsibility delegated to a particular individual so that a person going to the hospital knows that when they are in the hospital the situation will be taken care of up to and including a certain point and beyond that it reverts to their own responsibility. He couldn't see this aftermath of billing. He thought every person going into the hospital has every right to know what this hospitalization is going to cost, how long they can stay in, who is going to be responsible to say whether or not they can stay longer, where the area of responsibility lies as far as the hospital insurance scheme is concerned and where it terminates and this is the right of every individual. He thought it high time they found out where hospital insurance takes them, where it cuts off as far as the patient is concerned and he thought this the responsibility of the government. The patient should be advised that their hospital insurance has come to an end and they are eligible for removal etc. and they should be told.

Mr. Watt said if the committee wishes he would see Dr. Butler, one of the medical profession and Mr. MacKenzie and try to come up with a motion in the next few days to see if they can solve some of the problems.

Mr. Taylor thought in view of this they could defer this until they review the budget.

Mr. Livesey asked why there wasn't someone at the hospital with the authority to make this decision as to how long a patient can stay.

Mr. MacKenzie said there are objections to this. It isn't wise to have a referee in Whitehorse as he would be an extremely unpopular individual and that is why he is in Ottawa. The man they are using is highly qualified and experienced in the very work they want him for.

Mr. Livesey said this man is leaving a lot of loose ends where people should have known they weren't covered and had to pay the bill. He thought the fact whether or not this man was popular or not was infinitesimal in comparison to the problems he can create.

Mr. Shaw said this person is very qualified and he thought it was the fault of the fact that there is no clear cut policy.

Mr. MacKenzie stated that the Yukon Hospital Insurance Services has only been in effect a short time and before it came into force the patient paid the bill himself. Now they are talking about a possible one or two days which isn't a very important amount of money. The medical referee has rejected so far bills for less than \$2,000.00 in the time he has been operating since December 1st, so there aren't a large number of cases. He stated the final decision as to the payment rests with them and they will deal with any cases brought to their attention. He suggested in Mr. Watt's case that he write a letter and they will look into it.

Mr. McKamey said one way of solving this is abiding by the Yukon Act where the Territorial Government looks after the health of the Yukon and that would be to abandon Northern Health Services and referees etc. and this is our responsibility and not Ottawa's and this would be the way to do it.

Mr. McKinnon asked Mr. MacKenzie if this wasn't more of a preventative measure than anything else as once the doctors became aware that a referee system was being instituted the keeping of patients unnecessary days was curtailed very much.

Mr. MacKenzie replied yes.

Committee recessed until 2:00 o'clock P.M.

2:00 o'clock p.m.

Committee proceeded with discussion of Welfare Estimates, Page 147, Department of Welfare, Rental of Equipment - \$4,320.00, with Commissioner Cameron, Mr. MacKenzie and Miss Riddell, Director of Welfare, present.

Mr. Livesey enquired if this particular item did not couple up with certain matters with regard to cars and equipment which they had discussed not so long ago.

Mr. MacKenzie replied that what they had discussed in reference to a pool car system did not apply to the Welfare Department as it was necessary for this department to have their own cars 24 hours a day.

Miss Riddell explained that in Welfare, the workers are on duty 24 hours a day so there must be at least one car available to them. On occasions in cases of emergency, two workers have been called out at night, very often in the early hours of the morning, so it is essential to have a car available immediately.

Mr. Livesey said that in one section of the budget they have a provision for purchasing an automobile and here they have a provision for rental of equipment - could that be explained.

Mr. MacKenzie stated that Rental of Equipment was simply the total operating cost of all vehicles used by the Welfare and that from an administrative point of view it was better to call it Rental of Equipment rather than gas, oil, maintenance and so on.

Mr. Boyd wished to know what kind of cases necessitated called in the early hours of the morning.

Miss Riddell said they were runaways, such as a foster child being out late, family rows, desertions, where they have to pick up the children, or taking someone to the hospital.

Mr. Shaw said he knew of instances where the parents are out drunk, picked up by the police and locked up, and the children have to be put into foster homes.

Mr. Livesey thought it rather unusual for the Welfare to start looking for foster homes in the middle of the night.

Miss Riddell explained that they always have foster homes, but they do not have foster homes that can take four children all at once so they have to phone to find out which homes would be made immediately available to them.

Mr. McKamey referring to Senior Citizens Homes, Dawson - \$6,030.00, remarked that this institution is the most economically run institution in the Yukon Territory and that if they had a few more like it, it would cut down on their costs.

Committee proceeded to Child Welfare Services, Subsistence - \$93,200.00.

Mr. Shaw wondered whether the children in Alberta, at \$96.00 a month each, and \$102.00 a month in British Columbia, were mentally retarded children.

Miss Riddell stated that one was a mentally defective child, the other was placed in a foster home in Alberta at the time its parents went out due to illness. The parents have since died but as the child is doing so well they do not want to move it as it may lead to an adoption. At the present time there are three children in foster homes in B.C., they are not mentally defective. In the case of two they were placed in foster homes here, but when the people moved to B.C., they wanted to take the children with them and, by arrangement with the B.C. Welfare Department, there is supervision of these placements.

Mr. Taylor stated that the total for Child Welfare Services is \$103,475.00.

Mr. Shaw noticed that it had gone up 10% and that every year the figures are climbing and climbing. He wondered if it would ever start levelling off.

Miss Riddell said that with the experience she has had of other child welfare programs, it is steadily increasing due to several factors. As the population increases, social problems increase. She had recently read the annual reports of two other provinces and their child welfare has certainly gone up. She could not honestly say that it would ever level off.

Mr. Shaw remarked that what gets him is seeing the parents of these children spending their money on liquor and the Welfare Department supporting their children. This seems to be a trend that is steadily increasing and he wondered if legislation could force these people to work.

Miss Riddell felt that the best solution to the problem would be to find employment for the fathers of these children, but if employment is unavailable they have to look to the resources of the community to provide maintenance for these people. Undoubtedly amongst that group there will always be some who are not keen in looking for work.

Mr. Shaw felt that if these people were receiving an allowance from the Welfare Department, say \$200.00 per month, then they should put in some work for the money received, it might help to rehabilitate these people. He knew of many who refuse to work, they will put in any excuse or alibi to get out of work, some of them even laugh at the Welfare's attempts to make them work. Somewhere along the line, surely they must come up with a solution or it will get entirely out of hand.

Miss Riddell stated that Mr. Shaw was probably referring to a relief program and this is a very popular idea at the moment but under the Unemployment Assistance Agreement there are no strings attached, a person is not required to work for the assistance he is receiving. In fact, this was tried out in B.C. where some of the municipalities tried out this program - a person worked up to the amount of assistance he was being paid at the going wage for whatever he was doing, but this was stopped by the Federal Government who said they would not share the cost of any such assistance on this basis. They maintain they have other arrangements to provide work for individuals under the Works Project and that this is open to any province or municipality who wishes to avail themselves to this program.

Mr. Shaw thought that under the circumstances it would be a good time for the Territory to get together with the municipalities and begin this work program and all these people that would normally get relief could be put to work. He felt that most people would rather work for their money.

Mr. McKamey stated that in regard to a Winter Works Program this is out as far as the Yukon is concerned. There are only 5,000 people living within the bounds of the municipality, the balance of 11,000 or so living outside, and the result is that the majority of the population would not be eligible for this Winter Works Program. The problem lies in Ottawa, and also with the politicians, so the only way it can be solved is at the Federal level. In the southern parts of Canada they can have a Winter Works Program because they haven't the weather conditions to contend with that they have in the Yukon.

Mr. Livesey stated that Welfare is fine to a certain point and Welfare is absolutely necessary in cases of dire emergency but there is a point to which Welfare can go, and not beyond that point. It can be turned into an institution whereby it is encouraging people not to work, this is a depletion of the exercise of energy and of the exertions of the average individual to sustain himself. It is all very fine to be optimistic and to have an affectionate feeling towards those deprived, but this is not the question - the question is, how far can you go on with this. This, unless checked, will be a detriment to the entire society. If things are easy to get, they have no value - the dollar bill has no value to someone who has done nothing towards earning it.

Miss Riddell explained that this Unemployment Assistance is also given to the unemployable man or woman, or to a woman with children who has been deserted by her husband, so a Winter Relief Program would not eliminate this assistance and this cost would therefore never be eliminated from the Social Welfare Program.

Mr. McKamey remarked that it could be reduced.

Miss Riddell agreed that it could in varying amounts.

Mr. Boyd said that the expenditure in 1961/62 was \$62,000.00, this year it is \$93,000.00, which makes it one-third of an increase. There was just one answer to this - it cannot go on, someone has to do something.

Mr. Shaw stated that when parents get drunk and leave their children destitute, and that sort of thing is tolerated because it keeps going on, then there is something definitely wrong somewhere. He had made several suggestions as to how these people should be dealt with and had always received the same answer that "it is against the law". It seems that whichever way you turn in the Welfare Department you are running afoul of some law. In other words, you must not touch these people, you must allow them to be a drag on the State as long as they wish. That is their privilege. It is the most frustrating department of government. They have to look after the children, and the aged, and the handicapped, but not those who are capable of working.

Mr. Boyd remarked that there was also the additional expense of keeping a police force to look after these people.

Mr. McKamey thought that surely there must be some law that could be enforced in dealing with those who refuse to work and neglect their children.

Miss Riddell said that the law is being used. Under the Child Welfare Act parents can be convicted of neglecting their children. There is also the Maintenance Legislation and some persons have been convicted under that. However, say in the case of a man who is sent to gaol for two or three months for refusing to work to maintain his family, when he gets out of gaol which community is going to offer him anything in the way of employment.

Mr. Shaw stated that this is the attitude that has been taken, but the community knows that this man is a deadbeat, that was already established before he went to gaol.

Mr. McKinnon expressed the view that ever since he sat at Council table the estimates for Welfare have increased by leaps and bounds and every year they stand up and try to find a solution. They have not come up with it as yet and he challenged the members around that table to come up with it. There are so many reasons involved for the increase in this Welfare - one of them, Mr. McKamey touched upon, the Unemployment Insurance Assistance where professional politicians have got together and absolutely perverted the intent of the Unemployment Insurance Act just to gain votes. This is one instance and it is something on which they could do nothing about. The other big reason for the increase, everywhere across the Dominion, everywhere across North America, is the one that Mr. Boyd was so emphatic about yesterday - that is the feeling of the people right across the North American continent that the government is supposed to look after one from the moment you are born to the day you die. This is a sickness of society and seven men sitting around this table cannot find a cure to this problem. They can talk about it from here to eternity but they will not come up with an answer until they come to the root of why society has changed from a society of rugged individualism and personal initiative to a society that is moving more and more into a state of socialism. This is an inescapable fact and it is true. He did not think they were capable of coming up with an answer in which so many professional people in this field have failed.

Mr. Taylor commented that he had listened with interest to the views expressed by the members with regard to the increase in cost of Welfare, some of the contributing factors were the increase in population and the recession that has been experienced in Canada, but to solve the other problem they must, either alone, or with the Department of Indian Affairs, embark on a program of social education. He would propose that a sociological study be made of the Yukon Territory aimed at determining what is contributing to these problems and how they were going to solve them. In his opinion, this would be a first step.

Mr. Livesey said he heard Mr. McKinnon say they were moving towards socialism - well, one of the principles of socialism and one of the most socialistic countries in the world is "no work, no eat", so, if that is what they consider to be the answer, they may as well do some studying of the situation as well. He did not agree that the problem was impossible to solve, it was difficult, but some attempt could be made to find a solution. No doubt mistakes will be made, but at least they can try.

Mr. McKinnon hoped that Mr. Livesey did not misunderstand him because there is absolutely nothing worse that he abhorred than to see the country evolve into a socialistic state, but the process in North America is definitely turning towards the Welfare State. This is impossible to deny and, personally, if anybody could give him a table as to how he could effectively fight this trend towards a Welfare State and towards the Government providing for people from the moment they are born till the moment they die, rather than providing a climate where free enterprise could flourish, he would certainly be pleased to listen to him and do everything to make this come about as it was before. How can they go about combatting this trend?

Mr. Boyd stated that before they passed on to something else he would like to reserve the right to come back to this for some kind of recommendation - he would come up with one some time today or tomorrow.

Mr. Taylor proceeded to Blind Persons Allowance - \$4,680.00.

Mr. Boyd remarked that this was for Indians and Whites, but what happened to the money which comes in on tag days.

Mr. MacKenzie replied that the money did not go through them, but directly to headquarters, wherever that may be.

Miss Riddell explained that the money goes to CNIB which is a private organization that provides training services for blind persons, employment services and so forth. Their estimates were for maintenance only.

Mr. Taylor went on to Unemployment Assistance, Subsistence - \$71,000.00.

Mr. McKamey said he wished to direct a question to Miss Riddell. There were two cases that he knew of where people were staying in premises that were in a terrible state of disrepair. What would the Department do in cases like these?

Miss Riddell said that if the premises were owned by the tenants, the Department could effect minor repairs to make it habitable to maintain life, but they do not improve other people's property. Where the tenant is not the owner, the Department would assist in finding premises elsewhere.

Mr. McKamey asked Mr. MacKenzie if the housing problem would come under this Vote. In one case it was an indigent family living in Territorial accommodation and the other is a widow with three children living in her own house, but the house is beyond repair. She gets a low salary and is not able to build a new house.

Mr. MacKenzie said it would be dealt with in the Welfare vote. Such a question had not arisen before but normally they would try to find suitable alternative accommodation. The question of repairing an existing building has also not arisen before - it would depend upon the amount of money involved.

He would not like to give a straight answer to that - it would depend upon the circumstances of the case, but he felt it would be their obligation to house the woman in a healthy place. This could be discussed with Miss Riddell.

Mr. Taylor went on to Hospitalization - \$18,000.00.

Mr. Watt asked Mr. MacKenzie to elaborate on this.

Mr. MacKenzie stated it was a matter he was speaking about last week where long-stay cases, which are not really YHIS responsibility because no amount of medical care will improve their health, remain in hospital at the special rate of \$10.00 per day. If these chronic cases have a bank account the hospital would collect \$10.00 a day till it has all been absorbed except \$300.00 which would be left to the patient - then, for any longer stay, the hospital would bill Welfare, to be paid out of this \$18,000.00. The \$300.00 left to the patient is for burial expenses. If the individual is discharged from hospital he becomes a Welfare case.

Mr. Taylor went on to the Pan American Residence No. 6, \$1,500.00.

Mr. Livesey asked why this item was under Welfare.

Miss Riddell stated that this residence was reserved for Welfare staff.

Mr. Taylor went on to Senior Citizens Home, Whitehorse - \$13,835.00.

Mr. McKamey asked how many of these units have been utilized.

Miss Riddell replied that the home was not finished as yet. They have received several enquiries but they were not yet ready to receive applications. People can come into this home from anywhere in the Yukon Territory - it is operated on the same principle as the one in Dawson.

Mr. Taylor proceeded to Vote 10 on page 295 - this was dealt with under Project & Loan Capital in respect of one car in the amount of \$2,500.00, and Furniture and Office Equipment for the Department of Welfare.

Mr. Livesey said this was discussed by the Financial Advisory Committee earlier this year and Committee felt that some new system should be used as far as purchasing automobiles were concerned and that possibly the pool car system should be used and they marked this down as being similar to other departments, but the Department of Welfare is different to other departments. However, he was not clear at all about these various votes covering automobiles and pool cars.

Mr. MacKenzie said they were not clear in their own minds about what they intended to do in this matter. It is a complex problem and needs a lot of preparatory work and as yet nothing substantial has been done on it - they did not propose to buy these cars until the problem has been examined.

Mr. Taylor said this particular car is to be used by a social worker at Watson Lake which would make it the only Territorial car in the community.

Commissioner Cameron stated that possibly he could enlarge a little on the present position of the Administration in regard to this. They had started the wheels turning by sending letters to all departments asking their opinion and feelings on the operation of a car pool pertaining to their vehicle and to list all the vehicles under their control and to show reason why they are required. Three new vehicles are involved which would be pool cars. They did not intend to take all cars in the Territorial Government and make them pool cars. To run a car pool is a difficult and expensive thing, although it may sound easy. However, as people are calling for more cars as the Territory is growing, they have now reached the point where they can have two or three of these cars that can be pooled and utilized by any department that may require them. It was suggested that they all be of the same colour, they have asked an opinion on this, and it was suggested that the colour be orange and black.

Mr. Shaw thought the pool car system was a good thing because the other day as he was sitting at the Taku having lunch they noticed a line-up of five Territorial cars, they were all going for lunch, and if you multiply that each day and each year it would be quite expensive.

Commissioner Cameron said he thought Mr. Shaw was assuming - they might not all have been going home to lunch. They have been warned that the vehicles are not for personal use and this warning is a continuing thing.

Mr. Taylor proceeded to Vote No. 12 - Travel and Publicity Department. He instructed Clerk-in-Council to ask Mr. Gibson, Director of Travel and Publicity, to be present at the meeting. Upon Mr. Gibson's arrival Mr. Taylor read the item on Salaries - \$19,015.00.

Mr. Shaw noticed that under Salaries they had "Information Booth" under Primary 51.

Mr. Gibson said that the information booth operates on the traffic circle this side of Whitehorse on the Alaska Highway. Last year it operated from the 3rd of May until the week following Labour Day. Seasonal employees are required to operate this booth and he believed that the provision for salary is included in Primary 51.

Mr. Shaw remarked that this was a departure from the usual procedure. In Dawson they have an information booth which gets a certain amount of grant in relation to the \$1,500.00 which is spent on advertising and so forth, but the information booth is paid by the people there for doing the identical thing to what these people are doing in the information booth up here.

Mr. Gibson said they may have a parallel in the exact immediate area. In the City of Whitehorse they have the Whitehorse Board of Trade which does operate a tourist information booth in the City for those visitors who enter the City, but there is a heavy volume of traffic up and down the Alaska Highway which does not necessarily come into Whitehorse or Dawson City but they do require some information concerning routes, accommodation, etc., throughout the Territory. The information booth at the Traffic Circle is being operated by his Department to service those people. In the case of the local information booths it is usually operated by a group of business people who are attempting to interest visitors to remain in the community thereby getting direct benefit from their spending. Not all communities have a tourist information booth, there are at least two which do not have. He understood the information booth which exists at the Traffic Circle at the present time was operated by the former Yukon Travel Bureau. It may have originated through the Whitehorse Board of Trade a number of years ago, but with the dissolution of the former Yukon Travel Bureau they presented and endorsed a resolution turning all assets of the former Yukon Travel Bureau over to the Department of Travel and Publicity.

Mr. Taylor proceeded with Films, Displays and Advertising - \$12,500.00.

Mr. Livesey stated that a peculiar situation is being promoted by the Department of Travel & Publicity in the vicinity of Haines Junction. He had been supplied with certain information, none of which came from this department, to the effect that the Travel Bureau is about to classify the North Alaska Highway from Haines Junction to the Alaska Boundary as a back lane. The main highway will be from Haines Junction to Whitehorse, all for the benefit of the American tourists who are going to travel on the Malaspina ferry this summer. The people at Haines Junction are sufficiently intelligent to know that this is a very poor approach, but the people from Haines Junction to the Alaska border are somewhat more than heated about it. Quite a number of them had brought it to his attention saying they are 100% opposed to any type of advertising or billboards or signboards being put on the Haines Cut-off Road with the sole intention of diverting traffic away from the North Alaska Highway. They do not think this is either fair, equitable, reasonable, nor is it a way of promoting or contributing to the co-operation of all elements of society in the Yukon interested in the

Territory's business. If this was going to happen in his area he could not understand why it was not brought to his attention officially by the Department of Travel & Publicity. This division would not do tourism any good in the Yukon.

Commissioner Cameron said that the information received by Mr. Livesey is wrong and he felt he knew how it came about. There has been considerable concern, especially in the Whitehorse area, by the establishment of this marine highway and some people feel that this is going to divert traffic away from Whitehorse and that people coming from Alaska will go down to Haines Junction, on to Haines and down the ferry, the people coming up into this country will come up through the ferry to Haines Junction and on to Alaska. This is not necessarily so and if the advertising is properly handled everybody will get their proper share. The idea is to promote round trips. To project that into an example - say they have 1,000 tourists coming up the Alaska Highway, they come through Whitehorse and Haines Junction and all the way through to Alaska. In a great deal of cases their vehicles are overloaded, they possibly have to purchase a tire or two or have mechanical requirements that they had not anticipated and by the time they come out of Alaska they are gritting their teeth at the thought of having to go all the way back down on a gravel road and having more car trouble. Therefore, we will not be able to open their purses on the way down the highway at all so, in actual fact, they have had 1,000 tourists, not 2,000, because they will not be getting them up and back, as on the way back they are unhappy, in some cases annoyed, in some cases very low on funds. If they know they can go back through the marine highway or come up the marine highway, and then come back down the Alaska Highway, this would be desirable to 99% of the tourists and it is the intention of this Administration to set the advertising in such a way that people will make the circle route. This would draw more tourists, so they would have four or five times the amount of tourists and even though they get them one way, they will have satisfied tourists and get the maximum amount of their dollar value. It is certainly not the intention to divert any traffic up the Haines Road to Haines Junction and down to Whitehorse and there is nothing being done by the Administration to create such a situation.

Mr. Gibson agreed with the explanation given by Commissioner Cameron saying that his department was making every effort to spread as much business as possible throughout the Territory. He understood that the community at Haines Junction felt quite unanimously that the natural path of traffic would be up the northern end of the Alaska Highway, not from Haines Junction back down to Whitehorse and south to their homes, on the way back. At Haines Junction they have a key point to try and interest people to complete the circle tour taking for granted the fact that from Haines Junction they will go north into Alaska. They hope to give them some reasons to complete the tour up over 60 miles and into Dawson and back down again.

Mr. Livesey said his information was not wrong, but obviously correct. He notices that the Tourist Bureau here have had no meeting with the people that are going to be affected and that is the people between Mile 1220 on the Alaska Highway and the point of departure from the main highway. If they had gone to these people they would have found some very irate opposition. For the first time in fifteen years, to his knowledge, the Alaska Highway is going to be a point of contact with Haines, Alaska, on a different basis altogether. He did not feel that any great attempt made by this department towards any circle arrangements is going to have any great affect as far as actually creating any different form of circulation for the simple reason that right now you have them coming off the Malaspina ferry at the Port of Skagway and coming over the railroad, bringing their cars also, and dropping it off here at Whitehorse. He discussed this aspect of the situation last week with a certain Attorney-General from Juneau. This is a question of co-operation - tourism is not for one place in the Yukon, but something for the entire Yukon Territory.

Mr. McKamey agreed with Mr. Livesey that they should get all they can out of these tourists and they won't be able to do so if they let them take the shortest way out of the Yukon Territory.

Mr. Shaw said that as far as he could see that is the objective that Mr. Gibson has pointed out - a circle tour. It does not leave anybody out.

Mr. Watt asked if Mr. Gibson had the figures on the number of tourists that had entered this year.

Mr. Gibson replied that he did not have the figures at his finger tips, but he could give approximate figures. Bases on the survey they conducted at the two check points on the Alaska Highway last summer, they projected the figures over the summer season to arrive at approximately 55,000 tourists using the highway system. Their spending was approximately \$2,000,000.00 which did not include the additional spending at the Dawson City Festival.

Mr. Watt asked how many came by the rail system.

Mr. Gibson replied that he could not break that down into the rail system alone. From the figures presented to them by both the railroad and the airline, they did establish that 86% of the visitors to the Yukon Territory did arrive by highway, the other 14% was between the railway and the airline.

Mr. Watt asked if all members of Council could get a statement from the Department of Travel & Publicity every so often. He had figures on the number of people who used the railway but they never came into the Yukon - they got as far as Lake Bennett and then turned back. This figure was 24,000 - he double-checked it. In the entire Yukon Territory they received roughly about 57,000 tourists and what have they done to entice some of these 24,000 visitors into the Yukon. He understood that about 60% of these tourists are elderly people, they come up the coast for a coastal cruise and they take side trips, say a trip up to Bennett, a trip here and there. These are tourists who will still be coming up the coastal system and they will not be going by automobile up the Alaska Highway to Alaska and they should be able to get some of these into Whitehorse and to Haines.

Mr. Gibson remarked that the vast majority of tourists coming into Bennett and back out again are participating in packaged tours which have been sold to them before leaving home. They had been investigating ways and means to develop a group tour business in the Yukon Territory but there are many problems involved. First of all, accommodation. Two weeks ago he asked for a meeting of all hotel and motel operators in the Whitehorse area to discuss the possibility of developing group tours and packaged tours into the Yukon. He regretted to say that right at the present time they have received no encouragement from the hotel operators to attempt to promote this, the reason being that at the present time most of the operators are enjoying a very high volume of business and he would quote this one expression made at the meeting "if they have several miners come in and spend several days in a hotel, they will spend more in the beverage room and in the town generally than a group of tourists would spend if they came in three times a week." He tried to determine from the hotel and motel operators how many would consider co-operating with travel agents who wanted to book tours into their establishments and he found only one who was interested. To book a tour through a travel agent he usually request a 10% commission and most of the establishments represented at the meeting were not sympathetic to paying a commission to anyone to provide business when they are now enjoying a very fine volume of business without any participation. This is one problem they would have to overcome before they can attract group tours into the Territory.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now resume the chair and hear the report of the Chairman of the Committee. Motion Carried.

Mr. Taylor chairman reported that committee continued with discussions of Bill No. 6 with Commissioner Cameron, Mr. MacKenzie, Miss Riddell and Mr. Gibson in attendance. Progress is reported. Committee report.

Council accepted the report and adjourned until 10:00 A.M. Thursday, April 18th, 1963.

Thursday, April 18th, 1963.
10:00 o'clock A.M.

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

Mr. Livesey, with Deputy Speaker in the Chair, reported progress on the proceedings of the meeting held the previous evening by the committee on the Watson Lake Separate School.

Commissioner Cameron stated he wished to clear the record regarding a point of view of recommendation no. 3 of the Financial Advisory Committee in regard to the motion respecting the naming of the Frederick H. Collins Secondary School and the motion made by Council. He said they located a letter dated December 22nd, 1962, sent to all Councillors from Mr. H.J. Taylor, Clerk-of-Council, stating that as this school is a secondary school and not a highschool it has been suggested that the Councillors might not object to it being the F.H. Collins Secondary School and the letter asked for the Councillors comments by return mail. There were notes on the letter saying it had been discussed with Mr. McKinnon and Mr. Boyd and they agreed it should be Secondary School. There were no other acknowledgements received to that letter from Members of Council.

Mr. Livesey, with Deputy Speaker in the Chair, said yes there were but he wouldn't discuss it.

Mr. Boyd questioned on what basis or terms do Federal or Territorial Government employees occupy the government owned homes. He asked if they can stay there as long as they are working for the Government.

Commissioner Cameron replied the Federal housing is looked after by the Department of Public Works and they do stay as long as they are employed here. In the Territorial housing they work on the basis that they stay only a maximum of three years and then look for their own. Mr. MacKenzie could explain exceptions to this.

Mr. McKinnon asked if there was a copy of the Territorial-Federal Engineering Agreement available in the Territory.

Commissioner Cameron said there are a number of them in the Territory but they wired to Ottawa to find out how this fits into the Five Year Agreement and that will be forthcoming to Council.

Mr. Watt said he heard on the radio last night that the Councillors were taking a trip to Watson Lake and Canada Tungsten this weekend and he wondered if this was correct.

Commissioner Cameron replied the news jumped the gun and they are making the trip on the weekend of April 27th but couldn't confirm this until the middle of next week. The airline trip has been laid on.

Mr. McKamey wished to know if the Fiscal Agreement is signed between the Yukon and the Federal Governments and if it is, could a signed copy be tabled for Council's perusal.

Commissioner Cameron replied the Five Year Agreement has been signed and he would check on tabling a signed copy.

Mr. McKinnon asked Commissioner Cameron whether he thought it feasible to plan a tour of the Vocational School and the F.H. Collins Secondary School especially for the outside members.

Commissioner Cameron said this is being laid on for this Saturday afternoon and as soon as he has the time he would inform them.

Mr. McKinnon directed the following question to the Administration:

- (1) Is accommodation to be provided for teachers of the Vocational Training School?
- (2) If so, where is this accommodation to be provided?
- (3) Are living facilities advertised in attempting to obtain teachers for the Vocational School?

Question
No. 7

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the main Supply Bill, Bill No. 6, with Mr. Duncan Clark, Corrections Officer, Department of Northern Affairs and National Resources, and Mr. Gibson, Director of Travel & Publicity, and Mr. MacKenzie, Territorial Treasurer, be present.

Motion Carried.

In Committee of the Whole:

In
Committee

Discussion followed on Vote 12, Films, Displays and Advertising, page 323.

Mr. McKinnon asked Mr. Gibson to give a breakdown of the \$16,000.00 - how it was spent last year and how he expects to break this \$12,500.00 down this year.

Mr. Gibson said the total of \$16,000.00 was not spent as it was the first year of the department and a great deal of preparation was required before spending could be intelligently made. For example the department requires a variety of color pamphlets for distribution and so far have not received them from the printers. This order is in the neighbourhood of \$3,700.00 which should have been charged against the last fiscal year but unfortunately will be carried over to this year. His department considered it inadvisable to embark on an extensive programme of spending until they realize what type of advertising was most favourably received by the people they are attempting to reach. So last year it was necessary to set up several surveys to give them this information. Since January, after being located in the new quarters, the department has been making much greater progress and this explains why the full amount of \$16,000.00 was not spent. As far as the program for this year is concerned of \$12,500.00 they have to reply to a very heavy volume of inquiries which are being received at the present time and collect the literature necessary to reply to these. This will represent 1/3 at least of the budget of \$12,500.00 They have two prime items required which they do not have available at the moment and that is very extensive photo library. Hardly a week passes that they do not have an opportunity to distribute good photographs in large quantities to people who want to use them on their behalf and they hope to expand it this year. The other is a travel poster which they must have this year. They have had many opportunities during recent months to distribute these posters to key locations such as sport shows, international fairs, etc. and were unable to do so. He was referring to a poster 22 x 30 inches in size which is a photograph or a series of photographs that will compel attention. This is an expensive item and would run approximately \$600.00 per thousand but is an important and necessary investment. He has requested material from the Canadian Government Travel Bureau on this and they will be forwarding a variety of photos. The department hopes also to embark on a more extensive program of newspaper and magazine advertising and for this they require newspaper cuts. They have been developing the Klondike Pete crest, which he thought was familiar to them all, as a tourist crest. One of the biggest problems is having to have so many things done outside where they can't phone the supplier every day of the week. Due to the considerable delay in getting the newspaper cuts the advertising in the Alaska Sportsman and Sunset Magazine had to be

dropped until next year. A fair percentage of this \$12,500.00 will be used for media advertising in such magazines and newspapers, at a time of year and directed at a market, that will produce the greatest dividends for the Territory.

Mr. McKinnon was wondering if they were thinking of building up a film library.

Mr. Gibson said to produce a suitable movie film would be extremely expensive and it would take more than their total primary for the year to produce one good travel film. They have obtained two copies of two different films just as prints - one is Yukon Old - Yukon New and the other is The City of Gold. They have screened a fair number of other prints but discovered they wouldn't be useful to the department. The total investment in films to the present time is \$180.00. They are on the lookout for any films which would be suitable for the work of the department which they could obtain at a suitable cost. Because of the cost they are unable to produce films. However they have been attempting to interest such film producers as Crawley Films in Ottawa and Oil Companies to produce films for the Yukon. To date there is nothing too promising.

Mr. Watt asked if Mr. MacKenzie could give the total figure spent by Travel and Publicity last year.

Mr. MacKenzie said they spent a total of \$25,859.64 and the Vote including the Supplementary was \$50,650.00. Not quite half of this \$50,000.00 will lapse and it may require revoting in 1963-64 as a Supplementary.

Mr. McKamey asked Mr. Gibson if they had ever approached the Krause Brothers to produce a film in the Yukon. Also Jim Bond has some very good films on the Yukon that have provided a lot of publicity for the Yukon. He suggested that if they haven't made an attempt to get these films, they do so.

Mr. Gibson remarked he wasn't familiar with this film and would be interested in screening it to see what value it has to tourists. They have to look at every piece of publicity as a piece of education because most people outside have a very serious lack of knowledge of the Yukon and a serious degree of misinformation about the Territory. They have had to write off a number of films because they are not the over all image of the Yukon and this is what they are trying to sell.

Mr. Livesey asked what the department had done towards advertising particular areas in the Territory for their actual attractions as far as American tourists are concerned. For example the largest lake on the Alaska Highway is Kluane Lake for fishing, hunting, etc.

Mr. Gibson replied this is a big job. He had discussed this with a friend in the Canadian Government Travel Bureau and as a result there appeared in the National Geographic Magazine for February, a full colored page advertisement sponsored by the Travel Bureau showing Kluane Lake and campground and the Aishihik campground and this was of no cost to us. In the new tourist promotion pamphlet they have a quarter section with photos of various parts of the Yukon and in the previous one there was practically no reference to any community other than Whitehorse and Dawson City. There is also a fact pamphlet about the Yukon which is in the hands of the printers which gives a factual picture of all parts of the Yukon - history, government, resources etc. These will be distributed through the thousands of inquiries they are receiving. They are also sending out regular press kits to 298 travel editors representing newspapers throughout the North American continent. Their approach is to take a compelling photograph and surround it with a factual article so they can distribute it to these travel editors hoping it will be printed. For example the Mayo thermometer sign and surround this

with an article on Yukon weather. Other pictures are the Watson Lake signpost and Bud Fisher panning gold. This is all part of their program of promotion through travel agents.

Mr. Livesey asked with regard to distribution of their pamphlets and advertising, how many are distributed at Customs, ports of entry and at Iron Creek for tourists on the highway coming north.

Mr. Gibson replied he couldn't quote a figure but supplies are forwarded to these points. If they had a sufficient supply they could put a number of the pamphlets in every place of business on all highway routes extending from the American border into the Yukon, but this would require a tremendous number of pamphlets. They are placing them in key points of contact such as auto clubs, travel bureaus, etc. and they are distributing them throughout the Yukon for people entering at say mile 1202. They had three places in Watson Lake last year distributing the pamphlets. During the past year they processed over 13,000 direct mail enquiries and this would require 13,000 copies of one pamphlet to reply to these. They are trying to assess the various distribution points and place the limited supply where it will do the most good.

Mr. Watt stated that two years ago when he was in Arizona he noticed an attractive pamphlet about Canada and the Yukon was given equal space in it with the provinces.

Mr. McKamey remarked it was impossible for him to visualize the Americans naming a highway of 1200 miles in the States, "The Yukon Highway" or "The B.C. Highway" etc., and he thought the 1200 miles of the Alaska Highway should be named "The Yukon Highway" and make it the Alaska Highway from mile 1202 on. He thought it misleading to call it the Alaska Highway when it runs through Alberta, B.C. and the Yukon.

Mr. Gibson said between the Alaska Highway and the Alcan Highway the Alcan was much more definitive and he would prefer using the Alcan Highway. If a change should be made it would affect a tremendous number of businesses who have a large investment in advertising. This advertising would have to be changed. However he liked the thought of establishing the identity of the Yukon and everything pertaining to it as the Yukon.

Mr. Livesey thought the Alcan was the official name given the highway but out of usage it has become the Alaska Highway because that is where it goes and more Americans use it. We are just in between.

Mr. Watt asked for a breakdown of the Matching Grants of \$4,000.00 and where they went to.

Mr. Gibson said the matching grants is available to formally organized community groups in any community throughout the Territory. It is to encourage the community or the area to embark on a program of tourist development and promotion of the attractions in that area. The grant provides for 50% of the expenditure made and during the past fiscal year he was discouraged by the fact that so many communities were unable to proceed with this program. The original grant last year was \$10,000.00 and the total amount of grants made to three different communities was \$2,100.00. The other communities were either unable or unwilling to embark on a program of tourist development and promotion. For that reason the total for the grant was reduced this year .

Mr. Livesey asked what qualifications would these groups need to have in order to qualify for any part of this grant, and does this group have to be incorporated under the Societies Ordinance.

Mr. Gibson said they would have to be a formally organized group and not one individual. They would have to submit for consideration an outline of the project they wish to undertake to determine if this will qualify for a matching grant. Once it has been submitted and is okayed, they are willing to sit in with the group to discuss the best means of approaching it and offer their advice. He thought one of the most important ways to promote an area is by a brochure or pamphlet. He said he was not familiar with the Societies Ordinance but if an organization in any community has a formally elected executive, president, vice-president, secretary and treasurer and have a record of being in operation for some time this would be the information required. They have to have certain revenue in their own right in order to proceed.

Mr. Shaw wanted to know how much money had been asked for and is in the process of being received by the various communities in the past year.

Mr. Gibson said the total amount requested at the present time represented three community efforts totalling \$2,165.00, which is approximately 20% of the monies available last year for this. These were the Whitehorse Board of Trade, Mayo District Chamber of Commerce and the Klondike Visitors Association in Dawson City.

Mr. Watt said these 24,000 tourists going to Lake Bennett bother him as they are coming to their doorstep and they are not getting any further. They could mean millions of dollars worth of business for the Yukon every year. He would like to see the Travel and Publicity Department assess and estimate and give a report at the fall session of what the effects of a road to Skagway would be and how many of these tours could possibly come through this way. He thought the most obvious way of increasing the tourist business is staring them in the face and they are not making use of it. He asked Mr. Gibson's comments on this.

Mr. Gibson said this volume of business disturbs him as well but they must consider several facts in relation of the 24,000 people coming into Lake Bennett and they must not forget also the thousands of people who come up as far as Carcross and are turned around and taken back to Skagway after a twenty minute stop at Carcross. About 100% of these people are foot passengers and do not have their cars. They get a ticket on a tour which takes them from their homes, to a boat, stop at various spots and then return home, and this is an important business. There is nothing they can do at the present time to get those people to come from Skagway, past Bennett into the Yukon Territory any further than Whitehorse at the moment. The proposed Skagway road would have no bearing on this heavy volume of travellers as the majority of them are foot passengers, but this is the type of business he would like to see develop within the Yukon Territory. If they could develop something similar into the Territory whether they arrive by boat and then by train, bring their cars with them, or by bus or if they come in by chartered plane which would take them from here to Dawson, to Alaska and back out - the tour field is an important lucrative field which they have to have. But they have obstacles because if they brought 24,000 people into Whitehorse there is nowhere where they could sleep particularly as most of the hotel and motel operators indicated that they would not co-operate or participate in tour business because it requires paying a commission into an agent for booking this business. They have to begin at the beginning and unravel all the problems involved hoping eventually they can develop a tour business in the Yukon Territory. In Alaska one man has everything in his organization that is required to develop a tour industry, buses, boats, accommodation, etc., and we haven't anything comparable to this.

Mr. Watt thought if they can keep bringing in 24,000 tourists year after year, they would soon get the accommodation built. To properly assess the value of the railroad tours he felt every member should take the trip, which is almost worth your life. If they had the road they could bring these tours in by bus in 2½ hours, and they would get the majority of these people into Whitehorse every year.

Mr. Gibson then gave a brief review on what they have done up to the present time in looking into this. But, he stated they still have to overcome the problem of accommodation and last year people were being turned away from the City of Whitehorse because on certain nights all accommodation was full and they were billeting people out.

Mr. Taylor (Mr. Shaw Chairman) brought to the attention of Committee that an important project is underway and that is a road from Atlin to Juneau. The man embarking on this is Mr. Frank Howard, the Member of Parliament for Skeena Riding and the proposal is to build a road from Atlin down to the mouth of the Taku and then into Juneau. The Americans will build the road to the boundary and the B.C. people will build to Atlin. Linked with this proposal is the possibility of placing an all Canadian seaport at the mouth of the Taku River and he thought this an important road to consider in the future. It traverses some of the most beautiful country and would link the two road networks together and also Atlin and Juneau together. He felt they should keep their eye on it and see how it works out.

Mr. McKamey wondered if Mr. Gibson gave any thought to providing tours, say White Pass putting the Klondike into the river and providing a trip up the river.

Mr. Gibson said he has had a number of discussions with various officials of the White Pass and other transportation companies to determine what might be done. They require the co-operation of someone else and it is not in the realm of their department to say this is going to be done and this is how they are going to do it. He felt they were making important progress and in time some of these things will develop but with the first year of operation of this department they have run into so many things that had to be done as they were starting practically at scratch.

Mr. Gibson and Mr. MacKenzie left Committee.

Discussions followed on the Territorial Jail and Correction Services with the presence of Mr. Duncan Clark.

Mr. Shaw suggested Mr. Clark give a general run down of his findings and explain the general program.

Mr. Clark thought he should emphasize his consultative role as a representative of the people in Ottawa. He is here as their Advisor on corrections. He had dealt mostly with the Northwest Territories and is here at the invitation of Commissioner Cameron, he is at their service as a consultant and to bring them up to date on the developments which will affect the Yukon Territory with reference to the feature of their correctional program. He has been in on discussions between the Department of Northern Affairs and the Department of Justice with reference to the programme that was formally agreed upon, described in the present Financial Agreement, with reference to the construction of the jail, one in Whitehorse and one in Yellowknife. Part of the further study of the proposed building of this institution revealed that those involved had not gone far enough, there had been no consideration of an overall program - they were dealing strictly in terms of an institution. The institution that you have anticipated was intended to be a minimum security institution and it was to cost approximately \$350,000.00. When the blueprint was finally presented to the department, the institution was no longer a minimum security institution but was closer to a maximum security and it involved an expenditure of some \$715,000.00. Everything seemed to be concentrated on the need to concern ourselves with the severe custodial problem. If you have one person who is a security problem you have to provide for him and unfortunately the plan concentrated on him to the great exclusion of this majority of people who are not in need of anywhere near a maximum security institution. They will be paying \$715,000.00 because there are a few people who have some custodial problems of real concern and everyone else in the jail is going to be paying with him. There was no thought at all of what this maximum security approach was doing to the majority of the citizens who have been placed in the group of offenders. In an exchange of letters between the

Minister of Northern Affairs and the Minister of Justice, the Minister of Justice said he was in agreement concerning the basis of which a modern correctional system should be developed in the two northern Territories. This system should involve probation role services after care and the development of small institutions with the minimum degree of security for the type of prisoner to be found in the North. He added that in his opinion the Administration of the Correctional System should be turned over to the Territorial Governments as soon as possible, from the inception of the program, if the Territorial Governments are in a position to administer it. Mr. Dinsdale replied in January he was directing that this subject be laid before both Territorial Governments to ascertain whether they are in favour of the principle. That explained the exchange of correspondence between the two Ministers and why he was here. He then read the recommendations of the original committee - and that the plan was that the Department of Justice would build and operate this institution until such time as they were capable of taking it over. His concern, as a consultant, thought they were going to inherit an expensive maximum security institution they did not need. There was no consideration of probation or parole - all they were talking in terms of was an institution to make sure they had good security facilities for the maintenance of inmates. There was no other concern about a correctional philosophy for the North and this is the great tragedy - they were going to symbolize correction within four great walls and nothing else. He wanted everyone to stop and think what this means - do they need an institution? - the answer is "yes", do they need a maximum security institution? - the answer is "no". The change would be that instead of them sometime in the future taking over an established penitentiary type program he suggested that they take it over now and instead of the Department of Justice spending the money to build it as they want it, you will spend the money to build it as you want it and you will have a chance to say what type of institution you want, and that was what he was here for. You have been given the opportunity to develop a Yukon correctional service from the start and you will get what you want.

Mr. Taylor (Mr. Shaw Chairman) said if they are going to require maximum security facilities for a minority group and if they embark on a minimum security type of program how do they then provide for the maximum security aspect.

Mr. Clark said instead of putting the eggs in one basket and building an institution that will surely guarantee security up to the point it can guarantee anything - there is nothing that will guarantee security for ever as you have your escapes from your biggest of your penitentiaries anywhere. In Vancouver recently they had two go over the wall of the penitentiary and this is maximum security at its best, but have never escaped from Oakalla prison farm in the number of times they have been there. It is a matter of supervision, program, and what you are doing and he escaped because of a reaction to a program. They do not need a high cement wall around here as Inspector Vachon informed him that six out of a hundred inmates in the Yukon Territory can be considered criminals yet the program that was proposed was to provide security for these six and make sure the 94 were going to be there. He felt they should concern themselves with the 94 as well. He proposed that they build an institution which will be realistic - they cannot have one for men and women or one for young and old people - and will be within the confines of the general facility, a security area for a half dozen to a dozen maximum security people, but the great emphasis will be on medium security approach for those that have to be confined. Over 90% in the Yukon serve less than 3 months and he submitted that they do not need an institution at all, they should be dealing in terms of probation. They should be dealing with minimum inexpensive security camps. To build a standard institution in the south is \$12,000.00 per inmate, and it costs you \$2,000.00 a year to keep an inmate in an institution at a 75% failure rate. Yet you can take 3 or 4 inmates out of an institution and put them on probation and you will pay for the probation officer's salary, he will take care of these 3 or 4 and another 20 or 30 besides for 75% success - this is the national and international picture. He could not see why they should start with a program that they know right now is going to cost them

more and they are going to produce 75% failure. They should learn something from the south and they would get rid of it if they could. He was in Oakalla recently and there are 1,600 inmates there and it was built to hold 450 in 1910. They have the inmates in trailers as the last innovation and if they can keep them in trailers in Oakalla they do not need the cellblock in the first place. In Chilliwack they have 250 Oakalla inmates in minimum security camps, this was started in 1957 - the same kind of inmates who are so much concern when they are behind bars and you put them in camp and in the first four years of operation, they are building the camps at \$10,000.00 or \$11,000.00 per camp for 60 inmates, they had six escapes. In those same four years from the great security of Oakalla they had 35 escapes. He stated the paddle has not been used in the last five or six years. He suggested that they do not build themselves an Oakalla, they do not build a penitentiary, that they learn that these programs are not paying off and are failures and you start by building just enough security to provide your very security problems. He stated Inspector Parsons is very much in favour of this program in the Northwest Territories and they are providing maximum security for a maximum of eight inmates.

Mr. Taylor asked if any thought has been given to the possibility of movable minimum security trailer camps which would move these people for building around the Yukon Territory, say tourist campgrounds, runways, etc.

Mr. Clark said they would like to pay for the cost of the institution but there is always a risk that they are going to run into a clash with the Union, with management, with labour, with people who say you are taking the bread out of the working man's mouth. They propose that this program would put the money back in the working man's pocket. He did not propose that any program, whether it be a security or camp program, be run on a cost plus basis. These inmates should be required to work and taught to work and should pay their way as far as possible. They have estimated in B.C. that the inmate in the cellblock in maximum security, his productivity is nil - in your medium security part of the jail where they are producing things - the inmate earns his keep to the tune of \$500.00 a year, but in your minimum security camps where they build roads, doing work in nurseries - this inmate pays you back approximately \$2,000.00 a year.

Mr. McKamey said he had the pleasure of visiting one of these camps out in the Vedder River and he found out Mr. Clark was responsible for the setting up of the first camp at one of his famous fishing holes. He was sorry that all the members could not have seen this as he was proud of the work that Mr. Clark has done in establishing this camp. He proposed that they follow along the same lines in the Yukon Territory and it will save them nothing but money, as it is almost a self-liquidating effort and in time it will create a profit. He remembered Mr. Shaw and he submitting a resolution to the Administration a few years ago that trees be planted between here and Dawson where it was burnt off and start some growth and forestry came up with a cost of \$11,000.00 a mile to plant these trees. Around this security camp, which was once burnt off, the prisoners have planted trees since the camp was established in 1958. They are growing millions of trees in nurseries as well and this is in conjunction with the B.C. Forestry Department. They have built roads, bridges and they save all the material and have constructed a sawmill from junk, they have shops there and the prisoners learn trades. They build their own dwellings and cost approximately \$1,000.00. When you walk into these camps it is like going into any tourist camp along the highway where they have motels and you do not see padlocks. The buildings are well kept - the younger men do the hard work and the older men do the cooking etc. He thought this was what they needed and perhaps they could work in conjunction with B.C. or Oakalla Prison Farm in regard to maximum security, if they have the type of person that has to have detention, he suggested they send him to Oakalla Prison Farm and they send someone back here to work in their minimum security camp for the same period of time and this would solve the problem. He did not think they need go into the maximum security type of camp at all as they had numerous roads to be built, trees to be planted, tourist camps built, etc., and they could have this work done by prisoners.

Committee adjourned until 2:00 p.m.

2:00 O'clock p.m.

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Mr. Taylor called Committee to order and said that prior to the noon adjournment they had been discussing the Territorial gaol and correctional service as proposed for the Territory. They had Mr. Clark (Correction Officer) and Inspector Vachon (R.C.M.P.) present. He requested Mr. Clark to give a broad outline of just what exactly is proposed.

Mr. Clark stated that instead of the program which is covered in the Financial Agreement for 1962/67, which is specifically and only a gaol or custodial institute, it is proposed that the Yukon Territory has a correctional service, of its own making, its own directing, rather than something that is turned over to the Territory. It is proposed that they accept the responsibility of a Territorial gaol service which means that the staff will be Territorial staff and the show will be run from here. It is proposed too that the Territory establish a philosophy in its approach to corrections for the control of crime and delinquency. What is the philosophy to be? What should come out of this program? In other words, the offender is to be treated for his problem rather than sentenced for a crime that he has committed. The program itself should include the participation of the community. This should be a community oriented program, that the Territory should rely to a great extent on the community. There should be a maximum emphasis on the use of probation for both juveniles and adults, that the institutional services be designed for the purposes of re-training, and that the Territory talk in terms of medium rather than maximum security institution. In addition to this medium security institution, there should be great emphasis on minimum security camps for the great majority of the inmates - this is an inexpensive and flexible type of program. It could be on wheels, it could be on anything, but it should not involve heavy expenditure of capital. The Territory should concern itself in its correctional program about what happens after the persons return to the community - in other words, that they will be recognized in the approach to the treatment and control of crime. This means the need for follow-up services. Finally, it should be recognized that the institution itself is merely an interlude in the rehabilitative process and that institutions should be relied upon as a last resort only, recognizing that the people are citizens of the community and that the problem of crime and delinquency starts in the community and must be solved in the community. In other words, be very reluctant to have the offender institutionalized in the first place, but being realistic and recognizing that some of them have to be institutionalized, be sure that this period of incarceration is limited to his individual needs and that he returns to the community as quickly as possible under supervision if necessary. That is what Council should be considering at this session - a program that they cannot finance under the present Financial Agreement in its entirety, but they should consider starting the ball rolling now on a program for the future that has some hope of developing into a wholesome and progressive approach in the treatment of crime and delinquency rather than merely a repetitious program based on the type of thing one finds in the south that is a proven failure. A type of thing that the south and other countries would not start themselves if they have the same opportunities as the Yukon has today.

Mr. McKamey said that on medium security, how long is the term for this type of establishment.

Mr. Clark replied that this would be subject to the outcome of deliberations that are going on now between the Federal and Provincial authorities and presumably the Territorial authorities. At the moment Federal responsibility for inmates starts at the two-year sentence and above, and provincial or territorial responsibility deals with those inmates who have been sentenced up to two years less one day. There is the possibility in the near future that this will be changed to one year rather than two years. His understanding of the proposal is that territorial institutions will take care of all inmates sentenced to one year or more and that there will be a gap between six months and a year where no one will be sentenced and that the

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Territorial service will be responsible only for inmates sentenced up to six months. This is one of the reasons why Council should not be concerned too much about the need for maximum security - they would not be dealing with a maximum security potential - their potential inmate population is a maximum of six months under the proposed scheme, but under the present scheme a maximum of two years less one day. In the Yukon Territory less than 90% of the inmates are serving more than three months - three months, or less. This is the type of people the Yukon has to deal with. He could not specifically say how many people would be sentenced to six months or one year as the case may be, but he has figures supplied by the R.C.M.P. which may be of interest to Councillors.

Inspector Vachon said that with regard to figures - for example, in Mayo, in 1962, 640 served 30 days or less out of a total of some 800 - the total overall there was 1,117 for one year, but the vast majority are serving not only under three months, but under a month in Yukon gaols at the present time.

Mr. Shaw stated that many offenders go to gaol for six or seven days for minor infractions, liquor mostly, and that would make a very large percentage of the people who are sentenced to gaol. Wouldn't that present some difficulty in the rehabilitation of these people. These are repeat cases.

Mr. Clark replied that it would be difficult to rehabilitate them in a system that merely throws them into imprisonment and does nothing else. Alcoholism is not solved in custody. He was anxious that they would not embark on a program which is symbolized by a bastille sitting at some hilltop, something more has to be done. They will have to know why he drinks, they would have to involve the Welfare Department - it may not involve incarceration at all. They can start saving money by keeping their alcoholics out of gaol. If they have to be incarcerated because they have broken some law, a large cell block is not required - a minimum security camp, a local one, easy to get to for these men to work. They would have to do something about his basic problem.

Mr. McKamey said that in view of the fact that they have not had accommodation for a lot of these repeats, did Inspector Vachon not think that these figures could be changed to a great extent if they had some place to accommodate them or put them to work instead of giving them one week or one month. With the proper setup they would normally get four months, or five months, or six months - wouldn't that be the case in the Yukon Territory.

Inspector Vachon did not think that with the proper accommodation the gaol sentence would be increased. With probation being the first consideration the figure could be cut down to half or less. In regard to the thinking on work, they would have to keep in mind the amount of work they have in relation to the number of persons they are going to have. With probation they could probably reduce the number a great deal.

Mr. Livesey remarked that he was very happy to see the Government taking an interest in something of which he had been in total disagreement for a number of years, and that is the question of justice. It seems that the system they have been following produced no desired results. He could not agree more to this new approach and he was glad to note that the Government has come to the Council table with this new aspect of approach. The positive part of this approach, as he saw it, is that they are going to try to do something now for those who are apparently unable to do anything for themselves. He felt this would create a healthy situation in the minds of those people incarcerated, whereas the other forms of penal punishment were more offensive than perhaps the crime, especially within certain limits and certain instances. However, he was puzzled about one thing - he always understood justice to be Federal rather than Territorial, and he noticed that this new approach is in line with a good many other things - they are working towards a new type of provincial government in the future, so naturally justice is going to be part of it, but where does justice begin and where does it end.

Mr. Clark explained that the dividing line is in the length of the sentence rather than the offence. If a man is sentenced to two years or more it is a Federal responsibility. If he is sentenced to less than two years, it is a provincial or territorial responsibility. As far as the administrative responsibility is concerned, in the provincial scheme they have a provincial correction service and they have a Federal service represented by the penitentiaries. The penitentiaries are administered from Ottawa, by Ottawa civil servants. In B.C. provincial institutions accommodating inmates serving less than two years are administered from Victoria and they are provincial civil servants who are under the legal direction of a provincial Attorney General. What has been proposed for the Yukon is that the Territory, in anticipation of becoming a province, start building a provincial service which will be administered from Whitehorse and the legal direction will come from a Territorial Attorney General who happens to be, wearing a different hat, the Minister of Justice. It is sometimes confusing, the present Minister of Justice, who is a Federal person, is also the Yukon's Attorney General in his territorial role and this will carry on, but the administration will come from Whitehorse. His job would go out of the window the minute they get this program established in the Yukon and in the Northwest Territories. As he saw it, and this was a personal interpretation which was justifiable, the Yukon had no consultant from Ottawa, it would need one and they could establish their own right here in Whitehorse. The person who is directing the provincial correctional program in the province of B.C. is responsible to Victoria not to Ottawa. It all goes back to the division in the length of sentence - up to two years less a day the responsibility rests in Victoria, B.C., and for two years and up the responsibility rests in Ottawa.

Mr. Boyd stated that it was the first straight talk he had heard from Ottawa for a long time since his arrival in the Yukon Territory. Here at last they are getting an offer of something they want and something they need and he said "take it quick before they change their minds." This was the best music he had heard in twenty years, it sounded like real common sense. There was one question, however - they are going to take these people and try to rehabilitate them, but this cannot stop with a man's period in gaol - it must continue after he returns home, he must be able to stay employed.

Mr. Clark agreed with that - this was where the follow-up services would come in. Buildings are necessary, but a qualified staff is the big interest, staff who are dedicated to this kind of work. The rehabilitative process cannot be completed in a gaol, it has to be completed in the community, helped by perhaps a parole officer, a padre, a community group interested in this program. No one ever thinks of having a Correctional Board of lay people who would be interested in this type of program from start to finish. People of the community measure the depth of their civilization, their citizenship and their attitude towards this ex-inmate - are you prepared to receive him? Prisons should be considered as hospitals for the socially ill.

Mr. Shaw remarked that Council appeared favourably impressed with this type of program, but certain factors had to be taken into consideration. This is a new program to embark upon and in order for it to work effectively, it would have to be operated in an extremely business-like manner. Not many people are conversant with this type of work in the Yukon Territory. The program needs experienced guidance, and he wondered if Mr. Clark could get this thing underway.

Mr. Clark thanked Mr. Shaw for his confidence in him and said that his present terms of reference are as consultant to the Northwest Territories. Ottawa however, has a sincere interest in the Yukon problem, and he would suspect that if Commissioner Cameron requested consultative services, his terms of reference would probably be expanded or someone else would be provided. The next thing for Council to do is to indicate to the Administration its interest in following the matter through. The obvious thing to do now, is to form a Corrections Committee such as has been established in Ottawa for the Northwest Territories, and that particular one is made up of the chiefs of the several divisions of the Administration Branch. Key people of the Committee are important, but it should be a broad committee - the one that has already been formed is chaired by the Director, and the R.C.M.P. are not

treating this thing lightly - they always have two people, and starting with the Superintendent. The Chief of Northern Health Services, Dr. Wills, is on the committee, and the chiefs of the various divisions. Last month it met three times - there is no dragging any heels. Council could not come up with an answer right away, but it could come up with an expression of their wish, their intention, their desire for a long-term approach. They were in a position to light the match to a most progressive program that other people would envy, simply because they were not ham-strung with tradition or with something they have inherited.

Mr. Shaw said that this program would be unique for any province or territory to start, but to save time and money they required an experienced man to put it underway.

Mr. Boyd suggested that a motion be made to start the wheels turning.

Mr. McKamey wondered that if they were to institute this plan and provide vocational training at this level, would it be difficult to get persons for this type of work, instructors who could be guards as well as vocational trainers.

Mr. Clark replied that it was necessary to get people who would want to stay in the Yukon Territory - this is important as family considerations had to be taken into account. There are trained people around, but they did not need that many, what they needed was key personnel in the probation section. But, of course, not everybody has to be a key person - he believed that they could take men of good common sense, better than average intelligence, a good type of citizen, a solid citizen, who wants to become part of this work. This is the type they needed. You do not have to buy the moon, but give him a good salary - a good staff training program will produce the staff they need - they do not have to have a bunch of university graduates, it is all very nice, but they are not available. Some of the best staff that he has had experience with are those who might have been truck drivers, or labourers. He felt that most of the staff could be employed locally, but he doubted if the key staff could be found here as this type of person would be employed in his own field elsewhere.

Mr. McKinnon wished to know if this work has already commenced in the Northwest Territories and, if not, when is it going to commence? He noticed that under the terms of the five-year agreement the Yukon Territory was supposed to start building their institution in 1962/63, and there is nothing provided in the estimates in 1963/64 for any start on this type of institution. What would the financial implications be now that the Territorial Government seems to be willing to accept the responsibility of justice in the Territory - when will the money be available for the start of this program?

Mr. Clark replied that if it had not been for the economy program he strongly suspected the institution would have been started right now. The only thing that has stopped the start of construction in the Yukon is this determination on the part of Ottawa to make sure that this is what the Yukon wants. In the Northwest Territories they went through this process in January, the Financial Committee met, and the institution was to be built at Yellowknife, some eight miles out of town. However, he went to them and explained the various reasons why the site was not suitable and now they are going to build it within a mile of the town centre. Now everyone is happy. The building will be ready for occupancy in the late fall of 1964. Mr. Clark produced a blueprint of the institution for Councillors to see.

Mr. McKinnon stated that Mr. Clark must have been an effective lobbyist in Ottawa to get this maximum type of security program. As he remembered from the five-year agreement they were going to start sharing in the cost of justice in the Territory, the only thing being that Ottawa was going to give them this maximum security goal and not even ask their opinion as to where it should be, or whether it was the type of correctional institute they wanted. He heartily endorsed this new program and suggested that Council pass a motion setting out the consulting committee on this medium security type of incarceration.

Mr. McKamey suggested that Mr. Clark leave with them all the information required and that members of Council get together some evening and discuss the entire matter in an informal session.

Mr. Shaw enquired what kind of work these people could do.

Mr. Clark replied that it would depend on the type of inmate and on climatic conditions. In the far north these people were taught to make snowshoes, canoes, etc., in the south it would be mainly forestry. In the provinces they are dealing with thousands of inmates, but up here it is not so. A small camp would be a start, but it would be fatal to blast them into a camp program such as is provided in the B.C. setup. They could thank God it is a small program and they should not visualize thousands of miles of roadway, bushes being cleared, and so on. It would depend also on where they would like to start this program - at Watson Lake or Dawson City, or smack in Whitehorse? This would determine the type of program. As far as the winter is concerned there could be handicraft and outside work as well, wood could be brought in and made into stakes for the Forestry Department, or signboards, or any other useful work. They may expect criticism from the unions and the answer would be "we are doing things with this type of program that we would not do without."

Mr. McKamey moved, seconded by Mr. Livesey, that committee defer this matter for a day or two so that committee can meet in the evening and have an informal study group as there may be more questions that committee would wish to direct to Mr. Clark before submitting a resolution on these discussions.

Motion re
Correction
Program.

Motion carried.

Mr. Clark and Inspector Vachon were excused.

Mr. Taylor continued with Vote 14, Debt Redemption Loans and Investments - first item on page 329 - Loan Interest in the amount of \$208,072.22.

Commissioner Cameron and Mr. MacKenzie attended committee.

Mr. MacKenzie said that as they borrowed more money the loan interest increases every year - it is interest on fresh loans.

Mr. McKamey enquired as to who would receive this money in the end.

Mr. MacKenzie replied that the Federal Government is actually giving them the interest to pay back to them. This money here, not all of it, but the greater part of it, are Federal loans under the five-year agreement, and the interest is given to them to give back to them. This is simply a way of doing it.

Mr. Watt enquired if Government Sewer and Water Loan Interest in the amount of \$34,000.00 under Establishment 611, was recoverable from the City of Whitehorse.

Mr. MacKenzie replied that it was correct.

Mr. Watt enquired if the rest of these interest loans were recoverable from the various departments.

Mr. MacKenzie replied that in the case of the new Whitehorse Hospital loan that was recoverable from Ottawa under the Financial Agreement.

Mr. Taylor went on to Government of Canada, Sewer and Water Loan in the amount of \$57,730.00.

Mr. Watt enquired that on the sale of the lots in Riverdale, how many have been sold and serviced, and when will they have to subdivide more lots and service them.

Commissioner Cameron replied that the new subdivision was opened up last year beyond the original 200 lots - he was not sure of the figure for the original 200 lots but he would hazard a guess and say that about 180 had been sold. On the new subdivision which had been opened up last year, he did not know how many lots have been sold to date, but they are selling quite well.

Mr. Taylor went on to Government of Canada, Whitehorse Sewer and Water Loan, on one million dollars, they have \$22,874.36.

Mr. Boyd enquired as to what was the rate of interest.

Commissioner Cameron replied 3-7/8%.

Mr. MacKenzie said that was correct, but rates for the other loans vary - it depended on the terms of the loan and the length of time required for this money.

Mr. Taylor went on to Government of Canada, New Whitehorse Hospital Loan, 5th Instalment - \$15,896.86.

Mr. Shaw enquired if this would be for a six-month period or for one year.

Mr. MacKenzie said it was for one year.

Mr. Shaw said that if this was the case it would be the balance of some of the amounts and not the total amount. For example the Government of Canada, Whitehorse Sewer and Water Loan, \$1,000,000.00 - \$22,874.36 must be the balance that is left.

Mr. MacKenzie said that was the amount of the principle which they will be paying on the 1st of October 1963.

Mr. Taylor went on to page 330, Government of Canada, \$500,000.00 Loan, 1st Instalment - \$15,877.35. He enquired what was this for.

Mr. MacKenzie said this loan was negotiated for before the end of March 1962 for working capital purposes, they were very short at that time. This is the second instalment of principal, the first instalment was paid a few days ago. The rate of interest is 5%.

Mr. Taylor proceeded to Government of Canada, Capital Loan, \$144,500.00 1st Instalment of \$26,612.50.

Mr. MacKenzie said it was one of the loans they negotiated for last year under the Financial Agreement to finance capital projects. Loans have various terms and this particular one is for five years, the length of the loan depends on the actual project.

Mr. Shaw stated he could not understand why these things were not kept together - there must be a reason for it - why did the instalment periods vary.

Mr. MacKenzie explained that taking twenty years as an example, this is picked because it relates to the construction of buildings, long term assets, and the terms were selected by the Federal Government. They receive the money with one hand and they hand it back with the other. It would not be reasonable to set a term of five years for a loan of \$1,500,000.00 because fixed assets have a life of twenty years.

Mr. McKinnon suggested that if Councillors were concerned about their money, they should come up with an alternative.

Mr. Taylor proceeded to Government of Canada CHMC 2nd Mortgage Loans - End of 1st of 35 Instalments, Principal - \$409.97.

Mr. Watt asked Mr. MacKenzie to enlarge on that.

Mr. MacKenzie said that first of all this item represented repayment of the principal instalment on loans up to \$2,000.00, second mortgage to the householders in accordance with the ordinance which has been passed. They needed to borrow \$40,000.00 from the Federal Government to make the loan. It is recoverable from the borrower. He pays this \$2,000.00 over a period of 35 years and he pays interest. It is all handled by CHMC.

Mr. Livesey wondered if Mr. MacKenzie could inform committee as to whether all these loans that they see in the budget as establishments 611, 612 and so on up to 621 have all been covered by legislation passed by the House.

Mr. MacKenzie replied "yes", in every case.

Mr. Watt asked if provision had been made for low-cost housing loans this year.

Mr. MacKenzie said they have made provision for it in the Ordinance but it did not appear in this particular Vote 14. When these estimates were prepared it was not intended to go ahead with it, but there has been a change of mind and it is intended to go ahead this year and the money will have to be provided for this purpose. He proposed to do this in the Supplementary Estimates - they will make an advance before the Supplementary Estimates are out.

Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker do now resume the chair and hear the report of the Chairman of Committees.

Motion Carried.

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

Committee convened at 10:25 a.m. this morning to discuss Bill No. 6 with Commissioner Cameron, Mr. MacKenzie, and Mr. Gibson in attendance. Upon conclusion of discussions respecting Travel and Publicity, Mr. Duncan Clark attended committee to discuss correctional program. Inspector Vachon of the R.C.M.P. also attended committee for discussions. It was moved by Mr. McKamey and seconded by Mr. Livesey, that committee defer this matter for a day or two so that committee can meet in the evening and have an informal study group as there may be more questions that committee would wish to direct to Mr. Clark before submitting a resolution on these discussions. The motion was carried. Discussions continued on Bill No. 6 with Commissioner Cameron and Mr. MacKenzie attending committee. Progress is reported on Bill No. 6.

Committee Report.

Council accepted the report and adjourned until 10:00 o'clock A.M., Friday, April 19th, 1963.

Friday, April 19th, 1963.
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

- (1) Reply to motion for Production of Papers No. 14, concerning Territorial Loan Programme to University Students, which stated that the information requested is found in the regulations made under Commissioner's Orders 1959-51 and 1959-61. Sessional Papers No. 25
- (2) Reply to Question No. 6 regarding compact bottles of beer and ale. (Set out as Sessional Paper No. 25) No. 25
- (3) Reply to motion for the Production of Papers No. 15, regarding Liquor Department and personnel. (Set out as Sessional Paper No. 26). No. 26

Mr. Taylor gave notice of two motions as follows:

- (1) Respecting the Ross River Aistrip Motions No. 6
- (2) Respecting a Post Office at Ross River No. 7

Mr. Boyd gave notice of motion for the Production of Papers regarding Territorial Government employees occupying government rented premises. Production of Papers No. 16.

Mr. Watt wished to thank whoever was responsible for the speedy action in regard to the new speed limit signs on the Two Mile Hill. Motion No. 3.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Supply Bill, Bill No. 6.

Motion Carried.

In Committee of the Whole: In Committee.

Discussion followed on Vote 6, Establishment 204, Sewer and Water Surveys with the following present: Mr. Lawrence, Associated Engineering Services (who made the survey), Commissioner Cameron, Mr. MacKenzie, Mr. Baker and Mr. Spray.

Mr. Lawrence said he would start with Mayo. These are preliminary reports as they had a short period of time after being briefed by the Territorial Engineer, to visit each of the four places and then gather the maps, data, etc. and get what information they could. He emphasized the fact that this is preliminary but in order to accommodate Council they pushed them through. In Mayo there is nothing of a serious physical nature which would affect the over all picture and the same at Haines Junction, but at Watson Lake and Porter Creek there is. They will have to go back after the snow goes. The features in Mayo which affect them is the presence of the clay and permafrost area over approximately half the town. They don't know exactly where this line is but as described to them by the residents of the area it appears that throughout the waterfront there appears to be this permafrost area whereas to the north and west there appears to be a good gravel surface. This is the only real physical feature in the town which seriously affects the layout. The other thing is the barrier on the west side of the Mayo River coming by and the Stewart River on the other side. They are assured that they can get a good water supply to the north and the presence of the wells in the hospital, fire hall, R.C.M.P. and school and various residences seem to confirm this. The low temperatures and the high river level are matters which concerned them and the topography being flat means that sewers start shallow and end up deep and the lengths of run have to be kept as short as possible. The main consideration in this area is the fact that C.M.H.C. loans for housing is not available until a water system

and sewer disposal system can be put in. The water supply in this north area is very shallow and any septic tanks in that area will certainly pollute the water supply. Considering first of all the sewer system they thought of enlarging the sewer line to 8" for three blocks on Center Street and this would overcome some of the operating troubles they have now and permit the lines to be extended to the newer subdivisions area to the north and east of the town, back of the hospital and community hall. The estimates of cost are given on the second page of the pamphlet and also the extension and what it would cost to extend a block on each side. In the ultimate planning they felt they should eliminate the outfall directly off Center Street into the river and direct the sewage to the west, past the dyke on the Mayo River and direct it into the river at that point. They didn't go into this area because of the depth of the snow but they are quite sure they can get an area there that the Dept. of Health would approve of. As for water they propose a system that consisted primarily of a well in the fire hall, these wells are only 18' deep so the cost is not great and are dug by hand. They propose a storage and pumping center at this point which would be a 50,000 gallon reservoir with pumps and heating system at this location and a main loop around the main part of town and then cross connecting to various portions. They also have a loop down around the Anglican Church. This left two areas, the Indian houses on either end of the town and they propose to put in water houses there so they can draw water by the pail full. One of the main considerations was prevention of freezing and throughout all the reports they came to the conclusion that it would be cheaper, particularly where septic tanks will work, to put two copper lines into each building and circulate the water by means of a very small circulating pump, rather than adopting the system here in Whitehorse or in Camp Takhini where they are using massive quantities of water. It is cheaper to do that than waste water by leaving taps running particularly if there is no proper means of disposing of the water. The final estimates of cost for Mayo - for the total sewage system is \$95,000.00 including \$15,000.00 for service connections. The water distribution is \$187,000.00 plus \$28,500.00 for connections giving a total of \$215,000.00 and for the whole system this works out to \$300,000.00. This includes the primary sewer and also the feature connections and includes the entire water system as laid out. They might choose not to put in some of the things and the cost would be less than that. This is particularly true where they just put in this outfall at \$13,600.00 rather than \$95,000.00 and this would make a big difference. He pointed out that the minute houses begin to go in, in this N.E. area, you will get a problem of polluting the water supply and they should put in the sewer as these houses develop.

Commissioner Cameron was wondering what the condition would be assuming you have a failure and how this would affect the circulating system, say in freezing conditions.

Mr. Lawrence replied you have two safety factors. If you are concerned with power failures then you put in a standby pumping system in the pumphouse. With the storage available you would be able to run water in your taps which should keep you going for any power outage of 4 or 5 hours at least, or in the extreme a full day. They have a 50,000 gallon storage here which is ample for a day or more and this is actually based on fire usage in that area.

Mr. McKamey said in the event of a power failure the hospital would also be affected but they have an emergency plant and he wondered how much power this pump would require to run it as it may be hooked up to it.

Mr. Lawrence said the conditions are a little different. The domestic supply pump is only 2 H.P. and they would attach a small gas engine to this.

Mr. Watt wasn't certain on the circulating pump and wondered if they would have a circulating pump for the main system or a small circulating pump for each individual system or block.

Mr. Lawrence said on page 15 of the report they have the matter of the circulating pump explained. There is also a little diagram at the back showing the system in the mains. The pump will pump about 6 gallons of water p.m. against a 6 foot head and this is ample, and it would operate continuously. They also propose to have two section connections. If they talk people into running the piping in a loop to the building they could pick up a little bit of heat in the building through the cold water line. This pump would operate about 8 months of the year but in permafrost areas it may have to operate the whole year.

Mr. McKamey noticed in the Mayo area that they have the water and sewer lines through permafrost from the bank to the hotel and they had the most trouble in the spring. They didn't have any trouble the rest of the time but it was only about 3 or 4 feet from the surface.

Mr. Lawrence stated they propose 5 feet as there is no sense attempting to get below frost.

Mr. Shaw was wondering if in operating this system and you had an 8" pipe as the main water supply and you had a pump of fixed capacity that was going through the 8" line and it had a tendency to freeze. If that pressure was increased and the pipe made smaller, the water would travel faster through this pipe, would that eliminate the possibility of freezing while it was running through.

Mr. Lawrence said to a degree. It is like you see in the river where fast flowing water freezes last. In a pipe you do this just so long and then if it continues to lose heat it will freeze regardless of the velocity, as velocity does not prevent freezing.

Mr. Shaw said if a pipe is down below the ground level where there is a fixed temperature and it would be fairly uniform and if there was a greater velocity it would have a tendency to thaw or keep the temperature the same or at a higher rate than if it was travelling slowly.

Mr. Lawrence said with broken lines at Simpson, even with warm water in the pipes, the ground hasn't thawed back more than $\frac{1}{4}$ " from the outside of the pipe. You have to keep adding heat to it and that will come from your initial water source and that is what they intend to do at Mayo and the water going around this loop wouldn't lose much heat.

Mr. Shaw asked if the temperature of the water was taken.

Mr. Lawrence said no not at Mayo because he didn't have a thermometer with him but it wouldn't be much above freezing. As compared to the spring at Porter Creek which would be between 38 and 40 which is comparable to Whitehorse water.

Mr. Watt asked about the cost of maintaining these pumps.

Mr. Lawrence said the pumps at Fort Simpson have been in 3 years and they haven't had a replacement yet. They had to replace one bearing and they had a spare pump so put a new pump on the line. The pumps are worth retail about \$70.00 each.

Mr. McKinnon asked if there is an unlimited supply of water at Mayo why it wouldn't be cheaper to put in a waste system rather than a circulatory system.

Mr. Lawrence replied with a waste system they must insure they have the sewer system through every house. Whereas in the initial phase in Mayo they could do a great deal without having a sewer system in every house. Over the large part of town the septic tanks will work and not affect your water supply. The water appears to flow from the Mayo River in the general direction of south to west. He would be afraid of having housing

in this area polluting that supply and it is because of this fact you have to put in a sewer system just in order to waste water and he thought they would be wasting their money. There is nothing to say that at a later date they couldn't go to a waste system as there is an ample supply of water for that purpose. He stated he will be talking about cost per lot and this is rather futile in Mayo because the cost per lot is very high and the development is not quite as clear cut. They are serving places that are already there and they will develop but for the cost outline there are roughly two hundred 50' lots that could be served with the system outlined.

Mr. Boyd asked if this service would be for 200 families only.

Mr. Lawrence said yes and this isn't counting the community hall area, the hospital, the lodge, church, school and R.C.M.P., teacherage and forestry, so it covers every place going.

Mr. McKamey said the service that the government has there would cover 6 lots and the two houses would be similar to that.

Mr. Lawrence said he didn't take into account the entire D.O.T. block, or the Federal area, just 8½ blocks.

Mr. McKinnon asked how many of these 200 lots are occupied at the present.

Mr. Lawrence said less than half.

Mr. McKamey said when it comes down to cost, in Whitehorse there are services all through the town but there are portions of the town that aren't utilized and are not contributing towards the cost. If there are 7 blocks that the government own in Mayo and they are surrounded by services and there are only a few buildings this is a fact that is going to have to be considered. He noticed that there is one area covered on the S.E. corner where the Anglican Church is that is surrounded by this service. When the Chamber of Commerce discussed this they wanted to compact the town and he understands that the Anglican Church has reserved a piece of ground behind the Police Barracks so it is their intention to move where there is service.

Mr. Lawrence said they could just leave it as their concern was to get around the Indian area which is not serviced.

Mr. McKamey thought the Chamber of Commerce discussed this and they were going to try and encourage the people to move over into another area of the town so they could be attached to the services supplied. He thought the Indian village in the S.W. corner should be serviced but that is up to the Indian Affairs department and this would be their problem. He wondered if there would be any difficulty in hooking them up to this system.

Mr. Lawrence said sewer wise it would be very difficult but for water no.

Mr. McKamey didn't think this area would create any problem for septic tanks as it is close to the river.

Mr. Lawrence said in each case he will expect some instruction or someone to say what blocks they want and then it is just a matter of arriving at the figures.

Mr. McKamey asked Mr. MacKenzie's interpretation of this under the fiscal agreement.

Mr. MacKenzie said no provision was made in the Five Year Financial Agreement for piped water or sewer systems but provision was made for

truck operations of sewer and water in 10 communities. The amount of money provided over the 5 years was \$400,000.00 and the idea was to organize two communities a year. The total available to spend for sewer and water in these 10 communities is \$400,000.00 over 5 years.

Mr. Taylor, with Mr. Shaw in the Chair, recalled that when this came along in the agreement it was stated in the draft that the committee did not anticipate the needs for any full systems in the 1962-67 period. When this system came along they were thinking of Watson Lake and Porter Creek as they needed sewer and water systems almost in the immediate future and they discussed this with Mr. Carter. They were told that if in fact they did need any new sewer and water systems provision could be made under the terms of the agreement.

Mr. MacKenzie said they can use this \$400,000.00 for sewer and water systems if Council wishes but they must not ignore the fact that only \$400,000.00 has been provided for the 10 communities until 1967.

Mr. Watt asked Mr. MacKenzie how much of this \$400,000.00 has been spent so far.

Mr. MacKenzie said practically nothing has been spent. They have acquired a new water truck and they converted an old truck into a sewage eductor unit.

Mr. Shaw thought in these expenditures of \$400,000.00 they were to be self liquidating.

Mr. MacKenzie said the arrangement in the Five Year Agreement was that 50% of the cost of capital and operating would be subsidized. The Federal Government would bear their share (3¢) and the Territory would bear its share of 4¢ and the remaining 50% would be collected from the householders.

Mr. Shaw said that would mean they would have \$800,000.00 to play around with.

Mr. McKamey wanted to study the Engineering Services Agreement as there may be an out there.

Mr. Boyd said if there is no money available maybe they should go on to something else until they find out how to get some money.

Mr. MacKenzie said this \$400,000.00 is the Territorial share at 4¢.

Mr. McKinnon asked whether this 50% subsidy that was applied by the Federal Government for partial sewer and water systems would apply for piped or full water and sewer systems also.

Mr. MacKenzie replied yes.

Mr. McKinnon said this would mean that they have a total of \$800,000.00 to spend for sewer and water.

Mr. Shaw thought the projects they had these surveys on could well be investigated with the view of finding out that the people concerned can carry their fair share, are all practical, and are in communities that they know are going to continue for some time. They should make every effort to see what they can do to create the financial atmosphere so they can get this money and go into these projects. They have the estimated costs of surveys of these various places, the willingness of the people and then find the ways and means of going into the job.

Mr. McKamey didn't think this was going to present a true picture. If Mr. Shaw is referring to a subsidized system like in Dawson or Whitehorse, they are only able to pay the interest on this property, but he knew if they had the installation of a system where the people would be allowed to build new homes that it would decrease the actual cost. People would move to Mayo if they could get accommodation but there is none.

Mr. Shaw said he wasn't making any comparison. They are starting out on something new and every encouragement must be given to it but they still have to assess the situation.

Mr. Boyd asked Mr. Lawrence how many small towns with populations the size of Mayo have sewer and water or either.

Mr. Lawrence said in the Province of Alberta there is no community with a population of 250 or over that has not got a complete water and sewer system. In Saskatchewan in another 3 years it will be the same way and in B.C. they have gone far more for water systems and septic tanks. They looked at page 20 and 21 of the Mayo report on the estimate of cost and in summarizing the costs it comes down to a total cost of \$163.00 for each one of the 50' lots or \$15.00 per month. If there is a 50% factor to be applied as a senior government contribution this comes down to \$8.00 per month per lot for water which is a reasonable figure.

Mr. McKinnon wondered if these 4 communities that the studies were made on were to incorporate into this local improvement district - would not 50% of the cost of this sewer and water installations be borne by the Federal Government.

Mr. Spray said he was afraid not.

Mr. McKinnon said according to the Five Year Agreement if you incorporated a local improvement district you are eligible to receive all the grants that are available to municipalities and as he understood it a municipality that goes on a public work of this sort is eligible for a 50% grant from the Federal government.

Mr. MacKenzie didn't think this quite right but thought it was for road construction.

Mr. Lawrence said the cost of the utilities can be included in a C.M.H.C. loan which can be borrowed by the householder from the Federal Government.

Mr. MacKenzie said on page 29 paragraph 2(b) of the blue book payment of the grant of 50% of the cost of approved community planning projects the municipality is not to receive in excess of \$5,000.00 for any one project in any one year and that would allow sewer and water but it would limit them to \$5,000.00.

Mr. Taylor, with Mr. Shaw in the Chair, remarked that on page 30 it states that the committee recommends that municipal development be encouraged by providing for an intermediate municipal organization called the Incorporated Local Improvement District or Village and Federal and Territorial grants similar to those now paid to municipalities be made available to an incorporated local improvement district in respect of those functions of local government undertaken by the district or village.

Mr. MacKenzie said this \$400,000.00 mentioned earlier is the Territory's share of the gross capital cost over the years and the Federal share would be \$300,000.00 so the gross funds available would be \$700,000.00

Mr. McKinnon said what was the contribution of the Federal Government to the City of Whitehorse for their sewer and water system and what percentage would it be.

Mr. MacKenzie said they made a grant of approximately \$598,000.00 - roughly 25%.

Mr. Watt asked for the reason for this grant.

Mr. MacKenzie replied it was because of the gross miscalculation of the project. It started out at one figure, increased and when it was finished it was found to be \$600,000.00 more so the Government made a grant. The cost of the entire project was just under \$2,300,000.00 and \$600,000.00 was made by a grant.

Mr. Livesey thought there were 3 stages in this. The first attempt was approximately \$600,000.00, the next was \$1,300,000.00 and then \$2,300,000.00. When the project was first put in at the \$600,000.00 what percentage did the Federal Government contribute towards this and what percentage throughout all the various other stages winding up at the final figure of the amount Mr. MacKenzie mentioned.

Mr. MacKenzie didn't have any knowledge of this but the City of Whitehorse borrowed one million dollars as their share of the total cost of this project. Then there was a \$700,000.00 loan from the Federal Government to them, then this \$600,000.00 grant. The \$700,000.00 loan is being repaid out of proceeds of selling lots in Riverdale so they can look on the million dollars as being the cost of the project on this side of the river and \$700,000.00 as being the cost of the Riverdale side.

Commissioner Cameron said the original plan as submitted to the City of Whitehorse was \$782,000.00 and it was decided a million dollars would be asked for, and this was in favor with the people. Then people wanted more land and a hospital across the river so they built the bridge and the Federal Government decided they would include in the sewer and water installation the new subdivision of Riverdale and the hospital complex and this was estimated at \$700,000.00 more. The agreement was that the City would pay 11/17 and no case will the cost to the City of Whitehorse exceed one million dollars. It was seen this was not enough so a \$600,000.00 grant was put in with it.

Mr. McKamey asked how many people does this service now.

Commissioner Cameron said he would have to obtain this figure from the City Office.

Mr. McKinnon said to service the City of Whitehorse it cost the Federal and Territorial Government combined \$1,300,000.00 and this is quite a subsidy.

Mr. Shaw said no matter where they get a sewer and water system it requires subsidization by the various departments of government either Federal or Territorial, and they must accept this fact and go on to the other communities.

Mr. Lawrence proceeding to Haines Junction said it is ideally situated with regard to both water and sewer. There is an assured supply of water next to the river and the town is on a slope and good ground and there is no difficulties there. The only problem is a matter of population. There are only 200 people there and they are spread out. There is already three separate sewage disposal problems brought about because the ground is either a very hard silt or clay which will not absorb water and for the installation of the sewer system a large supply of water is essential. Existing sewer lines serve the commercial area consisting of the motel, and runs down to the river and picks up only one or two places on the way down and this is a private line. On the other side of the road the R.C.M.P., forestry and school complex is served by another small sewer line dumped into a ravine behind the establishment and the third serves the D.N.D. area which is directed to the river. All these lines are 6" which he recommended they don't use anymore for main lines as they shouldn't be less than 8". As far as the sewer is concerned it would be possible to use these lines and very simply connect them up and use them as they are, with some very small improvements. The installation of sewers to complete the entire town on the east side of the highway \$17,400.00 and on the west side \$14,700.00 and sewer services \$235.00 each. In regard to water supply the motels are served with their own wells and water is

difficult to get in the town and a lot of work has been done and money spent by individuals in an attempt to get water. Most of the individual homes get their water by drawing it from the refinery. There are two other wells in the town - one next to the power house and one at the D.N.D. establishment. They propose to either use the well at the power house or to go east onto a little flat where they are assured there is sufficient gravel and they would hit a light formation as they get at the power house. They would pump water from there into a storage tank at the powerhouse and from there they propose a loop to the built up areas. They have one separate loop to go around Block 13 and this means you can pick up almost every place in the existing town as well as providing for some building space. The cost per resident is quite high with the total cost being \$131,000.00. This includes storage, pumping, hydrants, etc. In this system they are concerned with freezing but they feel they can get a good supply of heat from the power house and for that reason they propose the storage tank at this site and the complete loop around, and they would use the waste heat from the generating set for this purpose. The cost of this would have to be a matter of negotiation but would be quite nominal. In discussion with the Yukon Electric people they indicate that they would be willing to assist in the operation of this system. They would operate the pumps and attend them at a nominal cost. Except for the number of people in this community it is an economical system as there aren't any problems. The only snag is there has been considerable private money spent on sewer systems and they should take into consideration the problem of ownership of the line as it cost in the neighborhood of \$10,000.00 to serve the one motel.

Mr. Livesey wondered if Mr. Lawrence could give any information to the committee covering the question of gravity water feed rather than well water system in view of the elevation of the creek on the west side of the Deash River and the possibility of a straight ditch across Haines Junction that would bring the water up to all areas without using the pumping system.

Mr. Lawrence said they looked back in there and there are several creeks but none of them would give a supply that he would care to count on. The problems of collecting this water from a small stream in extreme temperatures would be terrific plus the fact that they are roughly two miles from the center of town and across this broad flat which floods quite badly every year. He thought they would be running into a great deal of trouble and the saving in power wouldn't be worth the expenditure of going this two miles. The horsepower of the pump involved is only 3 h.p. and this would be all they were trying to get away from using gravity feed.

Mr. Livesey said he had 2 proposals for the future, one is the new school situation and the other is the recreational and community center. The proposal is to move them up to the East of Block 11 and the recreational center to Block 21 and 22 so these lots will be occupied, and this would alter some of the thinking. Mr. Livesey showed Mr. Lawrence the proposed plans.

Mr. Watt asked how many lots would there be in the area that could be served by the system.

Mr. Lawrence said there is only 20 in there now. They can serve 80 lots and it can easily be expanded to reach the area described by Mr. Livesey. He pointed out again that these plans are quite preliminary reports and if the Members could show what areas in the immediate future need to be serviced then it is quite easy to extend lines to serve them and the appropriate cost taken off too.

Committee adjourned at 12:00 o'clock Noon.

Mr. Taylor called Committee to order and said that prior to the noon adjournment they had been discussing the Water and Sewer Service for Haines Junction.

Mr. Livesey said he had been discussing with Mr. Lawrence and Mr. Baker and they would be considering the possibility of combining the effort towards establishing a new area for the school and considering the situation of the new community centre in view of the economics of the situation.

Mr. Taylor proceeded to the Porter Creek Subdivision, Water and Sewer Service.

Mr. Lawrence stated that Porter Creek represented a little different situation in that it is in effect an artificial settlement created and subdivided purely to take the overflow from Whitehorse. Here they get down into costs per lot as being one of the main subjects which should come under examination and in his summary he had stated that they could serve roughly 55% of the lots with sewer and it would cost about \$1,200.00 per lot. The remainder could be served for an additional \$300.00 for each lot. The reason for this is that there are four different drainage channels in the area. The prime reason for the high price is the size of the lots, the width of the roads and the scattered nature of the subdivision. The lots were made large in order to permit individual disposal systems and unless there is a re-division in the offing, he suggested that they continue with these large lots and the individual disposal systems. He had dealt with the Water System under the headings of Supply, Distribution, Service Connections, and Annual Costs. For Supply, there are three alternates, the first being the spring in Lot 304 - the cost of developing the spring together with 180,000 gallons of storage would be about \$90,000.00. However, they would still need pumps for circulating. The second alternative would be a pipe supply from the City of Whitehorse as combined effort with the Department of National Defence and the estimated cost of this would be \$215,000.00 including storage. The third would be a supply development from McIntyre Creek and this would cost about \$258,000.00 including water treatment. The cost of the water distribution system \$267,000.00, water service connection - \$600.00 per lot, and the annual cost would work out at \$15.00 per month per lot. If water would have to be obtained later from Whitehorse because of the inadequacy of the spring, this would work out to \$19.00 per month per lot. This is without any subsidy whatsoever. There are 358 surveyed lots in this subdivision and 100 of them are occupied. The place was never planned with the concept of having combined utilities otherwise there would never have been such large sized lots. The layout originally was along the Alaska Highway and since that time, they have had other lots subdivided off to the side on little better ground, but the particular layout along the Alaska Highway makes service very difficult. There will be a representative of the Federal Department of Health to make a survey of the area this year with the idea of conducting percolation tests to ensure that the majority of the lots will take private disposal systems and he would suggest that nothing be done with regards to sewer until it is shown that it is absolutely necessary. With regard to the water supply, the present method of using a 3-ton truck with a 1,300 gallon tank costs the consumer about $\frac{3}{4}$ of a cent per gallon. He compared this with Mayo where the cost of delivered water is \$40.00 per thousand gallons, in Porter Creek you apply roughly a 50% subsidy, in Mayo, you do not. This is the difference between a system paying for itself and one not paying for itself. For Mayo he had gone into details regarding the economics for supplying massive water on a wasting type system to prevent freezing as against a recirculating heating system with little pumps to prevent freezing, and, here again because of the fact that a

wasting type of system would dictate a switch collection system for almost this purpose alone, he would recommend that they go to a circulating type of system. The amount of water required is much less but they would have to balance the cost of power and heat against the cost of a massive supply of water. For the first few years the spring should do this community, as it would be an economical way of supply. He had broken the costs down in some detail for this sub-division on page 19. He could not think of any way whereby they could get around this extreme cost of servicing the area unless they would break down the size of these lots.

Mr. McKinnon did not think Porter Creek was an artificial community - it was a necessary and growing one. He asked Mr. Spray how many of the 358 lots were sold.

Mr. Spray replied that roughly two-thirds were sold.

Mr. McKinnon stated that the reason why the buildings are not on some of the lots is due to the holdup in the Low Cost Housing Ordinance and also because CHMC loan are not available as it stands at the present time. The people of Porter Creek are not interested in a sewer system at the present time, they are quite satisfied with the septic tanks, some of these septic tanks have been in operation for five years and there has been no sign of any trouble, they haven't even had to be educated. Mr. Lawrence mentioned that Porter Creek was buying water at $\frac{3}{4}$ of a cent per gallons, this is \$7.50 per 1,000 gallons. In respect of water connections, where do these connections come to, to the property line or to the house.

Mr. Lawrence replied that wherever he stated the cost of service connections, that is the cost of the entire service connection.

Mr. McKinnon said that the spring had been tested at 35 below zero by the Territorial Engineering Department and there is 49 degrees Fahrenheit at 35 degrees below zero, so there will be no trouble with the freezing.

Mr. Watt asked if CHMC would afford finance with a partial system.

Commissioner Cameron replied CHMC would finance on a partial system. With an area of land involved with the water system and the septic tank installation - they require 7,500 sq. ft. Where there are lots 50 x 100 and, say, two individuals buy three lots, they could split the property size and get CHMC financing provided they have the square footage and they have the approval of the Chief Medical Health Officer that the ground will accept the disposal field.

Mr. McKinnon thought the reason the Porter Creek subdivision could be worked on a per lot basis is because it is a growing community and he believed that if CHMC is available in the Porter Creek area and the Low Cost Housing as well, there would be quite a building boom in that community. On a per lot basis this would average \$15.00 per month and he did not think the residents would consider this too high a price to pay for a piped water system into their premises, and said there is another warm spring running into a lake at the corner of the new subdivision and he wondered if Mr. Lawrence had inspected it.

Mr. Lawrence replied that he had been advised that there was one, but it was full of snow and not in use in winter.

Mr. McKinnon said there was no water table in the Porter Creek area but there are underground streams and if a person were lucky enough to find such a well there would be no trouble with water supply whatsoever. The reason why there are not too many wells in the area was because they were thinking of this partial truck water system as a first step, eventually arriving at a piped water system. They knew the sewage system was impractical and out of question because of the

cost but, having the type of soil that septic tanks work so well in, it was their idea to stop as many people as possible from drilling wells in the event that in the next few years they would be able to have a piped water system.

Mr. Watt said they had the figures on the cost of installation of a sewer and water system at Porter Creek and if they decided that this was necessary, could it be financed.

Mr. MacKenzie replied that if the cost is \$600,000.00, then the answer is "yes", to the exclusion of the others for a period of four years.

Mr. Lawrence stated that of the \$600,000.00, \$200,000.00 is for service connections, which should rightly be charged against the customer direct as this is standard practice. There is the future loop that is also included in this, which is presently not being used at all and will probably not be developed immediately. If you take off \$200,000.00 as being a direct charge to the customer, part of the cost as a side loop for the school can be charged against the school. There would be nothing wrong at all in making this a local improvement whereby the owner again could put up some of the charges and keep the cost of borrowing down to a small amount.

Mr. McKamey asked what progress had been made in establishing local improvement areas or villages.

Mr. Spray replied that instructions have been forwarded to Ottawa about a month ago and the answer should be back by the Fall Sessions, at the earliest. This is for low income districts.

Mr. Taylor commented that at the Spring Sessions one year ago, in discussing water and sewer for Porter Creek with Mr. Carter, it was noted by all that there was no provision in the financial agreement for a full system. However, Mr. Carter read a report from which apparently the Federal Government would be quite willing to alter or add to the fiscal agreement for sewer and water systems possibly in all communities.

Mr. Watt went back to the question of costs and said it appeared that to one person the charge might run to \$1,300.00 and to another \$200.00 or \$300.00.

Mr. Shaw explained the City is liable for and looks after the pipes, etc., that are on the city property, as soon as that goes from the city's property to the owner's property, the owner becomes liable for any costs involved. The costs would depend on the size of the lot.

Mr. Watt said it seemed that under this system the owner is liable for the connection costs to his house plus all the way to the main or hookup on Territorial property or City property. In other words the householder is investing in Territorial property too because they are putting piping in through Territorial land.

Mr. Lawrence said he did not break the costs down, but somebody has to pay these costs, whether it is going to be in the overall borrowing or charged to the householder, he did not know.

Mr. McKamey asked what was the system for charging in Riverdale.

Commissioner Cameron replied that that was actually how they arrived at the value of the property. There was no real value for property unless it was developed and serviced so that the price paid for the lot is what it costs to put water and sewer and streets in the area. On the first subdivision of 200 lots it ran from \$1,000.00 to \$2,000.00, on an average of \$1,500.00 per lot, on the new subdivision it is \$1,800.00 or \$2,000.00.

Mr. McKinnon said that the costs for the four different plans could not be done within the terms of the five-year Financial Agreement. They have only \$750,000.00 to start something with, but there are other means of getting this money. In the words of Mr. Carter that if it becomes absolutely necessary to install sewer and water in areas where they had not planned, re-negotiation of the five-year agreement is possible. Also when this Local District Improvement Legislation is out, they may find themselves eligible for grants. He believed subsidies should be pressed for as no community in the Yukon or in the Northwest Territories could have a sewer or water system without some subsidy to it. Councillors in those areas for which sewer and water are required should stick together on this point and when the Financial Advisory Committee goes to Ottawa should press for re-negotiation of the five-year agreement for the incorporation of local improvement districts and for the amount of subsidies from the Federal Government. Councillors should not press for the inclusion of their district primarily to the exclusion of others.

Mr. Boyd asked that of the three-quarters of these lots which are vacant now, but sold, and subject to a loan of \$6,000.00 to built on, if \$1,200.00 or \$1,500.00 is taken off that \$6,000.00 to get a water system, there would not be much left for a home.

Mr. McKinnon replied that this is a program for 20 years to pay, it averages \$15.00 per month, without any subsidy, there is no immediate cost.

Mr. Boyd said they could only get a \$6,000.00 home built and proportionately it does not add up.

Mr. McKinnon replied that he believed this would come up in the Low Cost Housing Ordinance. That was one of the reasons why he was against the original ordinance because this loan could only amount to the maximum of a \$7,000.00 home being built and he thought it was evidently clear to the Administration when they first discussed the Low Cost Housing Ordinance that this was pure folly. This \$7,000.00 should be available to a man if he wants to build his own home so that he could buy materials with it and erect a \$15,000.00 or \$20,000.00 house. They should wait until they discuss the Low Cost Housing Ordinance - if this has not been re-negotiated the way Council wants it, then he would be vehemently against it as now presented in its form.

Mr. Taylor proceeded to Watson Lake.

Mr. Lawrence said that this was the only one he did not visit because he realized it was not a one-man job. He called up one of his senior people so he is not speaking from personal experience but from a study of maps, reports, discussion, and so forth. Watson Lake is the toughest of the four by far - unfortunately it drains towards the middle, it has a difficult soil condition, it is spread out so far with big lots, that servicing would be very expensive. Frankly, he did not think they should get into discussions on Watson Lake on the basis of costs as this place needs a real good study of a planning approach as to where Watson Lake is going. You hear people say it is going to 20,000 people, but you just cannot have 20,000 people in an area planned like that. If you cut that in four and go to 5,000 people, which would be a good long range plan in his view, then the prime thing needed in Watson Lake is first of all a good basic study to find out what to do with this area. They have three areas planned now - a commercial motel-hotel area, schools and CNT in one area, then back to forestry and maintenance camp, then up and down the highway they have a little bit of everything. On the north side of the town they have a new sub-division laid out and his first reaction was that this is a horrible mistake in its planning, not in its location. Going by maps he felt the area should be re-planned and should be extended with the idea of not just 40 or 54 lots, but possibly 200 or 300 across that north area. Because septic tanks cannot be depended upon, it should go to a combined system of water and sewer and the size of the lots reduced accordingly. Since discussing this a few days ago he took lots 20 and 21 and re-divided them into lots which would be acceptable to CHMC at 7,500 sq.ft., which is still con-

sidered a good-sized lot. He worked in 90 lots and this would work out to be a more economical subdivision. Price-wise the average cost of the service would be \$555.00 for this type of lot against \$970.00 for the other. This is only the main and nothing to do with supply, pump stations, or anything. The total cost of mains only, would be \$25,000.00 for 40 lots against \$33,000.00 for 90 lots. His recommendation would be that they do not spend too much time studying what to do with these large lots, but to start from scratch again and work out a subdivision with a normal sized city lot. As far as the down-town area is concerned he has the costs broken down to show what can be done there, but it is pretty expensive - it would be about \$500,000.00 and only 82 individual blocks would be involved. It is very high on a per block basis. A study could indicate how those blocks could be re-subdivided and with regulation and development the cost per lot could be reduced merely by reducing the size of the lot.

Mr. Taylor remarked that it had been very interesting listening to Mr. Lawrence and he could whole-heartedly agree with most of what has been stated. The lots in the new residential subdivision are 100 x 200 by reasons of the fact that people do not want to be crammed into a 60 x 100 lot. They would still have to continue with septic tanks and wells as they have not a town site plan yet, less anything else. The town has grown in a rapid development pattern until it is some three miles along the Alaska Highway, portions of it have been subdivided, some large blocks have gone under lease, thus not permitting any commercial development. One good local industry could boost a big increase in the population and he could foresee a steady consistent growth. He could not see how the size of the lots could be reduced, it would be up to the residents themselves to decide - as far as he could see the only way to resolve this problem is to have the improvement districts in as quickly as possible, not a year hence, but now. The big thing on this sewer and water situation is that they do not know whether they should wait for a piped water system, although he thought they could get by with the present water system to start with and consider the sewer aspect at a later date. However, they are having great sewage disposal problems as the ground around most of the buildings that have been used for some time is in most cases super-saturated and it is a case of digging and putting in a new septic tank every two or three years.

Mr. McKamey agreed that the situation at Watson Lake is a real problem. Watson Lake is built right in a basin, the drainage centre is towards the centre of town, and if they do not start on this now, each day, each week, each month, each year that they let this go, the problem will be compounded. This has to be taken into consideration and something done about it right now. The town has had no planning and the buildings are facing every direction imaginable. Council would have to do something about it immediately even if it takes them a year to work on nothing but this problem. It could affect the economy of the entire Yukon Territory for the next fifty years.

Mr. Taylor felt that what they need now before they go any further is a crash program, a real concerted effort, and if they can get no action from Ottawa they should do it right here themselves. The community of Watson is a perfect example of the lack of foresight on the part of the Administration, from the time the town first came into existence. As far as sewer and water are concerned the people themselves have put in a partial hydrant system to try and cope with the fire protection services in at least a portion of the community with no help from the Government. He would be remiss if he did not point out that they should take an area that is now settled and attempt at least to begin with a water system or a full sewer and water system on an expanding scale. Inasmuch as financing is concerned they must either contact Ottawa and negotiate for an additional loan to implement all these programs or re-negotiate the five-year fiscal agreement to the same end. Along this line he would move that the Committee is resolved that sewer and water systems are needed in the following settlements without delay, namely Mayo, Haines Junction, Porter Creek and Watson Lake, and that the Administration endeavour to arrange with the Department of Northern Affairs for the necessary finances for the immediate installation of these services.

Mr. McKinnon seconded the motion.

Motion Carried.

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Mr. Boyd wondered if they wanted this sewer and water for these locations, as they are now. Take Watson Lake, shouldn't it be re-planned before they had sewer and water for it? On the face of it, as Mr. Lawrence pointed out, it is almost prohibitive without some re-working to bring it into conformity.

Commissioner Cameron stated that when the Administration starts correspondence on this particular motion it is understood that this survey, which is in its preliminary stages at the present time, will continue with a full survey and all suggestions and recommendations will be clarified or changed as necessary.

Mr. Taylor said that the motion dealt with just negotiating for the finance to implement any of these proposals that they do accept.

Mr. McKinnon asked Mr. Lawrence to do a final sewer report on Porter Creek. The people realize that this is an impossible thing to have in the foreseeable future but they would be most interested just to have a complete survey for a possible piped water system in the area.

Mr. Lawrence replied that he expected to get more direction from Commissioner Cameron and from members on the systems. Having the general layout and plans and proposals in front of them, each one of them could take their particular district and go over it with the residents of the areas and come up with a close approximation of what areas they actually want to service. Notmuch can be done now until the snow goes, but he suggested that in the time interval, this next month, they study the areas and come up with a firmer direction as to how they would want him to go in each case.

Mr. McKamey said that in the proposed system for Mayo would there be any possibility of putting in the installation this year.

Commissioner Cameron replied that there is \$600,000.00 or \$700,000.00 available and one of the Councillors had suggested that nothing be done until funds are available for an established plan for all the communities involved. However, to give Mr. McKamey a direct answer, there is sufficient funds to do Mayo.

Mr. Taylor felt it would be practical to take those projects upon which they can first embark and get started with what funds they have and negotiate for funds to complete the rest.

Mr. McKinnon said that as it now stands there is enough money to do any one of the communities that is projected and he could see that if one Councillor wants his district done first, whereas if there was enough money in the budget to have his district done first, well then he would press for his district to be the first. He suggested that they all stick together and press for the funds so that all programs be started at the same time.

Mr. Boyd added that, further, they would be using the entire of the five-year monies leaving no leeway whatever.

Mr. McKamey felt they should start immediately in order to eliminate one problem and this would give them more leverage for additional assistance.

Mr. Boyd said that in order to settle this he would suggest that all Councillors abstain from voting.

Mr. Watt said that in each of the reports there is a breakdown of chemical analysis of the water sample in the wells that are in each of these areas, but there is nothing to indicate whether it is fit for human consumption or whether it can become contaminated and, if so, to what degree.

Mr. Lawrence said that no bacteriological tests had been taken of any of the waters and therefore he could not say whether the waters were safe bacteriologically, but there was nothing to indicate that the water in Mayo was contaminated - it seemed very good. There was no reason for the spring

at Porter Creek to be contaminated and it is good quality water. The two wells at Haines Junction have good quality water and, again, there is no reason for them to be contaminated. The ones at Watson Lake are of good quality water, but there is a suggestion of contamination in two or three of them.

Mr. Taylor said there was one other problem at Watson Lake and this had to do with the Waterworks System and more particularly the matter of fire protection. Prior to this survey the members of the community of the Fire Department had set aside a lot for the purpose of putting in a water storage tank. It is possible, in view of a future sewer and water facility, could they begin providing the wells and the pump this year even though the distribution system may not come in for some time yet, so that the Fire Department may not put in their tank this year.

Commissioner Cameron replied that this might come under the \$600,000.00 but Mr. MacKenzie would know better.

Mr. MacKenzie stated that financially they could find the money, but he thought the whole thing ought to lie in abeyance until they have had a chance to approach Ottawa and see what they have to say about spending half a million dollars on one particular project. They might object in spite of what Councillors might have to say.

Mr. Shaw said that with regard to the installation of these systems in these various communities, it ought to be realized that these monies are in the nature of a loan, a large amount of it would have to be repaid, and the people in these communities should be consulted before anything is decided on. The cost of installing a system around any one particular block of lots must be based on the cost in reference to each lot and whosoever owns those lots will have quite some say on whether they want to pay that amount. It is customary that before you can pledge a certain group of people to paying a certain amount of money, even if it were only on a basis of 50% of the cost, you would have to ask those people whether they are prepared to pay this amount of money spread over a certain period.

Mr. McKamey stated that certain districts were subsidized to a certain extent by the government and he felt there should be no discrimination in subsidization.

Mr. Shaw said that the sewer and water system in Dawson was paid wholly by the people themselves, the government had not spent a nickel on installation. The government pays a grant each year that goes towards maintenance of the fire hydrants and they are also rehabilitating some of the systems that have been there for a number of years.

Mr. Watt noticed that in the report on Haines Junction, there was mention of seepages and loss of water in Whitehorse. He understood this was due to leakages in the reservoir and it was suggested to him that probably a straight pipe line from the dam to service Whitehorse would eliminate the use of the reservoir altogether and eliminate the use of the pumps.

Mr. Lawrence replied that he did not know enough about the Whitehorse system to answer that, and he knew nothing about the leakages. If each of the members would look at the estimates particularly for water and add up the figures of what they thought were absolutely essential, the total would not come to much more than \$750,000.00 if the cost of the services is borne in a large part by the householder.

Mr. Boyd said that this is assuming that each lot be responsible for his portion of the water - there might be only 40% of the lots that would accept water under this present set-up.

Mr. Taylor said that going back to the question respecting the water pump at Watson Lake for the fire protection, this was very important to them. They have been told that the Canadian Underwriters Association recommends a minimum fire flow of 420 gallons per minute for two hours. He was not sure of the type of pump they had contemplated for this year, but he believed it was around the amount of 600 or in excess of that. Could Mr. Lawrence tell him what type of pump they should purchase that could be put to use later on if the sewer and water did come in.

Mr. Lawrence replied that there is no reason why a pump purchased now would not fit into a permanent system. A proper fire pump is normally dually operated, dually powered, and going to Fire Underwriters standards, the gasoline engine is dual carburetted and dual serviced with gasoline.

Mr. Taylor said his community has saved enough to build a 14 to 20,000 gallon tank and it was their intention to embark on this as soon as possible and hook it onto their hydrant system and he would like to bring this matter up again when discussing Area Development.

Mr. McKamey said he was not quite clear on government installations. Say, where you have to pass and service a large block of government land which requires a lot of extra pipes, on what basis would the government contribute to this.

Mr. Lawrence replied that he would express no opinion whatsoever.

Mr. McKamey said that if they were charged so much a lot and there is say 20 lots in a block and the government had 5 blocks, what would the government contribute on that basis.

Mr. MacKenzie replied that government would contribute to the extent of 100% of the costs, capital and operating on a lot or any other basis, whichever way they cared to work it out. Whatever the costs are for servicing government lots they would reimburse capital-wise and operating-wise, that is the present arrangement.

Mr. McKamey said there was a difference because it is a 50 x 100' lot for the normal person, but for the government it is just a big block.

Mr. MacKenzie replied that it was a question of finding a formula, but basically the Federal Government would reimburse the Territory fully.

Mr. McKamey enquired as to who makes the formula.

Mr. MacKenzie replied that possibly it would be for them to work it out here and then try to get the agreement of the Federal Government to it. Maybe the Financial Advisory Committee before their trip to Ottawa.

Mr. McKamey enquired if this installation could be put into Mayo this year, if it is acceptable.

Mr. Baker said it could be done.

Mr. McKinnon suggested that until this motion goes before the Federal Government and is either accepted or refused, they should bear in mind that there is strength in numbers. If the Federal Government comes back with a flat "no", then they should sit around and objectively think which community deserves the sewer and water system first and use the money they have available to provide these services to that community.

Mr. Taylor proceeded to Area Development - page 167 of the budget, Dawson Statutory Grant in the amount of \$10,382.00.

Mr. Livesey said that with reference to fair value and assessed value - is it normal to have both the same.

Mr. MacKenzie replied "yes", except in the case of privately owned improvements which are in this case and normally 65 or 66-3/4% of the fair value.

Mr. Taylor proceeded to Dawson Conditional Grant - \$59,635.00.

Mr. MacKenzie broke the figures down to Street Lighting - \$1,200.00; Repairs to Sewer System - \$30,268.00; Fire Protection \$27,167.00; Floor Control Lighting \$1,000.00. He said the items were specifically provided for in the five-year agreement.

Mr. Boyd wished to know how many firemen Dawson had.

Mr. MacKenzie replied that salaries and wages were \$10,676.00, so there must at least be two people.

Mr. McKamey felt that with regard to Dawson it was thought that considerable saving could be effected if they consolidated the town and drag in the boundaries a little bit, even if the government had to move some buildings at the expense of the government, it would still save the government money.

Mr. Shaw thought that in the Montreal engineer's report there would be a program such as that and he was disappointed not to see such a program in there. He felt that ultimately the position would have to be looked at.

Mr. McKamey felt it would be wise to have someone make a study of Dawson with a view to consolidating the town somewhat.

Mr. Shaw said that whether you make something smaller or larger, it is going to require a sizeable amount of money to achieve this.

Mr. Taylor proceeded to Watson Lake Services - \$4,017.00. He said he wished to know why there was no provision for the sanding of streets in the community. The Army has done it from time to time, but he thought that all estimates in the future should make provision for this as un-sanded streets could be extremely dangerous. There was also the matter of mosquito control in Yukon communities which involves aerial spraying.

Mr. Livesey fully endorsed that as he had several breeds and kinds in his community. One of the reasons why Whitehorse is so clear of mosquitoes is because the U.S. Army, a number of years ago, were so efficiently foresighted that they put a pumping machine in one of the creeks for periods of pumping steadily for two hours at a time and they had several of their biologists, bacteriologists, and a few other ologists collecting all of the various species of flies and mosquitoes that bred in the creeks around Whitehorse and then went about figuring which was the best type of insecticide to use. Apparently they were trying to kill all the larvae on the rocks in the spring time especially, and also in the fall, so that when the water churned with the power from the pump machine, it boiled the water and insecticide up on the rocks and killed all the larvae.

Mr. Taylor said a number of years ago in Watson Lake they did have aerial spraying, but it destroyed the fishing for many years, but the odd pass over could make a tremendous difference. It is important that they view this aspect of community life in the Yukon Territory and provide for it in future budgets, beginning this year. In some communities this service could be done by the communities themselves if the DDT and diesel fuel was provided.

Commissioner Cameron said that as far as the Administration is concerned, he was most sympathetic, but he knew it would be a fairly costly business. However, he had no objections to the Administration checking to see what the costs would be.

Mr. MacKenzie told them to bear in mind the costs because there is no provision for this service in the agreement at all. They would have to look into this from some other source.

Mr. McKamey said that spraying eliminated a lot of the birds and he thought the practice had been curtailed.

Commissioner Cameron said they probably do consider nesting birds when the spraying is done. He understood the spray had to be changed slightly each year in order to prevent an immunity build-up in a super bug.

Mr. Livesey suggested that when the Department of National Defence spray their own camps perhaps the Administration could approach the Department of National Defence with the idea of extending their operation to spraying community areas where these camps may exist.

Mr. Boyd thought the Forestry Department could well afford to spray around these areas.

Commissioner Cameron said he would look into the matter, but it would be a costly operation.

Mr. Taylor proceeded to Watson Lake Fire Protection - \$1,900.00. He added that, as Mr. Lawrence had stated earlier, any investment in a fire pump for stationary use could be used and incorporated into any sewer and water system that eventually comes into the community. He asked for this pump a year ago and would ask again that this be considered.

Mr. MacKenzie said this is capital expenditure and properly considered under Vote 10.

Mr. McKamey wished to know that in respect of fire protection, due to the increased costs, would the Federal Government share the cost with the Territorial Government on a 70-30 arrangement. This matter had been brought up before and he wanted to know what progress had been made in regard to it.

Mr. MacKenzie replied that he had raised the question with Ottawa and they pointed out to him that the matter was covered in the Operating Deficit Grant, which is perfectly true.

Mr. Taylor proceeded to Teslin Services - \$2,506.00, and asked Commissioner Cameron if it was the intention to place the community well in Teslin this year.

Mr. Spray replied that they have a report from National Health and Welfare recommending that the best type for Teslin would be an infiltration well from the lakeshore. The Teslin Association had promised help on this and the R.C.M.P. are interested in going to the Teslin Association and working something out this year.

Mr. Taylor proceeded to Haines Junction Services - Fire Department - \$2,535.00.

Mr. Livesey enquired if any extra street lights would be put in Haines Junction.

Commissioner Cameron said they would be putting extra street lights in Haines Junction.

Mr. Spray promised to supply Mr. Livesey with extra information with regard to the street lighting on Monday morning, the 22nd.

Mr. Livesey went on to the Fire Protection in Haines Junction saying that the Community Club wished to sell their interest in the fire truck and the fire hall to the Territorial Government.

Commissioner Cameron thought that no money was available for such a purchase. This was the first he had heard of it.

Mr. Taylor stated that in personal conversation with Mr. Whatmough, their new Fire Marshal, he was informed that it was Mr. Whatmough's desire to take all Territorial fire departments and put them into one category, so that all Territorial fire departments would be under one roof, so to speak. He felt that communities should have a little interest in their fire equipment because if they owned it, they would look after it and take more pride in it.

Mr. Livesey said he definitely has a letter from the Administration in Whitehorse in which they said "that they hope to organize a fire-fighting brigade in the near future in Haines Junction on a volunteer basis and when this is accomplished it will be possible to offer some instruction in fire-fighting methods in an attempt to ensure that adequate personnel are available at all times."

Mr. Boyd moved, seconded by Mr. McKamey, that Mr. Speaker do now resume the chair to hear the report of the Chairman of Committees.

Motion Carried.

When Mr. Speaker resumed the chair, Mr. Taylor reported as follows: Committee Report.

Committee convened at 10:30 a.m. with Mr. Lawrence, Commissioner Cameron, Mr. Baker, Mr. Spray and Mr. MacKenzie in attendance to discuss Bill No. 6, more particularly the item pertaining to sewer and water services. It was moved by Mr. Taylor seconded by Mr. McKinnon that committee is resolved that sewer and water systems are needed in the following settlements without delay, namely Mayo, Haines Junction, Porter Creek and Watson Lake and that the Administration endeavour to arrange with the Department of Northern Affairs for the necessary finances for the immediate installation of these services. The motion was carried. Progress is reported on Bill No. 6.

Council accepted the report and adjourned until 10:00 a.m. Saturday, April 20, 1963.

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Saturday, April 20th, 1963.
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 in reply to motion for the Production of Papers No. 5, presenting a letter from Mr. W.K. Elliott, Fishery Officer. (This letter set out as Sessional Paper No. 27)

Sessional
Paper
No. 27.

Mr. Shaw gave notice of motion for the Production of Papers regarding Accident Prevention Regulations.

Production
of Papers
No. 17

Mr. Boyd moved, seconded by Mr. McKamey, the Administration be requested to supply a complete record of Territorial Government employees occupying government owned or government rented premises and how long have these people occupied such premises.

Production
of Papers
No. 16.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Livesey, that the Administration be respectfully requested to communicate to the Federal Postal Department the desire of the people of Ross River to acquire a recognized Post Office.

Motion
No. 7

Mr. Taylor stated the purpose of this motion is to put it on record as these people have asked for a Post Office on many occasions and have failed to make their request heard so he is bringing it before Council to ask their assistance in conveying this desire to the Postal Department by means of this motion.

Mr. McKamey asked Mr. Taylor who in the Ross River District would look after this Post Office.

Mr. Taylor didn't know but imagined it would go in the Trading Post or store and he added there are 179 permanent residents at Ross River at the present time.

Mr. Shaw asked if there wasn't even a little Post Office. there where they pay the postmaster to issue stamps and a few money orders.

Mr. Taylor said no. Some of the mail for Ross River goes into Whitehorse box numbers and the implementation of a Post Office at Ross River would overcome this.

Mr. Shaw asked if there was a mail service to Ross River.

Mr. Taylor said the only mail service is infrequent flights by Pacific Western Airlines, or any aircraft that happen to be going in that way.

Mr. Boyd said out of a population of 179 people, who would be worthy from a bonding standpoint as this has to be taken into consideration. He asked how many whites are in Ross River.

Mr. Taylor couldn't answer this but quoted from a letter received from Mr. Allan Kulan at Ross River that said "there are 179 permanent residents at Ross River with an additional transient population in the summer months. In the past Father Rigaud or myself have been handling mail for these people but now feel a Post Office is warranted due to the increase in mail"

Mr. Shaw said it didn't concern himself whether these were Indian or White People. There are 179 and this should warrant some type of postal service at least once a month at a regular service and if that occurs then they will have to set up some sort of Post Office such as they have in isolated areas. He wouldn't agree to having a post office

without a postal service because it would be futile but they should have some service. This is a strictly Federal matter and they should look after this service. He was in favor of asking they have a postal service rather than a post office.

Mr. Taylor said without one you can't have the other and these people do require a postal service. This motion merely requests the Administration to make representation on behalf of these people.

Mr. Shaw said he would be against this motion. He would be for a motion establishing a postal service as this is required first.

Mr. Taylor said they have a postal service in the sense that mail is delivered through the two individuals concerned in Ross River. As soon as a recognized Post Office is considered in the community then they will get the service.

Mr. Boyd submitted that a post office is no good if you have no postal service and if there is no regular run the post office doesn't want it and they must have an arrangement for the mail to get to Ross River in the first place, before they have a Post Office.

Mr. Taylor stated by the same token you can't have a postal service until you have a Post Office.

Mr. Boyd said mails are not just hauled by anyone. There has to be some bona fide person who is responsible.

Mr. Taylor said any private pilot can haul the mail anywhere at the express desire of the postal department.

Mr. McKamey disagreed with Mr. Taylor. First the mail has to be carried by a bonded carrier and he thought there was more than the eye could see - this is going to require an air service to Ross River and out of these 179 people there may be two white people and he wondered how many of these 179 people could write. He thought there should be some sort of communication system but he thought this the start of another headache and they have quite a few headaches already. How they got along all these years as he never heard a complaint before and the next thing will be schools, teacher accommodation, etc. and they have some of those problems now. He thought they should tread cautiously and they are short of money now. At the moment there is no industry there and if you encourage them to stay where there is no work this means more welfare and he thought there were a lot of implications in a thing like this and until there is something to support an economy they shouldn't stick their neck out too far. He would encourage industry or a communication service that would help establish an industry. If the road was in from Carmacks to Ross River then the problem would be solved but this is a year or two away and he thought this was premature.

Mr. Taylor said Mr. McKamey purported the fact that until they get their own nests cleaned up the heck with anybody else and he told them these people are **citizens** of the Territory just like anywhere else and they are neglected citizens - white or indian makes no difference. They have just asked for a post office and this motion just asks the Administration to convey this desire to the postal department. When this service is established it could be of benefit to the Territorial Administration insomuch if you have a regular mail flight, as you have to all isolated communities, then the Superintendent of Schools, Game Director, etc. would be able to take advantage of this mail flight and get in touch with a much reduced cost to the taxpayer. Ross River is a potential resource development as there are proven ore reserves around it and it has no other course but to grow. It is at the junction of a road network and it is the intention of the Government to reactivate the road linking them to the Northwest Territories.

Mr. Speaker remarked from the Chair that the people of Ross River could make application to the Federal Government by petition without the advice or consent of this Council.

Mr. Boyd asked what these people are living off and what are they doing - he thought the time would come when they should move these people to a point where they can make a living.

Mr. Taylor thought Mr. Boyd was working on the assumption that these are all natives and this isn't the case. These people are hunters, trappers, they go on staking projects, they earn money and spend it here in the Territory. Seven families are moving back from Upper Liard to further increase the population. There are construction companies working out of Ross River every summer - e.g. Proctor Construction and there will be other construction companies and there will be a bigger population.

Mr. Boyd said Mr. Taylor had remarked that they had requested this service before and wondered what the answer was.

Mr. Taylor didn't know.

After further discussion the motion was voted on with Mr. Taylor and Mr. Shaw in favour; Mr. Boyd against; Mr. McKamey and Mr. Watt abstaining and Mr. McKinnon absent.

Motion Carried.

Mr. Taylor remarked that at the recent Resources Conference one of the Mine, Mill and Smelter individuals complained there was no accident prevention regulations in the Yukon and he wondered if Mr. Clerk could advise to what extent these have been circulated.

Clerk-of-Council replied if this person was referring to general accident prevention regulations - these regulations came into effect in the first Commissioner's Order 1963 and they haven't been circulated very widely because they were only received yesterday from the Printer but from now on they will receive wide circulation.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Supply Bill, Bill #6.

Motion Carried.

In Committee of the Whole:

In
Committee

Discussion followed on Vote 6 - Municipal and Area Development Administration, page 182, with Mr. Spray and Mr. MacKenzie present.

Mr. Livesey, with regard to Carmacks Services, thought the Administration were aware of the flood conditions in Carmacks last year where one of the main streets was flooded. This flood cost the mining companies in that area a lot of money - instead of having their equipment travel through from Edmonton direct to the mine they were forced to unload the equipment in Carmacks due to the flood conditions and consequently the cost went up because of the rehandling of the equipment. He felt something should have been provided here for the repair or prevention of a further recurrence of the flood conditions. He has brought this up before and it has been mentioned by Mr. Baker that the cost of proper repairs would be in the neighborhood of \$4,000.00 and he didn't see this money in the vote for Carmacks so he requested they allow him to take this matter up with the Commissioner to see if something could be done in this area.

Mr. Taylor made a note on this item and with the agreement of committee they can defer this.

Mr. McKamey asked how often does the town of Carmacks flood.

Mr. Spray said the Territorial Engineer would have to answer this as it is an engineering matter.

Mr. McKamey said the reason he asked this was that he has been here since 1951 and he didn't think it had flooded since he had been here and the proper time to bring this up is when the Financial Advisory Committee meets so it doesn't upset the rest of the plans for the year. When they start robbing one vote for another this isn't right. If there is a possibility of Carmacks flooding this year he wouldn't be opposed to it but if this only happens once every say 50 years they could wait until the Financial Advisory Committee sits again this winter.

Mr. Livesey thought it a sad situation when you get a flood in an area where there is an industry trying to set up and operate. If they had gone on the assumption that nothing was going to happen of course no action would be taken but this has happened. So some work, which won't cause an extensive expenditure, should be done and they would be attempting to prevent a recurrence and a recurrence of the cost towards those trying to do something in that particular area. At the time the Financial Advisory Committee met he did not have all the various aspects of the situation at hand but he has been working on it and has the facts and figures and has presented them to the Territorial Engineer. It is a question of finding the amount of money they need within the vote as he didn't think every vote was spent to the limit. They did this form of work in Dawson when the flooding occurred there and a move was made to prevent any further flooding and he was asking their assistance in this regard.

Mr. Shaw wondered if this will protect houses from being flooded or is it a means of raising a road so this outfit can go to the mines.

Mr. Livesey suggested that Mr. Baker could be called on Monday and he could give Committee the details required.

Mr. McKamey remarked the Financial Advisory Committee made a recommendation in respect to eductor service at Haines Junction and he read the recommendation. He asked Mr. Spray what action has been taken in respect to this.

Mr. Spray said the eductor is not in full service yet. It is down in Watson Lake at the present time and it has been up to 1202, Beaver Creek and when it is put into operation it is their intention to put it from Watson Lake, Teslin, Whitehorse, Haines Junction and Mayo and they will service as many as they can. The cost figures are being worked on now.

Mr. Livesey, regarding Carmacks Fire Protection, asked Mr. Spray in connection with the work done by the Forestry Service with regard to training of local people in the area in the program of fire protection, wondered if he could advise him if there are any other additional theories going to be used besides those presently employed.

Mr. Spray said fire protection has always come under the Engineers Office and he is just getting into it, but Mr. Whatmough, the Fire Marshal, is co-ordinating the education of all the Fire Departments and he is calling a school in June and at that time all the Fire Chiefs will be coming in to Whitehorse to attend this school and co-ordinate them and bring them all to the same level and the people of Carmacks will be coming into this school.

Mr. Livesey asked about the reduction of repairs and upkeep of fire equipment and wondered why this reduction from \$1,500.00 to \$100.00.

Mr. MacKenzie said he would have to refer to last years estimates and there must have been some major repair to the fire truck unit #345 last year but he didn't know for sure but it was an unusually large sume of money.

Mr. McKinnon, referring to Sewer and Water Services, Smaller Communities, wondered if Mr. Spray has put into effect any formula that would ease the cost on the larger families in the Porter Creek and Crestview areas.

Mr. Spray said they have been in operation since the latter part of January and Mr. MacKenzie's department is going over all these costs at the present time. They have sold water for 2 months and they now have an idea what the costs are.

Mr. MacKenzie said these are very rough figures. It appears that they have lost quite a sum of money on the operation of water so far. The proceeds of sale at .75¢ per gallon amount to \$1,407.00 and the expenditure is \$3,988.00 so that is a loss of \$2,500.00 so far. The big factor is the need for the truck and driver to go around to every household in the subdivison and ask whether they want water. That takes a lot of time and money and they have no return for it. He thought it was too soon to say, they should wait another couple of months at least to see whether this $\frac{3}{4}$ ¢ a gallon is too low or what.

Mr. McKamey asked what it was costing per family for water.

Mr. McKinnon said it turned out that the people who were getting small quantities of water got it cheaper than when the City was delivering water but the bigger families who use lots of water and who he thought the subsidy was going to assist are paying nearly as much as they were from the City. This subsidy is not affecting and not helping at all.

Mr. MacKenzie said that the City used to have a sliding scale with the greater the quantity the less the unit rate and if this is a major point being raised they will see about setting up a sliding scale.

Mr. McKinnon said according to the terms of the Five Year Agreement on partial sewer and water services the committee agreed that subsidies should not result in the annual cost to an average family on a partial system, falling below \$50.00 per year, it was found a 50% subsidy would result in an average family paying \$75.00 to \$90.00 a year. This was for the truck delivery system and a sewage eductor system but they have not found it necessary to use the eductor system as they have septic tanks and yet they find a family with 3 or 4 children is paying approximately \$15.00 a month for water services with the Territorial water truck and this amounts to \$180.00 a year for water which doesn't fall into the terms of the Financial Agreement which recommends that this should be \$75.00 - \$90.00 per year and the average family has to go beyond this so the formula isn't working out properly.

Mr. MacKenzie said as this formula calculated the cost of water per household per annum on a consumption rate of 10,000 gallons per year.

Mr. McKinnon said the people for whom the subsidy was intended to help aren't being helped and he thought a sliding scale is eventually going to have to be worked out.

Mr. MacKenzie said he would be glad to go into this point and deal with the suggestion of the sliding scale.

Mr. Shaw asked if there was any average figure of the average amount of water used per person in this area. In Dawson they had trucked service and they used this for normal household use and not for flushing toilets and wondered if this was the way in Porter Creek or if they were pumping it into tanks and using it for the sewage also.

Mr. McKinnon said under the regulations in the Porter Creek subdivision you can't build without proper toilet facilities and this entails the use of a flush toilet. The people have the toilet working on a hair trigger action so that there is just enough water in the back to flush the toilet and this is the end of the water action. The families are using their baths and showers sparingly because of the prohibitive cost of water as it is and they intended to help the larger families out, not the couples and the only way they can help them is with the sliding scale.

Mr. Watt asked to whom this water service was available - if it is available within the municipalities or just within the established community - like the fringe areas around Whitehorse.

Mr. Spray said they do service 2 or 3 homes on the Two Mile Hill, two homes in the Transient Area and there was one on the Alaska Highway just by Camp Takhini, along with Porter Creek residents and Crestview. When this service was first started the driver invoiced the customer at the time of delivery and this slowed them down considerably so they changed the system and he now marks down on a sheet the number of gallons delivered to each customer and turns it in at the end of the day. They deliver 6 days a week in Porter Creek and Crestview - some people get service 3 times a week, others two and some one - they are giving the service as required.

Mr. Watt said he has often seen kids with sleighs and barrels and older people with buckets getting water near Tourist Services and this is near the edge of the City Limits and he was wondering if the service is available to them or if it is an economy drive on the part of the people that were getting the water themselves.

Mr. Spray thought it was an economy drive as they delivered to one person who lives right across from Northern Metallic. If the people are willing to pay they will deliver.

Mr. Boyd thought it was an economy drive too, but he was wondering about this loss of \$1,000.00 per month after 2 months of operation and he wondered if this was the intention.

Mr. MacKenzie said no that they couldn't look at 2 months operation as a sound **basis** for future operation. It takes into account the factor of dead time when the driver had to find out who wanted water when and how much and this is a major factor in this loss. This is being watched and if the trend is towards a loss then the rate will be increased or the scale changed.

Mr. Boyd said this is only a truck and they have a well out there and they shouldn't have to operate on a loss.

Mr. McKinnon said one of the biggest costs is that there is no well in Porter Creek but the truck has to drive from the Porter Creek and Crestview areas downtown to buy water. If they could find a well out there it would cut the operating costs in half. It wasn't intended to operate at a profit either but at a 50% subsidy that the Federal Government provided for in the Five Year Financial Agreement.

Mr. Boyd wasn't suggesting they operate at a profit but he thought they drilled a well at Porter Creek and they have a spring and wondered what was wrong with these.

Mr. McKinnon thought when the truck went into operation first they discussed whether it would be possible to obtain water from McIntyre Creek and the Army and they said they had no outlet that the truck could pull up to and get water from, but he thought the Administration should look into it this spring as the water is good for domestic use and some pumping arrangement could be made at the spring head and some saving could then be affected.

Mr. Boyd asked about this well.

Mr. McKinnon said a well was dug at the school site but it didn't prove to have the capacity needed to handle the school and they are now getting their water through the Territorial Government truck system.

Mr. McKamey thought it might be more economical if it was constructed out to some private individual and he could receive a subsidy and he wondered if this had been given consideration.

Mr. McKinnon said not that he knew of.

Mr. Watt saw by the engineering report it would cost \$90,000.00 to build a reservoir and develop the spring in Porter Creek. He thought they had a very efficient water system at McIntyre Creek but there is no outlet. If the Territorial Government were to invest in a stem and pay for the cost of installing this facility at McIntyre Creek then it would save the truck this long trip and they could service twice as many homes in the same time. He thought they should ask the Administration to look into an investment at McIntyre Creek.

Mr. Spray said when he discussed this matter it wasn't only the factor there wasn't any outlet but also that they are pumping to their capacity quite often and they didn't feel they could supply the water that they needed from their tank on top of the hill, but they could pursue this matter further.

Mr. McKinnon asked if the idea of having two men on the water truck was a winters' work program and wondered if it was necessary,

Mr. Spray said when they first started they had one man and after he made deliveries he was quite strong in his views that it would be quite inefficient to operate the truck with only one man and with two men the work can be done much faster.

Mr. Watt added that the City of Whitehorse have two men and they are pretty economy minded.

Mr. Boyd asked if there is a minimum charge for a stop and a delivery.

Mr. Spray said no - it is .75¢ a gallon and can't fall below \$50.00 per year.

Mr. Boyd said in Whitehorse they pay \$120.00 a year for sewer and water which is \$10.00 a month and if these people were to pay on the same basis per home he thought they would find themselves in a different spot. For every stop there was a minimum charge and the people will run them ragged this way.

Mr. McKinnon said in Porter Creek for a partial water system they are averaging \$180.00 a year on a subsidized basis and the only people who fall below this \$50.00 a year basis are those that take 50 gallons a week but the majority of families are paying more.

Mr. Watt said they pay \$7.50 per thousand gallons out at Porter Creek for a partial system and they pay more here for a partial system and it isn't subsidized - that is for a water truck here in Whitehorse. He isn't saying they should have the same service here but

Porter Creek isn't hard done by as they are getting a fairer shake than a lot of people in Whitehorse.

Mr. McKinnon wondered if everyone had forgot the Five Year Agreement as they all agreed to this.

Mr. McKamey wondered if the people of Porter Creek are compelled to participate in this water delivery and if not he couldn't see how it could be operated efficiently. If it is to operate efficiently everyone should participate.

Mr. MacKenzie said these figures are based on 100 households participating in the scheme and in actual practice during the couple months of operation they have been servicing 85 households and he thought it was on the way up so they shall be able to service enough households to meet these figures in time.

Mr. McKamey thought it was necessary that everyone participate in it.

Mr. McKinnon said there are only 11 people in the area who are not availing themselves of this service and they are mostly bachelors.

Mr. Shaw approved of Mr. Watt's suggestion to see if they could get water from McIntyre Creek and he agreed with Mr. McKinnon that there should be a minimum rate put on water and he thought that \$15.00 a month for families a little high unless they are using an awful lot of water.

Mr. McKinnon asked if the Territorial Government had given any consideration to digging another well in Porter Creek.

Mr. Spray didn't know if the Engineers had but they have been keeping the reports of Mr. Lawrence's firm in mind because if the piped water goes into Porter Creek then their truck will only be servicing Crestview and they didn't want to put in any expensive installations for just one year. The water they buy they buy from the City at .25¢ per gallon is chlorinated but the water from McIntyre would not be. They take at least 3 or 4 truck loads per day at 1300 gallons per truck.

Mr. Boyd asked how is this water paid for; who collects the money; how much time is spent on it and how is the water measured.

Mr. Spray replied the driver times it and he knows how many gallons per minute his truck will pump. They are looking for a meter which will run as high as \$225.00. The driver puts the gallonage on a sheet which is turned into the Territorial Treasurer's office. Invoices are sent out once a month and to date they have no outstanding accounts.

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

Motion Carried.

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

Committee convened at 11:00 A.M. to further discuss
Bill #6 with Mr. MacKenzie and Mr. Spray in attendance.
Progress is reported on Bill #6.

Committee
Report.

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M. Monday, April 22nd, 1963.

Monday, April 22nd, 1963
10:00 o'clock A.M.

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

Mr. McKamey gave notice of motion in respect to C.B.C. radio
and notice of motion in respect to taxi licences in the rural
areas. Motions
No.8
No.9

Mr. Shaw moved, seconded by Mr. Boyd, that the Administration
be asked will Accident Prevention Regulations be available for
implementation this summer in regards to the Placer Mining
Industry. Production
of Papers
No. 17

Motion Carried.

Mr. Taylor moved, seconded by Mr. Livesey, that the Territorial
Administration be respectfully requested to actively consider
the clearing and grading of the Ross River Airstrip during the
1963 summer season. Motion
No. 6

Mr. Taylor said this matter was raised last fall and was agreed
to by the Administration and Council. At that time the Territorial
Engineer had agreed to do this with Territorial equipment while
maintaining the Ross River road. Since that time a new site has
been proposed for this strip in order to allow room for townsite
expansion. This motion refers to either strip but he assumed the
new site would be the place for it. The airstrip as proposed at
the new site would be 4,000 feet long and 400 feet wide by the
time it has been completed but this year he asked for 2,500 feet
in length and 150 to 200 feet in width to allow the smaller
aircraft in. If at a later date there is a need for larger
aircraft and more runway distance and width, then at that time they
could consider expanding this. Ross River is dependent on air travel
7 months of the year and the Pelly River has been used quite often
but sometimes it freezes in rough and has stretches of open water
so it is dangerous. The present strip is in a state of disuse and
is quite dangerous so the new site was selected and has been used from
time to time but is dangerous in its present condition. The final new
proposed site one mile from town is on a bench and bulldozers could
quite easily clear it off, a grader grade it down at minimal cost.
The people of Ross River could help with the clearing, the Territorial
and Federal could contribute according to the cost sharing basis.
This airstrip is definitely required and he asked committee give
consideration to a proposal of the clearing and grading of this strip.

Mr. Watt asked if the new airstrip is put into effect as planned he
wondered who will do the maintaining during the winter.

Mr. Taylor thought at the present time in the winter it would be
used only by light aircraft and he couldn't see where plowing would
be necessary unless a mining company wishes to use it as a staging
route but by and large it would just be used by ski equipped aircraft
in the winter.

Mr. Shaw asked if the proposal was to be a joint effort by the Federal
Government, Territorial Government and the people there.

Mr. Taylor felt this would be desirable and the motion leaves the
door open for negotiations with the Federal Government and the people
of Ross River in this regard but he recommended a sharing agreement
be worked out so the people contribute to it.

Mr. McKamey asked what progress the Administration has made be presented
before this motion is voted on.

Mr. Taylor said if this is the case he would ask this motion be
considered in committee.

Members of Council agreed.

Mr. Shaw moved, seconded by Mr. Taylor, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the Supply Bill, Bill #6, with Mr. Spray on Area Development; discussing the correction system with Inspector Vachon and motion no. 6 with Mr. Baker.

Motion Carried.

In Committee of the Whole:

In
Committee

Discussion followed on the correctional program with Inspector Vachon present.

Mr. Boyd said they have a decision to make and they would like to make it on an intelligent basis. They have Mr. Clark's views and he thought it would be nice to hear Mr. Vachon's views to see what his reactions are concerning this proposal.

Inspector Vachon said Mr. Clark's proposals seemed to fit perfectly with his in regard to the changing of the jail. He thought all members were aware that the jail in Whitehorse, which serves as a Territorial jail, is nothing but a place of confinement. There is no occupational instruction given, but is simply a matter of trying to find enough to occupy the prisoners for the time they stay in there by shovelling snow and doing odd jobs. They can't take them out on standard work parties because of the lack of escorts. A person who is confined for three months, which is the maximum, apart from the occupations they can give him around the buildings doing odd jobs, he simply sits there and looks straight ahead doing nothing. They would have the possibility of some kind of rehabilitation available if this type of jail that they are speaking of were to be put into effect. They haven't the space or facilities at the present time for holding these prisoners. Mr. Clark advocated parole very strongly and this would be a matter of what the Council thinks as to how far this should be taken. If they want short term persons to be put on parole they need parole officers to do this. While his men are trained as policemen they are not trained as people for after care agencies or rehabilitation. They are on the other side of that phase of law enforcement. He thought if the jail was put on its proper basis with properly trained personnel in charge, they would be starting on an excellent system.

Mr. Shaw wondered if Inspector Vachon had seen the proposed plan that Mr. Clark had. If so, does he approve of the general plan of the building.

Inspector Vachon said he had seen a copy, sent to him from Ottawa, and there would be small things they would like to submit to Council after study, but generally it is very satisfactory.

Mr. Boyd said, as he understands him, that he is in accord with the system and could see no dangerous pitfalls that would arise out of this.

Inspector Vachon said no. He felt if they keep in mind that they aren't going to operate as B.C. or Ontario operates, in their large minimum security places, for the simple reason that they may be sitting with their minimum security place here with 7 or 8 men, whereas in Ontario and B.C. they would have 200 or 300. They have to view their thinking to the population they would have in the jail, an average of 15 based on past figures.

Mr. Boyd asked if he felt this institution would be in its best place over near the hospital or if it should be out of town or any other vicinity.

Inspector Vachon said in 1960, when he arrived, the Department of Justice wrote asking for a complete report on his suggestions and it was at that time that he proposed this location behind the hospital. They had several things in mind at that time and one of them was all their utilities and services are available. In the jail here they get their meals from the

Army and that way they get better meals than they would get prepared in any institution confinement. They get them cheaper and they can get any number. They had the idea that possibly this could be worked the same way through the hospital. This site was turned down by Commissioner Collins and the reason was that they were thinking in terms of a fortress type of maximum security jail, but they are now thinking of an entirely different term of confinement.

Mr. McKamey wondered if Inspector Vachon would express his views on the attitude of the Department of Health, Northern Health Services in feeding these prisoners over in the hospital area.

Inspector Vachon replied he didn't know what their attitude would be. They have specially constructed containers now in which all the food is brought from the Army down to the jail and his thinking was they could take it from the hospital to the new institution.

Mr. McKamey asked would it be possible to see this institution from town or would it be behind the hill.

Inspector Vachon said it would be in front of the hill but the hospital would be between the town and the site.

Mr. Livesey said the present incarceration of prisoners in Whitehorse and other areas is quite a useless method of incarceration and he didn't feel the question of justice is entirely fulfilled. If they are going to just merely extend the present system in a newer type of quarters, new area with the same philosophy, he didn't feel they would be doing the job that is intended. He felt, they must make sure, when they build a new jail, that they aren't merely thinking of a new building but they are going to broaden their thinking in trying to rehabilitate these people who have temporarily gone in the wrong direction and the situation lies in whether they are going to have these people come back or not. The average is 3 out of 4 and where they consider a parole system they have a return of 1 in 4. Another aspect is the question of economy - the cost to the Territory and the cost to Canada as a whole. He felt they want to eliminate as many people as possible that return to jail and they are trying to return a man to society and not see him again. He felt if they move towards this new system the financial outlay will compliment the new desire toward rehabilitation. In regard to having 7 or 8 prisoners at one time, as was pointed out, this is true but they are also going to make accommodations for 40 men and 15 women so that would be 55 which is rather high if they expect to have 7 at a time. He said they will have to provide for maximum offenders but these will be rare occasions. He asked Inspector Vachon if they are thinking in terms of rehabilitation in connection with this new financial outlay, how large are they going to have this institution. Should it be built so it can be added on to if necessary and whether he thinks it possible to have adequate and proper instruction in the new area so they can help rehabilitation and put on a maximum effort in this direction.

Inspector Vachon agreed with Mr. Livesey that this isn't a matter of just making a new building - it is the system they are trying to change and the answer will be in the personnel in this institution that would be the type of person that would see the requirements and needs of the inmates in the institution and deal with them along those lines and he thought this very important. In regard to size - he said they might have as low as 7 but the average would be about 15 but there would be times within this average when they would have 30 people. In regard to the present system - they have people in there only up to 3 months and under the new system they are thinking of keeping them two years less a day until the government changes that. Today they have very few people, that would be called criminals, coming through the jail. These are people that have committed minor offences but because they haven't any other way of doing it when a man comes in once he is given

perhaps 7 days, the next time he is given 2 months, the next time 6 months and then 18 months and for the same type of offence but through repetition they have to make some change as they put them in. The thing that happens now is that the man who is not a criminal is sent out to Fort Saskatchewan where he spends the next 2 years or 18 months with criminals and then comes back with a criminal outlook that he didn't have in the first place and this would be one of the saving graces of the new institution. They could stay with us for the term rather than a penitentiary term. He thought we would have a decided advantage in that with our institution. For rehabilitation and after care agencies they could go through the parole board, the John Howard Society, or Elizabeth Fry Society, as to what they feel is the necessary after care of the prisoners when they come out as this definitely is important. There has to be some after care agency when they come out.

Mr. Watt asked which type of institution did he think would be best.

Inspector Vachon said he hadn't studied this enough but felt that the minimum type would be enough. He could envisage this as having an agreement with Fort Saskatchewan for example and even if a person is given 2 months in the jail and is a security risk, they have an arrangement through the Department of Justice with Fort Saskatchewan that they can send him out there for the two months. With that type of agreement, properly screened, they could use a minimum security type of institution.

Mr. Livesey said, with regard to juveniles, that is where they are lacking in proper care and if more care was taken of the original offenders here in the Territory, at home, it would assist these boys and girls to take a fresh look at the way in which they are going. A criminal starts out as a juvenile in a good many instances and that would be a good age to try and straighten them out and he wondered if Inspector Vachon has information on this aspect of the situation.

Inspector Vachon said he didn't in the way of correction other than the fact that they should try not to incarcerate these people if they had a proper parole system and parole officers and this is the thinking outside- to keep them out of the institution until they become incorrigible and then they have to be put in.

Mr. Shaw stated there is the matter of rehabilitating the inmate as much as possible and another factor to be considered is getting these people to do something useful that is productive so they can help pay their way. They should try to make them into law abiding citizens and at the same time teach them to support themselves. He said he made a proposal to have a rehabilitation farm in the Dawson area as an example, to give them a healthy outdoor life and at the same time produce some of their own food. In later discussions he found this wasn't practical because a large percent of these people are picked up in the Whitehorse area so it appears to him that 85% of the inmates of this institution will come from this area and he wondered if this was correct.

Inspector Vachon couldn't give the exact figure but of 80% to 85% that are tried, the offences are committed in this area. They have more of a transient type of population here than in the other areas.

Mr. Shaw felt one of the most important things is to give a man work and he visualized where they could have some of these people put on certain projects, making campgrounds, improving facilities, etc. but if they are going to have an average of 10 to 15 people any project such as this they wouldn't have enough manpower. They would be confined to this area.

Inspector Vachon said in keeping in mind again the number of men confined to the jail many of them are confined for less than 30 days. They couldn't start too extended a program with the great majority being confined for that time.

Mr. Livesey asked if this is a Territorial or Municipal jail and if it is a Territorial, why is it being considered that it should be placed in an area that may soon become part of the City of Whitehorse.

Inspector Vachon understood that it would be a Territorial jail and not a Municipal jail.

Mr. Watt said they are trying to give a man a days work so he gets a feeling of usefulness to the community so he was trying to visualize what type of work they could do. Would they transport them to some public works job and he had one in mind - landscaping the hospital area.

Inspector Vachon thought this was going to be up to the new administration. He thought they have a school opening up that would be close to the site where they could get instructors to come up or they could go down in the evenings for classes at the technical school. When the jail is operated by the Territory they would have sufficient guards to take these people out to the various projects. Today they are operating the jail with 6 people and they are envisaging the Territorial jail with 20 people so they will have more opportunity to deal in the proper way with them than they ever have.

Inspector Vachon was excused from committee.

Committee then discussed Establishment 204 - Sewer and Water Survey page 191, with Mr. Spray, Mr. Baker and Mr. MacKenzie present.

Mr. Taylor said in view of the fact that the survey being undertaken at the present time is estimated at \$70,000.00 and he wondered what this \$10,000.00 represents or how would the balance be financed.

Mr. MacKenzie said this \$10,000.00 was put in 6 months ago at a time when they didn't know what the exact cost was going to be. They can cover the difference later in a supplementary estimate if need be.

Mr. McKamey, in regard to Area Development Administration \$24,160.00, was wondering where provision was made for gas, oil, repairs, wrecks, for government cars.

Mr. MacKenzie said that is covered in Primary 70 - \$900.00 for rental of equipment. That is the estimated cost of operating a car and includes gas, oil, etc. If the car is wrecked they have an insurance claim under their automobile policy.

Mr. Taylor, with Mr. Shaw in the Chair, said regarding Administrative policy, he had a copy of a letter from the Citizens Association of Watson Lake to Commissioner Cameron which set out by motion the following which they asked to be considered at the spring session:

- " (1) A motion that trailers and mobile homes be allowed as required improvements for the purpose of acquiring title to the lot on which said trailer is parked at Watson Lake provided each trailer is put on a cement foundation connected to sewer and water and have the necessary 400 square feet of floor space or are of \$3,500.00 value. These trailers to be parked in a designated area where lots are zoned for trailer parking.
- (2) The motion made that the extra charge of \$65.00 added to the price of lots to be sold in the future in Watson Lake is unjust and they feel the government should bear the cost of culverting.
- (3) Motion made that the existing Agreement for Sale forms be amended to allow an extension of time for one year to enable the purchaser to complete the value of the building construction required. In consideration of this extension it is agreed that a fee of 10% of the original cost purchase price of the lot be paid by the purchaser.
- (4) Motion made that the clear title to a lot be given to anyone wishing to purchase one residential lot in Watson Lake upon payment in full of the purchase price of the lot with all existing building and improvement regulations to be observed with the exception of the three year time limit. "

They asked that these four motions be brought to the attention of the Area Development Office and he would like to know if the Administration would actively consider implementing in Watson Lake the recommendations as found in the motions.

Mr. Spray said regarding trailers and mobile homes it was decided at the last Council Session that if the citizens of the subdivisions wished to allow trailers to be placed in that subdivision, as long as they are placed on a permanent foundation, connected to sewer and water and are a minimum value as set out in the subdivision regulations, then they are quite willing to go along with it but they have asked the Watson Lake residents for further clarification on this point. If they have asked for trailers to be put in one section of the subdivision only in a section designated for trailers, they would assume that this is to be delayed until the C.M.H.C. plan is available for Watson Lake. The extension of one year on the Agreement of Sale and the payment of 10% of the original purchase price as a penalty - they are in agreement with this if the residents so wish. They will still retain complete control of the enforcement of the regulations and there will only be the one year extension. This requires an amendment to their agreement of sale and an amendment to their regulations and they are willing to do this. In regard to motion(4) as long as the existing building and improvement regulations are observed and enforced but no time limit as to construction. He has written them about this because it is most difficult for them to enforce all their regulations if they have no time limit in which they have to be done. A person can sit there for 10 years and not build anything and all the time they have to keep a close check on this to make sure anything he does build is in line with the regulations at that time and not at the time he purchased the lot. He has written the Watson Lake Association and asked for their comments and clarification of these points before they put it into effect. In regard to motion(2) he stated this hasn't been discussed with the Commissioner, the Territorial Treasurer or the Territorial Engineer yet.

Mr. McKamey wondered what progress had been made in respect to sale of lots in the Territorial Subdivisions in regard to recommendation #18 of the Financial Advisory Committee which read any person that builds a home on a lot in any Territorial Subdivision outside of a municipality be entitled to a refund of 50% on the price of the lot.

Mr. Spray said this recommendation was brought to his attention and he passed his comments on to Mr. MacKenzie. He said if Council wishes that this be done it would be taken into consideration but it would have to be clarified. Would they go right back to the opening of the subdivisions and anyone who has built has a refund made and do they have to set a certain value of building. If they go back right to the opening of the subdivisions it is going to cost them quite a bit of money taking into consideration all the subdivisions throughout the Territory.

Mr. Taylor felt in the case of motion (1) made by the Watson Lake Association, they set aside an area for mobile homes only under the existing regulations. The National Building Code calls for 16" centers but provision could be made in the regulations. He felt they should make an attempt to embody some of the regulations they have into the Ordinance. In regard to motion (2), he agreed that the price of land is already too high and this isn't encouraging development. In the case of motion (4), this would be correcting a very big ill in Area Development Administration although it was originally desired with good intention it is in fact retarding development. This is the only place in Canada where you are required to do so much work on a lot before you get title. In regard to motion (3) they are agreeable to this because this was a request of the Administration too, but eventually it should be removed entirely. He felt these proposals should be given serious consideration and a review be made of these regulations and they be embodied in an ordinance and the use of regulations be restricted as there is a lack of enforcement and the communities should decide what they want to do.

Mr. McKamey asked Mr. Spray the reason why the Department felt they were justified in surveying lots 100 x 200 in Watson Lake and other parts of the Territory 50 x 100 and if there is any plan afoot to correct this.

Mr. Spray said the lots 100 x 200 were surveyed because they need a certain amount of spare footage to put in both a well and a septic system (now 100 x 150 seems sufficient) but this was the idea at Porter Creek, Crestview and Watson Lake. Mayo and Haines Junction are the subdivisions where they are surveyed smaller. He had no knowledge why they were surveyed smaller as this was before his time but they can combine the lots and sell more if need be. They haven't given consideration in cutting down future extensions in Watson Lake or the other communities until they know whether they are going to have a water system or if the people even want them smaller.

Mr. McKamey said it is a known fact that the people want water if not sewer in Watson Lake and ther other areas and in the event they implement water systems it wouldn't be necessary to have huge lots like this and yet it would create a teriffic financial hardship on the Territory to service such large lots. He moved that in the opinion of Council the Administration cease on the sale of all residential lots that are not of regulation size for the purpose of implementing a water system or a sewer and water system, upon the completion of the survey the restriction is to be lifted. Mr. Lawrence made a statement that this was a very serious mistake and some attempt should be made to go back and renegotiate with the people and cut the lots in half and put an alley down the center and this would save financially. Motion re sale of lots.

Mr. Livesey seconded the motion.

Mr. Spray said Watson Lake there is a new section which hasn't been sold and he would be fully in agreement to having this resurveyed and cut into smaller lots.

Mr. Taylor said with regard to Mr. McKamey's comments he wished they had discussed this before making the motion. He thought the answer to most of the problems is in self-determination within the communities involved. The reason they have lots 100 x 200 is because they asked to have them. Originally they asked for 200' square lots and those who have them have built on one side so as to allow the sale of the other half at a future date as they feel they can't afford the sewer and water facilities. They are going into a big expenditure in sewer and water in all the communities and the people should should decide what size they want. The costs are going to be great in all the communities but if a man is willing to pay the cost of running sewer and water facilities across the length of his lots then it is ckey. What they are concerned with is putting the pipe down the frontage of the lots. To reduce the lots to 60' would reduce the distance of piping by 40' per lot. If the people say they would rather have a 100' lot, which they have said, and they will pay the cost, then they should be allowed to do this. It should be clearly stated how much the people themselves want and how much they are willing to pay. They have asked for more lots in Watson Lake and Mr. McKamey's motion would restrict the institution of these lots and they want them this summer.

Mr. Watt asked how the motion would affect commercial land and if he wanted to withhold this land.

Mr. McKamey didn't think it would be necessary as long as the department took into consideration that there should be a certain amount of zoning as a commercial district. He wondered if there was a commercial zoning in Watson Lake.

Mr. Spray stated it is commercial along the highway with the industry down towards the south end and there are a few residential along the

west side of the highway but the majority are attracted to the N.E. of the subdivision. Therefore they are getting a commercial end down the R.C.M.P. and a residential area behind the hotel and this will be worked up into the new subdivision.

Mr. Taylor said the area to the east of town is turning into an industrial area rather than commercial and the area along the highway was zoned optional - they did their own zoning sometime ago. As far as withholding land - they have a land freeze on all around town which they agreed to. He urged they do not support this motion as it would restrict the further development of their community which has already been hindered in the past.

Mr. Boyd thought the people of Watson Lake and Mr. Taylor believed they were living in the land of Alice in Wonderland. He wondered how they were going to put a circulating water system around 200 x 200 foot lots and do it economically. Lots should be standardized in the Yukon and if they want two lots they can buy two.

Mr. Taylor stated Watson Lake is an Alice in Wonderland in that they have been wondering when the Administration was going to take an interest in their community and help them. The only thing they haven't done is name their streets. He wouldn't stand for this motion and neither would the people of Watson Lake. They are getting into water and sewer at last and they have asked for it for years.

Mr. Shaw, with Mr. Boyd in the Chair, said he has heard this battle about lots for years and it appears to him that they are spending a tremendous amount of time discussing this. He thought they could save time if they had a subcommittee of say 4 members that have these problems to meet and discuss it with the Administration and the Territorial Engineer and come up with reasonable answers. Something could be resolved by a subcommittee which could make recommendations to Council instead of spending days thrashing things out that they have gone over years before.

Mr. McKamey thought Mr. Shaw's suggestion fine in some respects but he thought the whole of the Yukon is affected by this financially and if he was a member of the municipality of Whitehorse he would feel left out if he didn't have some say on some of the recommendations that were going to be passed by Council. In regard to his motion he thought they were nipping something in the bud and possibly it hurts but it is going to hurt them financially if they don't do something right now. He reread his motion and said this isn't tying the lots up for years - if they were to go down and renegotiate and the areas that are to be served be cut up into the proper size so they can be serviced properly and economically it wouldn't present much of a problem. He asked Mr. Baker's views on this.

Mr. Baker said this resurvey could be done and quickly. It could be given first priority so it is conceivable to have this resurveyed and up for sale by July 1st.

Committee adjourned at 12:00 o'clock Noon.

2:00 O'clock p.m.

Mr. Shaw called Committee to order and said that prior to the noon adjournment Mr. Taylor had the floor.

Mr. Taylor stated he wished to reiterate that the motion before the committee at this time is quite undemocratic and unnecessary and should be turned down. He phoned the people at Watson Lake during the noon hour informing them of the matter under discussion and asking them to contact as many as possible of the residents and business people there in order to get their views. There is a wire being drafted which should have arrived before noon, but it was phoned back, there has been no dissension, and those who have been contacted definitely feel they wish to retain their 100 x 200 lots and that if in the future there are more lots planned and anybody has any other ideas for reducing the size of them, they come down and discuss this with the people of Watson Lake. To give some idea of how he felt about his community he mentioned that on May 27, 1959, the Watson Lake District Citizens Association wrote to the then member of this Council, Charles Taylor, asking among other things as to when the Territorial Government would start building streets in the sub-division. On June 18, 1959, they wrote again saying that in the past few months the citizens of the community have been receiving promises of action about matters of great urgency, however, dates of promised action have come and gone without any work being commenced. On March 4, 1960, Watson Lake had grown to the degree where they were concerned about traffic lights, and still no action. On March 15, 1960, in another letter to the then Councillor there were recommendations for zoning, street and traffic lights, release of the land on the lake-shore of the airport reserve, and this also went under freeze. Under promise of a survey for a town site plan he cited the following letter from the Watson Lake District Citizens Association addressed to Mr. Frank McCall, Territorial Land Supervisor, and dated September 22, 1961 - "Dear Mr. McCall, at a meeting of the Watson Lake District Citizens Association on September 15, 1961, a resolution was passed that we make a temporary free zone of five miles wide on the west side of the present reserve area to Mile 639 to the east of the present reserve area to the B.C.-Yukon boundary, that is a strip 2½ miles wide on either side of the Alaska Highway. In accordance with this resolution we hereby request that immediate action be taken to cause this resolution to be put into effect. (This was done). The Association further resolved that the Territorial Government would be asked to despatch a town planning commission to the Watson Lake area as soon as possible for the purpose of organizing future development on a sound planned basis." Eventually this was done, but this is April, 1963, and they still do not have the town site planned. They know that with these 100 x 200 lots they will have to pay the cost of putting in this installation for sewer and water, they understand this and they are quite agreeable to it. In the last couple of years, they have had no land available with which to construct homes and they had asked for the land around the lake to alleviate the particular problem and eventually they got it surveyed last summer. By now this subdivision should have been opened for people to purchase lots, plan their home construction, take advantage of the short building season and build their homes this summer for occupancy this fall - however, these lots have not been opened. There have been people in Watson Lake who wanted to build last year but, they could not get title to their land and therefore they could not make their agreements with DLAC, MHC, etc. etc., and the Low Cost Housing did not come into it. It is up to the people of Watson Lake to decide what they want, to curtail development is most unreasonable. There appears to have been very little interest shown by the Administration in their community other than to make subdivision regulations and work out problems theoretically with no practical application. He did not believe they had received a visit from the Area Development Officer for about a year and three months and yet regulations pour forth in a steady stream. It was his sincere hope that with the installation and incorporation of the new system of local improvement districts that they would then have a little self-determination. As far as revenue is concerned he realized it would be costly but they did not intend to go through with the entire projected plan - Mr. Lawrence had explained that they have sufficient funds to implement a start on all four of these projects. In the

long run it will be the people of Watson Lake who will have to pay for their own sewer and water system, but these costs would have to be amortized over a length of time. The people of Watson Lake are pretty healthy taxpayers - in the year 1958/59 when Watson Lake was still at its infancy it contributed \$90,686.52. Multiply that over a period of five years, without increase, will give a sum expended of around half a million dollars. The people of Watson Lake have asked - (a) that Council do not curtail any development of any nature in Watson Lake this summer, (b) that they retain their 100 x 200 lots as set down, that they be allowed to construct on this land, (c) if they get this town site plan and if it is desired then to add more lots, that the Administration come down and talk to the people of Watson Lake and if they can sell them on the idea well and good, but what exists right today, plus that little subdivision around the lake, they want 100 x 200 lots.

Mr. McKinnon wished to know exactly what motion they were discussing.

Mr. Shaw read the motion as follows - "That in the opinion of this Council the Administration cease on the sale of all residential lots that are not of regulation size for the purpose of implementing a water system or a sewer and water system. Upon the completion of this survey the restriction could be lifted." No particular area is specified and it does not specify what is a regulation size lot.

Mr. McKinnon stated that the ideal system would be where people in the subdivision have their say around this table through the member of their electoral district. It seems now that his subdivision is involved in a curtailment of development. In Watson Lake it seems it is practically impossible to go without a sewer and water system because the type of ground does not lend itself to a septic tank type of system, they have big lots, both will have to be implemented. It was never the case in Porter Creek, it was never the thinking of the people to even ask any kind of assistance or even think of the inauguration of a sewer and water system in that vicinity. With regard to the 100 and 200 lots, as Mr. Lawrence said - "The average resident is looking for clean grounds, privacy, elbow room, and lowest possible taxes in living costs. The subdivision is there to stay and it will perform a useful function, it may also be a pleasant place to live in even with the lack of some of the conveniences only considered of minor consequence." When the report first came out he had a meeting that evening with the people of Porter Creek and it was explained to them that with the type of lots they wanted, with no subsidy whatsoever and on a completely self-liquidating project, the amount would come to \$15.00 per month per residence. This is without even thinking of the Territorial Government's share for its installations in Porter Creek and including the installations right up to the user's home which they had decided would probably be to the cost of the user, so it will even be cheaper than that, and there are people on a subsidized system in Porter Creek who are paying up to that amount per month on a water system now. Naturally they thought this was wonderful and they were looking forward to the detailed engineering service of this. Now, all of a sudden, they come to this table and are told that they are not the ones who represent the people in their constituencies anymore, that members from other districts know more about what his people and those of Watson Lake wanted more than the people themselves. He considered that an impersonal affront to the representative from that district who is almost told that he is incompetent to judge what the people of his district want and if he had the unmitigated gall to stand before them and suggest a motion of so sweeping an effect with regard to the people of Beaver Creek or the people of Mayo or the people of Dawson, he would be dragged through those streets and would deserve to be dragged through those streets. He disagreed with this entire attitude whole-heartedly, violently, and vehemently, and he could never be a party to this motion.

Mr. McKamey asked the Administration what the reasoning was behind the surveying of large lots. He added that Watson Lake and Porter Creek had two choices - a choice to choose water or water and sewer and a choice to choose the reasoning behind the large lots.

Mr. Spray said he could answer that in part only. Why these lots were so large was to allow a water system to the wells, and septic tanks - you would need at least about 100 x 150 to have both a well and a septic tank on the same lot. Before he could say that this is the only reason, he would like to have a look at the files to see if there is correspondence before he came to the Territory.

Mr. McKamey wished to know when he could get this information.

Mr. Spray promised it as soon as possible, probably tomorrow.

Mr. McKamey proposed that this matter be deferred for the time being.

Mr. Taylor objected to this saying that matters were always being deferred. He said that the reasoning behind large lots is because they want a little elbow room, they did not want to be crammed into a 60 x 100 lot, this is a big Territory, and they would like a few trees around the house, and room for expansion.

Mr. Watt stated that Mr. Taylor wanted large lots, he wanted the cost of the lots reduced, but Mr. Watt felt they are getting a gift now with lots that size. Mr. Taylor had asked for culverts to be taken off, but they had to use common sense some plane and think of the Territory as a whole. He wished to know if this town site plan for Watson Lake and other parts of the Territory will recommend size of lots and would they give reasons for this size of lots. He asked Mr. Spray if lots were being sold in the Crestview area, to which Mr. Spray replied "yes."

Mr. Boyd remarked that town site planning is big business - it is not planned for what you want today, but for what you want in the long run. Experts are trained for this and these are the people they should be dealing with - they know better as to what is needed. Economically, when an area is spread out so far with only one-third of the property owned being utilized, no people in that district can stand this financial strain when it comes to installing the necessities with which to become modern. Experts should be called in quickly to get this matter stopped.

Mr. Taylor produced a wire just handed to him, it was from the people at Watson Lake - "Have talked to a cross section of landholders and business people consensus of opinion is that all present surveyed lots in Watson Lake remain as is - Jack Thibedeau." That was the opinion of the people he represented. The community of Watson Lake has worked with the Administration for years, and why not continue that - continue with the program. He asked members of Council to defeat the motion.

Mr. McKinnon stated he was glad to receive Mr. Lawrence's report which is actually favourable to the Porter Creek area. They agree that a sewage system is not needed in the foreseeable future because the ground, the fields, the contours lend themselves beautifully to a septic tank system with the size of the lots that are now there. Mr. Lawrence reported that a piped water system is feasible and it will cost the average lot \$15.00 per month to have this system in operation - what is so grandiose about this? And now we are saying that this cannot happen, it is too expensive, it is too extravagant, it can never work. The people of Porter Creek are not asking for favours, they are asking for a sensible practical plan where they can have the proper sanitary facilities and at a cost they are able to afford.

Mr. McKamey believed that the lots at Riverdale are 60 x 150 and some are 50 x 120 and he would like to know how much it would cost to service this size of lots.

Mr. Baker replied that the price tag put on each lot was the cost of installing the services and this cost varies somewhere between \$1,000.00 to \$2,000.00 depending on the size of the lot.

Mr. McKamey said that if they were to take a lot four times that size, would not it be fair to say that it would cost four times as much?

Mr. Baker agreed that this was correct - it would be the proportion of things.

Mr. McKamey pointed out that this was what he was trying to get across. They are screaming for more autonomy but they have to face it and take on the responsibility financially and otherwise. If it was necessary to throw more light on this, the matter could be deferred until the Administration can come up with the facts as to why they made those lots that size. There were reasons for it and one reason being they were not going to have any services - all they were going to have was sewer and water and the reason for making them so large was that there would be sufficient area to prevent contamination of the next door neighbour's water system. Now they are asking for something different, so the lots have to be reduced.

Mr. McKinnon stated they have lots twice as big in Porter Creek, but they were asking for only half as much as the people in Riverdale. A firm of engineers say it is completely practical, it is completely sensible, and yet members of Council wish to curtail development in Porter Creek and in Watson Lake.

Mr. Boyd said he was not just thinking of water, he was looking ahead 15 years on the present basis that is going. He wondered if Mr. McKinnon and Mr. Taylor would be prepared to have an expert look this situation over and then come back to them with what would be the best thing to do with an eye to the future.

Mr. McKinnon retorted that this was exactly what they were paying \$70,000.00 for.

Mr. McKamey said that with due respect to the professional engineer, when the survey was made there was two or three feet of snow, in some places more, and he therefore did not have a very clear picture of what they had to contend with. He made the statement that there might be an entirely different picture when he comes back in May to have another look at it - furthermore, he had talked to this professional engineer and a lot of the statements that Mr. McKinnon made are erroneous. He had discussed the different plans and how they could be implemented in all four communities. They have \$700,000.00 to deal with, this is all they have to spend, and it can be spread only so far. He thought it would be reasonable to take advantage of the amount they have and provide a service for all the communities. More recommendations will be coming in very soon and it would be wise to let this go until they get this professional advice.

Mr. McKinnon agreed this was a preliminary survey but he would ask Mr. McKamey the common courtesy of withdrawing his motion until the result of the professional services is known and they go into it with a lot more figures, and a lot more statistics and facts.

Mr. Taylor thought this was a sensible proposal. They are quite happy in Watson Lake with what they have, they had never heard of sewer and water until this spring, they are happy with their lots, and he would respectfully request that the motion be withdrawn and the matter left just as it was before the motion was ever introduced.

Mr. McKamey stated he would withdraw the motion only if Council agree to defer this problem until they get additional information. If Council agree to that, he will withdraw his motion.

Mr. Livesey seconded it.

Mr. Taylor said that for clarification purposes would they then continue with no recommendations of Council which would deter community development.

Mr. McKinnon said as far as he understood the motion is withdrawn and he would agree that the subject be brought up again at a later date.

Mr. Livesey remarked that once a motion is withdrawn, there is no further discussion on the motion, and the subject matter that was within the meaning of the motion can be discussed at any time and there is nothing to deter the committee or the House from any action it may be pleased to follow.

Withdrawal of the Motion Carried.

Mr. Taylor said he would like to raise at this moment the question of the Territorial Government turning over the sale of Territorial lands to the Federal Government. He felt the move was retrogressive and here again they were giving away more authority of the Territorial Administration to the Federal Government and he would like some discussion on it.

Mr. Shaw suggested that Commissioner Cameron be requested to attend committee for this purpose and Clerk-in-Council was instructed to get in touch with Commissioner Cameron.

Commissioner Cameron arrives.

Mr. Shaw explained Mr. Taylor's request to Commissioner Cameron.

Commissioner Cameron said that Territorial lands, in actual fact, are Crown lands and Mr. McCall's organization handles all of the land. Also when you go to outlying areas like Watson Lake, the agents can do the land transactions instead of every one having to write in here, it is all under one roof. After that any area of subdivision goes back to Area Development Ordinance and is handled under that Ordinance. All he handles is the actual transfer of the land which, in fact, is Crown land and it gives greater scope for procedure in outlying districts.

Mr. Taylor asked if he was wrong in assuming then that Territorial lands are not the property of the Territory until after they have been sold. He thought these were Territorial lands and that the agreement of sale was between the purchaser and the Yukon Territorial Government.

Mr. Spray said that the Administration in control of the lands in the Territorial subdivisions was transferred to the Commissioner of the Yukon Territory - he therefore has control of this land to sell it to a private individual under an agreement for sale. When letters of patent are requested, they are requested from the Government of Canada, because this is still their land, and this patent must be issued by the Federal Government before a certificate of title can be issued to the individual. Although the sales of land is transferred to Mr. McCall's office, the administration and control of the land is still held by the Commissioner, and the Commissioner directs the policy.

Mr. Taylor said that prior to this change, made some time in February he believed, things were working out well, they were still administering this land and he could not understand why this has turned over to an already over-taxed staff. It was his intention to ask that they take over again the control of their own lands and in the outlying areas they could sell this through the Territorial Agents by segregating those two jobs.

Mr. McKamey enquired if he was right in assuming that all a Mine Recorder is doing is acting as salesman for the sale of land for the Territorial Government.

Mr. Spray said this was correct.

Mr. McKamey was in full agreement with this arrangement and could not see why he should motor 267 miles to Whitehorse to buy a lot of land when he could go over to the Recording office and buy that lot right then and there. Why should they have to drag down here every time they want a lot? This is delegating authority out in the hinterland where it should be and he could see nothing wrong with it.

Mr. Taylor remarked that he was not aware they did not have a Territorial Agent in Mayo - in Watson Lake they used to drive over to the Liquor Store when they wanted land and they dealt with it under Territorial administration not Federal. He added that his question has been answered but he did not agree that this was the proper method - it seemed that every time they get a little authority, they turn it back to Ottawa.

Mr. Watt said that in Whitehorse they have municipal land and land that they pay Territorial taxes on - is this Federal land or Territorial land.

Mr. MacKenzie stated that they have municipal land, Territorial land, and land in these subdivisions, which is really Crown land, until it is transferred by letters of patent. Taxes on Territorial land are payable to us, taxes on municipal land to the municipalities and, of course, once a lot is in a subdivision and sold to the householder then it becomes Territorial property and the taxes come to us. Until land is bought and built upon, no taxes are payable, nobody owns it, the Crown owns it.

Clerk-In-Council stated if you have a lease or an agreement of sale, or if you are occupying it as a squatter, it still belongs to the Crown and you pay taxes on it. It is not Territorial land - all land in the Territory is Crown land, and the Territorial Government has only been given the administration and control of certain parts of it - outside of that, all land is Crown land until it is sold, when it becomes private land, you pay taxes on the land and improvements.

Mr. Shaw proceeded to page 196, Rental Subsidies, CHMC Low Rental Apartments, Whitehorse - \$7,500.00. This is a subsidy for low rental apartments.

Mr. McKamey said the Financial Advisory Committee made a recommendation that "The Committee felt that the government subsidize a low rental apartment scheme under establishment 209 operation and maintenance, as establishment 349 Capital Vote 10 was inadvisable at the present time." What progress has been made on this recommendation?

Commissioner Cameron replied that the City of Whitehorse wrote a letter not too long ago saying they were in favour of going ahead with this low rental apartment program at an increased price because the cost per unit is higher. As far as the discussions which took place with the Financial Advisory Committee and the ones now there is very little difference, the FAC looked at it then, the City of Whitehorse agreed, but the big problem is that in these low rental apartments there is a difference in what you can charge the individual and what the government will make up in a subsidy. Under this program you are not permitted to put a flat rate, you must charge according to the individual's income, and this presents a great deal of problems. As it stands at present, it is to be split 75% - 17½%, 7½%. That is the capital cost, the operating cost, and the operating deficit. When you get down to the operating deficit, where do we get the money? The Territory has not the money to pick up the difference between the subsidy and the collected rent and he doubted very much that the City has. There are a couple of private individuals or companies that are interested in building a medium rent apartment, and according to Mr. Clausen of CHMC, this would be the answer. The Administration was trying in every way to promote this because it is in keeping with their thinking.

Mr. Shaw said he would not go for a scheme such as this. The only way one can borrow money to build a house in the Yukon is by two extremes in relation to conditions in the Territory - you have the National Mortgage and Housing where people can borrow with all facility, then at the other end of the scale, you have where you can build a house at not more than \$7,000.00. Then there is a scheme for providing a subsidy. It was about time they got down to something sensible and have a scheme of their own - put this apartment deal in with this \$7,000.00 deal, lump them together, and loan up to 5,6,7 or 10 thousand dollars, whatever the case may be, to a person building a house of reasonable standards or, if his house is small, he can borrow a few thousand

to improve the existing facilities. If they could have a system where people who want to help themselves have the means to help themselves, this is what they want, without too many restrictions. He would not be far wrong in making a flat statement that he had grave doubts that there is anyone in the Yukon Territory, outside of the confines of the City here, that have been able to take advantage of any government housing plan, of any sort, there is always something against them. This has been in three years and to show how effective it is, it is in the same situation as what it was three years ago, except that they have a few more problems to iron out.

Mr. Boyd stated that this building they are talking about is going to cost somebody, the taxpayer, \$12,000.00 per year. The first one is not enough, they need lots of them, 10 of them maybe, to take care of the people they are talking about, and obviously this is not the answer. He sees a conglomeration of figures where they will require an extra bookkeeper, another man running around collecting the rent, another one fixing the walls, and so on. What it will boil down to is that these people will become parasites. They have not a nickel invested in this thing, there is no initiative created by giving them this building, they could ^{not} care less, and their families will grow up in this attitude. If they are going to build anything, build something that can be sold to them, keep them paying a little bit on something they think they can own. In the other way they are not paying any taxes, let alone school taxes, or anything else, and they are the people that have the biggest families. He suggested the deletion of the entire program, and said they should start with something more gainful for all of them.

Mr. Watt said this is getting dangerously close to private enterprise but it does work in some of the provinces to a certain extent. There is a field in the apartment business that private enterprise cannot touch and that is for people who need two, three or four bedroom apartments, people with families. Private enterprise cannot touch this field because of the cost of the apartments and the higher cost of maintaining an apartment with a family in it. If this is voted upon he would like to have the suggestion added that they provide apartments to those whom private enterprise cannot supply apartments for, people with families who need the subsidy from them.

Mr. Boyd asked members not to overlook the fact that a lot of these people earn quite a sum of money, they have been living in places where they haven't had to pay their way to start with, and if they were to go to a place where they felt they were part of the people, part of the society, they might change a little bit. Now they get foot-loose with their money and it is gone. He would move that this money be deleted.

Mr. McKamey seconded it.

Mr. McKinnon understood there was originally placed around this Council table a three-phase program to get rid of the squatters. One of the aspects of the squatter problem was Lot 19, the other the Low Cost Housing Ordinance, and the third the Low Rental Apartment. The Lot 19 plebiscite has been turned down twice by the people of Whitehorse, but the squatters have organized a committee to see if they can buy this land privately from the White Pass & Yukon Route. The Low Cost Housing Ordinance was approved by Council but it was so unworkable that it went back to cabinet, then evidently it was approved by cabinet and he sees in the ordinance that it is just as unworkable as it ever was. The Low Rental Apartment was approved by this Council last year but it could not be constructed as the City would not go along with their share of it - now that the City is willing to go along with their share of it, the Territorial Council is not willing to go along. Where do they go from here, he did not know.

Mr. Boyd suggested that they do not take too much sock in what the City says as they are going to be responsible for only 7 1/2% of it.

Mr. McKinnon asked if Low Rental Apartments were approved by Council last year.

Mr. MacKenzie replied yes.

Mr. McKinnon asked why they did not go ahead with the construction last year.

Mr. MacKenzie replied that it was due to the objection on the part of the City of Whitehorse.

Commissioner Cameron stated the plebiscite on Lot 19 was turned down twice, but now it appears that there is going to be reactivation of this program and the squatters have taken it on themselves. This is the best news they have had for some time and additional funds will be required in order to carry out the Lot 19 program. If the Council turned down this amount of money here, the Deputy Minister said he would be willing to approach for \$75,000.00 to help clean up the squatter situation when Lot 19 goes through. If Lot 19 goes through that will alleviate a lot of the problem and if private enterprise becomes interested this could eliminate the problem.

Mr. Boyd said they have these homes in Fairbanks and they have given up the idea, they are not building any more, they are not happy with them at all. Nothing is a success unless it pays its way and these people can be led to pay their way. He was 100% in favour of getting homes built, but let them be the purchasers. Instead of getting the walls in the house down, they may attempt to keep them there.

Mr. Livesey felt that "Low Rental" was a misnomer, and it seemed to him that High Subsidy, High Rental Apartments would be a more suitable name. There is no point in carrying on with something that is absolutely impossible. If they want to build Low Rental Apartments, they can be built. Under the circumstances he absolutely supported the motion.

Mr. McKinnon said the only reason why he voted for the Low Rental Apartments last year was to solve the squatter problem. He felt the scheme could work and that the subsidy need not be that high. He voted for them last year and in a year he could not see himself reverting his decision completely, so that is the way it stands.

Mr. Taylor believed there was an ordinance.

Mr. MacKenzie said he had a copy of the ordinance in front of him - it was passed at the First Session 1962.

Mr. Shaw said that although he approved of the resolution last year, in reviewing this situation many things have changed, one should not be dogmatic about an opinion, and he thought that perhaps this money could be utilized to help people to help themselves rather than subsidize something.

Mr. Watt asked Mr. MacKenzie if the figure they were discussing now is the subsidy they would be paying for the operation of Low Rental Housing.

Mr. MacKenzie replied that it was 17~~1/2~~% of the total cost, which is their share.

Mr. McKamey said he had the privilege of talking to Mr. Clausen in Vancouver and there is money available through CHMC to build apartment blocks and this was considered before when this money was not available, but now that it is available, they should leave it up to free enterprise and save the taxpayer a great deal of money.

Mr. McKinnon stated this could not be done as the ordinance had been passed and the money approved.

Mr. MacKenzie said that it could be repealed.

Mr. McKamey remembered discussing this program with someone from Ottawa and was told it was not a self-liquidating effort, by no means, there was definitely going to be a tab picked up, and they could see when it was first introduced at this table that in the Yukon it would be much greater due to the fact that there is so much seasonal work and so many people on unemployment insurance. A person could be employed and move into this apartment and a week later they may be laid off and go on unemployment insurance.

Mr. Boyd said if they were to put up these apartments, they would install a furnace in this place and they would haul oil down there. Why cannot the tenant go out and cut his own wood? If he happens to go on Welfare or Unemployment Insurance, he would not even pay for his oil. If they can get them into separate homes, they can at least show some initiative and go out and get their own wood. He called for the question.

Mr. McKinnon wished to know what this money could be used for.

Mr. MacKenzie said that good use could be made of it to offset capital and operating expenditure that was not provided for in the five-year agreement. It would be badly needed.

Motion carried with Mr. McKinnon disagreeing and Mr. Watt abstaining.

Mr. Boyd moved, seconded by Mr. McKamey, that Mr. Speaker do now resume the Chair and hear the report of Chairman of Committees.

Motion Carried.

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

Committee
Report.

Committee convened at 10:40 a.m. with Inspector Vachon, R.C.M.P. in attendance to discuss problems related to the new correctional institution. At 11:15 a.m. committee continued discussions on the main Supply Bill with Mr. MacKenzie, Mr. Baker and Mr. Spray in attendance. It was moved by Mr. McKamey, seconded by Mr. Livesey that in the opinion of this committee the Administration cease on the sale of all residential lots that are not of regulation size for the purpose of implementing a water system or a sewer and water system. Upon the completion of this survey the restriction be lifted. Mr. McKamey and Mr. Livesey agreed to withdraw the motion if committee would agree to have the matter brought up later when further data is available. Committee agreed. Commissioner Cameron attended committee to discuss Area Development Administration. It was moved by Mr. Boyd and seconded by Mr. McKamey that the item respecting Low Rental Apartments (Establishment 209, Primary 74) be deleted. Motion was carried with Mr. McKinnon opposed and Mr. Watt abstaining.

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M., Tuesday, April 23rd, 1963.

Tuesday, April 23rd, 1963.
10:00 o'clock A.M.

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

Introducing

Mr. Boyd moved, seconded by Mr. McKamey, for leave to introduce Bill No. 13, An Ordinance to Amend the Financial Administration Ordinance.

Bill #13

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, for leave to introduce Bill No. 12, 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 #12

Motion Carried.

Mr. Boyd moved, seconded by Mr. Taylor, for leave to introduce Bill No. 14, An Ordinance to Amend the Low Rental Housing Agreement Ordinance.

Bill #14

Motion Carried.

Mr. Watt gave notice of the following motions:

Motions

- (1) regarding school traffic zones along fourth avenue; and
- (2) regarding the controlling of dogs in the Whitehorse area.

No. 10

No. 11

Mr. McKinnon gave notice of motion regarding the trucked water system in Porter Creek and Crestview.

No. 12

Mr. McKamey moved, seconded by Mr. Shaw, that it is respectfully requested that the Administration explore all avenues possible to implement the twenty-four hour C.B.C. radio service for the Rural Districts as a Civil Defence Measure.

Mr. McKamey stated three or four years ago Major General Walsh was before Council with all kinds of promises in respect to Civil Defence. A monitoring service here was promised so they would know how much fallout was in the Territory but they never got this service. In the rural districts they have poor communication systems and there is no way of knowing if there is danger from fallout. Resulting from this and a plea from the Territorial Council it was decided to keep the C.B.C. radio open 24 hours a day. The satellite stations were connected to it and the radio was running 24 hours a day. Last year this was stopped. Whether it was due to the austerity program or not, since then they have had no C.B.C. radio. It may be a lack of defence policy of the previous government but he thought the Administration should make some attempt to give them this service again in the outlying districts and he asked for Council's concurrence on this motion.

Motion
No. 8

Mr. Shaw stated that the radio station in Whitehorse opens their doors at 6:00 in the morning. However, it only applies to this station and they do not go on the air to the satellite stations until 7:00 a.m. He enquired and it appears that the Canadian National Telegraphs demand a large sum of money to transmit before this particular time. It seemed ridiculous when the lines are there that an excessive amount would be charged from one crown corporation to another. Why couldn't the switch just be left open.

Mr. Taylor said in Watson Lake they are fortunate to receive this broadcast in question. It is called the "Allnighter" and originated out of Edmonton. He enquired of the C.B.C. as to why it was curtailed and he was given two reasons - one was the fact they had changed the network feed from Edmonton to Vancouver and the second was the austerity program. He heartily endorsed the motion and would like to see it reinstated.

Mr. Watt said they forgot to include the other parts of the Yukon and if this is a civil defence measure the whole of the Territory should be included.

Mr. Taylor said when they were getting this all night broadcast Whitehorse wasn't. He found out why - they classify a 40 watt station as an unattended transmitter or satellite unit, but Whitehorse having a 250 watt transmitter, or something like that, was classed as an attended transmitter and they have to have a technician on duty to keep it going all night. He didn't know why this couldn't be gotten around.

Mr. McKinnon thought it would be interesting to know the technical problems and expense involved in providing this service throughout the Territory. He didn't want to push something for Whitehorse to the detriment of the outside areas, but he thought it necessary to know these facts.

Mr. Watt felt the same as Mr. McKinnon. If the cost is going to be high and it may withhold the service from the whole Territory, he wouldn't press the point.

Mr. McKinnon said if possible he would like to see 24 hour radio service to the whole Territory. The only time the Whitehorse station is unattended now is for 5 hours during a 24 hour period and he couldn't see that the cost of 5 hours being attended would be that prohibitive to stop this 24 hour service becoming a reality. He moved that the motion be amended to read radio service "in the Yukon" as a Civil Defence Measure.

Mr. Watt seconded the amendment.

Motion carried as amended.

Mr. Watt asked the Administration the following:

Question
No. 8

- (1) Has the Yukon Government ever tried to operate rock crusher plants during the winter months?
- (2) If so, what were the results?
- (3) If winter crushing has not been tried would the Administration try it for a test period next winter?
- (4) Could part of the labour costs of such a winter rock crusher operation be recoverable through the winter works program?

Mr. Taylor directed the following questions to the Administration:

- (1) Are contractors bidding on Yukon projects required to hold a business licence in order to qualify as bidders?
- (2) If not, please explain why.

Question
No. 9

Mr. Taylor asked the Administration would they consider contacting Ottawa in an effort to determine whether or not the C.M. H.C. plans for Yukon Communities will be available to Council prior to prorogation.

Question
No. 10

Mr. Watt asked the Administration how are goods that have been seized by the sheriff normally sold? How long are goods usually held before they are sold?

Question
No. 11

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Area Development with Mr. Spray, motion no. 6 respecting Ross River Airstrip with Mr. Baker and the Main Supply Bill.

Motion Carried.

Committee of the Whole

In
Committee

Discussion followed on the Main Supply Bill with Mr. MacKenzie, Mr. Baker, and Mr. Spray present.

Mr. Livesey wondered if he could ask a question regarding Health and Welfare. He has a patient in his district who recently received a bill from the Whitehorse General Hospital for two days hospital service at a cost of \$50.00. This man is a prospector and has lived in his district for many years. The problem is he has put up quite a struggle against many medical obstacles and wondered if Mr. MacKenzie had any information for him that would indicate why he was charged for the Hospital Service when there is supposed to be free insurance.

Mr. MacKenzie said the medical referee rejected this on the grounds that the treatment was not acute and it could have been dealt with on an outpatient basis. He found that this individual is a welfare case, he is an indigent, and the bill will be picked up by Welfare.

Mr. Watt asked if this person was sent to the hospital by a doctor.

Mr. MacKenzie said yes, and read the remarks of the referee - "it is apparent from the information provided that this patient was hospitalized primarily to ensure his co-operation in management of a sort that is ordinarily, in Canada, given on an outpatient basis rather than because he needed the unique services and facilities available only to an inpatient in an acute treatment general hospital."

Mr. Boyd said if this man had \$50.00 in the bank he would be required to pay and it is just a coincidence that Welfare enter into it. He felt the Administration or someone should get something on paper to clarify this so people are not under false illusions.

Mr. MacKenzie said when this point was discussed last week he undertook to write to Ottawa to ascertain the experience of the Northwest Territories in the same business and it was then agreed to shelve this matter until this reply was received.

Mr. McKinnon, in regard to Porter Creek Services, Page 197; wondered if it was possible to ask the Territorial Tax Assessor on what basis taxes are arrived at in a nonincorporated district such as Porter Creek. What is a hamlet allowance and what will be taxed as improvements.

Clerk-in-Council stated that to arrive at the assessment they use the Alberta Manual and the entire Territory was assessed in 1959 by a team of assessors from the Alberta Government. They had done the City of Whitehorse so they wanted to keep the entire Territory as close to being assessed on the same basis as possible. They figured out the system of hamlet allowances for them and to arrive at the hamlet allowance they use a table that is prepared by the Alberta Government Assessors. There are various items taken into consideration to arrive at this allowance - distance from main centers, such as Whitehorse, distance from a main road or highway, from an airport, etc., and each subdivision along the highway have a different hamlet allowance based on their locality and the accessibility of all major services to them. He could not explain the table - they would have to have a look at it themselves.

Mr. McKinnon asked if they could see a copy of this table and if this ran on a percentage basis.

Clerk-in-Council said yes, and the entire Territory is based on the same book, the Alberta Manual. In regard to what type of improvements are assessable - the only type of improvements they assess are actual buildings and something that is not removable when you leave.

Mr. Watt asked if you can tax a trailer on a cement foundation.

Clerk-in-Council said yes or a trailer on wheels, but they have to consider the one on wheels as it is pretty easy to roll away. Once it is put on the ground, banked up, and rooms are built on, they assess them.

Mr. McKinnon said there is a question where the Administration and the Porter Creek Citizens Association are not having good results in getting together. This is where a building committee was formed to bring to the attention of the Administration buildings that were substandard or were not up to regulation in the subdivision. On June 15th, 1962, this committee wrote to the Administration listing 10 building complaints and where people were not living up to the regulations. This letter was acted on again in November and to this date, very little has been done. He was wondering if they can expect any action on further requests of the association.

Mr. Spray thought in part that some of these had been acted upon. One in particular, a burnt out building, was boarded up and this matter has been referred to the Fire Marshal. In this case they are waiting for a local assistant to be appointed.

Mr. McKinnon said there are quite a few piles of junk, cars etc., that have been brought to the attention of the Administration and nothing has been done to this date and he wondered if this was going to be a continual process where they were going to send in letters and get no action.

Mr. Spray said they are helpless to enforce junk regulations until the spring on account of junk being buried in the snow but this spring they are going to enforce these regulations throughout the Territory.

Mr. McKinnon wanted Mr. Spray to bring these complaints before Council and tell them what has been done on each particular one. He stated that, under the old Agreements for Sale of a lot in the Porter Creek Subdivision, a man could turn around and sell it before his improvement work was done or before he received title to it. This cannot be done under the new Agreement of Sale and he was wondering if the new one superceded the old or if the ones under the old agreement could still sell their lots as before.

Mr. Spray said that they cannot change the old agreements once they are signed.

Mr. Watt asked whose building regulations does Porter Creek comply with.

Mr. McKinnon said the minimum regulations of the National Building Code.

Mr. Boyd noticed last year that they voted \$1,200.00 for public utilities for lights and now they are up to \$2,970.00 and what strikes him is the tax structure. Mr. McKinnon was worried about how it was based and he is wondering if the tax structure will take care of the 100' lots that are spread out so far, and if the cost of these additional lights required will be taken into consideration when the tax assessment is being considered. If they keep on they will have a \$5,000.00 light bill to service the same number of people that it would take to service twice as many people in Whitehorse.

Clerk-in-Council said the only answer is the larger the lot the larger the assessment and the more taxes he will have to pay. You will see, if you look at a map of Porter Creek, that each lot is a different cost dependent on its size and all the subdivisions are the same.

Mr. McKamey asked what the average taxation per lot is in Porter Creek.

Clerk-in-Council stated that it would be hard to say what the average is but the assessment is based on the actual cost of the lot when the lot is purchased from the Government.

Mr. Boyd said he would be interested in knowing what property taxes have been collected in Porter Creek for the year 1962.

Mr. MacKenzie said he did not know this information off-hand but could get this.

Mr. Livesey said it seemed to him in the rural areas the land is assessed at 2½ times the purchase price and wondered the reason why - and is not based on the original purchase price.

Mr. Shaw stated the commercial value of a piece of property has no bearing directly on its assessed value. The common practice is that the treasury requires 'x' number of dollars to operate so they will take all that land in that particular area and all the improvements and they will say land is so much over the area and the property is valued by the type of construction, amount of footage, etc., so they arrive at the figure they need, they set the mill rate accordingly. Speaking in a broad sense what you pay for a piece of property does not have any bearing on what you are assessed, taxation is based on the amount of money required taking into consideration the resources you can obtain that money from.

Mr. McKamey asked on what basis this is figured in rural districts.

Clerk-in-Council said

there is a table they use to arrive at the value of land. In Mr. Livesey's case, he is quite correct that some land in the outlying areas is assessed at 2½ times the purchase price because it was purchased sometime ago and a different price has been set on the same land today. In regard to Mr. Shaw's explanation he said that very definitely the cost of the land has some value on its assessed value. When they want more money they raise the mill rate.

Mr. Watt said in regard to Mr. Boyd's request he would like to see the improvements listed too. He understood there was some discussion in Ottawa by the Financial Advisory Committee on Territorial taxes and those particularly of Carcross where land was taxed and put up for sale and he understands that the company that owns this has several lots and asked for a tax haltage and wondered about this.

Mr. MacKenzie said this property is owned by the White Pass and Yukon Route and the situation is that the question raised has not been settled but they have been paying the taxes they are held in trust for the time being until the matter is settled. He hopes to get on with this in the next two or three weeks and get it settled.

Mr. McKinnon, in regard to Fire Protection in the Whitehorse Metropolitan Area, stated how pleased he was that the Administration and Army Fire Service have got together and it is now arranged that the Army service Porter Creek and that area at a nominal cost and the residents are pleased and happy that they are protected by such a fine service.

Mr. Boyd, in regard to Crestview Services - \$1,981.00, wanted to know the size of the lots in this area.

Mr. McKinnon replied 100 x 200.

Mr. Boyd noticed they have not any lights as yet and wondered if lights were going to be installed.

Mr. McKinnon said Crestview Subdivision is frozen at the present size and the lots will be filled in between the lights and there will be very few requests for lots.

Mr. Taylor noted in Porter Creek they provide for twelve months of lighting and in Crestview only 10 and wondered the reason.

Mr. Spray said there are no lights in Crestview at the present time and this is for new installation and by the time they get them installed ten months will carry them through until the next fiscal year.

Mr. Boyd wondered how many people are living in Crestview to warrant the installation of these lights.

Mr. Spray could not give the figure off-hand but the subdivision is approximately half occupied and these lights are to go on the street corners. There are a good number of children going home by bus and in the winter time they have to walk back to their homes from the highway. He thought roughly 30 lots were occupied but he stood to be corrected.

Mr. Boyd wanted to see what monies are received by way of taxes in dollars and cents for 1962 in Crestview. He wanted to see what money they are spending against what they are collecting.

Mr. MacKenzie said he would be glad to obtain that information.

Mr. McKinnon thought it unfair to ask just in respect of Porter Creek and Crestview what amount of taxation is taken in against what is spent and he would like to see this for all Territorial Subdivisions

Mr. Livesey thought Crestview different from the others as it is a frozen area and they are not going to develop it and perhaps this does give it a different status and this could be one of the reasons why this was asked.

Mr. Boyd said the reason he is alarmed is that it is okay for these people to have these things if there is a taxation to pay for them - if someone else is going to pay for them he would say slow down a little bit. There was a cry yesterday that people will pay but he wanted to see if they are paying. He said he is living on 5th Avenue and they have lived there for many years and have not got a sidewalk of gravel, cement, or pavement - they have no lights and he is not crying. When they pay taxes in the City and do not get any more service than this and these people out in the subdivisions within two years they have the world by the tail and this is fine if they pay for it.

Mr. McKinnon agreed wholeheartedly and wanted to see if all the subdivisions are paying their way and he could not see why they should be made an exception of.

Mr. Boyd said this is only what he is concerned with and not the whole of the Yukon Territory.

Mr. McKamcy thought this question is relative to any community as it is an impossible question to see how much revenue each community is producing in order to overcome taxes. As far as he was concerned there are not too many communities in the Territory producing wealth to contribute to the cost of operation and maintenance of these villages.

Mr. Watt thought Mr. McKinnon had a good point but it would be enlightening for Council to see these figures.

Mr. MacKenzie wanted to be clear on what information is required just for the two subdivisions or all the subdivisions.

Committee agreed they wanted the information on all the subdivisions.

Mr. Shaw said it is nice to see these various forms of revenue but they would not give a very good picture. He used the municipality of Whitehorse and Dawson as an example of what is collected and is paid. He felt it would turn out that the people in the subdivisions are not beginning to pay for the services they are receiving but are only paying a portion. It has to be that way and always will be that way because that is where you get Federal grants, Territorial grants, etc., to build up a community. He agreed with Mr. Boyd it would be enlightening to see what revenue is derived from these communities but they will not be able to use those figures as a basis for any development or expenditures in that particular area as there are always certain necessary expenditures that must be made.

Mr. Watt said they did not expect these communities to pay for themselves but they would like a rough run-down of the ratio of how things are going so the members might stop and think before they ask for something.

Mr. Livesey, in regard to the Beaver Creek Fire Protection, rose on a point of appreciation as Beaver Creek now has fire protection and this is an unusual event and one worthy of appreciation.

Mr. Boyd stated that he had heard the tank farm was going to be dismantled and hauled away. He was wondering if the Administration have any facts on this and how they are going to be protected for their taxes.

Mr. MacKenzie said he was not aware of this and the position of Council at the last session was to give the company a little time rather than to sell them out. He was glad to have this information and he would see to it that they keep a hold of the assets until the taxes are paid.

Mr. Watt asked how much is outstanding.

Mr. MacKenzie said \$34,000.00 as he recollected offhand.

Mr. Livesey said as the member representing that area he had no official information that such is the case but there is a rumor to that effect. He thought if Administration should investigate this and check with the company concerned. However, he did not think that an organization of that size would abscond without paying their proper dues.

Mr. MacKenzie said he would check into this and advise.

Committee proceeded to Vote 10, Page 296, Municipal and Area Development.

Mr. Taylor, in regard to furniture and office equipment, stated the financial advisory committee had a recommendation on this.

Mr. McKamey said the recommendation of the committee was #9 in regard to the building inspector. It was that a building inspector be qualified in every respect he is employed. He wondered what action had been taken in this regard.

Mr. MacKenzie said the point of view taken was they had someone who was satisfactory to them and qualified for the purpose.

Mr. Taylor asked if this man is qualified in the matters of fire protection and electrical wiring, construction etc.

Mr. Spray said it is a matter of laying down the qualifications for a building inspector. They discussed this matter with CMHC officials and they said in none of their places do they hire a special man who is a professional engineer. The inspector they have was hired as a building inspector and it is a matter of laying down the qualifications.

Mr. McKamey thought to qualify for this position the Administration should take a hold of the Canada Building Code and this would be the acid test if a person is qualified or not.

Mr. Spray said their building inspector does use the National Building Code of Canada and is quite well versed in it and can interpret it.

Committee adjourned until 2:00 p.m.

2:00 O'clock P.M.

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Mr. Taylor called committee to order and said that prior to their adjournment they were dealing with Municipal and Area Development Administration, Furniture and Office Equipment. He went on to Road and Street, Sewer and Water Construction in the amount of \$27,090.00.

Mr. McKinnon said in respect of street construction and additions he understood that roads in the new part of the subdivision in Porter Creek are in roughly and need finishing, would that be in the operating and maintenance estimates they passed this morning.

Mr. Baker replied that in 213, Vote 6, the expenditure discussed this morning covered snow ploughing, street and sidewalk maintenance only - it did not cover any new construction and if further construction is required at Porter Creek, they would have to find the money in Establishment 337.

Mr. McKinnon enquired if some of these roads would need to be brought up to standard.

Mr. Spray replied that in the extension opened last year in Porter Creek the roads were not constructed and they are definitely not all up to standard.

Mr. Taylor enquired if it is the intention of the Administration to charge \$65.00 for culverts against the sale price of each lot in the communities listed.

Mr. Spray said that the matter had not been taken up with Commissioner Cameron or the Territorial Treasurer but, as it stands now, it is charged against the sale price of the lot with the exceptions where lots have been previously sold.

Mr. Livesey believed they had questioned the situation in relation to culverts and in two instances these culverts were advertised to the public of the Territory as if they had already passed this vote; they were going to question this and discuss it with Commissioner Cameron.

Clerk-in-Council was instructed to request Commissioner Cameron to attend committee.

Mr. Taylor went on to Sewer and Water Services to smaller communities in the amount of \$20,500.00.

Mr. Watt asked for a brief discussion on the Porter Creek Garage.

Mr. Spray explained Porter Creek definitely needed a garage for the water truck as the truck must have heat and storage all winter. The sewage education unit is not anticipated to be on the road throughout the very cold months, except in cases of emergency. The idea is to build a garage at Porter Creek which will be a future fire hall, and the sewage eductor unit when not in use will be stored in the Territorial garage.

Mr. Watt enquired if it was intended to have one or two shifts there looking after this garage. It seemed to him they were duplicating services as Porter Creek is close to Whitehorse.

Mr. McKinnon said that the idea of having a garage in Porter Creek is that the army is protecting the area right now, but they have a limited supply of water they can draw from if their trucks go out to Porter Creek. The Territorial water truck, the 1,300 gallon truck, will be kept full of water at all times in this garage and as soon as there is fire calls, this water truck will proceed to the scene of the fire and be used for auxiliary water when the army fire trucks with their pumpers need the extra water. Also, the Territorial garage has not the space to keep this truck in there at all times.

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Mr. Spray agreed to what Mr. McKinnon said.

Mr. Shaw thought this was a good idea and suggested they should make sure that this water truck has the same fittings as the fire truck.

Mr. McKinnon stated that when the water truck is stationed in Porter Creek he hoped there will be someone with a telephone and with a key.

Mr. Spray said that this would not be the case. The Fire Chief has a set of keys for the water truck, and they operate it themselves.

Mr. McKinnon asked what area the new water truck would service.

Mr. Spray replied this was put in when they were not sure as to whether there was going to be a water service in any of the communities but, if they needed another water truck, provision has been made for it.

Mr. Boyd remarked that with regard to the garage, there is no well yet, but if they do have one it will have to be heated, so the garage should be built over it and everything will be warm at all times.

Mr. Taylor said that as Commissioner Cameron was now present, he would read a motion from the Watson Lake Citizens Association which said "that the extra charge of \$65.00 added to lots sold in future is unjust, and that the Government should bear the cost of culverts". He wished to know what were the feelings of the Administration in this matter.

Commissioner Cameron asked the date of the motion, to which Mr. Taylor replied March 20, 1963.

Commissioner Cameron said that no answer has been decided on this as yet because Mr. Fingland, who is the person attending to this, is away and it is being held in abeyance until his return.

Mr. Spray stated that the matter had been brought to his attention but he has not had a chance to discuss it with Commissioner Cameron or the Territorial Treasurer as yet. It is a matter of policy that it be put into all the subdivisions.

Commissioner Cameron said considerable discussions had taken place in the Administration on culverts and different ideas and suggestions had been put up and shelved.

Mr. Taylor felt that in the situation down at Watson Lake this would be adding to the cost of an already over-priced lot.

Mr. Watt enquired as to the average price for a lot in Watson Lake.

Mr. Spray replied that roughly it is \$200.00 to \$300.00 per lot.

Mr. Watt thought there were no grounds for complaint here with regard to prices for lots, especially considering the size of the lots at 100 x 200. He considered this an absolute gift. If anyone was given a lot of this size anywhere, plus road services, engineer services, and so on, this is actually getting the land for nothing at all, and the cost of little things, like culverts, should be absorbed by the owner of the land. If somebody is going to build a house of about anywhere from \$4,000.00 to \$8,000.00, surely \$400.00 is not too much for a lot.

Mr. Boyd said that the Financial Advisory Committee made a suggestion to the powers-to-be that if a man built a home on his lot, a refund of 50% of the cost of the lot would be made, or should be made. This takes care of what Mr. Taylor considered an exorbitant price for the ground, it takes care of the \$65.00 for culverts, and in the meantime they get a house on the lot and they get some taxes back. This, to him, is an incentive deal.

Mr. Taylor thought this a tremendous idea if put into effect, but what are they going to put into effect. This 50% refund would be an ideal solution but he very much doubted if the Administration would entertain the idea. He could not consider a \$300.00 lot as a gift as they have a roughed-out gravel road by their door, but that is all they have for the sale price of these lots. If more development was encouraged and the lot prices kept down, a greater tax field would be created and they would be building communities. He felt that some of these proposals were highly detrimental to the development of communities.

Mr. Shaw wished to know the charge in taxes on these 100 x 200 lots, the empty lots.

Mr. Spray replied, at \$200.00 assessed value, if they charged \$200.00 for the lot, at 32 mills, it would be \$6.40 taxes. If there is no house on it, they would charge \$10.00.

Mr. Taylor stated that those who built houses had to pay a property tax as well, these culverts are on the government right-of-way, if they were on a man's property, then he would agree it could be borne if the individual himself. They have road maintenance only for periodic grading and periodic snow ploughing in the wintertime, so consequently they felt it was quite unjust.

Mr. McKinnon said that the people of Porter Creek are quite amenable to the suggestions from the Administration on this point.

Mr. Livesey felt that as far as the cost of lots were concerned, this is relative, as with everything else - it would depend on location, type of land, and services that go with it. The more the people want a particular lot, the higher the price goes, due to the law of supply and demand. Values are all relative. In an unorganized area the lots would certainly not be worth the same price as, say, in the City of Whitehorse, or anywhere near the City of Whitehorse, where there are a number of people looking for homes. Now, in relation to the question on the advertisement that appeared in local newspapers covering these culverts, people were told they could have one of these \$65.00 culverts free if they had already purchased a lot in one of these subdivisions. He could not understand this because, as far as he knew, the budget has not been passed as yet.

Mr. Taylor said the case was that all lots would be charged the cost of the culverts regardless of whether they buy it or not.

Commissioner Cameron thought this was probably done before the start of this new fiscal year under regulations for controlling subdivisions.

Mr. Livesey said that, unless he was mistaken, the public were informed that those who had lots were entitled to a culvert and that they could apply to the Territorial Administration for one of these culverts, leaving the impression that the Council had agreed to the expenditure of this money, but they have not touched it yet. They are now trying to approve it.

Commissioner Cameron asked Mr. Baker if any of these culverts have been put in.

Mr. Baker replied that as yet they have received no applications.

Commissioner Cameron said that as there was nothing in last year's estimates, this must be something new. It would appear, therefore, that in order to get an early start, to get some indication as soon as possible, this was advertised, and the person who advertised it did not think of what Mr. Livesey is bringing up. However, regardless of this lack of forethought, he felt they all agreed that this money cannot be spent. He was glad Mr. Livesey brought this up because he had a subject to discuss on the same line and get Committee's opinion on it. They have had complaints from contractors about the lateness for tenders, for road construction particularly, as they have such a restricted time for doing any of this work. He discussed this with Ottawa,

with Engineering, and they agreed that if we had the plans, the elevations and so on, to put it in and get the project authorization from them. This is for the expenditure of Federal Funds. They would accept this and we could then call tenders and get our bids in when the contractors are relatively hungry - at this time of the year they are all wondering what they are going to do this summer. If we wait for another month or six weeks, two months, they become sassy and therefore their bid price is very high. This is understandable, it is good business. Now they have the project authorization sitting up in the office, it has been sitting there for two weeks, and they still cannot call tenders. He felt they should still call tenders because then they would find out who the successful bidder was, but before they go ahead, they must still have approval from Ottawa. The problem is, can they go ahead and publish, call for tenders. The only trouble is that they could leave themselves liable to a contractor if they had to back down.

Mr. Shaw noticed on various occasions, trucking back and forth from here to Dawson, that particularly in the fall, when trying to construct roads, that they shove in great big globs of frost with the other materials. They dump this on the road, pack it down, drive over it, and you have a beautiful road until next spring, when the snow starts to thaw. Most of these jobs should be completed before the frost sets in, because you cannot build anything with great knobs of frost in it. If these contracts could be let earlier with some proviso perhaps that until the money is approved, the contracts would not be opened, the Territory would be saving money. It would also help the contractors to lay out a year's program.

Mr. Livesey suggested that possibly as a way out, for roads mainly, why can't they have a separate bill on roads. This bill could be attacked first and if they decided not to do this work on roads, it could be amended to whatever they thought would be the best program. If they dealt with it as a separate issue, it would solve the problem.

Commissioner Cameron felt that the present time is a perfect time for doing a section on the Mayo Road. Pertaining to outside contractors, they have a case now where an outside contractor is the lowest bidder, but way above what has been authorized. This is Federal money and they will have to leave it to Ottawa to see if they can dig up extra money or not. In correspondence that went out today he did add a P.S. saying he realized it was Federal money and would try to hold it within the confines of the Yukon Territory as local operators who are carrying a twelve month payroll should be given consideration over and above outside bidders who use outside prices for labour and bid on that basis.

Mr. Shaw remarked that capital projects should be discussed as soon as possible so that they could get along with the projects right away.

Mr. Taylor proceeded to Moving Squatters Houses, \$10,000.00.

Mr. Watt asked Mr. Spray for a run-down on this item.

Mr. Spray said that the squatters have been asked to come to his office and they will be informed as to how much the Government is prepared to pay them if they wish to demolish their homes. If they wish to move their homes on to Crown land, government would be prepared to have the contractor move their houses and pay for it.

Mr. Watt asked what percentage of the squatters Mr. Spray was getting.

Mr. Spray did not know the percentage, but he has had seven so far. They were on the radio Thursday evening, there is an advertisement in the Whitehorse Star, and the squatters association has asked them to come in, so they have had ample notice.

Mr. Watt asked if Mr. Spray was acquainted with the letter they are asking squatters to sign - "In consideration of the Crown and/or British Yukon Railway Company allowing me a maximum of two building seasons in which to remove my building from Crown or BYN land to Lot 19 or some other area, I

undertake and promise to have all my buildings and possessions removed from Crown or BYN land on or before September 30, 1964."

Mr. Spray replied that he was acquainted with the letter. This is a letter the Squatters Association is sending out asking each squatter on Crown land and/or BYN land to sign. These letters will then be held in trust by Mayor Jacobs in the negotiations between the squatters, the City and White Pass. It was originated by the Squatters Association themselves.

Mr. Watt was pleased to hear that they had nothing to do with the drafting of it, but if these people sign it, it means that roughly 280 lots will have to be provided for these people to move into. These people would not sign the letter if land was unavailable. What land is available in the Whitehorse area, or even within a radius of 10 miles of the City that could possibly reach the price range that these people could use.

Mr. Spray said that Mayor Jacobs instructions on this are he should hold the letters for 30 days and if Lot 19 is not purchased by the City, then these letters are to be turned back to the squatters. Only if Lot 19 is purchased will these letters be used.

Mr. Watt stated there are virtually 280 homes and if Lot 19 is accepted that will give roughly 100 additional lots, which would help, but that still leaves 200. The Transient Area is completely unsatisfactory, it is not designed to serve a useful purpose, it is just a transient area, and so the amount of land available there is practically nil. People are crying for their own homes and they will not move to transient areas. They have to find another 200 building lots and Porter Creek and Crestview will take care of a few of these, possibly 10 or 15% would like to move out to Porter Creek or Crestview. Those who do not have cars will not want to move there. The only solution would seem to be to get low-priced lots in Riverdale because the sewer and water system is extended there - minimum cost lots beyond the present limits.

Mr. Spray said that in Riverdale there are at present low-priced lots at up to \$2,000.00 per lot, with sewer and water, there is no frontage tax. Now, if these were put on a 30-year basis it will cost about \$500.00 - if they wish to service their lots, they cannot get it much lower.

Mr. Baker stated that if Riverdale is to be extended where the services are all provided, then these people will be faced with providing some \$2,000.00 per lot.

Mr. Watt said another alternative would be to have an area over there with a piped water system and this would bring the price down. It would make them taxpayers and they could possibly get a house of some kind for seven or nine thousand dollars. They had to have land at any price.

Mr. Shaw agreed that Mr. Watt had a point insofar as requesting for land. These 280 families would have to have a place to go to and it could be done. He understood there is a swamp area close by and this could be reclaimed. Travelling around Whitehorse he noticed great big banks that are continually creating problems in land-slides and it appeared to him that these escarpments could be taken from the top down to get some level so that they do not create any trouble. All the wedge that is taken off could be hauled in trucks and dumped in this swamp area and reclaimed. He did not think the cost would be prohibitive because they do have a problem with these escarpments and this problem could be eliminated by turning the swamp area into a habitable piece of land.

Mr. Boyd said that the swamp is being gradually filled with refuse, but to get down to brass tacks, they are going to move these people, they have 80 lots available, and what does Mr. Spray say they have to do. He must have some plans. It is no use talking about these people unless they have something concrete.

Mr. Spray said there would be approximately 80 lots in Lot 19, 100 in Porter Creek, and 60 in the transient area, making a total of 240 lots. It is expected that for this year it will be more than sufficient as not all these people are going to move. If Lot 19 falls through they will not be moving BYN squatters, it would be up to the White Pass themselves to do this, but they have 240 lots lined up right now. These people could have a fully modern house in Porter Creek and in town, or they can have the transient area. They can also purchase a lot in Riverdale on a CHMC loan.

Mr. Watt said they have 100 lots in Porter Creek and 60 in the transient area - these would serve adequately only about 25 or 30 people because a lot of these people do not have cars - they cannot move out to Porter Creek. The transient area is just a Welfare area and it will always be so. He could not see himself voting for this as they have no place to move the squatters. He asked Mr. Spray how many squatters this \$10,000.00 would move on the basis of the figure used last year.

Mr. Spray replied he could not give that off-hand, but it is quite obvious it is not going to clean out all of the Crown land.

Mr. Shaw stated that every consideration should be given to avoid putting up an area that will in time become another kind of squatter area.

Mr. Watt said he would have to vote against this particular item until satisfactory arrangements have been made for land somehow in the Whitehorse area. If this Council got together and urged the Administration to try and solve this problem then the Administration would come up with land somewhere at a reasonable price.

Mr. MacKenzie said that if the Lot 19 program goes through, as it seems likely at the moment, they will require money to move squatters' houses so he would urge that this money be left in the establishment as it is 100% recoverable from the Federal Government.

Mr. Shaw suggested again that the possibilities of the swamp land be investigated so that the land may be reclaimed for these people.

Mr. Watt thought that a constructive suggestion and good enough idea to be made into the form of a motion to ask the Administration to look into this. This would improve two areas, the swamp land, and the escarpments.

Mr. Shaw felt it would be wiser to investigate all the facets of a thing before making a motion.

Mr. Taylor said that possibly those concerned should get together and propose a motion tomorrow morning.

Mr. Boyd understood the City did try to do this but they were not successful, but if they could get Lot 19 straightened out they would have at least 80 people moving and this is all that can be accomplished in one season. This would take care of them for this year at least and by fall they would have a better picture of what they should do.

Mr. Watt requested the Administration to look into the possibility of the Riverdale area and see what can be accomplished there.

Mr. Spray said he would check into that.

Mr. Taylor at this point said he had been asked by his constituents to ask for a cemetery grant which they normally did receive in Watson Lake - he thought it was about \$500.00. With the former grant they had constructed a fence around the cemetery, but they do not have sufficient funds to enlarge it, and this year they require a lot survey as the cemetery is in an awful mess. They had put up stakes to try and measure this, but the stakes got lost in the deep snow, and when it is time for a burial in mid-winter everything gets into an awful shambles.

Mr. MacKenzie could not recollect such a grant in the past but he shall be glad to look into it and report back.

Mr. Taylor proceeded to Construction of Low Rental Apartments by CHMC - Est. 349 - \$21,875.00.

Mr. Boyd moved, seconded by Mr. McKamey, that this be deleted for the reason that some better solution can be brought forward, which would be much more beneficial to the people and to the town itself.

Motion carried with Mr. McKinnon and Mr. Watt opposed.

Mr. Taylor proceeded to Establishment 605 - \$9,375.00.

Motion re
Establishment
No. 605.

Mr. Boyd moved, seconded by Mr. McKamey, that this item be deleted.

Mr. Boyd felt that to build this apartment would be leaving the people with no initiative whatsoever, these people must be given the chance to own something. They had to quit this giving because, in the first place, the world does not owe these people a living, what they owe them is employment. He wanted homes that they could own, he was not against the squatters and he was not against spending money for a good purpose.

Motion Carried, with
Mr. McKinnon opposing.

Mr. Watt stated that they each have had a brief from the Yukon Medical Association and it was suggested that a large number of accidents in the Territory, where cars are concerned, are the turn-over and much of the injury could be prevented by seat belts. He asked if the Administration had acted on the recommendation of the Yukon Medical Association.

Mr. Baker replied that all Territorial vehicles are now equipped with seat belts and with all new vehicles it is specified that they have seat belts installed.

Mr. Taylor proceeded to the Whitehorse Vocational Training School and Dormitory, page 301.

Mr. McKinnon noticed the amount of \$700.32 for cook's uniform and said it seemed an awful lot of money for a cook's uniform.

Mr. MacKenzie said he would look into this.

Mr. Taylor went on to Yukon Regional Library - \$2,245.00.

Mr. McKamey wished to know what was the purpose of Canada Council and what did it finance.

Mr. MacKenzie replied that the idea is to further culture, in this case, library books. If they spent \$10,000.00, they would get \$10,000.00, perhaps.

Mr. McKamey asked if it covered the band here in Whitehorse. Would Canada Council contribute towards the cost of operating this band.

Mr. MacKenzie said he did not know - they would have to ask for it, just as with the Yukon Regional Library - make a particular application.

Mr. Shaw felt this could come under the Fitness and Amateur Sport program, fitness being fitness of mind as well as physical fitness.

Mr. Watt said that under the Department of Education they voted for a certain sum of money for instruments and Mr. Thompson said these were to be used for the band, but they would be owned and taken care of by the Department of Education.

Mr. Taylor said there was only one vote left in the budget which they had not dealt with and he would ask members' direction on the matter, that is Vote 13 - Justice Department. There is a bill of legislation in this regard and should they hold this until the bill has been discussed.

Agreed.

Mr. McKamey moved, seconded by Mr. Livesey, that in the opinion of the Committee for the purpose of speeding up the letting of contracts early in the construction season the Administration review the need to separate 100% recoverable Federal Government appropriations as they may apply to road construction and re-construction from the Main Supply Bill and submit such appropriations as a separate Bill.

Motion
re
Road
Contracts.

Motion Carried.

Mr. Livesey brought to attention of Committee the problem of the flood conditions in Carmacks last year and he felt a certain amount of re-construction was needed in Carmacks.

Mr. Baker stated there was a flood in Carmacks last year and it was quite evident that they should have built up the road there in order to provide access to all portions of the town. This work was not started last year and it should be done this year and it is estimated that it will cost somewhere in the vicinity of \$3,000.00 to raise the grade and install a culvert. However, this was not provided for in the estimates. In addition to that, the river road requires re-surfacing, costing approximately \$1,000.00 and, again, this has not been provided for in the estimates. He would recommend that both projects be done.

Mr. Taylor suggested that Mr. Livesey submit a motion the following day during the normal period of discussion on the subject.

Mr. MacKenzie said he had a letter from the Director on the Superannuation Scheme in which he states that the final draft should be available during the week of April 15-20 or very shortly thereafter and he believed Council could act on it this session. Mr. MacKenzie thought Council would be interested in the dates and that this item should go in. The Legislation covered one page of definitions and one and a half pages of the Ordinance.

Mr. Taylor remarked that they have not yet established a cut-off as far as government bills are concerned so they would take that under advisement.

Mr. McKamey said that it would seem to him that if Area Development was set up properly and there was an engineer in charge of that department the way it should be, a civil engineer, then this could be dealt with under one vote and he would be the administrator of that department.

Mr. MacKenzie agreed to that.

Mr. Boyd moved, seconded by Mr. Watt, that Mr. Speaker do now resume the Chair and hear the report of Chairman of the Committee.

Motion Carried.

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

Committee
Report:

Committee convened at 11:00 a.m. with Mr. Spray, Mr. MacKenzie and Mr. Baker in attendance to further discuss Bill No. 6, the Main Supply Bill. It was moved by Mr. Boyd and seconded by Mr. McKamey that Establishment 349 be deleted. The motion was carried with Mr. McKinnon and Mr. Watt opposed.

Mr. Boyd moved, seconded by Mr. McKamey, that Establishment 605 be deleted. The motion was carried with Mr. McKinnon in opposition to the motion.

Moved by Mr. McKamey and seconded by Mr. Livesey that in the opinion of the Committee for the purpose of speeding up the letting of contracts early in the construction season the Administration review the need to separate 100% recoverable Federal Government appropriations as they may apply to road construction and re-construction from the Main Supply Bill and submit such appropriations as a separate Bill. Motion carried.

Council accepted the report of the Committee and adjourned until Wednesday, April 24, 1963.

Wednesday, April 24th, 1963.
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

- | | |
|--|-------------------------|
| (1) Reply to Question No. 7 regarding accommodations for teachers of the Vocational Training school. (Set out as Sessional Paper No. 28) | Sessional Papers No. 28 |
| (2) Reply to motion for Production of Papers No. 17 respecting Accident Prevention Regulations. (Set out as Sessional Paper No. 29) | No. 29 |

Mr. Shaw gave notice of motion regarding health expenses in relation to income tax deductions. Motions # 13

Mr. Shaw gave notice of motion respecting Workmen's Compensation. # 14

Mr. McKinnon gave notice of motion respecting a Community Centres Ordinance. # 15

Mr. McKinnon gave notice of motion respecting a territorial well at Porter Creek. # 16

Mr. Watt gave notice of motion regarding occupancy of Whitehorse Hostels. # 17

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of motion respecting repairs to the main street of Carmacks. # 18

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of motion respecting the proposed rehabilitation centre. # 19

Mr. Watt gave notice of motion for the Production of Papers concerning the fish seeding program. Production of Papers No. 18.

Mr. Watt moved, seconded by Mr. Livesey, that the school traffic zones along fourth avenue in the City of Whitehorse be marked in a clearer and more conspicuous manner. We respectfully request that a post coloring system in the school zones be considered. Motion No. 10

Mr. Watt stated that the reason for this request is the traffic along 4th avenue is very heavy and he has seen in the past, particularly during the summer time when the tourists are here, tourists going along through the traffic zone at 30 miles an hour for the simple reason that they didn't know it was there. There is a small sign of approximately 12" x 12" at each end and these would be sufficient if there wasn't the traffic and the distractions along the way. This post coloring system that he has suggested the Administration consider is marking the existing telephone poles up to a certain height just in the traffic zone and this is done outside and draws to the attention of the motorist that they are in a traffic zone. This is a safety factor and may save injury some day. There maybe a better way than this post coloring system but he left it up to the Administration to use the system they liked.

Mr. McKinnon was very much in favour of the motion but was worried that this was a municipal matter and we have no right or grounds to be interfering here.

Mr. Shaw agreed very much with Mr. Watt and also with Mr. McKinnon that they might be infringing on municipal rights. He thought an interested person could present this to the City Council.

Mr. Watt stated the reason he brought this before this Council is because the safety of children travelling to and from schools is partly in the field of the Department of Education and a suggestion from this Council would bring this to their attention or the Engineering Department. If it was in the City's jurisdiction then it would be brought to their attention.

Mr. McKamey thought this was covered under the Motor Vehicles Ordinance to an extent. So he agreed with Mr. Watt that this is within our jurisdiction and he would strongly support this motion.

Mr. McKinnon said he would go along with the motion if it was worded differently - that the Department of Education be asked to enquire of the City Council why the signs aren't there. He would be the last one who would like to see the municipal government trying to interfere with their problems on the Territorial Council level and he felt this was of municipal responsibility.

Mr. Shaw moved, seconded by Mr. McKinnon that the motion be amended by adding after the last sentence "With this in view Council recommends that the Department of Education approach the Council of the City of Whitehorse to endeavour to work out a program."

Mr. McKinnon said as the motion now stands it is a directive from this Council to the Municipal Council. The amendment makes the direction known where the action is going to evolve from, which is going to be a Territorial Department. He seconded it.

Mr. Watt said speaking on the amendment he is in agreement with this as this will get away from the area of controversy and do the job.

Motion carried as amended.

Mr. Watt moved, seconded by Mr. McKinnon, that it is the opinion of Council that the Administration enter into an agreement with the City of Whitehorse dog catcher to help defray the cost of controlling dogs in the Whitehorse area. Many of the animals that are causing problems are from homes out of the City limits of Whitehorse but in the territorially controlled subdivisions and other areas near the city.

Motion No. 11

Mr. McKinnon said there has been some talk with the Administration on this from his area and he wondered if it would be of benefit to Council if Commissioner Cameron could be present as he would have something to add to the discussion.

Mr. Shaw moved, seconded by Mr. Boyd, that this motion (No. 11) be referred to Committee.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Watt, that it is respectfully requested that the Administration explore all possible methods of charges and the application of the subsidy for the trucked water system now in effect in the Porter Creek and Crestview areas in order to make the sharing of costs more equitable and more in line with the five year agreement.

Motion No. 12

Mr. McKinnon stated this is simply a direction to the Administration to examine the possibilities of having either a minimum charge stop at all houses that are requesting water and also to investigate the possibility of having a sliding scale as the City used to. The reason is that the cost of water in the Porter Creek area now is for a married couple \$4.00 or \$5.00 a month. With a large family it is costing them considerably more, even with the subsidy. The Five Year Financial Agreement stated that the subsidy be applied so that it would result in an average family paying between \$75.00 to \$90.00 a year for this trucked water supply and as it is now it is costing them approximately \$180.00 per year and this seems out of line. He thought it would be satisfactory if the people using less water paid their fair share and thereby helped out the large families. He just wanted all the angles explored for the application of the subsidy and of the installation of minimum charges etc. so the system is fair to everyone.

Mr. Boyd wondered if it was necessary for a motion. What was to stop the Administration from doing this without the motion.

Mr. McKinnon said at a meeting of the Porter Creek Association approximately 3 months ago, when the water truck was first put into operation, this was asked and nothing has been done yet so he thought if they had the opinion of Council behind this motion the Administration may take more action on the request.

Mr. McKamey didn't think it was right for him to say what somebody should pay if they use only 50 gallons a month and this is a problem for the people of the community.

Mr. McKinnon said he is just asking them if he will support him in trying to get the Administration to look into this and review the different possible methods of charging and application of the subsidy which they agreed to in the Five Year Financial Agreement and then the people will decide what they want.

Mr. Taylor thought this a valid request and he would support the motion as this may be a problem in the other communities later on.

Mr. Boyd thought the people in Porter Creek should submit to the Administration what they want without putting the Council to a vote to tell the people what they should be doing.

Mr. Watt said he understood that a representation has been made to the Administration and this water truck is under the Administration of the Territorial Government so it is within the rights to ask for these water rates to be considered. They could make an inquiry from the City of Whitehorse how this is operated and they do have the stop charge and the sliding rate. In reply to Mr. Boyd he said there are quite a few things that they pass through this Council that could be taken directly to the Administration but there is a possibility that some of them have a better ear with the Administration than others and possibly they will get a more direct and satisfactory answer.

Mr. McKinnon said this is quite a complicated system and he and Mr. Fingland have worked on it for about two days and there are a number of solutions. Since Mr. Fingland went on holidays nothing was done on the request and the reason for the motion is to explore the possibilities and come with the different charges to the citizens of Porter Creek and let them decide what is the most equitable for them.

Mr. McKamey asked if Council passed a motion to implement this system and if this is the case he would support the motion.

Mr. McKinnon replied it was upon his motion that this system was implemented.

Motion Carried.

Mr. McKamey asked what progress the Administration have made in drafting a Litter Ordinance for the Yukon Territory.

Mr. Hughes, Legal Advisor, replied that work of drafting a Litter Ordinance as such has not been commenced. There are in existence regulations and he thought Councillor McKamey was referring to cleanup on sites where camps have been established. The existing regulations are adequate and the difficulty lies in the enforcement. One rarely finds the person in the act of depositing it and when he has gone away who do you make responsible.

Mr. McKamey asked under what Ordinance does these regulations come under.

Mr. Hughes said along the side of the road comes under the Dept. of Highways and the other would be under the control of the Territorial Lands. He said the problem is spreading but the Sanitary Inspector could be instructed to keep a special look out for the accumulation of rubbish

Mr. McKinnon directed the following question to the Administration: Question
 With the appointment of Mr. Whatmough as Fire Marshal must all No. 12.
 building plans now be forwarded to Ottawa for his approval? If so,
 how long a delay in commencement of construction will this involve?

FIRST and SECOND reading was given to Bill No. 12, An Ordinance FIRST &
 Empowering the Commissioner of the Yukon Territory to Grant SECOND
 a Franchise to the Yukon Electrical Company Limited to sell and READING
 Distribute Electrical Energy in the Teslin Area, Yukon Terr- Bill 12
 itory.

FIRST and SECOND reading was given to Bill No. 13, An Ordinance Bill 13
 to Amend the Financial Administration Ordinance.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker do now
 leave the Chair and Council resolve into Committee of the Whole
 for the purpose of discussing the Bills, Motions 6 and 11.

Motion Carried.

In Committee of the Whole:

In
 Committee

Discussion followed on the main Supply Bill with Mr.
 MacKenzie present.

Mr. MacKenzie said that Committee asked him a question yesterday in
 regard to property tax from the different subdivisions and he had those
 figures up to the end of the tax year of March 31, 1963. He gave the
 figures for the various subdivisions and stated they are spending more
 than they are getting.

Mr. Taylor proceeded to Vote 20, Page 10 - Revenue, and asked what is
 required.

Mr. MacKenzie thought the objects in considering Revenues is to take
 note of the money that is estimated to be coming in and take note of
 the operating deficit as a result.

Mr. McKamey, in regard to School Tax, wondered if this included the tax
 money deducted from the liquor tax.

Mr. MacKenzie said no, this ^{is} purely property tax - the liquor tax will
 appear separately elsewhere.

Mr. Livesey asked if this is property tax outside of the two municipalities.

Mr. MacKenzie said this is correct.

Mr. McKamey said he remembered the Committee made a recommendation in re-
 spect to the school costs and he was wondering what result Mr. MacKenzie
 had in Ottawa in regard to this.

Mr. MacKenzie said this is in respect to the Administration expenses and
 the general reply was that it is a little too soon to talk about getting
 more money out of Ottawa under the five-year agreement. The time to bring
 this matter up is later on during the life of the agreement when they will
 have a clear picture of how much they are going to be short.

Mr. Watt, in regard to Fuel Tax, when they discussed this during the
 Territorial five-year agreement it was decided not to include mining
 equipment and also not to include taxable construction equipment that
 is not being used on the highways but in the bush.

Mr. MacKenzie said this is not one of the exemptions. The four were heating, mining, stationery electric generators and aviation.

Mr. Taylor (Mr. Shaw Chairman) said there was one item that was overlooked in these exemptions and which has caused a lot of difficulty to operators and that is the sawmill business and agriculture. This exemption has concerned sawmill operators in the bush and possibly at a later date he will raise a motion respecting this and it could be considered as another resource development.

Mr. Watt asked Mr. MacKenzie the difference in this year and last year in the rental of government property.

Mr. MacKenzie said this is simply for Treasury Department and they have only one person now in a government house whereas before they had more.

Mr. Boyd referring to Fuel Tax, stated that he thought outside contractors say in B.C., do get some exemption on this type of tax in construction and when they are bidding on Yukon jobs they may do so with the understanding it is exempt also and they may get fooled. One construction company complained to him several times and he was wondering say, in the Watson Lake area where there are some healthy contracts let, if there is such a thing as these people bringing their fuel in from the other side of the Yukon border to service their vehicles and equipment and thereby evading this kind of a tax.

Mr. MacKenzie said yes, he had no doubt there is evasion of the tax because they do not have adequate control at the border. According to the Ordinance anyone bringing in any gas tanks of more than 50 gallons is supposed to pay tax on it but it is not reported and so they do not collect it.

Mr. Taylor said the situation in Watson Lake is there are three bulk plants and as far as the Yukon contractors are concerned they purchase their fuel either from Whitehorse or from one of the bulk plants in Watson Lake. The fuel that is hauled back across the boundary into B.C., goes back on the Stewart Road.

Mr. MacKenzie said they should be careful about reducing their fuel tax revenue because they were requested by Ottawa to suggest how they were going to increase their revenue to meet the increased cost of the Yukon Health Plan and one suggestion was fuel tax so they should be careful about making a change to reduce the rate.

Mr. McKamey did not think it was their intention to reduce the revenue from the fuel tax. In regard to School Fees he brought to the attention of the members that the total cost of education is \$1,507,592.00, and the revenue is \$785,440.00, but the operation and maintenance which is not included is \$722,000.00 and they get a grant from the Federal Government of \$350.00 per student for Federal employees and Indian status pupils but, if they were to include the operation and maintenance of \$722,000.00, it would be around \$560.00, so this is the amount they are losing in respect to Federal employee pupils and Indian status pupils.

Mr. Livesey said this is a point he brought up in relation to the Financial Advisory Committee and especially with the adoption of the Old Crow School. He thought this a point of argument.

Mr. MacKenzie said actually they are not in need of finances at the moment and in spite of the higher school operating cost for 1962/63 they shall be able to live within the operating deficit grant for that year and according to these estimates in spite of education costs being one and a half million far higher than they bargained for, they shall still be able to live within the operating deficit grant for 1963/64.

Mr. Livesey said they're always in need of finances.

Mr. MacKenzie wondered where Mr. McKamey got his figures because according to his calculations the pupil cost is going to be \$473.00 per pupil year, and they are getting paid \$350.00.

Mr. Shaw asked if \$350.00 is an arbitrary figure and grants are made in relation to making the deficit up.

Mr. MacKenzie said \$350.00 is based on the actual operating cost at the time the figure was set in 1961 and it just so happens that school operating costs have skyrocketed since and in a couple of years they have to go to Ottawa and say they need more than \$350.00, and they will get it but it is too soon now.

Mr. Livesey said he agreed with Mr. MacKenzie that they are certainly going to have to take a new look at this.

Mr. Livesey, in regard to rental of government property, \$55,000.00, believed this is in relation to a tremendous increase in the number of teachers and asked if this is so.

Mr. MacKenzie said it is estimated and it is based upon the actual number of teachers occupying government quarters and the actual rents that they pay and is reasonably accurate.

Mr. Livesey thought this was an increase of 85 teachers in government apartments.

Mr. MacKenzie said this is correct.

Mr. Watt asked Mr. MacKenzie if he has a balance sheet for teachers housing and the figure of revenue over cost.

Mr. MacKenzie said no - this information has not been calculated.

Mr. Taylor (Mr. Shaw Chairman) said he noted that under rental of government property it included rental of rooms and auditoriums in schools for use of clubs and organizations. Later on in the session, after the report of physical fitness, he intends to propose a motion respecting the opening up of Territorial gymnasiums for physical sports at no charge to these clubs. He wondered, if this was agreed upon would it vastly reduce this figure, and if the bulk was attributed to rental of these auditoriums or Territorial housing rental.

Mr. MacKenzie said the bulk of this is due to employees renting Territorial housing, the rental from auditoriums is not very much.

Mr. Livesey, in regard to Room and Board, CPA Staff House, he thought this was going to be used for something entirely different.

Mr. MacKenzie said no, it is presently used as a staff house and will continue to be so and it is full so it may be a paying proposition.

Mr. Livesey asked if this will take the staff from the Vocational School.

Mr. MacKenzie replied yes, that is the intention.

Mr. McKinnon said he just received an answer on a question from the Administration this morning saying the Vocational School employees are not to have Territorial housing.

Mr. MacKenzie said that this is news to him, because they are in there now he believed.

Mr. Boyd said this is still on a temporary basis and in two years time they have to find their own homes.

Mr. MacKenzie said that is the intention.

Mr. Watt thought this should be charged to the Department of Labour as the Vocational School comes under them instead of the Department of Education.

Mr. MacKenzie said if the majority of people are staying there are Department of Labour then it is not an Education matter but, when it was placed under the Department of Education it was foreseen that it would be filled with teachers under Mr. Thompson.

Mr. Taylor proceeded to Territorial Secretaries Department - \$190,000.00

Mr. McKinnon, in regard to Bank Licences - \$300.00, asked how many licences this was.

Mr. MacKenzie said three banks at a \$100.00 - Watson Lake two, and Elsa one.

Mr. McKamey asked how come they get away with \$100.00 and the cocktail lounges have to pay \$250.00.

Mr. MacKenzie did not know but it probably has been \$100.00 for years and no one has ever thought of raising it.

Mr. Livesey thought this was a low figure and perhaps Mr. MacKenzie could look into it.

Mr. MacKenzie said he would attend to this matter.

Mr. Shaw said this is the Territorial licence required and the municipalities hit them harder - approximately \$150.00 - so if they wish to hit them a little harder in the outlying areas to gain revenue they might lose a bank.

Mr. McKamey asked if Mr. MacKenzie could find out what they charge in the provinces.

Mr. MacKenzie replied yes, he will.

Mr. Livesey added that in the outlying areas there are a lot of people doing the work of a bank without any charge, cashing cheques, etc., to the average citizen.

Mr. Taylor, respecting business licences, stated that he has heard from time to time that there is a duplication of business licences in the municipality that being a person is charged for both a Territorial and a municipal business licence and wondered if this was the case.

Clerk-in-Council said yes - quite often.

Mr. McKamey thought it said in the Business Licence Ordinance that you shall only have to pay one tax for any specific business in the Yukon Territory.

Clerk-in-Council said no, it says in the Business Licence Ordinance that if a licence is charged under another Ordinance there is none charged under the Business Licence Ordinance therefore you will find that all of the Professional Ordinances, medical, legal, insurance, etc., sets out a fee.

Mr. McKamey said if the Territorial Government imposes a business licence on a business they would take precedent over a municipal licence.

Clerk-in-Council said their Business Licence Ordinance licences them to do business outside the municipalities in most cases and municipalities licence them to do business in the municipalities.

Mr. McKamey said they still impose licence fees within the municipalities.

Clerk-in-Council said yes that is true.

Mr. McKamey said this did not make sense to him.

Mr. Shaw said when beer parlours and cocktail licences first came out they were happy to have the cocktail lounges and the Territorial Government having the authority in granting licences imposed a very stiff licence fee for these establishments, and he recalled that at the beginning a submission was made to the Territorial Government that insofar as their licence fee is concerned and charging a fee such as that, they make it prohibitive for the municipality to be able to impose any licence fee on these businesses because they were already burdened with a high cost of being able to operate the business. It was therefore requested of the government that they have their licence fees so the municipalities could charge an equal amount so the municipalities would be deriving revenue from some of the services they would be providing for the people. The amount imposed at the time was cut in half so the municipality would impose half and the Territory half.

Mr. McKamey knew there were certain parties who were going to make an issue of this at the municipality level and they are going to refuse to pay them and he was wondering who was going to take the loss.

Mr. Shaw thought the Territorial Government would object if the Federal Government said you do this and you do that and it is the same down the line. The Territorial Government have the right of charging a licence for the sale of certain commodities and the municipalities have the right to control a licence fee within the boundaries of that municipality and he did not know what the outcome would be.

Clerk-in-Council said in the 1959 Municipality Ordinance the municipalities are given power to licence certain types of businesses and trades, etc., and that is where they get their power. For further clarification in what Mr. Shaw was explaining in regard to the licences having to be split, this is not quite correct. It goes back to 1951 or 1952 when the government set a fee of \$500.00 on cocktail lounges, but they lost sight of the Federal Territorial Financial Agreement which sets out that no licence in the Territory could be charged a greater rate than \$250.00, so they had to give them two years licences for the one fee. It was nothing to do with splitting the money with the municipalities. It is in there now and it is slightly raised and is not now \$250.00.

Committee adjourned until 2:00 o'clock p.m.

2:00 O'clock P.M.

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Mr. Taylor called Committee to order and said that the matter under discussion prior to the noon adjournment was Business Licences, page 15 of the Budget. He added that in viewing the Business Licence Ordinance, on page 63, of the Consolidated Ordinances, he noticed the following statement - "Where a person is required pursuant to any other ordinance to obtain a licence for the purpose of carrying on within the Territory any business, calling, trade, or occupation, no licence is required to be obtained by him for that purpose pursuant to this ordinance." And in viewing the old Municipal Ordinance, which was in effect at that time, it was stated that every person engaging in, etc. shall take a licence therefor and pay such licence fee to the municipality. The Municipal Ordinance has been amended to provide that by-laws within the municipality may be made by the Council of such municipality respecting the issuance of business licences. It appeared to him that this was called for under the Municipal Ordinance and, consequently, he thought the two were conflict. If they are in conflict, then it would be very wrong to have a dual charge for business licences within a municipality. He thought that if this applied only to the Territorial ordinances, then it is provided for in the Municipal Ordinance, which is a Territorial ordinance.

Clerk-in-Council said that under the new Municipal Ordinance that section is not in, but under the professions, trades, and business by-laws the Council is given certain powers to licensing professions, trades, businesses, employments, or occupations - whether that is encompassed in Section 9 is a legal point and they would have to get that from the Legal Adviser.

Mr. Taylor suggested they come back to the matter when the Legal Adviser is present.

Mr. Livesey stated it would appear that this is more or less an extra-territorial authority given to another jurisdictional body to handle if they may see fit by by-law.

Mr. MacKenzie at this point said he had a telegram from Ottawa about the rejected hospital days. He quoted - "Hospitalization rejected on advice medical referee in Northwest Territories and all provinces are responsibility of patient or sponsoring agency. All rejected cases subject to review at any time on receipt of pertinent information. Letter follows." The sponsoring agency is presumably YHIS.

Mr. Livesey said that, in other words, the very individual who advises the patient to attend the hospital is not responsible for his own decisions and he felt that if we go to the medical profession for advice as to what we should do, then surely his decision for hospitalization is legal back-ground for attending a hospital. If the doctor does not know whether you should attend or not attend, then there is something wrong with his qualification. Now there is a conflict in thinking as to who should be legally responsible - if a doctor advises that you should go into hospital, then surely he must know whether you should go into hospital or you shouldn't. Under the circumstances, why should this responsibility become eventually the responsibility of the patient himself - all he can then expect is the fact that he has been ill-advised by a professional adviser. They were always hearing of professional advice, it is the place to go, go to the professional, go to the expert, do not listen to the lay-man, he does not know anything - you go to the expert, he says go there, and then you have to pay because he made a mistake.

Mr. MacKenzie suggested they wait for the letter from Ottawa and then take the matter up again. However, at present, up to a point, they are in line with the provinces and with the Northwest Territories.

Agreed.

...../ Page 276

Mr. Boyd stated the matter was not entirely one-sided, for example, a doctor says to a patient "We will have to operate, but there is no hurry", and they set a day. In the meantime, the patient goes out the night before the operation and does a lot of things he should not do. Now he is in no way to have an operation, but he is in hospital, because it had been pre-arranged - these things happen. They find on the operating table that the man's heart cannot take it, and they discharge him. Some of this, is the responsibility of the individual. He stressed the public be well advised of what can happen, and let them all know, so that this does not come as a shock to them.

Mr. MacKenzie agreed to this and stated he would certainly see that it be done.

Mr. Taylor enquired how the referee system affected a resident from an outside province who might, for some reason or other, wind up in the hospital here.

Mr. MacKenzie replied that if the man came from, say, B.C., they would call upon the B.C. Hospital Insurance Board to pay out, and they do, just as we pay for a Yukon resident hospitalized in B.C. As soon as the referee agrees with it in Ottawa, they pay. In the case of a referee's rejection of a claim, a person could appeal to the Chairman of the Board, he would call the referee in and they would all go over it. There are all doctors on this Board, which is called the Yukon Hospital Insurance Service Board, and Dr. W.D. Frost is the Chairman of it. The Board does not sit in Whitehorse - Dr. Frost is an employee of the Department of National Health and Welfare.

Mr. Livesey felt that if they were going to have a Federal referee, refereeing a Federal problem, at the expense of the Territorial Government, the Territory should have some representation on that Board.

Mr. MacKenzie remarked there were differing qualities of professional men, in all professions. There are doctors who are good and others that are useless, and their advice will differ.

Mr. Shaw thought the referee system a good situation - it took it away from the local area and is looked at in an impartial manner. It has proven its value already in the manner in which they referee these things and it did not matter whom they had as referee, it would not be satisfactory to all concerned. However, there are situations where a doctor is at fault and if the patient has to pay for the doctor's mistake, it becomes one-sided. Again, it may be the patient's fault, but it certainly appears that the doctor has the benefit of doubt.

Mr. Watt stated that the information they had been given before is not quite correct. He understood there was a right of appeal to either the Commissioner or the Territorial Treasurer for rejected claims.

Mr. MacKenzie replied that he was not too specific when the matter was first discussed, but the purse strings are here in Whitehorse, and no matter what Ottawa has to say, they can go against whatever they may say. But, as matter of routine, the appeal should go to the YHIS Board in Ottawa in the first instance and, if it is rejected, we can still put our decision across and pay the hospital.

Mr. Watt wished to know what the answer of the Administration would be to a person appealed to Commissioner Cameron on a rejected claim.

Mr. MacKenzie replied that, as a matter of courtesy, they would first of all refer the matter to Ottawa and express their opinion, that in their view it looked as though the claim should be met, and what did they think. They may come back either agreeing or justifying their decision to the contrary, but it is up to Commissioner Cameron to make his decision on several grounds, on a matter of policy it might be wise to pay.

Mr. Taylor proceeded to Motion Picture Licences, \$304.00.

Mr. McKinnon wished to know if the Mayo Community Theatre would be paying for a Motion Picture Licence.

Clerk-in-Council did not think so as the Mayo Community Theatre is a community club and not a commercial theatre. He added that he would like to go back to a question mentioned previously with regard to Business Licences. This should not be referred to the Legal Adviser as he enforced the Business Licence Ordinance and he should have remembered that there is another section in the Business Licence Ordinance which states that "any licences issued under the Business Licence Ordinance are only for the areas outside the municipalities", so there is no conflict between those two sections. In a nutshell, all the licences they issued under the Business Licence Ordinance only are for the areas outside municipalities, so there is no conflict between the Business Licence Ordinance and Section 108 of the Municipal Ordinance, which gives the municipalities the right to issue licences.

Mr. McKamey asked how could they charge for a liquor licence.

Mr. Taylor replied that a liquor licence is issued under the Liquor Ordinance and not under the Business Licence Ordinance.

Mr. Taylor asked for a legal opinion on this, and then proceeded to Professional Licences in the amount of \$2,000.00.

Mr. Livesey enquired as to the number of people involved in professional licences.

Clerk-in-Council said he did not have the information off-hand but he would look to it later on.

Mr. McKamey asked if they could revert back to the Motor Vehicle Ordinance, 20-4-1, in respect to licences - would this govern taxi licences.

Clerk-in-Council said yes.

Mr. McKamey asked if there was a limit on the number of taxi licenses issued.

Clerk-in-Council said no.

Mr. McKamey asked Clerk-in-Council if he would issue 50 taxi licenses if he had 50 applications from Mayo.

Clerk-in-Council replied it would have to be within reason,

Mr. McKamey said that if some organization wrote in and asked for control of licenses issued, would he accede to their request.

Clerk-in-Council replied that if the recognized authority had the approval of the Commissioner, then yes.

Mr. Taylor proceeded to Sale of Government Property, Equipment - \$1,000.00.

Mr. McKamey wished to know what this item consisted of.

Mr. MacKenzie said that it was miscellaneous equipment which is obsolete and which they either trade in or sell for cash. This money goes into the bank. \$1,000.00 is purely a nominal figure as they cannot foresee how much it will be.

Mr. Taylor proceeded to Fitness and Amateur Sport, \$35,468.00.

Mr. McKamey asked if the first grant under this vote had all been appropriated.

Mr. MacKenzie replied that it had not been fully appropriated, they presented two payments for the year ended March 31, 1963, but there are a number of programs in process.

Mr. McKamey asked if the balance of this first grant will be returned.

Mr. MacKenzie replied that it would be a dead loss if they get any money left in the books of the Federal Government it would lapse.

Mr. McKinnon stated that 10 requests had been submitted to the Department of National Health and Welfare, the Old Crow Skiers were granted \$5,988.00 The Yukon Curling Association was granted \$1,000.00, the Whitehorse Ski Club was granted \$1,000.00, and the Yukon Ladies Curling Association was granted \$1,820.00. Comparing with the other provinces, they did very well in fact.

Mr. Boyd said it shows that the Yukon Curling Association received \$1,000.00 but actually they did not. This was intended to take care of an instructor who was to teach curling, but this did not happen, so they did not get the money.

Mr. Watt wished to know how many other items would come under this category, where the money was not received.

Mr. MacKenzie said he could recall only two payments that they have made. In spite of a substantial number of projects having been submitted to them and sent to Ottawa, there was no time to get them through last year, the money had to be paid by a certain date. The two items that were helped were the Old Crow Skiers and the Yukon Ladies Curling Club.

Mr. Shaw felt that it was not yet settled as to what manner this money will be allocated, on what organizations - what is fitness and amateur sport? Lots of people feel that this means hockey, curling and skiing, but it might include many things. Fitness is also fitness of the mind, as well as that of the body, and this could embrace about anything from boy scouts to a type of Carnegie institute. It has not been established yet just what the program will be, but he believed it had been set up in Ottawa for the pressure groups, such as hockey and skiing.

Mr. McKinnon said they tried to broaden the definition of fitness so that it would take in physical and mental fitness, but the Department of National Health & Welfare seem, by the projects they have approved and the answers they gave us for the refusal of certain projects, is that fitness actually is going to mean physical fitness,

Mr. Shaw said he would be more in agreement to have this spread over the various organizations, such as the boy scouts, girl guides, and so on, because, in his estimation, mental fitness is just as important or perhaps more important than physical fitness.

Mr. Taylor understood they would be having a report on Physical Fitness later on, and suggested they proceed with Revenue. Page 29, Head Office Supervision, under Roads, Bridges and Public Works, \$30,000.00.

Mr. Livcsey asked if this was directly related to the engineering agreement, engineering services. They amount to four times the amount of \$7,500.00 mentioned in the agreement.

Mr. MacKenzie replied that this payment of \$30,000.00 is reimbursements for salaries and travel expenses of Territorial personnel working on Federal projects covered by this engineering services agreement. For example, Mr. Baker spends quite a lot of time doing engineering planning on Federal projects, so it is arranged that we should be reimbursed to some extent. He added that \$7,500.00 is a quarter of this amount for engineering services.

Mr. Taylor proceeded to the Vocational School and mentioned that Mr. MacKenzie had something to say on this.

Mr. MacKenzie stated that last week Mr. Watt asked about the insurance of students who may happen to injure themselves while taking their courses. Point (1) is that the Workmen's Compensation Insurance does not apply because these people are students and not employees; (2) the Territorial Government is fully covered under its comprehensive insurance policy; (3) they can arrange to have these students insured against medical costs for a fairly small sum, if the Commissioner wishes, here the premium would be \$197.40 per annum. The limits would be \$250.00 per person, \$10,000.00 per incident, and \$10.00 deductible per incident.

Mr. Taylor asked if Committee would agree to having a memorandum forwarded to them as a separate item for discussion.

Agreed.

Mr. MacKenzie said he would endeavour to do that.

Mr. Livesey stated he would like to bring up the matter of the amounts of money they received from the Federal Government on a percentage basis for road construction and so on. He wondered if Mr. MacKenzie could inform Committee if they are now approaching a similar position to which they approached some time ago whereby there was a certain amount of lapsing going on in the amount of payments they should be receiving over a certain period of time. Were they now in a sound position with the Federal Government, or were they in a position where money is going to lapse as they lapsed once before.

Mr. MacKenzie replied they were not clear of that situation yet; and when they speak of lapsing money, they mean in the books, as the Federal Government's. They have money voted to pay us and for one reason or another it has not been paid and therefore lapsed. It has not been possible to remedy the situation because of the Austerity Program, so they do have carry-overs from one year to the next. The situation will not be remedied, until maybe this summer when the new government gets into its stride and possibly there may be a change of policies.

Mr. Taylor proceeded to Whitehorse Keno Highway, \$256,500.00 - and to the Tagish-Microwave Road, \$200.00.

Mr. Watt said that on the item Lewesriver Dam, he wished to know what was going to happen to that dam. Are they going to just let it wash out? It had been deleted in this year's estimates.

Mr. MacKenzie stated they would not be doing anything on it this year, again it is Federal money.

Mr. Livesey said that if that was the case shouldn't they be considering, before they let it lapse or die, or wait for it to rot, to do away with the dam and promote the use of boats on the river and get a little more fuel tax and so forth.

Mr. MacKenzie thought that a very good suggestion and possibly Mr. Livesey should speak to the Commissioner on that.

Mr. Taylor proceeded to Yukon Forestry Division, Cache, Building and Equipment, Old Crow - \$1,500.00.

Mr. McKamey asked with regard to the Aircraft Floating Dock at Mayo, was not that recovered under the Department of Transport.

Mr. MacKenzie replied no, not as yet. He wrote when the thing was first mooted a long time ago, but there has been no reply as yet. He made a note to follow it up.

Mr. Taylor proceeded to Albert Bridge Replacement, \$12,000.00.

Mr. McKamey asked if this was 100% recoverable from the Federal Government and do they maintain that road.

Mr. MacKenzie replied that it was 100% recoverable. The maintenance of the road is undertaken by the army as they do the Alaska Highway. This is charged to the Territorial Government but it is 100% recoverable.

Mr. Watt stated that with regard to these loans on second mortgage, \$100,000.00 which is recoverable from the Federal Government, we re-loan it to individuals for second mortgages and then we recover it from them. Therefore, we recover it twice - we have an entry here for \$100,000.00, but we should have an entry here for the loans we have already made.

Mr.

Mr. MacKenzie replied that we also have a liability. The loans are effected through the CHMC, Ottawa lends the money to us, we promptly pass it on to CHMC, they lend it to the individuals, they collect from the individuals, then pass it back to us, and we pass it back to Ottawa.

Mr. Boyd enquired whether the deal could be simplified. People go broke, firms go broke, because of the middleman.

Mr. MacKenzie said there was nothing he would like better but they had to comply with the wishes of Ottawa. It is their money to start with, CHMC are handling the loans for us, and it would be better for them to handle the loans than for us.

Mr. Taylor proceeded to page 42, under Debt Redemption Loans and Investments, City of Whitehorse, Sewer and Water Loan - \$22,874.36.

Mr. McKamey asked for the reason of the increase.

Mr. MacKenzie said it relates to the pre-paid expense situation which he spoke about a few days ago.

Mr. McKamey asked if it went for the loan interest also.

Mr. MacKenzie replied yes.

Mr. Livesey stated with regard to the sale of lots in the Riverdale subdivision, how was this figure arrived at.

Mr. MacKenzie explained that this is the amount required to repay annually this \$700,000.00 loan. It is impossible to say until the year end what is the actual amount of money that they will receive.

Mr. Taylor stated that Vote 22 is concluded.

Mr. MacKenzie said that with regard to the CPA Staff House, he spoke to Mr. Holland, Director of the Vocational Training School, and he has seven instructors in that building. As far as Mr. Holland knew they are going to stay there and any other instructors coming in will stay there also.

Mr. McKinnon asked if it would be on a permanent basis.

Mr. MacKenzie replied that it would be subject to the two-year arrangement.

Mr. McKinnon wished to know if these people realized they were on a temporary basis.

Mr. MacKenzie said that these instructors come in as bachelors, leaving their wives and families behind, then if and when they get a house, they can bring their families up. They can stay in the CPA Staff House as single men for the length of time allowed under this arrangement which they have as yet to work out in detail.

Mr. McKinnon said the point was there are no married teachers' accommodation provided for the Vocational School and that is not going to be.

Mr. MacKenzie said that as far as he knew, that was right.

Mr. Taylor proceeded to Motion No. 6, in Committee, Airstrip at Ross River.

Mr. Boyd asked if it was not true that some mining company is about to complete an airstrip close to the Ross River.

Mr. Taylor replied that was not the case. The mining company has staked a considerable amount of claims and they will be operating out of Ross River and they do not intend to build an airstrip.

Clerk-in-Council was requested to ask Commissioner Cameron and Mr. Baker to attend committee.

Commissioner Cameron and Mr. Baker arrive.

Mr. Taylor read out the motion - "That the Territorial Administration be respectfully requested to actively consider the clearing and grading of the Ross River Airstrip during the 1963 summer season."

Mr. Boyd asked what had been done in the past.

Mr. Taylor said there used to be a strip on the opposite side of the river, that is on the north side of the river - it is a one-way strip and quite unsafe. In the winter time they have been using the river. A new site is proposed on the south side of the river in view of the fact that everybody is moving over there, and it may develop into a town site. Since the new town site started the people felt they should get the airstrip a little out of town so that this land may be used for the town site and they proposed a new site for the airstrip one mile out of town. He checked to find out the frequency of flights in and out of Ross River and from one airline company alone, Pacific Western Airlines, they have a minimum of 200 flights per year. What is required of this new site is 250 feet of width and approximately 3,000 feet of length, to be cleared and graded. Possibly the people of Ross River could contribute a little to this thing by doing the slashing, clearing, and he felt that the strip could be put in at a minimum cost.

Mr. Watt enquired if they had an area planned at all. It seems they want to move the strip from point A to point B because of a plan - is this plan from the Area Development Office or is it by the people at Ross River. Is this the final plan or would they want another once in a year or two.

Mr. Boyd said that if this was a Federal project, it should be taken up by the Federal Government.

Mr. Taylor stated it was a Territorial matter, but there is no town to move at the present time, but it is hoped they will get in there this summer. Either the Engineering Department or the Territorial Surveys Branch could lay out a town site before anything is started so that they can have orderly development.

Mr. McKamey wished to know if the existing airport was servicing these 200 flights mentioned by Mr. Taylor.

Mr. Taylor replied that some of those 200 flights are on floats and landing on the river, he did not know the proportion, but there were flights every week in the winter time and considerably more in the summer.

Mr. McKamey believed that about 150 of these 200 flights would be landings on the river because most of the business is in the summer time when the mining companies are there.

Mr. McKamey asked if there was any provision made in the fiscal agreement for such an airstrip.

Commissioner Cameron replied there is \$20,000.00 for assistance from the Federal Government for off-the-route airports - this is for road construction work in locations where there are no airstrips and where it would be advantageous to companies, where a company will participate 50% to help out. He wrote a letter some time last year to the Department of Transport pointing out that it could be quite an advantage to have an airstrip at Ross River simply because it was at the extreme end of Canol Road and the airstrip that was there was not maintained. However, they were turned down by the Department of Transport, who agreed to the principle, but due to economics, they had to turn it down. He would be reluctant to put too much pressure on this new location - in the first place it is a mile away from the river, there would have to be road maintenance come winter time, and in the winter they use the river, they continue using the river. Now, on top of this, a company has staked 400 claims and they would be the logical people to say they would like airport facilities, but they would probably like it on the bus lake country which is 20 miles out of Ross River. There would be no particular advantage that he knew of to put an airstrip right in Ross River for these people and, with this in mind, the argument for a strip at this particular location is weakened.

Mr. McKamey asked what progress had been made for town-site planning in Ross River.

Mr. Baker said they had made arrangements for aerial surveys and from these surveys maps will be produced and they hoped to do a paper layout for a town and they probably will have something on paper come winter.

Commissioner Cameron said that in order to utilize the airport, it has to be used 12 months in the year because in order to justify the airport you are saying that aircraft can come in and land - they have water, ski landing, and wheel landing. Aircraft doing megatometer survey work cannot land on ice, or snow, they have to use the airport, and if you are going to maintain that airport for winter use it would require considerable work.

Mr. Taylor said that in this regard he would propose this new runway, 400 x 4,000, could be a ski strip in the winter time and would require no maintenance - the only time it may require maintenance is if a mining company wishes to use it as a jumping-off point. So it would be up to the mining company or the people involved to stand the cost of ploughing the site and there are cats available at Ross River to do this work. The motion does not really pin the Administration down and he would like to see more work done on a participation basis. This airstrip would be beneficial to the entire area because you can truck supplies in from Watson Lake, when this Watson Road is connected, or from Johnston's Crossing. Fuel could be trucked in, then they could hop out from Ross River on this strip and take a full load of beaver out. It will also serve as an emergency strip and offer a safe landing point for any aircraft. He understood from Mr. Proctor that this 14 miles down the Ross River road was only road width and would have to be widened and worked over considerably to come into line as a standard airstrip.

Mr. McKamey said that Mr. Proctor also indicated there was no point in slashing that particular site because it would require stripping with a cat., and nothing would be gained. This motion puts a responsibility on the Territorial Administration and it may be setting a precedent that would affect the Territorial Government.

Commissioner Cameron said they could not take it as their responsibility alone, they would have to work with the Department of Transport.

Mr. Taylor asked if the Federal Government would participate with the Territorial Government in such projects.

Commissioner Cameron said he did not know if they would or not.

Mr. Baker said he had just been doing some rough figuring and it would cost \$6,000.00 to clear the area assuming it is perfectly flat and that no cutting or grading is to be made on it. This would shape it up for light aircraft.

Mr. Taylor said that not to delay Committee any longer he would be prepared to let the matter stand on that basis, namely have the Administration act on this motion and possibly by next year, they will have an idea as to whether the Federal Government will go along with this.

Mr. Boyd remarked that they are asked to actively maintain an airstrip which does not exist as yet - nothing has been established as to where Ross River will be. There are too many uncertainties and it should be left in abeyance until a further study is made of it by competent people.

Mr. Taylor said that all the motion was asking for is "that the Administration actively consider" and as for the geographical position of Ross River, it will remain at the junction of the Canal Road and the Ross River-Carmacks Road.

Mr. Shaw asked if they were agreed to the motion. Motion carried with the deciding vote cast by Chairman of the Committee, Mr. Shaw.

Mr. Watt said they had a motion with regard to the dogcatcher, Motion No. 11.

Commissioner Cameron said that in the exchange of letters at the present time the City has agreed that they would allow the Territory to participate and use their dogcatcher on a retainer basis per month for the immediate subdivision areas within the metropolitan area. They are now waiting for the correspondence back from the City - it will probably be about \$75.00 per month, and the dogcatcher will cover Porter Creek, Crestview, and the areas outside the immediate vicinity of Whitehorse.

Mr. Watt said he had been informed that the Administration was not too keen on participating with the City.

Commissioner Cameron said that as far as he was concerned Mr. Watt had been mis-informed because he had heard nothing along these lines. He felt this was the sensible way to do it. If they reach the next stage in the development of the improvement districts, this could be one of the things that could be re-negotiated. They could collect taxes and some of the taxes could go for this sort of thing. They are now just waiting for the City to complete its set-up and go along with them.

Mr. Watt said it was all right as far as the subdivisions were concerned, but there are other areas not close to Whitehorse where a large part of the problem exists and he understood the City dog catcher has not jurisdiction to go outside of City limits.

Commissioner Cameron stated this would include the transient area and the other centres Mr. Watt was talking about.

Mr. Watt wished to know if the Administration was negotiating with the City or with the dog catcher

Commissioner Cameron said that at the present time they were negotiating with the City through the City Clerk.

Mr. Watt stated he would withdraw his motion so that they would not have to vote on it at this time seeing as how steps were being taken to take care of the problem.

Mr. McKinnon withdrew as second to the motion.

Agreed. Motion withdrawn.

Mr. Taylor proceeded, with Committee's approval, to Bill No. 1 - Recording of Evidence by Sound Apparatus. He wished to read several pieces of correspondence which the Legal Adviser had received on this matter. The first letter was from Mr. H.H. Rogehr of Whitehorse, who stated that the effect of Sound Apparatus was to take spontaneity out of cross-examination and to slow the proceedings. Although it might be useful at times, he would discourage it in cases where he appeared, and he repeatedly emphasized that the machine produced stultification. The next letter was from Inspector of Legal Offices, Parliament Buildings, Toronto, which stated that demonstrations of various sound machines in 1959 received the consensus that the open-mike system of recording would not be feasible at that time in their courts for the following reasons - failure to distinguish voices, two people speaking at the same time, outside noise, sensitive mike picking up too much detail, etc. The Steno-mask system was generally accepted. This mask fits over the nose and mouth of the operator and is attached to a dictating machine. The operator repeats everything that is said into the machine and as the voice is faster than the hand an operator, with a training of two weeks, can attain a speed of up to 250 words a minute. In addition to speed, the system is much more accurate. While the operator need not have shorthand experience it has been found that a knowledge of court procedure is most important. Another letter from the Law Society of Saskatchewan states the consensus of opinion is that these machines are not yet sufficiently perfected to be relied upon in practice. So much depends upon the acoustics of the room in which the court is held, the calibre of the voices and, in many cases, the habit of witnesses to look at either the Counsel or the Judge instead of the receiver, and therefore the evidence is not always clear. They have both a machine and a court reporter and the reporter uses both her notes and the tape simultaneously. If an impasse is reached, the reporter studies carefully both her notes and the tape. There was still another letter from the Law Society of Alberta which states that these machines have been used in their courts for some time, but always as collateral to shorthand notes. They rely on their notes but use the tape as corroboration only. Experiments were made and it was found hard to identify the voices particularly when question and answer get intermingled in a heated cross-examination. There was also a letter from Wylie & Collins of Whitehorse which states that they had no objection in principle to recording of evidence by mechanical means but they understood that it had been tried elsewhere and not too successfully. If the machine stops recording due to mechanical failure it is likely that this will not be noticed until the tape is re-run. When more than one person is speaking, the recording becomes garbled. The last letter was also from the Law Society of Alberta and it states that from information gathered from various sources it would appear that the equipment fails occasionally and there is no transcript available. They advocate that no change be made to eliminate the shorthand writer as nothing they have seen in the machine age replaces a competent shorthand writer actually present in the Courtroom.

Mr. Watt remarked that after reading the explanatory note in the Bill where it says "it has become almost commonplace in North American Courts to utilize the latest techniques for the recording of evidence", there seems to be a difference of opinion.

Mr. Livesey said that from the evidence brought to their attention by the Chairman of the Committee it appears that no one in particular is in favour of this form of mechanical recording of evidence in Court. He felt that the recording of evidence in Court is very important and that any recording should be as accurate as possible because even a slight change in the inflection of the voice could change a meaning from positive to negative in certain instances.

Mr. Taylor asked if they would wish the Legal Adviser present on further discussions on this matter, possibly tomorrow.

Agreed.

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

Motion Carried.

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

Committee
Report

Committee convened this morning to discuss Public Bills including motions numbers 6 and 11. Mr. MacKenzie attended committee for further discussions of the Main Supply Bill. Commissioner Cameron and Mr. Baker attended committee for discussions on the motions. Motion No. 6 was carried in committee and motion no. 11 was withdrawn in committee.

Council accepted the report of the committee and adjourned until 10:00 o'clock A.M. Thursday, April 25th, 1963.

Thursday, April 25th, 1963
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 in reply to motion for Production of Papers no. 16, which gave a list of Territorial Government employees occupying government owned premises.

Mr. Watt gave notice of motion regarding a foot bridge across the Yukon River. Motion No. 20

Mr. Livesey, (with Deputy Speaker in the Chair) gave notice of motion regarding a program of special training for Justices of the Peace. Motion No. 21

Mr. Watt moved, seconded by Mr. Taylor, that it is respectfully requested that the Administration furnish Council with information concerning any fish seeding program that is being carried out in the Yukon lakes. Production of Papers No. 18

Motion Carried.

Mr. Shaw moved, seconded by Mr. Boyd, that insofar as it is a fact that for reasons of health it is oftentimes vital and necessary at great personal expense to travel to large centers where specialized facilities and care are available the Council of the Yukon Territory respectfully request the Administration to present the following proposal for consideration of the Royal Commission on Taxation:- Motion No. 13

- (1) that an allowance be made for actual legitimate costs of transportation to hospitals and/or medical centers outside the Yukon as a full income tax deduction in the same way as normal medical expenses; and
- (2) that this actual cost of transportation be supported by competent medical authority that this travel was necessary for the taxpayer and/ or dependents health to travel to aforementioned larger center rather than utilize available Yukon facilities which might be inadequate.

Mr. Shaw stated that at the present moment it is somewhat an ambiguous form of tax relief that a person may receive. For example if he should get sick and is forced to go to Vancouver or Edmonton where they have better facilities and specialized care, if he travels on the airplane and occupies a seat, he is not allowed to take this from his income as a deductible item. However if he should be on a stretcher he is able to deduct that from his income. He thought the resolution self-explanatory and if it is necessary you have a doctor the government allows you to deduct that item but due to the distance we are from large medical health centers they do not allow this transportation and he asked Council's indulgence in this and it might be more in line with the actual facts.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Boyd, that a Community Centres Ordinance be tabled before the Territorial Council at the earliest opportunity. He stated he had some research to do and requested this be discussed in Committee at the beginning of next week. Motion No. 15

Mr. McKamey stated he had a copy of a Community Centre Ordinance from the Northwest Territories and he wondered if copies could be made for each member and be tabled.

Mr. Speaker stated he would look into it.

Mr. McKinnon moved, seconded by Mr. Boyd, that a territorial well be dug in the Porter Creek area over which the garage to house the water truck should be built. Motion No. 16

Mr. McKinnon stated this motion came as a result from a suggestion from Mr. Boyd while they were discussing sewer and water facilities

in the smaller communities and the biggest cost of the trucked water service to Porter Creek at this time is the drive down the Two Mile Hill from Porter Creek to fill with water that must be purchased from the City. This must be done 4 or 5 times a day and is the biggest expense involved. A territorial garage is going to be built in the Porter Creek subdivision to house the water truck and fire truck and possibly the sewage eductor unit and it seemed practical that a well could be dug in the area.

Mr. Shaw asked if the object was that the garage be put where the spring is. Mr. McKinnon said this could be looked into - whether the spring has the volume. When they do get a well it is an underground stream that they tap and you can't use the amount of water and there has been much success with wells dug in that area. He thought the suggestion would be that the Administration look into it.

Mr. Watt read an article on a system whereby the eductor unit was stationed in the same building as the water supply and there was an awful lot of argument that could apply to this. He would agree to just a water truck in the same building and as far as heating a pump house and stem are concerned - they have several in Whitehorse and it is just a little 6 x 6 building with the stem sticking out and a little propane automatic heater inside. He could see a saving if it were put in the garage.

Mr. Shaw didn't think it would present any problem as a wall could be constructed in the garage with the eductor unit on one side and the water unit on the other. He didn't agree they should be side by side but this would be in the mechanics and the motion is getting it going.

Mr. McKinnon thought the garage being built this year was going to just house the water truck and he agreed that the eductor unit shouldn't be together and they will consider this when the time comes.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, that in the opinion of this Motion Council it is extremely desirable that a comprehensive study of the No. 14 Workmens Compensation Ordinance be instituted as soon as possible with the following proposals:

(1) that an administrative study by the Territorial Government be made to suggest changes within the framework of the present Ordinance to possibly eliminate deficiencies and improve our standards as well as to bring them into line with the Northwest Territories and neighbouring provinces; and

(2) that an outside study be made by a group of fiscal experts to suggest ways and means of bringing the presently privately financed workmen's compensation into the realm of government financing as the long range objective.

Mr. Shaw stated that in this particular instance he is not asking this to be done in a couple of months but this will take some time to evaluate the necessity and make the necessary changes. Last summer when they were discussing this particular subject, there were certain deficiencies that were very much out of line. This compensation has been going for a matter of about 12 years and there has been no overhaul to it whatsoever. Back in 1953 Mr. Brown, who was then Commissioner, felt the Ordinance needed review. The Administration called a hearing at which the people could present their views, and as he couldn't attend he sent a letter with various submissions, none of which were accepted, but clause (2) of his submission dated March 12th, 1953 stated: "Insofar as the compensation in the Yukon is now carried by private insurance companies there is no possibility of building such a fund and thus reducing the present arbitrary rates as charged for this protection. Though not in any way being opposed to compensation protection which I have carried voluntarily in the past, I contend that the cost of such insurance should be borne partly by the employee who is the only beneficiary with the exception of the employee's legal liability." He still feels that a thorough study might indicate that the government itself could carry

this insurance. There will never be an opportunity, under the present system, of creating a surplus in the fund so that you can either increase benefits or decrease premiums. After 12 years of operating this the government should be able to assess and indicate the possibilities of instituting a policy operated by the government. He thought it was about time they started leveling this off and bringing it into the realm of the government.

Motion Carried.

Mr. Watt moved, seconded by Mr. Taylor, that it is the opinion of Motion Council that native children of white status and other children who No. 17 are in need of hostel educational facilities be allowed to use the facilities of the Whitehorse Hostels whenever room is available.

Mr. Watt said he understood that one of the hostels is being used to about 40% capacity and the other isn't much better. It is a shame to have these buildings half empty and children unable to attend because they don't fall within a certain category. They as Council should direct the Administration to meet with the Department of Citizenship and Immigration so they can make these facilities available to children who could be using them. If they don't take the initiative, who is? He thought it was up to them to see some type of agreement made. They are supplying the educational facilities, the room is there and he thought it a lacking in a democratic system when two bodies of government can't get together and utilize a service the government is providing.

Mr. McKamey stated he believed the Administration was requested to investigate an agreement with Indian Affairs for this purpose and he wondered what success the Administration had on this. He was certain that they had already asked the Administration to look into an agreement of this kind.

Mr. McKinnon was in favour with the idea behind the motion but disagreed with the way it was presented. He didn't want to make a mandatory motion but they should enter into some kind of negotiations or agreement instead of passing a decision.

Mr. McKamey moved, seconded by Mr. Shaw that this motion (no. 17) be moved into committee.

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Motion Mr. Taylor, the following motion regarding a proposed rehab- No. 19 ilitation center.

WHEREAS, the 1962-67 Federal Territorial Five year fiscal agreement makes provision for new custodial facilities in the Yukon, and

WHEREAS, it has been apparent for some considerable time that a new look should be taken at the present problem of incarceration of offenders for various and sundry infractions of the law, and WHEREAS, it is evident that the system presently employed does not fulfill the needs nor provide adequate housing or separation of prisoners which could be looked upon as conducive to the well-being of the individual or early and effective rehabilitation, nor contribute to any program, the purpose of which would be the normal and natural return to society of those temporarily devoid of social privileges, and

WHEREAS, it appears to be clearly evident that the housing and general environment of prison institutions in the Territory should be brought up to standard with emphasis on the need for a minimum of maximum security requirements, and maximum emphasis on the need for medium and minimum security and probation, and

WHEREAS, it is further evident that the Yukon Territory would benefit considerably from a change of the present system to a new system which would incorporate a number of new suggestions directed toward improved correction methods to include employment and education of the individual as part of a training program toward successful rehabilitation, and

WHEREAS, it is apparent that the Department of Justice in co-operation with the Territorial Government is presently considering the construction of new premises with improved housing, and it is further evident that decisions will need to be made which will establish the best location as well as the best type of construction and planning in order to compliment the new improvements to be found in the social correction service to be established,

THEREFORE BE IT RESOLVED THAT:

- (1) a suitable location shall be decided upon which would fulfill all requirements bearing in mind all the various and sundry advantages of different locations which may contribute toward the efficient and economical operation of the plant;
- (2) that any plan accepted should contain a minimum of maximum security requirements, with a maximum of medium and minimum security requirements;
- (3) that adequate provision should be made for the separation of male and female prisoners; the separation of juvenile and first offenders from other offenders;
- (4) washroom and feeding facilities be constructed in accordance with the health regulations of the Territory;
- (5) provision be made for education and vocational training;
- (6) outside court yards for healthful exercise at regular intervals;
- (7) hospital and medical facilities;
- (8) the perimeter of the detention area be constructed of chain link or other suitable fence material and that stone or brick walls be avoided;
- (9) the structure should contain in addition a central kitchen, laundry, sewing room, boiler room, stores, garage and fire department, a chapel should be provided for Sunday services;
- (10) adequate staff should be employed to cover the individual needs of the inmates with emphasis on the employment of those capable of conducting institutional care without animosity or undue hostility and that selection of staff should in addition be based on personal suitability, education and intelligence;
- (11) provision should be made for adult institutional services for the retraining of those who require confinement;
- (12) the maximum use of juvenile and adult probation services for the supervision of those who will serve their sentences in the community;
- (13) that camp facilities be provided along similar lines to those now employed in British Columbia in order to provide a healthy environment for those capable of accepting this service, with a view toward instituting a system of manual and other trades training, and operating small production plants which would contribute to the economic operation of the institutions and assist the various communities throughout the Territory toward fulfilling needs not otherwise available; and
- (14) that a corrections committee be formed, the purpose of which would be, to act as a liaison group to augment and put into practice certain aspects of procedure in relation to and as a compliment to the decisions of the Legislative Council; the committee to comprise of various members of the Federal and Territorial Administrations as well as others to be selected from time to time by the Commissioner; the chairman of the committee should be the Commissioner of the Yukon Territory, and members of the committee should include the Territorial Health Officer, the Territorial Engineer, the Inspector of the Royal Canadian Mounted Police stationed in Whitehorse, a member of the Legislative Council and Mr. Duncan Clark, the latter to be asked to become an active member for the purpose of supplying professional advice to the committee as well as assisting in the organization of the establishment of the rehabilitation center and a modern corrections program.

Mr. Livesey stated he believed a need shows in the north country for a concentration of effort towards improving the incarceration method and the rehabilitation methods we have been using so far. He is convinced that they have been inadequate and it seems to him that they have been nonexistent as far as rehabilitation programs are concerned. Just merely passing a sentence upon a person because they have become involved with an infraction of the law and hiding him behind bars for a period of time, has not produced any desired results. When the repeats are placed back in the cells time and time again, it is time they took a look at the situation and tried to create some new methods and ideas towards bringing society up to a higher level and looking upon the question of justice in a different way than they have been doing over the last 50 to 100 years.

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Boyd, that, in the opinion of Council, the necessary repairs to the main street in the village of Carmacks as well as the river road, which sustained considerable damage by flooding during the year 1962, should be completed at the earliest date by the public works department of the office of the Territorial Engineer. Motion No. 18

Mr. Livesey stated this situation was created by flood conditions last year in Carmacks and he took up the question with the Territorial Engineer before and thought the House was familiar with the questions involved.

Motion Carried.

Mr. McKinnon directed the following question to the Administration: Question now that the Lewes River Dam is no longer maintained, has the Administration given any thought to removing it in order to allow river navigation? Question No. 13

Mr. McKamey asked Mr. Hughes, the Legal Advisor, if it is possible to impose a dog licence fee in the Mayo district and if such a request was implimented would this mean the whole of the Yukon would be involved? This was a request from the residents of Mayo and especially those who have good dogs.

Mr. Hughes replied he would have to consider this and didn't want to give an offhand answer.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing public bills and motions 15 and 17.

Motion Carried.

In Committee of the Whole:

In Committee

Discussion took place on Bill No. 1, An Ordinance Respecting the Taking and Recording of Evidence by Sound Recording Apparatus.

Mr. Boyd suggested they allow sound recording in conjunction with the stenographer.

Mr. Shaw said he listened to the various opinions from Ontario, Alberta, Saskatchewan, and the various law firms in the area and it appears to him that the most sensible and constructive letter by actual factual knowledge of the matter came from Ontario and he suggested a stenomask had been used and was very effective. This letter said it takes a very short time to train a person for that purpose - to use a stenomask - and if something like that was instituted, insofar as it is the only constructive suggestion that he saw from all the correspondence, he would agree to that.

Mr. Livesey agreed with Mr. Shaw. It seemed to him the evidence they attempt to get and that which is received on a tape recording device does not agree. The arguments that were raised by these letters seem

valid and it is hard to differentiate and distinguish the different voices on the tape. Confusion would reign with such an arrangement and the only one they could consider is the stenomask. If they tried to obtain this type of equipment on a temporary basis, or on a basis where they could use it to see if they can train people to follow such a principle, they would be eliminating the problem of obtaining a proper number of recording stenographers, and he thought this would be a good course to follow and he recommended it to Committee.

Mr. Shaw noted one point in the letters where two or three people were speaking at one time you couldn't differentiate who was speaking. He thought the judge needs to keep order in the courtroom as no stenographer can take down two or three conversations at one time.

Mr. Taylor, with Mr. Boyd in the Chair, said in looking over the correspondence it appeared to him the recording of evidence by sound, other than by stenomask, is pretty well proven to be unworkable and unsatisfactory and by agreeing to the bill as it stands they would be agreeing to the use of this equipment. He couldn't agree to the bill as it stands as it leaves the door open to tape recorders. They have also heard of another type of machine and that is the stenotype and from his point of view he thought this more acceptable than a stenomask. He thought they should find out more about it and it is also a new means of taking evidence and it should be practised a little while before they accept it. He didn't agree to the bill as it stands.

Mr. McKinnon asked Mr. Hughes if he had reached any conclusion as a result of the research he did in this taking of evidence by sound.

Mr. Hughes stated he asked for comments from Mr. Justice Parker and he indicated there was a need for some device that is on an informal basis. The best safeguard they could have is the reluctance of the local lawyers to work with this device because they will not work in court with a machine that is unacceptable in practice. All that the bill is intended to do is allow what at present is not allowed. Under the criminal code it provides that in criminal matters the sound recording devices may be used if they are authorized for use in the civilian courts in that particular province. That is why they have to consider giving the civilian court a clearance in order to untie the hands of the criminal court and he mentioned this in case they thought this just applied to civilian courts. He would personally recommend that they allow it and in a years time you can direct a question to the Administration asking for a report on the success of it and then if they aren't satisfied with the report they can repeal it.

Mr. Watt stated in the correspondence they have had Ontario allowed it in a Justice of Peace type of case. He thought it was primarily presented to them so they could get some recording of the proceedings in the outlying areas so they don't have to send the only court stenographer that they have in the Territory. He thought the committee should have reservation about the jurisdiction where it is going to be used.

Mr. Shaw felt that behind all this they have a judge who is a learned gentleman and if the case is a serious matter he will not depend on any mechanical device. He agreed with Mr. Watt that a stenomask would be useful in the magistrates courts in Dawson, Mayo, etc. and if necessary the stenographer could be given the most important assignments. He felt they should permit this Ordinance to go into effect so it can be tried for a year as they have to have an ordinance to enable it to be used. If it doesn't work they can have another ordinance to repeal it. It is a progressive move and it might work out very well. He felt this would apply to a device where a man is employed to talk into this apparatus so he could say who is talking and not a tape recording device.

Mr. Livesey said as for a tape recorder of that sort he would say absolutely no as far as taking evidence is concerned, because he felt it wasn't a proper instrument upon which a person could be convicted of an offence. He thought the Ordinance was very broad and if they allow it to go through they would be allowing any type of device as it doesn't specifically state what shall be used as an instrument to create a record. They are leaving the door wide for any instrument to be used and he was opposed to the ordinary tape recorder being used in court. When he was listening to the recommendations in the letters he didn't hear one that had a 100% faith in this type of recording. He suggested that this stenomask be tried in an unofficial way to find out if they can get something by training people to repeat words used by those giving evidence in court. If it seems workable then the matter of setting it up would be simple.

Mr. Shaw had two questions to direct to Mr. Hughes. One, can a mechanical apparatus be used in the court without an ordinance to permit this and two, can this ordinance be amended to cover a mechanical device on which a man is employed to speak into it.

Mr. Hughes said in regard to one it can be tried but it can't be used in the sense that what it records will have any evidencial value, it will not be the record of the court and the court will still rely on the shorthand reporters notes and the typewritten transcript. You can have it going in the court but that is the end. In relation to the second question, it is extremely difficult to see how this could be drafted. In Ontario, although they are in favour of a stenomask, in certain forms they did not limit the type of device that is to be used. They gave it the broad coverage which Councillor Livesey objects to. The difficulty is you either have the door open or closed and rely on local common sense.

Mr. McKamey asked Mr. Hughes if the courts would allow the prosecutor and the defense lawyer to take tape recordings of court proceedings for their own use.

Mr. Hughes couldn't think of any reason for the court objecting to a private individual making such a recording in a case where it is to be used professionally. If it is a case of an obscene nature and some spectator at the back was running a tape recorder it would be dealt with but for the lawyer, who takes his notes in longhand, he might just as well take the notes by tape recorder if he is satisfied. He couldn't see why a court should object to that.

Mr. McKamey said if they were to pass legislation whereas they would be induced to provide such apparatus, they could pick any kind, they wouldn't have to worry about any tapes being fixed because you have the prosecuting attorney and the defence and you would have two tapes and on top of that you would have the court shorthand stenographer.

Mr. Taylor, with Mr. Boyd in the Chair, said it was pointed out in several letters from outside provinces that you have about four possibilities of failure of machine - even with the stenomask in itemizing who is speaking etc. You could have an external power failure; you have an external circuit and a tube, condensor, transistor or resistor burn out and you would not know of the failure until you played it back; the mechanical failure; the stop start system; and then the tapes can break or for some reason not pick up the magnetic impressions and these are important things to remember. He thought a firm printing device, such as the steno-type, something positive where you could see the result coming out on the paper would be far more acceptable or more preferable. The hiring of

another court stenographer is a more acceptable means of recording legal process especially where you have the limitations of personal freedoms involved. These are important things and in order to determine a means of recording they must have a positive device such as a court stenographer or a positive type of machine that recorded before the recorder's eyes what is going on. He couldn't see the advisability of accepting this Bill and it wasn't workable. He couldn't see where the stenomask would solve these problems and he asked committee to bear in mind these four particular points where you can expect failure.

Mr. Shaw said this a new trial and he thought they should give it a try out period. He could understand that this machine can break down but also some judge or witness can drop dead during the middle of a trial - you can't make provisions for everything that might occur. This is an honest request by the Administration and rather than throw it out entirely they should at least let them try one of these machines. In regard to lawyers pacing up and down the courtroom he stated that the members who went to Ottawa found microphones installed in the House of Parliament and they could hear from any portion of the House what was being said and a courtroom isn't as large as the House of Parliament. If the committee doesn't feel the bill is properly worded etc. he thought the Justice Department could try one of these systems out on a trial basis and perhaps come up next fall with a recommendation.

Mr. McKamey thought it was evident this had been tried and that is the reason why they have the ordinance before them. There may be some bad points but there could possibly be an equally amount of good points. He could see where this could be of great assistance in the outlying districts and if they have something along the lines of a tape recording you would have some comeback and he would rather hear his own voice on a tape rather than someone else's. He agreed with Mr. Shaw that this should be given a try and if this Ordinance doesn't work out they can repeal it.

Mr. Livesey thought they were putting the cart before the horse if they pass the legislation first and then try out the system. He thought it was the equipment that is on trial and not the defendant in any case and if they pass the ordinance first and say it is legal to use this equipment before they know if it is any good or not - they are going about it in the wrong direction. He agreed with the members when they say this can be of great assistance in the outlying areas and also here in Whitehorse providing they have a piece of equipment upon which they could have some faith and could rely. At the moment he didn't have it and they have an ordinance in front of them saying it is okay to have it and yet they haven't the foggiest notion if it or isn't any good and he felt if they go about it that way they are asking for trouble. They are making a defendant in a court case a guinea-pig for some mechanical contraption that someone wants to try on him and he couldn't see it. He thought the device should be tried out first and when someone of competent authority says yes they have something upon which they can rely and have tried out he would be happy to say let's have that ordinance back again.

Mr. Shaw said at the present moment a person appearing before the Justice of the Peace doesn't have even have a record made of his trial and this would enable some sort of record.

Committee adjourned at 12:00 o'clock Noon.

Mr. Taylor called Committee to order and said that prior to the noon adjournment they were discussing Bill No. 1, an Ordinance respecting the Taking and Recording of Evidence by Sound Recording Apparatus.

Mr. Boyd said these gadgets are not by any means universally used, they have only been tried in certain places here and there, and if he was on trial for his life he would not want to rely entirely on it. He moved that they leave this Bill where it is at the present time until gadgets are more appropriate, tried and proven.

Mr. Taylor stated that as there was no second for the motion, therefore there is no motion.

Mr. Watt stated he could understand Mr. Boyd's feelings in that particular case where voices can get jumbled up and the evidence is muffled, but he saw a use for this in possibly the outlying areas where it would save the services of a Court Reporter. He hesitated to throw the Bill out entirely if it could be of use in the Yukon Territory due to their vastness, the time it takes to travel, and it could possibly be used for lesser cases and at least given a trial.

Mr. Boyd was not convinced that these tapes cannot be obtained. People can get into banks, they can do all kinds of things, and could committee imagine bringing a tape back from Carmacks or some other remote spot. Between here and there, what could happen. On that basis alone, as far as he was concerned, the tape is out.

Mr. Livesey thought there may be in existence at the present time certain tape-recording devices which could be used by the Court, but at the moment they did not know which type these happen to be. They have nothing in front of them which is concrete evidence that any of these machines are reliable, nor have they anything that they can go on which is in agreement to the use of it. With regard to the letters read by the Chairman, with the exception of one particular piece of equipment, they were all opposed, some to a lesser degree and some to a greater degree. If they agreed to this bill, it would be allowing for a type of experimentation in Court to which he would be 100% opposed, and that is using a defendant in a Court case as a guinea pig to test out an electronic device. If there should be testing of any electronic device, this testing should be done before they start working on defendants, they should view it from a point of justice. All this Bill does is to open the door for half a dozen people to experiment with something which could be of great detriment to any one trying to defend himself in a court case. This Bill should be set aside until the authorities have come up with a machine on which they will put their stamp and say "this is perfectly in order, ready for use in the Court, it is tried and tested, and it has been found okay." Only then would he be ready to support it.

Mr. Boyd could not understand why Mr. Livesey did not second his motion as Mr. Livesey's comments were in line with those expressed by himself.

Mr. Livesey explained that it was because he was not sure if it was the type of motion required.

Mr. Shaw stated that in Court, when a Judge hands in his decision, it is usually predicated by the facts that have been presented to him. In the letters read out by the Chairman there was one section which did say that a certain machine is being used in Ontario and had been found quite satisfactory and that to him is evidence of a fact, because it is being used. In a small court what rights does a person have when there is no transcript whatsoever of the evidence - how much protection does a person have in a place, say, like Watson Lake or Haines Junction, and if he wishes to reopen the case on the evidence submitted, it is not there. There is more than one way in looking at this. A person taking shorthand gets it down

as good as possible but in many hours of discussion she could get a word wrong here or there, so, although he did not personally agree with a tape-recorder, one of these steno-masks sounds sensible for recording exactly what goes on. Anything can break down, even a Judge dies.

Mr. Taylor could not agree with Mr. Shaw on the question of things breaking down - sure, a Judge could die, or a steno faint, but if those things happened, all proceedings would cease. If a tape-recorder failed, it may continue apparently to function until it is re-run and you find there is nothing on it - this leaves the defendant in quite a position. He could see some value to recording in outlying districts but it is very easy to rig a tape and there are people who would do this sort of thing - he could think of a few. Consequently, this does not prove anything. This bill refers only to sound apparatus and he felt the solution would be to scrap any kind of recording, including the steno-mask, in their Courts and go to the stenotype machine which you can read like a typewriter. During the noon hour he went to Court and noticed two mikes there, in anticipation of the Bill, and he had an informal chat with the stenographers. They wholeheartedly support this idea of a stenotype machine which is easily operated. In the use of sound apparatus, it has been pointed out in all these representations that you cannot distinguish one voice from another and so forth and therefore, it seems that they would either have to deal with a first-class stenographer or one of these stenotype machines. He urged that this Bill be left to die on the order paper. As Mr. Livesey suggested, they should look over some of this equipment first and find what is effective and what is not. If they choose to test tape-recorders, they can test everything they want but with a stenographer in attendance, as required by law - by passing this Bill, it would not necessarily be required by law.

Mr. Livesey moved that Bill No. 1 be not dealt with at this time in order to allow the Department of Justice to justify by experimentation the quality and reliability of various and sundry tape or other recording machines with a view to obtaining a later selection of reliable equipment which would be acceptable as a recording device in Court at which time enabling legislation could be considered by Council.

Mr. Boyd seconded this.

Mr. Shaw wished to comment on the motion. He said that in the first place this emanated from the Department of Justice and he believed that this department was empowered to conducting justice in the country and therefore they must have given consideration to this in the first instance to bring it up here. He would assume that the Department of Justice in instituting something like this would try every means to protect it - they must have tried it, found it satisfactory, and presented this Bill.

Mr. Livesey said that surely they can listen to what they have heard and be reasonable towards what has been read. How can they possibly follow anyone who says the Department of Justice has already okayed it when he could not see a single shred of evidence here to show that they have okayed anything whatsoever, in any way, shape or form. The Legal Adviser has brought by letters to the Committee, a very clear cross-section of evidence which is not in complete favour with this type of thing. He suggested that the Department of Justice experiment with the proper type of machine in order that they may have something on which they can rely rather than make the experimentation after the law has been laid down. They should come up with the answer first and then they can make a law to complement the situation, but here they are being asked to accept a situation to which the Department of Justice cannot give a decent answer. He could not see why they should accept this carte blanche situation, which is an Open Sesame to all kinds of experimentation in Court - they should be experimenting with the machine and not with the person in Court.

Mr. McKamey asked the Legal Adviser if the Ordinance was drafted here or was it drafted by the Department of Justice.

Mr. Hughes said that it was drafted in Ottawa, but he would like to draw Committee's attention to one thing. This particular Bill will enable the recording equipment to be used in civilian trials which, in turn, will allow it to be used in criminal matters. Once they give it the green light on civilian courts, then there will be no need for a change in the Criminal Code, but if they should not be allowed in civilian courts, Ottawa can still change the Criminal Code and allow it. He felt he should bring this to their attention because there have been references to defendants, and accused, and there might be an area of misunderstanding.

Mr. McKamey felt he was not competent enough to say whether this is good legislation or bad legislation, but if the Court thought this would be of some assistance, the only thing he would insist upon is that the Court employ a stenographer along with this device. He could see a lot of good in this Bill, he was really in favour of it, and he could not see why they should not accept this Bill as it is - if it creates any hardship, they can repeal it at the fall session.

Mr. Taylor stated it would be easier to hold the Bill right where it is than repeal it later. This is something that has been tried in the provinces and found unworkable - he understood it was not allowed in B.C. as well, although they have had no official representation from B.C. Nowhere in Canada is this type of tape-recording machine used, except for the steno-mask, they know nothing of it, and yet they are asked to provide legislation for something they know nothing about. They are incompetent to suggest the steno-mask until they know something about it, therefore he recommended that this Bill be voted down and left on the order paper in suspension for this session. If the Administration wish to experiment with this thing at a later date, by all means let them experiment, but not at the risk of poor justice for the defendant.

Mr. Watt said they have had evidence from different parts of Canada saying these recording devices are not very efficient, and where did the first sentence in the Explanatory Notes in the ordinance come from. He read it - "It has become almost commonplace in North American Courts to utilize the latest techniques for the recording of evidence". Could the Legal Adviser explain that sentence and say where it originated from.

Mr. Hughes stated he originated it and could justify it. He did not say sound-recording devices, but recording devices, and it is a matter of commonplace - a typewriter is a recording device. As the author of that sentence, he thought it was entirely justified.

Mr. Boyd said that this morning he moved to pass this Bill with the rider that a stenographer be in attendance, but he got no action; he reversed it this afternoon, and still no action. Now Mr. McKamey says he will favour this provided a stenographer is in attendance and he ends up by saying he is in favour of passing this Bill as it is. Couldn't they get together on this.

Mr. McKamey stated he did not think there was anything in this Bill saying there will not be a reporter present at all times.

Mr. Watt said the Bill is before them so that they can dispense with the Court reporter. He could see good points in the use of this sound recording apparatus in the outlying areas, but as the Bill is presented to them, the harm could outweigh the good, so he would have to vote against it.

Mr. McKinnon said that certain members seem worried that if the Bill is passed it would be an Open Sesame for all kinds of gimmicks to be introduced into the Courtroom. There are two safeguards in the ordinance as it now stands before them, the first being that the only device machine that can be used in a Courtroom is the type approved by the Commissioner, and he felt sure the Commissioner would not allow a recording device in the Courtroom unless

it proved workable. The second safeguard is in Section 3 of the Ordinance which says - "The evidence in any proceeding or any portion of such evidence may, if the judge so directs, be recorded by sound recording apparatus". It is within the discretion of the judge and he felt sure that most of the gentlemen here think quite highly of the judges that are appointed to their Courts. He would say there are ample safeguards in this Bill to prevent any abuses that may enter the Courts. On the arguments that have been presented before them, he did not believe they should hold up the passage of such a Bill.

Mr. McKamey quoted Section 9 of the Ordinance - "The Commissioner may make regulations for carrying out the purposes of this Ordinance", if there are any abuses.

Mr. Taylor stated they have proof from the provinces that they do not agree on this type of sound recording.

Mr. Livesey said what he would not understand about the arguments produced by those apparently not in favour of the motion is that they do not want to experiment with various machines, they do not want to find out which is the best and most reliable. He was not too sure that these safeguards here are entirely the safeguards he is asking for in the motion - he wants a piece of equipment that has been accepted by the Court and is accepted as a device upon which they can rely for the purpose of having a second hearing of any evidence produced in Court. When you are experimenting with a machine, you are not taking down evidence based on that experimentation, you are using this to find out whether it is going to be workable or not. This Bill would make sense if they had a piece of equipment that has been accepted.

Mr. McKamey wished to know where this is to be tested, who is going to test it, and where - in the United States, Europe, or some other place.

Mr. Livesey replied that perhaps the further they go away from it the better, but he was not thinking of that - when he said Court, he surely meant their own Court, he would not be thinking of any other Court.

Mr. McKamey asked the Legal Adviser if such a device would be allowed in Court for experimental purposes without the passage of the Bill.

Mr. Hughes said yes, the judge would have the freedom to have it there, although it would have no evidential value, and those conducting the case would be conducting it and conducting themselves as though they were relying on the shorthand reporter and not be thrown entirely on the resources of the machine. It is not a battle test at all, it is a dry run, and it would not have that exposure in actual working conditions.

Mr. Taylor asked if it was under experimentation at the present time.

Mr. Hughes said it has been used, but with what degree of success he did not know. As he indicated this morning, the opinion of Justice Parker is that the Bill in principle seems desirable to him, but he was not committing himself on a particular piece of equipment.

Mr. Boyd wished to know what would happen if the accused objected to the dry run. Would he have any say in the matter.

Mr. Hughes pointed out that if Counsel or the accused raised the point he felt sure that any judge of honour and competence would give full effect to the objections raised by Counsel or a defendant. It is unthinkable - the case would be immediately open to attack if this courtesy was not afforded to the defendant or the accused.

Mr. Shaw said they have a Bill before them which has received the approbation of the Department of Justice and in the province of Ontario, they are using the steno-mask. In addition to speed, the system is much more accurate and a simple training course would overcome the shortage of Court reporters. While

the operator need not have shorthand experience, a knowledge of Court procedure is most important. This is not an experiment - it has been tried in one of their largest provinces and found to be highly successful. In the approval which the Commissioner gives, he would assume for certain that the decision of the Commissioner would be influenced to a certain degree by the judge of the Court and therefore, with all these safeguards, he just could not see (if they had a recording device) that everybody would be jailed or hanged.

Mr. Livesey reiterated that only one letter pointed to any success, only one of the entire group of letters across the country and this, in his opinion, put it in the minority. There has to be experimentation of they would have the machine already here. If they have this steno-mask he could not see why it is not already here and all ready to go, but they are not in this position, they have not drawn any concrete conclusions along this line. As far as the Federal legislation is concerned, in a good many instances it is from Federal legislation that they draw their inferences and conclusions in regard to the way in which they should proceed, but in the Federal legislation, this does not exist, but it is being tried out so that it could possibly affect several legislations.

Mr. Hughes said that in view of the discussions in Committee today, he will be communicating with Justice and no doubt they will give consideration to this steno-mask - they are not holding out on any particular technique as the desirable one and that is why the pattern of the Bill is made rather loosely. He would like to make it clear that Ottawa's only desire is to speed up the work of the Courtroom.

Mr. Taylor read the motion again. Mr. Livesey, Mr. Boyd and Mr. Watt in favour of the motion - Mr. McKamey, Mr. McKinnon and Mr. Shaw opposed. Mr. Taylor voted in favour of the motion also.

Motion Carried.

Mr. Shaw moved that they proceed to Bill No. 2, An Ordinance to Amend the Municipal Ordinance.

Mr. Taylor read the Ordinance.

Mr. Watt asked the Legal Adviser to comment on this.

Mr. Hughes said he could have been a little clearer in the ordinance if he had said "subject to the private..amended Bill in the 5th Session of 1962", but Committee will have it in their recollection that on the Friday or Saturday just before nominations were being closed for the municipal elections, the question of enabling more candidates to stand was under discussion. A private members bill was introduced and in the time available he did suggest one small amendment, but they will remember that originally prior to 1958, the qualification for candidacy was set up on the basis of \$1,000.00. Between 1958 and 1959 there was obviously a change in thinking in what was desirable as a proper qualification for the candidates and it was made rather harder.

Mr. Boyd said it was a case where if a man wished to run for Council he had to have a certain equity on his property and with the tax assessment being say, 60% of the value of the house, the man owned more than half the value of his house, which meant he had no equity in the house and therefore was not eligible to be a Town Councillor.

Mr. Hughes said that in 1958 the test of qualification was that he be a taxpayer in respect of property assessed at not less than \$1,000.00; in 1959 the assessed value had to be above, had to exceed the value of the encumbrances by \$1,000.00, and this immediately put 9/10ths of the people out of the running. So, it was desired to enable more people to run for office, that is why they went back to the simple assessed value of at least \$1,000.00, no reference to \$1,000.00 more than existing encumbrances. On

reflection it was noted that (a) and (b) on the right hand page in front of members of Committee were inadequately expressed, it should have been "conjunction is a natural person 'and'," but the way it is drawn it says "is a natural person 'or' ". That might be the interpretation given to it and this would not exclude a corporation, and while a corporation is not a natural person it could be a rate-payer, and that is why they have gone around and specifically excluded a corporation - that is the effect of the change and all it is intended to do.

Mr. Shaw moved that Bill No. 2 be accepted without amendment.

Mr. Boyd seconded the motion.

Mr. Livesey said that in regard to the vote of a corporation under the Municipal Ordinance - would there be anything there that could be detrimental.

Mr. Hughes stated they have a vote which they cast and exercise through one of their officers, that is an accepted principle, but it would not arise here where they are dealing with the question of candidacy for an office. They could not nominate their president or vice-president as a candidate on the strength of their qualification..

Mr. Taylor asked if it was agreed that Bill No. 2 be reported out of Committee without amendment.

Agreed.

Motion Carried.

Mr. Taylor proceeded to Bill No. 3, An Ordinance to Amend the Taxation Ordinance. He read it.

Mr. Livesey asked Clerk-in-Council, in his capacity as Tax Assessor, if it would not be reasonable to assume that the Post Office through the Registration Branch can fulfill practically all the requirements that are needed here.

Clerk-in-Council replied that the Post Office could not fulfill any of the requirements under the old section, but they can under the new section, now that sub-section 4 has been added to allow them to serve notice by registered mail.

Mr. Watt asked what was being done in the provinces with regard to tax notices.

Mr. Hughes replied that he did not have the right answer and that possibly the Territorial Tax Assessor could help more in that; however, the considerations are not quite the same here as in the provinces. If a man in the winter is to go out serving notice by dog-sled or up the creeks, he might eventually get there and find no body at home, what is he to do then. It is difficult to establish that he has made the trip out there. It is felt that by putting it through the Post Office channels and establishing registration, the regular courses would be followed.

Clerk-in-Council said what Mr. Watt referred to was the tax demand notice, but this is neither the tax demand notice nor the tax assessment notice, this refers to the notices outlined in Section 73 which is a method of collecting taxes that are in arrears for at least two years. It is to secure judgment against the taxpayer who has not paid his taxes. The other notices are sent out by regular mail. This is a summons to appear in Court to show why he should not have a judgment against him for the taxes in arrears.

Mr. McKamey enquired as to the length of time registered letters are kept in the Post Office.

Clerk-in-Council said that normally it is ten days.

Mr. Boyd remarked that he has had first and second notices on registered letters, and even a third notice. However, he would move that Bill No. 3 be passed without amendment because obviously it is a necessity under the circumstances.

Mr. Shaw seconded the motion.

Mr. Livesey said that in the case that the Tax Assessor did not get a reply from the tax delinquent, how would he proceed.

Clerk-in-Council replied that he would not be the one to proceed. He could only assume if the Tax Collector did not get the letter back, after having sent it out registered that it had been delivered. If he did get the letter back, he would attempt to serve it personally. But, it would depend on which circumstance arose - if the Tax Collector gets it back through the Post Office he would proceed in Court to get a judgment against the delinquent.

Mr. Hughes remarked that there has been an accumulation of unpaid taxes on property to quite a serious sum and last fall he personally took an order before Mr. Justice Parker for 250 of these tax lapses to be confirmed, most of them on properties that were not paid for. The entire process is very prolonged, it has to be two years in arrears, then the property has to be put up for sale, but before the property is put up for sale, a notice has to be served. If this power is not given for notice to be served by mail, this trip will have to be made by dog-sled sometimes under bad weather conditions, and then they can call the sale and later come back to the Judge and confirm the sale. It is very long and it takes more trouble than it is worth and they are trying to streamline it somewhat. This is the result of the Tax Collector's feelings on the matter.

Mr. Watt said there were four methods and could this be done under any one of the four methods.

Mr. Hughes stated that if the letter was not picked up, this would have been at least one compliance with the method of serving. There are four alternatives, they are not cumulative. He could not tell which method would be followed in any one particular instance, but most of the time people will have left their premises anyway because very often they are what might be referred to as squatters, but they are still open to assessment.

Mr. Taylor asked if it was agreed that Bill No. 3 be reported out of Committee without amendment.

Agreed. .

Motion Carried.

Mr. Taylor moved to Bill No. 4, An Ordinance to Authorize the Commissioner of the Yukon Territory to enter into and execute an Agreement with the Government of Canada respecting the Service of the Royal Canadian Mounted Police. He read it.

Mr. McKamey asked how they operated in the Yukon for 60 years without an agreement.

Mr. McKinnon believed why an agreement was never entered into is that since the RCMP moved into the Territory the cost has been borne absolutely by the Federal Government, but under the terms of the five-year agreement the cost is to be shared between the Federal Government and the Territorial Government, with an eventual take-over of the entire cost of justice in the Yukon by the Territory. If Council will remember in the Financial Agreement it

was agreed, on the recommendation of the Committee, that the Territorial Government, reimburse the Federal Government for the cost of the administration of justice in the average amount of \$110,000.00 per year based on the existing level of services throughout the five-year period, 1962/67. He submitted that the reasons why this agreement is before them is because the Territory is now for the first time taking a direct share in the payment of costs for the policing of the Territory and he would remind members that at the time the five-year agreement was agreed to, it was stated that a Senior Legal Officer of the Crown would be appointed to supervise the administration of justice in the Territory in close association with the Territorial Government. The officer would be responsible to the Attorney-General and he would exercise as far as possible the duties of the Attorney-General in the administration of justice including police services and the administration of the gaol. He thought this agreement should not be put before Council until this person, in the person of the Senior Legal Adviser, who would be acting as the Attorney-General of the Territory is here. He felt there was definite need for liaison between the people and the RCMP and the liaison must be found in the person of the Attorney-General or the Senior Legal Adviser of the Territory and to this date he has heard of no such appointment.

Mr. Taylor remarked that he noticed in the agreement that Attorney-General means the Attorney-General of Canada.

Mr. Shaw said this is the Senior Legal official who will work under the Attorney-General of Canada. The agreement is in line with Council's recommendation for more autonomy, he did not know whether it gave more autonomy, but it certainly put the matter in the right perspective.

Mr. Livesey said it seemed to open the door for a blanket form of agreement of which the details have not been supplied. Surely if they are to be responsible and take over the cost of police work in the Territory, then they should be supplied with something more than Open Sesame and no facts. It seems that this gives the Commissioner the right to come to some agreement with the Department of Justice covering the cost for the RCMP but does not give them one single item on which they can actually say "this is going to be in the agreement". Why are they being given a duplicate sort of proposal but not an actual proposal as to what the agreement is going to be between the Territory and the Department of Justice.

Mr. Hughes stated he prepared these explanatory notes on the basis of his consideration of the Draft Ordinance and it says "The Commissioner may on behalf of the Yukon Territory enter into an agreement", not the agreement hereto, and later on it says "Any agreement made under this ordinance", therefore in all honesty he could not in his explanatory notes indicate to them that they were looking at the agreement which must of necessity be signed by the Commissioner. The best that he could say was an agreement of the type "usually" and this is a fact. This is the type of agreement which is entered into between the Minister and the Attorney-General of a province - there is nothing, that he is aware of, which is radically different from agreements of this nature. On the basis of his experience there is nothing that should outrage their conscience. He thought Mr. McKinnon's summary was absolutely accurate.

Mr. Watt asked the Legal Adviser if he has had any information of the appointment of a Senior Legal Adviser in the near future.

Mr. Hughes said he did not know what the position is with regard to this question, it has been directed to the Administration, he knew an enquiry has been made to Ottawa, but as to when they will have an answer he did not know. There was a competition advertised, but he could not add anything to that. In the agreement itself, if they come to provincial status, they may have an Attorney-General. He suggested that the lack of an appointment should not be the instrument of delay on consideration of this matter because many things are called for under the five-year agreement not all of which are coming to maturity at the same pace.

Mr. McKinnon said that with all due respect to the Legal Adviser he disagreed with his assessment. This is a very big change in a principle in the policing of the Yukon Territory - whereas it has been a Federal responsibility, the Federal Government has paid for the policing of the Territory. Now that the Yukon Government is willing to take over the cost of policing its own Territory then, in this respect, there should be someone in the Territory and not in Ottawa who is governing the police services in the Yukon. And this is exactly what the five-year agreement said. These are not separate issues, they are intertwined, and one is complement to the other.

Mr. Hughes explained that they were not wholly separate, it is a question of timing. If, for instance, they go away from Council at the end of this session having rejected this, and during their absence this appointment is made, then they would have left this incoming Senior Legal Adviser with only half a job to do. They would be able to work upon this if approval is given to the Commissioner for authority to enter into an agreement - if they do not, they will defeat the purpose of the appointment.

Mr. McKamey understood this to be an enabling ordinance, but if they wished to repeal this, they can repeal the ordinance but not the agreement that has already been entered into.

Mr. Hughes said that would depend upon the terms of the repeal, after all, no payments of money have been made which could be undone, but they could go a long way to undoing it if they felt it necessary. Basically, this is more financial than otherwise, it is a measure of the payments that are being made - it is entirely up to them to decide whether, at this time, they will give the Commissioner the power to enter into the agreement which is called for under the financial five-year agreement. They have already accepted the idea in principle by endorsing the financial five-year agreement, they have recognized that they will assume paying half the cost, even though that half cost is reimbursed.

Mr. Taylor said that one point they have to consider at this time in the agreement is this - in the Bill it says that "the Commissioner on behalf of the Yukon Territory may enter into an agreement with", but he thought this should read "the Commissioner in Council". They hear a lot about autonomy, but they see very little of it. In the Yukon Act "the Commissioner" means the Commissioner of the Yukon Territory and "Commissioner in Council" means the Commissioner acting by and with the advice and consent of the Council. Another item is that in the recommendations in the five-year fiscal agreement it was stated the Yukon Government would reimburse the Federal Government for the cost of the administration of justice in the average amount of \$110,000.00 per year based on the existing level of services, but if they will notice in the agreement it says that the sums payable for the years 1962/67 are \$170,215.00, \$177,024.00, \$184,104.00, \$191,469.00 and \$199,127.00. This is far removed from the initial agreement they signed and he was beginning to wonder just what the Commissioner did sign. Did he sign the agreement that Council approved, has this been changed since they reviewed it, or what. He understood this fiscal agreement was not signed until March of this year - what changes are in it from the last time they saw it.

Mr. Shaw felt they should get facts straight. In the first place the Commissioner executes the agreement, he might execute that in the middle of July and he did not feel like coming down here to help the Commissioner sign the agreement. As far as the Commissioner in Council is concerned, if they look at the Bill it states - the Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory enacts as follows. That is very clear. They have entered into a five-year agreement and they must have enabling legislation and this has to be signed to fit into the agreement.

Mr. Watt said that with all this argument about the Commissioner he noticed in the agreement itself it is between the Minister of Justice on behalf of Canada and the Commissioner of the Yukon Territory. He was quite satisfied with the word "Commissioner". He would like to see their Senior Legal Adviser here when they discuss this, as he will be administering it.

Mr. Hughes said that the Councillor from Watson Lake asked a question which he was quite prepared to pursue but it has implications of either a want of faith on his part or want of honesty on the part of the Commissioner. He said - "Is the agreement that the Commissioner signed the one that we authorized him to sign." Mr. Hughes added that he would like to know whether he was to take proper notice of that question or whether he had misunderstood it.

Mr. Taylor stated that in reply to the Legal Adviser, yes, he would like to know if the agreement signed by the Commissioner of the Yukon Territory and the Federal Government, known better as the five-year fiscal agreement, is it the same agreement that was laid before Council at the Spring Session one year ago, the same figures, the same everything.

Mr. Hughes said that as a corollary to that, the inference must be that there has been some improper change in the agreement. Is he to understand that?

Mr. Taylor replied the inference is that he does not know, if he did know he would not ask the question. What made him wonder whether it is or not, is that the recommendations of the two agreements do not seem to agree and quite frankly he was confused. He wished to have answers.

Mr. Livesey felt that the question raised by Mr. Taylor did not refer to anything improper on the part of the Commissioner, it depended upon the point of view of the individual, it need not be clarified as saying legally improper, or intentionally improper, this is not the question at all. It is something similar to the question raised in regard to the budget - the same thing happened to the budget. The budget that was presented to Council at the Spring Session this year certainly was not the budget that the Financial Advisory Committee considered at all. There were quite a number of changes in that, quite without the knowledge of the Financial Advisory Committee. When the budget was presented to the Council in the Spring Session, it was not the budget that was discussed by the Financial Advisory Committee. He did not think the question was an inference towards any suspicion - it was a question to do with clarifying the situation.

Mr. Taylor stated he would not want it to appear that he has any distrust of the Commissioner by any means because he certainly does not feel that way at all, but there is an obvious difference and he wished to know how they arrived at this difference, just what is in effect going on.

Mr. McKinnon suggested the answer could be found from the Territorial Treasurer. He believed there could be nothing but an inference drawn from the question by Mr. Taylor and he would like to go on record dissociating himself from this question asked of the Commissioner because the Commissioner was not the person to ask, it is the Territorial Treasurer. He was absolutely positive that the agreement signed by the Commissioner is the same one they agreed to at this table.

Mr. Taylor said his question was not directed to the Commissioner at all and Mr. McKinnon was working under a misapprehension, his question was directed to the Legal Adviser.

Mr. McKinnon stated that the agreement was signed by the Commissioner and if the agreement was different from the one they agreed to, it was the Commissioner who signed the different agreement, and he believed the Commissioner would not do such a thing, and did not do such a thing.

Mr. Taylor said that Mr. McKinnon was perfectly at liberty to dissociate himself with anything, but he noticed here that the terms as set out under the five-year fiscal agreement and the terms of this proposed agreement respecting the policing of the Yukon Territory are grossly different and consequently all he wanted to know was, is there a difference.

Mr. Shaw stated that if it was different to the five-year agreement, for goodness sake, read it and find out.

Mr. Livesey suggested that before they get off on a tangent, perhaps the Commissioner could come down and attend committee and they could continue their discussions with him here.

Mr. Taylor asked for the Territorial Treasurer to attend committee also.

Commissioner Cameron and Mr. MacKenzie attend committee.

Mr. Taylor explained to the Commissioner and Mr. MacKenzie the difference in figures between the five-year agreement and the proposed agreement for the policing of the Yukon Territory. He wished to know if any change had been made.

Mr. MacKenzie stated that the financial agreement had not been changed since it was considered by Council, the only change that has been made was a reduction in the payment by the Territory in respect of police services. They will see that in the front page of the Blue Book. The other point is that in this Blue Book we stated \$213,000.00 and \$110,000.00 they will be annual averages over the five-year period, whereas the figures referred to by Mr. Taylor were figures for each individual year.

Mr. Taylor remarked that the figures quoted by him read far in excess of \$110,000.00.

Mr. MacKenzie explained that speaking of the \$213,000.00, they will see that on the front sheet of the report, in the first column, that in fact this is the minimum amount to be paid during each year for the next five year. It is true to say the minimum payments will be \$213,000.00, except that it has been reduced now from 50% to 40%, so the minimum payment is \$107,215.00 as shown in the report.

Mr. Taylor stated that Mr. MacKenzie's explanation answered his question. He added that Mr. McKinnon felt his remarks might be inferring that the Commissioner is dishonest, which is of course ridiculous.

Mr. McKamey said he would like to get the interpretation clear on the words "the Commissioner" and "the Commissioner in Council".

Mr. Hughes explained that when the Commissioner acts in Council he is literally in Council. As Mr. Shaw pointed out, this might involve them in a trip back to Whitehorse for the execution of this agreement - it is a matter for their own convenience and if one reposes confidence in the Commissioner, there would hardly be any objection to allowing the Commissioner to act while they were away. But he would like to correct the record. He was asked to take notice of a question and as the Commissioner is here he felt it improper to ask that question again. He has not heard it asked as to whether the document signed by the Commissioner was the document that he was authorized to sign. This had unfortunate implications and has carried with it the corollary that changes have been improperly made in the document. He felt his recollection was reasonably accurate. That was the question which was tendered of which he was given direction to take notice.

Mr. Taylor felt it was quite clearly stated by himself, the question was asked of Mr. MacKenzie and he was given an answer and he believed all members present heard that answer - that, in fact, the document signed in March was in effect the same document as they dealt with last spring. That question has been quite clearly answered.

Mr. McKamey moved, seconded by Mr. Shaw, that Mr. Speaker do now resume the chair and hear the report of the Chairman of Committees.

Motion Carried.

When Mr. Speaker resumed the chair, Mr. Taylor, Chairman reported as follows:

Committee convened at 11:15 a.m. to discuss public bills. It was moved by Mr. Livesey and seconded by Mr. Boyd that Bill No. 1 be not dealt with at this time in order to allow the Department of Justice to justify by experimentation the quality and reliability of various and sundry tape or other recording machines with a view to obtaining a later selection of reliable equipment which would be acceptable as a recording device in Court at which time enabling legislation could be considered by Council. This motion was carried and Bill No. 1 was defeated in committee. Mr. Shaw, Mr. McKinnon and Mr. McKamey wished to go on record as opposing the motion. It was moved by Mr. Shaw, seconded by Mr. Boyd that Bill No. 2 be reported out of committee without amendment. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. Shaw that Bill No. 3 be reported out of committee without amendment. Motion carried. Progress is reported on Bill No. 4.

Council accepted the report and adjourned until 10:00 a.m. Friday, April 26, 1963.

Friday, April 26th, 1963
10:00 o'clock A.M.

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 motion no. 11 which stated that in discussions with the City Clerk we have been informed that the City of Whitehorse is willing to extend the area patrolled by their dog control officer to include Porter Creek, the Transient Area, Indian Reserve and surrounding areas. We are awaiting a letter from the City Clerk giving us the rates to be charged for this service. If this rate is satisfactory to us we will enter into an agreement. Reply
Motion
no. 11
- (2) A reply to question 9 which stated contractors bidding on Yukon projects are not required to hold a business licence. The successful bidder, however, will be asked to produce his licence before he is awarded the contract. In accordance with the provisions of the Business Licence Ordinance a person is only required to take out a business licence if he actually does carry on business within the Territory - (Ref. subsection (1) of section 5.) Reply
Ques.9
- (3) A reply to question 10 which stated that word has just been received that the plans are now at the printers and will be forthcoming within 2 weeks. Reply
Ques.10
- (4) A reply to question 11 which stated goods seized by the Sheriff are normally sold by way of advertisement in local papers inviting bids. Normally goods are held for three weeks (21 days) to permit debtor an opportunity to pay off debt and redeem goods. There is no Execution Ordinance in the Yukon Territory and we are not bound to follow the procedure indicated above to be normal. As a matter of practice we rarely deviate from the procedure shown above - and then only when unusual circumstances dictate a different course. Reply
Ques.11

Mr. Taylor gave notice of motion regarding court proceedings in out-lying settlements. Motion
No. 22

Mr. Boyd gave notice of motion respecting Councillors disbursing moderate sums of liquor tax monies. Motion
No. 23

Mr. Watt gave notice of motion regarding amendment to Steam Boilers Ordinance. Motion
No. 24

Mr. Shaw gave notice of motion regarding discussion in committee of the Fuel Tax Ordinance. Motion
No. 25

Mr. Boyd gave notice of motion regarding discussion in committee of the rental of government housing. Motion
No. 26

Mr. Watt moved, seconded by Mr. Boyd, that it is the opinion of Council that the Administration immediately survey a site for, and enter into a financial agreement for, a foot bridge across the Yukon River. This bridge will allow easy foot travel between the main street areas of Whitehorse and the hospital, penitentiary areas across the Yukon River. Motion
No. 20

Mr. Watt stated that a matter such as this would overlap in jurisdiction between Federal, Territorial and City because it is within the City Limits, is on Federal land and is within Territorial jurisdiction. It was his opinion if action is going to be taken it should be started at their level and particularly because they pay many of the bills for transporting welfare cases across the river to the hospital area. The present bridge is out of the way from the downtown area with the path from the bridge through the brush unlighted. He didn't think it would be too big a job to build a footbridge directly across from the hospital. This has been thought of before but no action or survey has been made. He thought this something that could be done and money well spent. There are savings in the Five Year Agreement where provisions were made for a more expensive maximum security penitentiary and they are

now going to settle for a less expensive one. A saving of over a million dollars will be made and he thought part of this money could be redirected into different channels. This could be one of them. It wouldn't be self liquidating thing but it would result in some saving.

Mr. McKamey stated he was thinking of the use of this river by float planes. A year or so ago they had an item in the budget to construct a seaplan float dock above the dam and they were told that this was by request of the operators of aircraft. After this vote was passed and the information released he heard several discussions in respect to the site above the dam and he was told that none of the aircraft owners were ever asked whether they would prefer to land above the dam or downtown on the river. He thought over 90% of the float planes used this part of the river to land on in preference to above the dam as there are a lot of down drafts and it is hazardous taking off above the dam. If they were to construct a bridge across to the hospital it would be eliminating this landing for float planes.

Mr. Watt said he had considered this but didn't think 90% of the planes landed on the river in this location. It is mostly Pacific Western that does. They would have to put their little dock on the other side of the bridge farther down river; this is in the Whitehorse Metropolitan plan, so it is just a matter of time until all aircraft are going to have to use the facilities out of town.

Mr. Shaw stated he isn't for or against the bridge, however, he wanted to submit that the area in question is bringing two parts of the city together so it appeared to him that this would be the responsibility of the City of Whitehorse to implement and commence a program such as this because they certainly have a financial obligation. He felt it should emanate from the municipality as in this case they would be handling a share of the costs, and they would have a certain amount of responsibility. It might be a worthy project but he felt the motion at the present time hasn't gone into all the facets of how it would work and more preliminary investigation is necessary.

Mr. Watt thought they should bring it up because the bridge will be constructed on federal ground of which they are the agents. It is connecting a federal area with Whitehorse and it is hard for the City to take the initiative in a case like that. He is thinking of a type of bridge like at the rapids site and the cost would be for a couple of anchors, a few cables, planks and sides and in regard to maintenance, he hasn't seen any amount in the budget for maintaining this bridge. He thought it warranted investigation as it would certainly be used and would save the Territorial Government money and will offer service to a lot of people.

Mr. McKamey thought this motion had merit to it but he was inclined to agree with Councillor Shaw. He felt they should have an approximate cost of this bridge or some figures on it before they vote on the way the motion is worded. He thought if the motion was amended to conduct a survey and a submission be made of the facts and figures, he would support it.

Mr. Watt stated he would be in favour of an amendment such as that.

Mr. McKinnon stated that he was all in favour of a survey being done to see if there is a possibility of having a footbridge across the Yukon River. He was going to vote for the motion right from the beginning and that is why he hasn't been wasting any time popping up and down and speaking on the motion.

Mr. Boyd pointed out that the fourth word says it is only the opinion of Council and the Administration may shoot that opinion so full of holes that when they come back with facts Council may have nothing to talk about. It is only an opinion.

Mr. Watt withdrew his motion.

Motion Withdrawn.

Mr. Taylor directed the following questions to the Administration

- | | |
|---|-----------------|
| (1) What bills of legislation were presented to the N.W.T. Council at its spring session 1963 held in January of this year? | Question No. 14 |
| (2) In view of the fact that the N.W.T. Council sat in January 1963, why are the requested Votes & Proceedings of that sitting not available to Council? | Question No. 15 |
| (3) How many persons, white and native, presently appear on the interdiction list? How many persons, white and native, have been interdicted in Yukon Communities since February 1st, 1963? | Question No. 16 |

Mr. Watt asked if they are going to have a report from the Physical Fitness Committee.

Mr. McKinnon said when discussing the budget the Physical Fitness and Amateur Sport monies came up and he made it clear they would discuss the budget, agreement and report of committee in the discussion of the Ordinances. It is his intention to give a report of the committee on Physical Fitness and Amateur Sport at that time.

Mr. Shaw moved, seconded by Mr. Boyd, that Bill No. 2, An Ordinance to Amend the Municipal Ordinance, be given THIRD reading.

THIRD
Reading
Bill #2.

Motion Carried.

Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 3, An Ordinance to Amend the Taxation Ordinance, be given THIRD reading.

THIRD
Reading
Bill #3.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing public bills and motions.

Motion Carried.

In Committee of the Whole:

In
Committee.

Discussion followed with Mr. Hughes present of Bill No. 4, An Ordinance to Authorize the Commissioner of the Yukon Territory to Enter into and Execute an Agreement with the Government of Canada Respecting the Services of the Royal Canadian Mounted Police.

Mr. McKamey, referring to section 7 of the agreement, asked Mr. Hughes if there was an agreement that would compare to this in effect now in the Yukon Territory.

Mr. Hughes replied no, not to his knowledge but he would look into it.

Mr. Boyd, with respect to paragraph (b) of subsection (2), section 8, wondered why the jump from .5% to 10% in operation and maintenance cost of the Air Division. Population wise he wondered why they should be required to pay 10% and the same applies on the 12%. He wasn't clear on the operation and maintenance cost of the R.C.M.P. Air Division and he wondered if this was for the Air Division all across Canada.

Mr. Hughes stated that it is his understanding that it is 10% of the whole R.C.M.P. Air Division. Possibly he could arrange to get information on the number of pilots and police planes that are maintained across Canada so they can see if 10% is a valid breakdown of the contribution. He could get some background figures so they could satisfy themselves.

Mr. Watt said the annual cost of the pensions is 12% of the payroll and he thought it would be a lot cheaper if there was some method

to get them under the superannuation plan seeing they are paying part of the cost and consider them as federal civil service. He wanted Mr. Hughes comments on this.

Mr. Hughes replied he would have to make inquiries.

Mr. Shaw said in order to give some breakdown of what these services cost on an average throughout Canada they tell them it costs 80% to operate the force and 1/2 of 1% for maintenance and 10% for the air-force, etc. an overall agreement for "x" number of dollars. They are merely breaking this down to point out the average cost through Canada and he didn't think they could change it and it wouldn't be advisable. In regard to section 10, he wondered if regardless of perhaps rendering more service, cost, etc. the cost will not alter.

Mr. Hughes stated that the costs don't alter from the ones stated if it doesn't involve taking on more men, but they will have to adjust if they bring more men in. He elaborated further on Mr. Watt's question in regard to the pension contribution - the underlying difficulty is that these men are transferred backwards and forwards across the country and if they are on one scheme and they are stationed here in the Territory the administrative complexity of altering the basis of the pension contributions would be considerable. Somebody would have to fill the gap because they couldn't switch from one scheme to another as today he might be here and the next week in Prince Edward Island and it would be unworkable. He would look into the figures as far as possible and would suggest they give consideration to that aspect.

Mr. Shaw said this would mean then that the figures they have there as cost - if there should be an increase in the force they could be faced with a different figure and the contract is based on the amount of service provided.

Mr. McKamey, with reference to section 12, said in this paragraph the import would be that the Federal Government would authorize the Federal Government to provide additional members etc. and he could see no power left to the Yukon Territory in this agreement - where anyone representing the people of the Yukon can demand or request. You have to go to Ottawa and Ottawa have to give another department in Ottawa the consent to provide additional members to the force and he wondered if this was the proper interpretation.

Mr. Hughes stated this is a permissible practical interpretation and the section is mainly designed to prevent Ottawa from loading them with members and so increasing their contribution. They can't use the Yukon as a parking ground while finding them a place to be posted. In section 13 in regard to payment, all this has to be done by mutual agreement and they are dealing specifically with an emergency. The ordinary way will be 10 detachments and a certain amount of control has to be left with Ottawa as the R.C.M.P. are really answerable to them. They have a choice and can say they don't really like this, we won't have it, they will have their own provincial police force but he thought that matter was a little way ahead. He didn't know how to say it so that the thing Mr. McKamey mentioned is cured, there is an element there but again one expressed the hope that Ottawa and the Commissioner would not conspire and act in an irresponsible fashion.

Mr. McKamey said the reason he raised this is that it is his belief that the Commissioner of the Yukon Territory acts under directive from the Federal level and he remembered 2 or 3 years back where Premier Smallwood requested assistance from the Police Force and he was refused this assistance when he really needed it and apparently he had no power to demand that they send those police in. At least he didn't get the assistance at that time. It was his personal thoughts that they should have an opening here where they can demand police assistance here if required without going to the Minister of Justice, him directing the Attorney General and he directing the Commissioner, etc. and he thought this was pretty rigid.

Mr. Shaw said it is rigid but under the political system they have in Canada he could see no alternative for any different arrangement.

Mr. McKamey in regard to section 14 commented that he knew as well as all members of the Council that the Yukon Territory and the Northwest Territories is more or less used for a school for rooky policemen and he thought they got an abundance of them up here. He thought they are training policemen in the Yukon and they will be under this agreement at their expense for the rest of Canada and it seemed to him they should have control on the amount of these people they have transported to the Yukon for this purpose.

Mr. Taylor, with Mr. Boyd in the Chair, stated in relation to this it was well to remember of this 10% payment towards the Air Division would also refer for example to an otter that was in here the other day and took a family and their belongings and flew them over to Cambridge Bay. We are asked to pay 10% of the cost of this. There are 10 provinces in Canada and although there are some provincial police forces across Canada, by and large there are 10 big provinces and two territories and this 10% for the little Yukon towards that Air Division seemed to him to be rather extravagant.

Mr. Shaw in referring to Mr. McKamey's remarks said he was inclined to agree in respect to the training of rookies. He didn't know if it was for training purposes or if it was more difficult to get more settled people up here. He felt that the law has to be administered with a certain amount of leniency and common sense in an area such as this.

Mr. Livesey with regard to section 16 asked Mr. Hughes under what circumstances would the accused be asked to pay the cost of transportation as well as a fine in lieu of imprisonment when in the next section it says the cost of transportation shall be borne by Canada.

Mr. Hughes wanted to backcheck this with the R.C.M.P.

Mr. McKamey, with reference to subsection (3) of section 19 said this again is a point that he raised. It doesn't make sense to him because two federal departments can terminate the agreement.

Mr. Hughes said this is true. This proceeding couldn't be done without some measure of agreement on both sides. The Five Year Agreement calls for the new basis and they would simply have to sit down and work out a new agreement if this one was terminated.

Mr. Livesey noted that it had been signed on behalf of Canada by the Honourable Donald M. Fleming, Minister of Justice and Attorney General of Canada and wondered under the circumstances, if there is any indication that the new Minister of Justice may not agree to the proposals of the agreement.

Mr. Hughes stated he hasn't been in communication with the new Minister of Justice nor has he sought his opinion but he felt if there is a departure in principle you can be quite sure that the new Minister will project them. There may be variation in the small details but it hasn't been signed and as set out in the explanatory notes this is only a form agreement and is not the actual one. If there is a radical difference you can be sure the Administration will bring it back for their scrutiny.

Mr. McKamey said his thoughts were that when they had discussed this in the fiscal agreement they were going to have a senior legal advisor that was going to act as an Attorney General and it seemed to him that they have gone off in a tangent as far as this agreement is concerned.

Mr. Livesey asked if this has been set before them with any intention that it would be possible for the Council to make any alterations to the agreement or influence the agreement in any way, shape or form.

Mr. Hughes believed it was brought before them with a view to receiving their comments and they are invited to enact legislation. If they wish him to relay any specific comments with a view to drafting changes before they prorogue he will make a note of those comments and area of change and ask Ottawa if they would consider these changes immediately. But if they do not make any specific changes then the invitation is for them to pass the bill and the Commissioner would sign an agreement along the lines of this agreement.

2:00 o'clock p.m.

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Discussion
of Bill
4.

Mr. Taylor called Committee to order and said that prior to the noon adjournment they had just concluded reading the Appendix Agreement to Bill No. 4.

Mr. Boyd stated they had passed the bill on the Minimum Security proposition and he felt this was going to have some effect on the policing of the Yukon. It was suggested in the Minimum Security proposition that they have parole or probation officers and he thought this would eliminate some of the costs in the policing of the Yukon Territory. He requested Mr. Hughes to note that this should be brought to the Administration's attention and he further requested the Legal Adviser to inform him what effect this would have on Ottawa or on the situation if the ordinance were left in abeyance until the fall session. Would they have to pass the bill now or could they leave it where it is for the time being until further information is available?

Mr. Hughes replied they should look back at their obligation under the five-year agreement and see whether they feel they are bound to enter into an agreement of this nature at this time. Certainly it is hoped that the effect of the legislation and recommendations the other day towards the treatment of accused persons would produce less pressure on the police and possibly a reduction in the expenditure. It is entirely open to Council to reject the present Bill and Mr. Hughes pointed out that the Bill as drafted in its present form is retroactive to 1st April 1962. They have been proceeding really on faith that this agreement or something similar will be passed, but he did not feel that anything fatal would happen if they did not pass it today - however, it would be nice to feel that the agreement in principle has the stamp of Council's approval. He would bring Mr. Boyd's request to the Administration in regard to costs.

Mr. McKinnon felt sure it was not the intention of any member of Council to break their part of the five-year agreement - what they are worried about is that the Government's part of this agreement has not been lived up to. Mr. Hughes had stated there is a time element involved but one of the inferences of the five-year agreement may go in before the other. In the case of this Justice Department, he felt the two should be complemented. The Yukon Territory needs some one in the middle, a liaison, between the police they are paying for and the Department of Justice in Ottawa and this was what he had expected in the appointment of a Senior Legal Adviser. In Vote 13, in the Budget, which they had delayed passing until a study of this ordinance has been made, they have an expenditure of \$451,024.00 for the next year and the details are in three or four paragraphs on page 327. Council would like to know what they are getting for this \$451,024.00 and there are dozens of questions he could ask in the breakdown of this figure - he would like to know how many police officer detachments there are in the Yukon Territory, what are the number of policeman per capita in the Yukon and in the provinces, or in Canada, what is the crime rate in the Yukon, in the provinces and the rest of Canada? He also wanted to know whether this was a training ground for rookie policemen, or are they actually needed here? These are all questions they are entitled to and, in the breakdown, they certainly do not have the answers to these questions. A more detailed explanation is needed by Council.

Mr. Livesey asked if they could have the Commissioner present in order to discuss certain aspects of this Bill.

Agreed.

Commissioner Cameron attended Committee.

Mr. McKamey pointed out that in the Interdepartmental Report, page 37, sub-paragraph 4, "A Senior Legal Officer of the Crown be appointed to supervize the administration of justice in the Territory in close association

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with the Territorial Government. This officer would be responsible to the Attorney-General and he will exercise as far as possible the duties of the Attorney-General in the administration of justice, including police services and the administration of gaols." So, Mr. McKamey concluded, this is a necessity, they would have to have this officer.

Commissioner Cameron suggested that Mr. MacKenzie be requested to attend Committee.

Agreed

Mr. Livesey said that all they had in the form of a Bill is a short document that merely establishes the perfunctory and much diluted influence of the Council in affairs which could be looked upon as a new phase of operation in the Yukon Territory, and that is in connection with gaols and justice. He felt that by passing this Bill they would certainly put themselves, in the eyes of the public, as being instrumental in moving towards the establishment of some agency with which they admit that they have no connection and with which they admit they are not going to agree to anything - all they are going to do is to make it possible for someone to come to some agreement and, in the final analysis, it looks like an agreement between two heads of two departments in the same government, rather than two heads of two departments in a different government.

Commissioner Cameron stated he had no comment on that.

Mr. MacKenzie attends Committee.

Mr. Boyd felt that Mr. MacKenzie should supply the answer on that as a starting point. Why were they being asked to vote \$105,000.00 more for the police force this year over last year.

Mr. MacKenzie explained that money was provided last year to operate the gaol for six months, this year they have it for 12 months, and that takes care of approximately \$100,000.00 - it is a big item. \$175,000.00 a year to operate the gaol.

Mr. Watt asked when it was planned to put the new minimum security type of gaol into operation.

Mr. MacKenzie replied he did not know at all. It would take a long time to finalize plans.

Mr. Boyd commented that as they are now entering into this minimum security type of gaol it should decrease the number of police required by using parole officers and such, and he wondered if this agreement could not be left until the Fall Session until something more is clarified. If this Senior Legal Adviser were here it might change some of the thinking as far as the agreement is concerned and, possibly, he would be here by fall.

Commissioner Cameron understood the agreement had been gone over quite well by the Department of Justice, however Council could defer it to fall when they could pass it and amend it as required. This minimum security is a little different from what has been planned for the last two or three years and in order to get it under way, it is Mr. Clark's feeling that Committee get together and stamp it, to see what the final setting-up of this should be. He believed that the agreement in question is a straight forward one and any changes made would be minor ones and could be amended in the Fall Session.

Mr. MacKenzie said that financially it is pretty well cut and dried, and the amount they are going to pay year by year is stated, and it is also stated in the five-year agreement. The money is being given to them to pay, except for the possibility of an extension in the police force.

Mr. McKamey disagreed with Mr. MacKenzie on that point because once the Bill is passed they would have no say on anything - from then on it would be strictly up to the Federal Government who would be able to do as they like.

Mr. McKinnon said it did not matter whether the financing was there or not, it is a matter of principle. Here they have an expenditure of \$451,000.00 in five paragraphs - where is the breakdown, why aren't there any details in the budget.

Mr. MacKenzie stated they did have a certain amount of detail, but not the full details.

Mr. McKinnon felt they should have full details.

Mr. MacKenzie said that to obtain details of salaries, wages, gaol supplies and so on, would mean getting that information from the Department of Justice and they would not be any the wiser for it, they would not be able to judge on the accuracy of the figures.

Mr. Shaw could not see what the holler was about as in the past the Government had done the policing of the Yukon, but now Council is asking for more autonomy, so, to bring this into line and put the principles into being, the Government is giving us this money so that we can make a separate arrangement with the Department of Justice. The agreement is very much the same as those made with the provinces excepting that, in the case of the Yukon, we do not have the money to pay. If the cost of police services increases, he presumed the Department of Northern Affairs would have to put a few more dollars in their pockets to pass it on to the Department of Justice. The RCMP is a Federal organization and he did not think that any provincial government could tell them what they can do and what they cannot do in relation to Federal laws. This is apparently the same sort of agreement that is made with the provinces. This Attorney-General is a link in this chain of command, but it is the link with Ottawa and not the link with the Yukon Territory - the Commissioner is the link in the Yukon. Where the Attorney-General would be most useful in the Yukon Territory is the fact that they would have two people, two Legal Advisers, which would facilitate the work that can be done here in the form of drafting local ordinances running the gaols is not the part he was most concerned about, he was concerned about having people here assist in drafting some of these ordinances and legal ramifications that appear in the business of the Territory and he thought there should be two persons here.

Mr. McKamey asked Mr. Shaw if he was dealing with assumptions or facts. Mr. Shaw made a statement that this agreement was identical to what the provinces have entered into and he did not know how Mr. Shaw arrived at that conclusion because there was nothing around this table to indicate that this was the case. Back in Eastern Canada, a year or two ago, there was a great hue and cry with regard to one of these same agreements between Premier Smallwood and the Federal Government.

Mr. Shaw remarked that he had said "he assumed it would be the same as that entered into with the provinces".

Mr. MacKenzie referred to the background of this Bill on pages 36 and 37 - Interdepartmental Committee Report. It is explained very fully.

Mr. McKamey said that one point was left out. On page 37 of this agreement, sub-paragraph 4, it was stated that a Senior Legal Officer of the Crown be appointed, but in close association with the Territorial Government. This is the missing link. They would have to have somebody here to talk with and not someone 4,000 miles away.

Mr. Livesey said that in the five-year agreement they had agreed to the general principles of the situation, but they had not agreed to the minor details or the effectual matters, nor to those things that would guide the situation. If something is established here with only their nominal consent, then when they take the Territory on, they find out what they should have done in the very beginning. They have a blank ordinance and a blanket figure for their approval, but the details are lacking. All they have been given is the privilege to say "aye" or "nay".

Mr. MacKenzie enquired if he understood properly, that what Committee needed were details to back up these amounts in the budget.

Mr. Livesey replied it was not only that, but they required a clarification of the situation so that they would know what they are agreeing to in this Bill. It seemed to him there was no co-ordination in the five-year agreement, the budget, and this Bill - he did not see what he should be seeing.

Mr. Shaw remarked that for members to require details is reasonable, but the agreement states that in one year or so it could be terminated by either party giving notice.

Mr. McKamey asked which party.

Mr. Shaw said by the Commissioner of the Yukon Territory and the Commissioner of the RCMP in Ottawa. The agreement can be terminated, so there is a safeguard if it does not go according to the way it is desired here. If any of the members find the agreement objectionable, they should specify which parts are objectionable, and then discuss it. It would be progressive if taken in that attitude.

Mr. Livesey said that could be easily explained. The Bill is an open door to an unknown quantity; the agreement is an agreement, but it is not an agreement; the amount of money to be spent in the budget is a blanket figure with no attached details; and they could still go on. They should find out everything now and not wait for a year and then wind up with the thing established by someone else without any objections from them, or any knowledge of what is going to be done. If by the end of the year there are any objections, they will find out that it will be a difference of opinion between two ministers of two different departments in the Federal Government. If nothing is explained to them, they should not be involved in it.

Mr. MacKenzie stated that the "unknown quantity" mentioned by Mr. Livesey is specific in dollars and cents and, furthermore, they are being given the money. The only thing lacking, possibly, is sufficient detail in the budget, but they were not supplied with it, however, no doubt, they can get it, but it would mean nothing at all because they have agreed that the administration of this Justice Department in the Yukon be left in the hands of the Department of Justice. An agreement has been signed to that effect. All they do every quarter is issue a cheque to the Department of Justice.

Mr. Shaw stated that in our system of government there are three divisions - the legislative, executive and the judicial. In the first two they have a link with Ottawa, but not in the judicial and, therefore, this Senior Legal Adviser should be with them to discuss this agreement. He asked Commissioner Cameron if there was any chance of this Senior Legal Adviser being appointed before the session ends.

Commissioner Cameron said that according to his knowledge there was no Senior Legal Adviser in the immediate offing, there was last year, but then they closed down on all these openings.

Mr. McKamey wished to know if there were any parallel agreements to the one they are considering to enter into with the Department of Justice on the appointment of the RCMP in the Yukon.

Mr. Hughes said that as far as he knew there had been no similar agreement governing the share of costs between themselves and the Government of the Yukon Territory, as such, and the Federal Government.

Mr. McKamey said that in view of that he could not see why this should not be deferred until possibly the Fall Session because there is going to be a lot of questions calling for answers. He thought this was a subtle way of leading one down the garden path by saying that the money will be given, 100% of it, and if they sign they would have established a precedent. They are trying to dictate law and policy to people they have no right to dictate to, and this is the natives of the Yukon Territory - we are here only as poachers, and have no legal right in the Yukon Territory - as far as he was concerned, every square inch of the Yukon Territory belongs to the natives of the Yukon and the Federal Government has never attempted to enter into any kind of an agreement with them, and now we are turning around and telling them to abide by our laws. It is about time the Federal Government did something about this because how could they enforce their policy without coming to some agreement.

Mr. Hughes said he had heard this expression of opinion before and it is an opinion that he respects. On the other hand there are a number of opinions that point the other way. He was afraid he would add nothing but confusion to the discussion if he attempted to come up with an off-the-cuff opinion. He would put the matter under discussion with his colleagues in Ottawa and try to give Mr. McKamey a written opinion through the Commissioner in due course. His personal belief is that this theory is not correct, but it would involve many days of search.

Mr. Boyd stated that last fall, a year ago, he thought they were voting monies to take care of this year's operations but to his astonishment he finds out that they have only voted for six months of it. Another point he wished to make - Mr. Shaw talked about dealing with the Commissioner of the Yukon Territory, and it says here that the Commissioner means the Commissioner of the RCMP and Attorney-General means the Attorney-General of Canada - these are the two people, as he sees it, who will be affecting this agreement, and he did not know whether the Commissioner of the Yukon Territory had any say whatsoever.

Mr. Hughes explained that the signing parties are the Minister of Justice, the Attorney-General of Canada, on the one hand, and the Commissioner of the Yukon Territory on the other hand. When he first saw the draft, he realized the confusion that could result and raised the point that it was rather unfortunate to use the term "Commissioner" in the agreement that was being signed on behalf of the Yukon Territory, when what they were referring to most of the time was the Commissioner of the RCMP. However, the RCMP have these agreements with other provinces where the word "Commissioner" is not allocated to the Commissioner as we have it. His point was noted but they decided that the comment he had made did not really justify a change in the form to which they had grown accustomed. It is rather confusing and does cause a little complication but it is intended that the Commissioner of the Yukon Territory will sign for the Yukon.

Mr. MacKenzie replying to Mr. Boyd's query said that what Council is voting for or considering is the money they are going to spend during the fiscal year 1963/64 - it is true it is not stated there for what period of time the money relates to, perhaps it should, but it is a fact that the cost of maintaining prisoners was \$3,500.00 per prisoner and only 50% of this amount was used in the first year of the agreement because it was thought that the gaol will not be ready for more than six months' use in 1962/63.

Mr. Boyd said he agrees that the Commissioner of the Yukon Territory will sign this, but can he terminate it one year from today, or is it only the Commissioner of the RCMP or the Attorney-General that can do this.

Mr. Hughes replied that either party could do it and one of the parties is the Commissioner of the Yukon Territory.

Mr. Livezey said they have an agreement which is to be signed not by them, nor by the Commissioner in Council, but signed by the Commissioner. It does not say under what hat he is going to sign this and he wondered which hat he is going to sign this under - whether it is Territorial or Federal.

Commissioner Cameron replied that obviously in this case, as it has been presented to Council, he would be signing as Commissioner of the Yukon Territory otherwise, as has been pointed out, there is an agreement between two Federal departments and Mr. McKamey definitely has a point and the only way in which it can be settled, as he could see, would be through a provincial status.

Mr. McKamey suggested that Commissioner in Council could be included. The way he interprets the Yukon Act, the Commissioner wears two hats, one for the people of the Yukon Territory and one for the Federal Government. In section 4 of the Yukon Act, it says - "The Commissioner shall administer the Government of the Territory under instructions from time to time given him by the Governor-in-Council of the Minister", so he is directly responsible to the Federal Government. The agreement is therefore very confusing as it seems the people of the Yukon Territory have nothing to say about it.

Commissioner Cameron said it was pointed out the other day that the only reason why the Commissioner is signing this and not the Commissioner in Council is for convenience' sake because the signing of the agreement could be at any odd time.

Mr. McKamey stated that they are being offered more autonomy and, therefore are they to accept it or not. By Commissioner in Council they would be accepting their responsibility.

Mr. Shaw agreed fully with Mr. McKamey's statement, therefore they have the bill which says - "The Commissioner of the Yukon Territory, by and with the consent of Council, etc., etc.". They give the Commissioner the power to sign this document which they either accept or reject - it is as simple as that. He would point out that unless this bill is passed, they can deal with nothing, therefore they have to agree with the Commissioner signing it. He would not feel like coming down here, possibly in July, to put his name on a piece of paper and go back again, and it would need all of them to do that.

Mr. Taylor stated on March 28th he proposed a motion which reads that "The Administration provide Council with details respecting progress on the appointment of a Senior Legal Adviser in the Territory as outlined in the current Territorial/Federal Financial Fiscal Agreement" and it is now the 26th of April and Ottawa has been completely mute on this point. From this he would conclude there is no immediate Senior Legal Adviser in the offing. Going to sub-section 2 of the Bill he felt it should be amended to read "Commissioner in Council may on behalf of the Government of the Yukon Territory, etc." Here they have two Federal departments making an agreement between themselves and nowhere did he see the participation of the Legislature who, of course, represent the people. Only in two instances has the Legislature of the Territory been considered and that is with regard to carrying into effect the laws of the Territory in section 4 and matters relating to carrying into effect the laws of the Legislature of the Yukon Territory in section 5. He would not vote for the Bill unless that amendment is made, that is the Commissioner in Council and, as far as the agreement is concerned they must have more details.

Mr. McKamey wondered if the Legal Adviser could take the ambiguity out of section 7 of the agreement. He did not know whether it was meant to be Commissioner of the Yukon Territory or Commissioner of the RCMP.

Mr. Hughes replied that every reference to the Commissioner is a reference to the Commissioner of the RCMP.

Mr. McKinnon said he could not see where they are so minute in examining the specifics of the budget in every other vote, when all of a sudden they are presented with half a million dollars with no detail, and are supposed to accept it carte blanche. With regard to the questions he had raised earlier, he would like answers to them as they would be very interesting.

Mr. MacKenzie suggested that some of the answers could possibly be supplied by Inspector Vachon. Any that Inspector Vachon cannot supply, he shall be glad to see that they are obtained. As to detail, or the lack of it, he wrote to Ottawa in 1961 asking for details and he had a letter dated October which he would like to read out. "You mention in one of your letters that you have no information on how the amount for the administration of justice is calculated. I attach a sheet giving the full details. The cost of police services is 50% of the estimates given to us by the Police and shown in Appendix H of the draft report. These estimates do not cover the full cost of these services under that portion considered to be of a provincial nature." The broad details are as set out in the budget, he had no more detail breakdown.

Mr. Boyd said they should make up their minds to vote on it and he moved that this Bill be deferred until the Fall Session at which time they may have information that will enable them to better judge same.

Motion re
Bill No.4.

Mr. McKamey seconded it.

Mr. Watt wished to know that if this was deferred to the Fall Session how would it affect the minimum security type gaol that they had been discussing - would it slow down the building of it.

Mr. McKamey could see no connection between the two. In any case this building will not be constructed by fall and they will not be able to use it until some time next summer and that gives them ample time to deal with the Bill.

Mr. Shaw stated that in this Bill they classify the police, the justice and the gaol - at the present time it is all in one bucket and there is not an agreement. It would appear to him that in order to implement these things separately an ordinance is required to do it, because they are having a change of policy. When they change a policy, it does seem to him they can proclaim a policy that is not a law and spend money thereof.

Mr. Hughes said the policy was established under the five-year agreement. This is an attempt to state the mutual obligations for the next five years, or at least next year, that is all it is. He did not think that anything fatal would follow if this particular agreement was rejected as, sooner or later, for the general convenience of both parties, and because it is part of their understanding, an agreement of this nature cannot be held up. They would need this, otherwise how can Ottawa allocate the money. This agreement is in line with those Ottawa have with the provinces.

Mr. MacKenzie understood they proposed deferring the signing of the agreement until the Fall Session and he took it to be a postponement of the monies provided in the estimates in Vote 12. He said it was important they have that approved so that there will be money available to pay out.

Mr. McKamey stated they have already accepted the fiscal agreement, if had been ratified by this Council, but he did not think that any member or the administration should expect the Council to rush blindly head first into something they do not know about.

A lot of vital information is required here and they could spend some time gathering this information and a lot of this information will have to be provided by the Department of Vital Statistics and so forth.

Mr. MacKenzie suggested that Council make a motion listing the information they need.

Mr. McKamey said it was on tape.

Mr. MacKenzie felt it would be better to have the items listed so that nothing will be missed.

Mr. Taylor read the motion again and Council was in agreement with it.

Motion carried.

Mr. Taylor proceeded to Bill No. 5, An Ordinance to Amend the Engineering Ordinance, and read it. He further stated that annexed to the Bill was a fairly lengthy document setting out the judgment in a legal case.

Discussion
of Bill No.5.

Mr. Boyd suggested that the Legal Adviser explain this in a few words.

Mr. Hughes said that many words have been passed on this particular ordinance and he would like to cite as an example the case of what he would like to call the Whitehorse Electric case where they were carrying on business without having a member of the association. The case against the company fell down on the short point that the ordinance itself prohibited membership in the association by corporations so the defence was raised - "Why prosecute, we are not doing something that you yourself prohibit us from doing". Representations have been received from engineers and they have asked for an amendment to cure this. What they have in front of them is not exactly the Ontario approach to the matter, however, the draftsman had under consideration all the provincial Acts. The draftsman had been requested for a proper definition of Professional Engineer, but after discussion with Ottawa it was decided to shelve that for the present time. The objective of the local association is that if they have corporations or partnerships carrying out electrical work, there be a man of professional qualifications associated with or working for that corporation or partnership. They are trying to maintain that standard, and 17A is designed to assist in that objective.

Mr. Hughes suggested that that small amendment could be considered, the bigger amendment in defining the Professional Engineer is considered too big a job to be undertaken at this time.

Mr. McKinnon asked if the Legal Adviser could give some background to the case that resulted in the amendment to this ordinance also the reasons for the decision.

Mr. Hughes said he was not in the Territory when the first abortive prosecution was launched but he did hear part of the appeal before Mr. Justice Parker, but boiling it right down to its basic element Mr. Justice Parker stated that these people could not be prosecuted for carrying on business and advertising themselves as Engineers because the ordinance does not allow a corporation to become a member. Now they are trying to get around this by saying that a corporation, association or partnership may carry on business provided one of the members is a member of the Engineering Association and holds a certificate of registration pursuant to this ordinance, or a licensee.

Mr. McKamey said that if he wished to form a company and hire an engineer, is his understanding correct that he would not be able to join the Engineering Association because he is not an engineer. In

other words, he could not form a company.

Mr. Hughes said that was not true. The position is that if you were an association or corporation you could not advertise yourself as Engineers, because an engineer is a very special person, who is a member of the Association.

Mr. Shaw stated it appeared to him that all this Bill does is, in the case of this corporation, give it the right to join the Engineering Association and he thought it a good idea.

Mr. Livesey felt he could see more than meets the eye, although he would not say he was right about it. He wished to think that this ordinance had one particular motive and that is to create law that says "someone cannot do something that now he can", which, to him was not good legal principle. If the law was needed for the sake of the general public, yes, but if it is needed to correct a single instance, he felt there was something wrong about it. He had given this particular ordinance some study and with regard to the case that goes along with it, the Whitehorse Electric Company, it seemed to him that the objection by the Engineering Profession is that the word "Engineering" appears in the Whitehorse Electric advertisements. However, he noted, that Whitehorse Electric do not use the words Professional Engineers, they use just the word "Engineering" or something to that effect. The word "Engineer", according to the dictionary, if not attached to the word "Professional", could mean a number of things. The words "Professional Engineer", mean something totally different - it would imply that you had passed some sort of examination, or you had gone to a special college, and you have acquired a diploma, you had taken a certain course of training. To be scrupulously fair about it, he would ask the Legal Adviser if he could explain the situation in this respect. It looks to him now that this has become a form of hiring hall method of a professional organization similar to that used by the trade unions who say that if you want an employee of a specific type or capacity of learning, then you must come to us because we hold all the cards, however, it says licensee, and this may eliminate that particular aspect of it.

Mr. Hughes believed that one group of people may say this is an attempt to restrict the hiring out of people who do not have the appropriate qualification. It was very difficult for a lawyer to comment on another type of group or guild. He thought it would be more generous to say they are trying to give the public an assurance of certain professional standards; that when a person advertises he is an Engineer, the public will know that he has a certain professional education. Much has been said about the need to reach standards of qualification and, as a result, they have the Vocational School coming into existence. The Administration hopes to bring before them an ordinance which will help to establish proper standards for the different trades and professions. The professions tend to try and regulate this themselves - the trades have had to rely either on union negotiations or on legislation passed on their behalf. They will note on page 3 of Mr. Justice Sissons' judgment, a Professional Engineer was defined as a person who is registered or duly licenced under this ordinance.

Mr. Livesey stated that what he wished to know was whether this firm had used the words "Professional Engineers" on their letterhead.

Mr. Taylor said that the letterhead is shown on page 4, and does not include those two words.

Mr. Hughes stated that the actual evidence perhaps did not cover what the prosecution was ascertaining had happened. By asking for the present amendment they are trying to prohibit where applicable, the use of the words "Professional Engineers." The Association is trying to deal with engineering of any sort in the Territory - it covers chemical engineers, road engineers, and so forth.

Mr. Boyd said that to be an engineer one has to have a certificate and this designates a profession of some kind and it indicates that you cannot call yourself such unless you are licenced. He could not see the difference between the words "Professional and Electrical", you are declaring what your profession is when you designate it Electrical.

Mr. McKamey stated there was nothing here that says Professional - it says Electrical Engineer, may be the man is very capable and may do a better job of engineering than a Professional Engineer.

Mr. Taylor pointed out that the Hanbury School of Mines graduate men known as Practical Mining engineers, which shows the usage of the word "Engineer".

Mr. Livesey drew members' attention to page 4 where it says - "The use of the words engineers is not a representation that the company is a Professional Electrical Engineer or entitled to engage in the practice of Professional Engineering. The emphasis in the Ordinance is on the word Professional, the word Engineer is much wider, and more general than is from this and is so understood by the public." This was the point he brought up because he felt the effort is not an attempt to eliminate what has been brought to their attention. In the Explanatory Notes, in connection with the actual ordinance before them, he did not feel that it will accomplish what it is setting out to do, although what they are asking for may be perfectly legitimate, but he did not think it would have any effect whatsoever on the situation.

Mr. Shaw said that confining himself strictly to the ordinance and strictly to the intent of the bill, to exclude any ramifications that have gone on in the past and to boil it down to its essential matter, it appears that the ordinance is made for the specific purpose of protecting the public against people practising some form of engineering without having the proper qualifications for doing so. What the Bill does is to put a corporation's liability the same as an individual's liability - it does not change anything except that an individual is a natural person and a corporation is not a natural person. All it does is bring a corporation into the same category as an individual, to protect the public.

Mr. McKinnon could not understand how this amendment to the ordinance got mixed up with the judgment of Scott versus Whitehorse Electric - as far as he could ascertain from reading the judgment, this amendment will have no effect whatsoever on that judgment. This still does not prohibit anyone from having engineering advertisements on their premises, letterheads, or trucks.

Mr. Hughes replied that it was intermingled, although not in a direct way, because a corporation could not have membership and this was the problem. Now the corporation will be admitted to membership provided it has a qualified man in the partnership, or as a director, who is a member of the Association. They asked for it, they believe it is necessary.

Mr. Livesey said that, as he understood it, all this Bill now does is enable a corporation to do that which they normally could not do, that it has no connection whatsoever with the attendant examples given them as Explanatory Notes which involved a certain particular company.

Mr. Hughes replied that it will allow a partnership, association or corporation to engage in the practice of professional engineering and use this title. At the moment the business has to be carried on in the names of the individuals. Many firms do carry on the business of engineering and now it will be possible for them to join the association.

Mr. Taylor asked how the proposed Section 17.1 would affect professional mining engineers who come in from time to time and are not actually in practice in the Yukon.

Mr. Hughes replied that in 1961, the First Session, in Chapter 8, Section 3, paragraph 2, it provided subsections 2,3,4, and 5 to Section 12 of the Ordinance of Repeal or is substitution therefore "Council may, subject to such terms and conditions as it may impose, issue a temporary licence to engage in the practice of professional engineering in the Territory any person who is - (a) qualified for membership in the association pursuant to subsection 1,(b) applies for a temporary licence in the form described by Council, (c) pays for all fees described by Council. But, in short, he must establish that he ~~is~~ a duly registered member in good standing of an association or corporation of professional engineers of any province."

Mr. Taylor asked if these engineering service companies are required to be members of this Association.

Mr. Hughes replied that he would expect that at least one member of that company will have to be a member of the Association, but he could enquire specifically into that.

Mr. Watt said that if they passed this ordinance it would be mandatory for a corporation to have a full time member of the Association on their staff and, if the member should quit, the corporation would be liable to the penalty of \$100.00 under Section 17(2); if it continued advertising as it did.

Mr. Hughes said this was permissive legislation and it was an enlightened piece of legislation trying to widen the scope of membership. It would of course enable the Association to say - "Why don't you join the Association and why should you engage in engineering if you have not a qualified man."

Mr. McKamey thought Mr. Watt had raised a good question here and the answer is not clear in his mind. Taking Mr. Watt and himself as a supposition here, they form a company, they hire a professional engineer, and they are accepted by the Association. In the meantime their engineer walks off and quits - would they be subject to this penalty in the ordinance.

Mr. Hughes replied that they might be placed at a disadvantage, but he doubted if any Engineering Council would proceed to enforce the matter, but it would be up to this body to decide.

Mr. Boyd felt that Mr. McKamey and Mr. Watt would be automatically out of business if their engineer disappeared. He would mention that the inference around here is that the ordinance might be picking on the Whitehorse Electric but it is not, Mr. Chamberlist wants this in, not that it would matter whether he does or does not as far as their decisions are concerned. Mr. Boyd now moved that Bill No. 5 be accepted as written.

Mr. Shaw seconded the motion.

Mr. McKinnon felt the motion was somewhat hasty. It may be as Mr. Boyd stated that it is not to pick on anyone in particular, but if just was not clear in his own mind, he smelt a rat somewhere, and he would like to do a little more investigating. It seemed to him that there is a specific group of people that have a specific case against a specific company and want this legislation in order to get this certain company. He did not say this was the case, but he had a little suspicion at the back of his mind. He asked the privilege of being allowed overnight, or even until Monday to ascertain certain things that he was in doubt about.

Mr. McKamey felt the same way about this and asked for a deferment until Monday.

Mr. Taylor said it was his intention to consult some of these people tonight.

Mr. Livesey reiterated his position also, which was stated in the first place, that if the pure intention of the Bill is to create law to allow corporations to do that which they now cannot do, with no side issues and no further implications, and if it could be made clear to him that this is an enabling form of legislation it would be a different situation, but merely to create legislation with a negative aspect has no useful purpose in his opinion and he would therefore agree with those members who desired information before coming to a decision.

Mr. Shaw said that corporations had the same function as individuals now, but if members felt they would like to go further into this he had no objections to that and would be willing to withdraw his second to the motion.

Mr. Boyd stated he would gladly withdraw his motion if members so desired but first thing Monday morning, as soon as he has the opportunity, he will make the motion again and members will have their decisions then.

Mr. Boyd moved, seconded by Mr. Watt, that Mr. Speaker do now resume the chair and hear the report of the Chairman of Committees.

Motion carried.

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

Committee convened at 11:00 a.m. this morning to discuss the motions and public bills. It was moved by Mr. Boyd and seconded by Mr. McKamey that Bill No. 4 be deferred until the Fall Session at which time we may have information that will enable us to better judge same. The motion was carried and Bill No. 4 defeated in Committee. Progress is reported on Bill No. 5.

Council accepted the report and adjourned until 10:00 a.m. Saturday, April 27, 1963.

Saturday, April 27, 1963
10:00 o'clock A.M.

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

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 15, An Ordinance to Repeal the Low Rental Housing Agreement Ordinance.

Introducing Bills
No. 15

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 16, An Ordinance Respecting Registration of Corporation Securities.

No. 16

Motion Carried.

Mr. Boyd moved, seconded by Mr. Shaw, for leave to introduce Bill No. 17, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (First Appropriation Ordinance 1963-64)

No. 17

Motion Carried.

Mr. McKamey moved, seconded by Mr. Boyd, for leave to introduce Bill No. 18, An Ordinance to Provide for the Superannuation of Employees of the Yukon Government.

No. 18

Motion Carried.

Mr. Watt gave notice of motion regarding Low Income Purchase Rental Plan.

Motion No. 27

Mr. Watt gave notice of motion regarding footbridge across the Yukon River.

Motion No. 28

Mr. McKinnon gave notice of motion for the Production of Papers on information concerning policing of the Yukon Territory.

Production of Papers No. 19.

Mr. Taylor moved, seconded by Mr. Livesey, that in the opinion of Council, all court proceedings in outlying settlements that are presently conducted in Police Detachments, be conducted in a public place other than such Detachments, and that all such proceedings be open to the public at all times.

Motion No. 22

Mr. Taylor thought that the motion itself is self-explanatory. The practice at the present time in many outlying settlements and more particularly in Watson Lake, is that court is generally held in the detachment offices and there is little opportunity for the public to be there to hear the proceedings and he felt it put quite a burden on the Justices of the Peace themselves in those surroundings. There are no lawyers in the area so the Constables pleading the case gets it to be a pretty one sided situation. In order to encourage these proceedings to be held in a more fair manner he thought they should be out in a public place such as the community hall. A place where the public could be encouraged to attend the proceedings. That is the nature and reasoning behind this motion.

Mr. Watt asked the Legal Advisor if there was anything saying these hearings should be made public or the defendant in these cases have legal advice.

Mr. Hughes said he has been aware of dissatisfaction in the mind of the public and there are aspects of court procedure that he has begun to look into. He was trying to attend some of the proceedings that are a little more accessible to see how the court was carried out. The courts are open to the public and it is important to establish this clearly in their minds. The trouble is that the court sittings are not given publicity so the public isn't aware the court is sitting and there is no regular court day, time or place. It is important, from the point of view of the public,

that they understand they do have a right to attend and if they misbehave sitting in the public gallery they can be ejected. If the case is on an obscene nature then the public will be told to leave but they do have a right. He stated that he is aware that the public don't know when the cases are on and for want of better accommodation the police conduct these cases in the police barracks. He thought something must be done to make the public aware that they can attend these proceedings and they are working on it but it is difficult to move in all directions at once.

Mr. Watt stated there are certain types of proceedings such as preliminary hearings that aren't usually open to the public and he was wondering if this motion would include court proceedings that are considered closed hearings.

Mr. Hughes said there are, other than the cases where the public is ejected for unruly behavior, cases where the public is directed to leave and that could be where the case is of an obscene nature or concerns national security. Other than that there is no reason why the public shouldn't be present within the limits of accommodation. If the Councillors could refer to specific instances where the public has been refused accommodation he would certainly look into the cases and make certain suggestions to the magistrate responsible.

Mr. Taylor stated he could sight no instances where anyone was refused the right to hear a case. The situation is people won't go near the police barracks. In the little outlying communities some of the natives and whites are scared of the policeman rather than respect him. The atmosphere makes it undesirable for the people to want to go. In the case of Watson Lake when a case, that has been remanded from the Justice of the Peace to the Magistrate, is heard the Magistrate and the Court Reporter come down from Whitehorse. These cases are always held in the community hall regardless of how many people attend - whereas the J.P.'s court is held in the police barracks. This motion wasn't intended to interfere with cases that should be held behind closed doors.

Mr. McKinnon said in regard to the last sentence of the motion that he understands from the Legal Advisor and Mr. Taylor that no-one can tell of a case that wasn't open and it seemed to him from the motion that the implication is there that there have been times when the proceedings were closed to the public and he would go along with the motion of moving the court of the detachment but he couldn't vote for the motion as it stands with the implication that there have been proceedings that have been closed to the public. If they could remove the last half of the sentence he would be in favor of it.

Mr. Hughes said with regard to Mr. McKinnon's statements he is wondering if he isn't looking at the motion rather narrowly. The Administration senses the underlying purpose of the motion and it is sound in motive and he wouldn't like to see it cut up and debated for too long and lose the compass of it. In Lower Post they are using a room in the school and possibly they can use rooms in schools elsewhere. He had discussed this with Mr. Thompson but the need for courts in the daytime which would interfere with school has made this difficult. They certainly agree that as soon as possible the court should be taken out of the police barracks and let the people know they can attend these courts. This motion is valuable in that it brings it out in the open that the public can attend.

Mr. McKamey asked how many Justices of the Peace there are in the Yukon and in what district?

Clerk-in-Council stated he had the information in his office but he didn't have the figures with him.

Motion Carried.

..... page 325.

Mr. Livesey, with Deputy Speaker in the Chair, moved, seconded by Mr. Taylor that, the Department of Justice and the Administration of the Government of the Yukon Territory, be respectfully requested to give serious consideration to a proposal to draft, organize and carry out a program of special training for all residents of the Yukon Territory selected to fill the office of Justice of the Peace.

Motion
No. 21

Mr. Livesey stated that he felt for some time that with regard to the meaning of the motion, that it isn't one of criticism as much as it is one of trying to implement something positive towards improving the present method of carrying out justice especially in the outlying areas where the matter of selection of Justices of the Peace is far more difficult one than it would be in areas such as Whitehorse where there are a tremendous number of people and a better area for selecting certain types of individuals capable and fitted for this type of work. During this session they have contributed quite a little towards the improvements connected with the incarceration of prisoners and those who have been convicted of carrying out infractions of the law. They are doing their best to rehabilitate those members of society who have fallen into this category. Here, he felt, in this motion they have something working on the other end of justice. This is something to create improvements in relation to those who are actually convicted or condemned. He felt for a long time that just merely turning the wheel, in some areas - like turning a roulette wheel, letting a number come up, and then someone would be chosen, with very little else upon which one could really feel that a person has been chosen to fulfill this very important job. He also felt that it depends on who may be chosen - the results of the actions of these people contribute to the number of people they will have in jail in Whitehorse or incarcerated elsewhere. To properly go about this he feels that every Justice of the Peace should be capable of accepting proper training, should be an individual who is interested in the law of the land, interested in the justice of the law that he must follow properly. He fulfills a very important position because he is a member of society that will represent, to his way of thinking, the judgement between the party who brings about the actual accusation and the accused. This position cannot be overemphasised, in his opinion, in its importance. Where a properly trained person does not sit in judgement he felt there is a tendency to lean towards the prosecution rather than a judgement based on the actual conditions and the law provided with proper interpretation. That is why he suggested, instead of the present method, they also improve the method of selection as well. This deals with those they now have as Justices of the Peace and potential Justices. He thought they could think of all three categories and contribute to the betterment of each in turn, and he thought this should be a well worth effort, just as worthy as the question they considered on incarceration.

Mr. Shaw stated one problem in relation to this is that there are many people who have the qualifications for Justices of the Peace in different areas but not many people would be prepared to accept the responsibility in the form of public service that the Justices of the Peace require and he thought one of the difficulties the Administration have had is in finding a person who is both qualified and willing to run, however, he thought a matter of training is very good.

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKinnon, that the Whitehorse Councillors be permitted to disburse moderate sums of liquor tax monies to local organizations, such as bands, etc. Same to be at the individual discretion of each Councillor and the Commissioner.

Motion
No. 23

Mr. Boyd stated that here in Whitchorse they have a situation that is different to what it would be in the outlying areas, and they are asked, often times to be of a little help. And in his case he felt he would like to help and it would be most deserving in the case of these bands, pipe and otherwise. He would like to have this permission, which wouldn't be a lot of money between three of them, but it would at least satisfy a point and he hoped they would support it.

Mr. McKamey thought this a very favorable idea but at the same time there is possibly another way of getting around it without setting a precedent as far as the Councillors are concerned. When this liquor tax was imposed it was imposed for a specific purpose. The Administration saw fit that the amount of revenue accrued from this tax was too much to give to the communities so they chopped \$40,000.00 off for education. He believed now that the revenue received for this purpose amounts to over \$100,000.00 and it was ear marked for this purpose but the Administration knock off a large chunk for education and he could see no reason why the Administration couldn't take this amount of the share they chopped off for educational purposes.

Mr. Taylor said in referring to the liquor tax monies they have overlooked one thing and that is that according to the Five Year Fiscal Agreement no longer are revenues for the community development fund or education taken from the liquor tax. Liquor tax goes into general revenue and the community development fund comes out of general revenue. There is now no relation between the funds and the liquor tax. He thought what this motion implies is a good thing. It is assistance for a worthy project and the only criticism is that possibly the motion could be amended to read community development monies rather than liquor tax monies.

Mr. Watt thought the Commissioner has the final say in how this money is spent and the rules are laid down and he thought it would save them time if they discussed this when the Commissioner was present and see if the motion could have effect.

Mr. Shaw said this is a motion where a member is requesting certain relief in his particular area. It is something that he is asking for and doesn't affect him in any way and he may have a similar problem that he might want to present at a future time. He was fully in accord with the motion.

Mr. Watt said if they pass this motion they could be flooded with other requests for other types of paraphernalia.

Mr. Boyd said he liked to act without fear or favour. He has the courage to say no when he wants to say no and to say yes when it is deserving. There are times when things could be loosened up a little bit. He couldn't see anything wrong with this and if they turned it down they were saying no to one of the most worthy causes, and others may exist, for lack of confidence he thought in themselves. He could see no reason to argue for this, they are not affecting the outside Councillors. They are only asking to have it put in form by this Council whereby the Treasurer can write a cheque.

Mr. McKamey stated that they know where they stand financially but if they set a precedent like this who is to say that next year anyone of them will be sitting here and he thought if they open this up where is it going to end. He fully supported the motion to a degree and thought it was for a very worthy cause but he thought there must be another way of getting around it.

After considerably more discussion it was agreed by the Councillors to defer this motion to Committee and discuss it with Commissioner Cameron.

Mr. Watt wondered if it was the intention of the Administration to present an amendment to the Game Ordinance at this session.

Mr. Hughes replied he had received no instructions to draft one for this session.

Mr. Taylor stated, in view of the context of the Commissioner's speech from the throne where it has reference to the legalizing of home brew making in the Yukon, he was wondering if Mr. Hughes could tell him what steps have been taken to implement this particular item.

Mr. Hughes replied he had one conversation with Mr. Vars and the authorities and he thought that the position is now that the Customs and Excise will issue the permits which were essential from their point of view and they have decided that there is no need for them to introduce regulations. From now on all these people have to do is go to the Customs and Excise and get the permit that will be issued there free.

Mr. Taylor asked if these permits will be available from police stations.

Mr. Hughes stated he would see what could be worked out as this was overlooked he would discuss this with the police and the customs officers and report back to Council.

Mr. Shaw moved, seconded by Mr. McKamey, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing the agenda as outlined for the day.

Mr. Taylor wondered if motion no. 23 could be included in the motion so they could discuss it in committee, and he moved that the motion be amended to that effect.

Mr. McKamey seconded the amendment.

Motion Carried as amended.

In Committee of the Whole:

In
Committee.

Discussion
of Bill #9.

Discussion followed on Bill No. 9, An Ordinance to Amend the Liquor Ordinance.

Mr. Watt wanted to hear from Mr. Boyd his opinion of the work of the liquor commission.

Mr. Boyd stated that he could only say virtually what has been written here in every instance; in every brief there was a complaint about enforcement. Operators in their briefs requested better enforcement. It was the only real bone of contention insofar as their troubles were concerned it was the main one and they felt rather than let another year go by and maybe more, that something should be done about their most important problem and this is the reason why this particular bill has been produced and it is certainly 100% public opinion.

Mr. McKinnon thought they were coming back to the age old problem that they seem to face. They provide the Ordinances and in essence they are fairly good legislation and they seem to meet with public opinion but when it comes down to the enforcement of the various ordinances in the Territory there is much left to be desired. He could only say when they give such sweeping powers to a liquor inspector you have to make sure that you have an inspector that knows his business. He has seen, in Manitoba, B.C. and Alberta, these liquor inspectors at work and the operators of the licenced premises stood in awe of them. The inspectors are professional qualified men in

that field. There are scientific advancements in the field of liquor inspection where there are thermometers and syringes that they put in the liquor to make sure that you have an ounce of liquor; that the liquor is not watered; and things of that nature. These are not even introduced in the Yukon. The liquor inspector inspects the furniture and says, "you get that rip fixed in that seat by tomorrow or your premises is closed." He thought that it was dangerous to pass legislation which gives such sweeping powers to a liquor inspector until they have a qualified professional man in this field; who the operators will respect. He couldn't stress too strongly that this man be advertised for or the Administration get hold of him as soon as possible and until this is done he could not pass this amendment to the Liquor Ordinance giving such sweeping powers to the inspector.

Mr. Taylor with Mr. Shaw in the Chair, said one thing that caught his eye was that an inspector or a peace officer may suspend a licence. The peace officers are given quite vast powers here and he couldn't support this ordinance without an amendment in this regard. He felt at this time that peace officers, especially in the outlying areas, should not be given the powers of suspending a licence. He cited for an example a recent case in his constituency where the peace officers laid a charge against a operator for serving an underaged person. Pressure was put on the management and some time transpired before this case came before a court of law. When it did it was proven that the operator was in the clear and the charge was dismissed. He felt this opened the door for abuse of these powers and having respect to inspectors he felt as Mr. McKinnon does - if they are going to enforce their ordinance they must have highly qualified people. He understood that the inspectors attached to this are working on a 9:00 to 5:00 basis and he thought they should have one or two inspectors who would be around the premises from time to time at any time during the opening hours. Until these things are done he would recommend that they do not give these powers.

Mr. Boyd stated that so far Mr. McKinnon hasn't said he is against the contents of the ordinance. What he is against is the fact they haven't got a capable liquor inspector and he would suggest that it is up to the Administration to get a capable liquor inspector. He said they foolishly passed a law whereby you could go out and close the Elks Club, the Legion, or anybody with a special permit for any occasion held in those buildings, but you can't walk into a beer parlor or any other place and close it. He wondered why they discriminate. Why not one rule for them all. Furthermore the inspector has no power to do anything. In truth the operators are laughing at the inspector today and this is a fine state of affairs. There is nothing wrong with the bill; pass the bill; give the liquor inspector the right to work and if he isn't a competent man, then get one. They have these powers in other provinces where in principle the liquor inspector is under the guidance of a liquor board. Someday there may be a liquor board here but in the meantime he would have to serve under the Commissioner until the time a liquor board is formed. They must have better control.

Mr. Shaw moved, seconded by Mr. Mr. Watt, that Mr. Speaker do now resume the Chair to hear the report of the Committee.
Motion Carried.

Committee Report.

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

Committee convened at 11:30 this morning and progress is reported on Bill No. 9, An Ordinance to Amend the Liquor Ordinance.

Council accepted the report and adjourned until 10:00 A.M. Monday.

Monday, April 29th, 1963.
10:00 o'clock A.M.

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

Mr. Livesey, with Deputy Speaker in the Chair, gave a report on behalf of the Highway Signs Committee.

Highway
Signs
Committee
Report

The Committee had several meetings and although it appeared there were present problems, further problems could arise in the future. The Committee therefore felt that it would not be wise to go ahead with any determination at this time, but work on a program of investigation and come up with a possible solution at the fall session of Council. The Committee proposed writing a letter to the Commissioner and it is as follows:
Dated April 29th, addressed to Mr. G.R. Cameron, Commissioner -
"During the present legislative session, the member for Whitehorse East and the member for Carmacks-Kluane Lake electoral districts were appointed by the Council to peruse and attempt to find a solution to the highway signs problem on public roads and highways in the Yukon Territory brought to the attention of Council by a paper from your Administration. The Committee would like to bring the following points to your attention: (1) The Committee would be prepared to investigate further the situation confronting the Department of National Defence on the Alaska Highway through consultation with the Commander of the Northwest Highway System, Brigadier E.H. Webb, if arrangements could be made to this end. (2) Make an approach to solving any local Whitehorse area problem by contacting the appropriate committee, the Whitehorse Board of Trade, as well as other groups interested in the subject matter. (3) The Committee would be prepared to present its findings and possible solution to the problems enumerated in your paper at the Fall Session of Council". It was signed by John O. Livesey and H.E. Boyd, Members of the Highway Signs Committee.

Mr. Watt gave notice of motion for the Production of Papers concerning White Pass Taxation described in Sessional Paper no. 21 of 1962 Fifth Session, the Financial Advisory Committee Report.

Production
of Papers
No.20

Mr. McKinnon moved, seconded by Mr. Watt, that it is respectfully submitted that the Administration supply the following information to all members of Council:

Production
of Papers
No. 19

- (1) A breakdown of personnel in the ten detachments of the R.C.M.P. in the Yukon Territory.
- (2) The number of policemen per capita in the different provinces and the N.W.T.
- (3) The number of policemen per capita in the Yukon Territory.
- (4) The crime rate in the different provinces and the N.W.T.
- (5) The crime rate in the Yukon Territory.
- (6) The number of "blanket" warrants, if any, issued to the R.C.M.P. in the Yukon Territory.
- (7) If any blanket warrants are issued to the R.C.M.P. in the Yukon Territory, how many members of the R.C.M.P. in the Yukon Territory are given the privilege of exercising these warrants.

Motion Carried.

Mr. Watt moved, seconded by Mr. Livesey, that it is the opinion of Council that the Steam Boilers Ordinance be amended at the fall session to include the following:

Re
Motion
No. 24

- 1. The Commissioner, on the recommendation of the chief inspector, may suspend for any definite period or cancel any certificate of competency granted under this Act, if the holder
 - (a) is habitually intemperate or is addicted to the use of drugs,

- (b) operates a plant while in an intemperate condition,
- (c) becomes mentally incompetent or physically incapacitated,
- (d) is incompetent or negligent in the discharge of his duties,
- (e) has obtained his certificate through misrepresentation or fraud,
- (f) maliciously destroys his employer's property,
- (g) allows another person to operate under his certificate,
- (h) attempts to secure a certificate by false means for another person,
- (i) absents himself from the plant without being relieved of his duties by the proper person, or without the consent of the chief steam engineer or shift engineer, or
- (j) contravenes or fails to comply with any of the provisions of this Act or the regulations.

2. Where an inspector finds in any steam plant any serious defect that has not been disclosed to him by the chief steam engineer or engineer in charge, and it is apparent that the defect should be known to those engineers by virtue of their office, then the engineer shall be deemed to be negligent in the discharge of their duties, and their certificates may be cancelled or suspended by the Commissioner pursuant to subsection (1).

Mr. Watt stated this is taken directly from the Boilers and Pressure Vessels Act of Alberta and is verbatim except for the words at the beginning where "Commissioner" is put in instead of "Minister". This could have been done under regulation but it seemed to be the opinion of Council that this could be better done through amendment to the Ordinance. The need for this was brought to his attention indirectly by the Chief Boiler Inspector for the Yukon. He hadn't asked that this be drafted in this session because it didn't give the Legal Advisor enough time to look into the background of it and see if it conflicted with other parts of the ordinance.

Mr. Taylor thought the import of the motion, as it stands, quite clear and very reasonable. He agreed with Mr. Watt that this should be embodied, if at all possible, in the ordinance rather than by regulations.

Motion Carried.

Motion

Mr. Shaw moved, seconded by Mr. Boyd, that it is respectfully requested that Council permit the mover of this motion to discuss in Committee matters relative to the Fuel Tax Ordinance and the Brainstorm Freighting Co. #25.

Mr. Shaw asked this to be presented in committee insofar as it involves the movement of fuel from Northwest Territories into the Yukon and the matter of freighting through the Yukon and he would like to have Commissioner Cameron present when this is discussed.

Motion Carried

Mr. Boyd moved, seconded by Mr. McKinnon, that committee discuss rental of government housing with Commissioner Cameron and Mr. MacKenzie being in attendance.

Motion
26

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, that it is the opinion of Council that the Administration fully investigate the feasibility of a Low Income Purchase Rental Housing Development Plan. This plan would embody the following main principles:

Motion
27

- (1) Moderately priced homes would be constructed by the government on government land by a proficient contractor.
- (2) The principle of contracting out a large group of houses in a single contract would be used. Letting out contracts of ten or fifteen houses at a time would reduce their per unit cost.

- (3) Wherever possible these homes would be located on properly surveyed average sized lots connected to existing water and sewage facilities.
- (4) In all cases the housing developments would be located as close as possible to existing services such as schools, hospitals, piped and partial water systems depending upon which is available in the particular area that the housing development is needed.
- (5) If possible the price range of the houses would be such that they would fall within the requirements of the low cost housing ordinance.
- (6) If money is not available through the Low Cost Housing Ordinance then it would be provided by a territorial second mortgage loan agreement in conjunction with a rental purchase agreement.
- (7) Rental purchase payments for homes would not exceed fifty dollars per month.
- (8) The initial down payment would not exceed five hundred dollars.
- (9) Clear title to the home and property would be given to the purchaser when the agreement is completed and all monies paid.
- (10) A fair order of preference would be given to applicants for Low Income Purchase Rental Houses. This order of preference of applicants will take into consideration following points:
 - (a) inability to obtain loans under the regular C.M.H.C. plan;
 - (b) ability to make the required payments and a desire to keep a home in proper repair;
 - (c) consideration would be given to families with several children;
 - (d) consideration would be given to those who are presently classified as squatters on both crown and B.Y.N. land.

Mr. Watt stated that if it was Council's wish he would like to set this ahead to a day certain until after they discuss Bill No. 8, as the Low Cost Housing Ordinance should be discussed first.

Mr. Shaw stated this is one method of exploring a new avenue and as Council has turned down the low rental apartment plan, he thought it right they should investigate something that will take its place. He moved that this motion be referred to committee for discussion.

Mr. McKamey seconded the motion.

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, that it is the opinion of Council that the Administration investigate the feasibility of constructing a foot bridge across the Yukon River between the hospital area and the main Whitehorse area on a cost sharing basis with the other levels of government.

Motion #28.

Mr. Watt stated that this was a motion made the other day and he had withdrawn it because of the controversial nature of it and the lack of clarification by the maker of the motion so this is an entirely new motion concerning the same subject. It concerns the footbridge across the Yukon River between the hospital area and possibly the penitentiary area and the main business section of Whitehorse. He talked with different members of the City Council on this and they are just as concerned about the possibility of just such a bridge as he is and he hoped members of Council were too.

Motion Carried.

FIRST AND SECOND reading was given to the following bills:

First &
Second
Reading

Bill No. 15, An Ordinance to Repeal the Low Rental Housing Agreement Ordinance.

Mr. McKinnon was opposed.

Bill 15

Bill No. 16, An Ordinance Respecting Registration of Corporation Securities.

Bill 16

Bill No. 17, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (First Appropriation Ordinance 1963-64)

Bill 17

Bill No. 18, An Ordinance to Provide for the Superannuation of Employees of the Yukon Government.

Bill 18

Mr. McKinnon moved, seconded by Mr. Watt, that Bill No. 14, An Ordinance to Amend the Low Rental Housing Agreement Ordinance, be given First Reading.

Motion defeated.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing public bills and Motions 25, 26 and 27.

Motion Carried.

In Committee of the Whole:

In
Committee

Discussion followed on Bill No. 5, An Ordinance to Amend the Engineering Profession Ordinance with Mr. Hughes, Mr. Choate and Mr. Chamberlist present.

Discussion
of Bill
No. 5

Mr. McKamey wondered if Mr. Chamberlist was acquainted with the bill and could give the background as he understood he was involved in this.

Mr. Chamberlist stated that the Engineer's Ordinance came into effect in 1955 and at that time the Whitehorse Electric Company Limited was in operation as a business of electrical engineers and contractors. It has been in operation in the Yukon Territory since 1951 and incorporated early in 1953 taking over the existing business of Whitehorse Electrical Engineers and Contractors. He felt the danger in the amendment to the Ordinance as laid out in Bill no. 5 would tend to legislate existing businesses out of business and by so doing will set a precedent that would permit any ordinance dealing with a business or profession of any nature from being penalized. He then elaborated to some length on the action brought against Whitehorse Electric Company Ltd. by the Association of Professional Engineers.

Mr. Shaw said he was taking it as an overall picture and according to his interpretation it appears that an individual must belong to this organization and in order to be able he has to have certain qualifications. This particular section in the ordinance is nothing more or less than bringing an incorporated company into the same area as what an individual would be. He asked Mr. Chamberlist if this applies any differently to an individual as to a company.

Mr. Chamberlist stated that in his opinion there is no basic difference in it as far as regulating the qualifications of membership but what it does do, if this is put in, is it means that existing businesses would have to employ a professional engineer when there is no professional services being sold by that company. A company who is carrying out construction work would not be able to unless they had a professional engineer on their staff. There is nothing wrong with this taking place for the future but if this is put in without any restriction it would automatically bring into effect a piece of retroactive legislation which would be damaging to those existing businesses. And this would be his main objection.

Mr. Shaw said he did not understand all the ramifications and qualifications of engineers but if he put out his shingle as an individual as some sort of an engineer and found that he could not practise because there were certain restrictions, could he then turn himself into a corporation. Would that permit him to practise as an engineer.

Mr. Chamberlist said you would have to be allowed to put up a shingle first which the Ordinance prevents. If you incorporated you still couldn't call yourself professional engineers unless on your staff there was a person belonging to the professional engineers association. This is right but he submits there is no reason why you cannot be an engineer without being a member of the association. He cited a case in B.C. However in our particular instance we will give engineering advice free but if we were to say "Sure I'll tell you this but it will cost \$50.00" then he would be contravening the regulations and so would the company. But you can't deprive a person of the knowledge he has attained over the years and this in actual effect would be the attempt of the Amendment and that is why he was opposed to it. It would create a situation and retroactive legislation which would deprive a person of his livelihood because in the electrical construction, just like in plumbing or heating, those who are connected with their businesses automatically give advice. They have to have engineering knowledge to know how to do these things.

Mr. Livesey said there seems to be several areas of conflict covering the correction of the introduction of this Bill and its intent. The way he saw it there seems to be a question of intent of a professional group or organization appearing to make a stand with regard to the word "engineer". It seemed to him the word "engineer" by itself is a different word than if it is coupled with "professional". The appearance of intent by the association seems to be that they wish to separate in the minds of the public, and those wishing to obtain engineering services, the question of the word "engineer" and "professional engineer". He would think that it is their intention that these situations should be clarified and also the whole question arises out of the word "engineering" used by Whitehorse Electric but he admitted that he does not see the word "professional engineering" and professional seems to be the qualifying word. He didn't understand the connection between the present bill and the two or three different forms of intent. The bill, according to his interpretation uses the word "may" in the first paragraph and this word means to him that they would have to or could use the word "professional engineers" if they were qualified to do so and he couldn't see any connection between the use of the word "engineering" and the use of the words that could be used if the bill was put into effect. The evidence as brought to their attention in the explanatory notes and the coverage of the results of decisions by Justice Sissons and Justice Parker covered the question of whether it was true the the word "engineering" and "professional engineering" were the same and the decisions of the court were that this was not so. Therefore it seemed to him that even if the bill was passed it certainly wouldn't alter any situation as far as the words "engineering" by itself is concerned. However from a moral point of view he believed the intention of the professional group is that they wish to separate in the minds of the public the difference between those practicing as professional engineers and those using the word "engineering" coupled with the practical aspect of their operation and he couldn't see that an organization working and using the word "engineering" and being practical individuals are even by this alteration placing themselves as being opposed to the professional group. Another point is the question of legislation that appears to be something which is brought about to try and force something which by law, at the moment cannot be forced in an individual way. He thought the proper origin of legislation is one where one conceives something which will be of benefit to the whole rather than having any pointed direction or appear to have a pointed direction.

Mr. Boyd asked Mr. Chamberlist if you say you are an electrical engineer, do you have to have a certificate in order to call yourself an engineer or can you just call yourself one and not have a certificate.

Mr. Chamberlist replied you have to have qualifications. He is a member of the Institute of British Engineers and electrical branch,

Mr. Boyd said then it would be right to assume that every member declaring himself as engineer, or operating under the word electrical engineering, would have to have a certificate issued here in Canada to cover his permission to do business here.

Mr. Chamberlist didn't believe Mr. Boyd understood what he was trying to get at. What you are trained at does not alter because you move your location - as long as he doesn't practise that particular thing. This amendment does not deal with individuals, it deals with corporations and this is the difference.

Mr. Watt asked Mr. Choate if you use the word "electrical engineer" does that in his opinion designate a professional electrical engineer.

Mr. Chate stated that is correct.

Mr. Watt asked, if it does denote professional engineering and if somebody is using the word engineer, and it actually means professional engineer, then there should be a civil action against this person.

Mr. Chamberlist stated there has been and the court ruled on that twice - there is a difference between a professional engineer and as stated by them "The use of the word engineers is not a representation that the company is a professional electrical engineer". Mr. Parker ruled there is a difference and it was upheld by Justice Sissions notwithstanding what the professional engineers association say the courts of the land say different.

Mr. Choate stated, with due respect to Justice Parker and Justice Sissons, there are several other pieces of legislation on record in the country that have ruled the other way so that the only way it is going to be settled, is eventually through the course of law.

Mr. McKinnon stated that he failed to see how this amendment to the Engineering Profession Ordinance would affect Mr. Chamberlist as long as he did not advertise as being a professional engineer.

Mr. Chamberlist said this is quite true and he agreed also with Mr. Livesey in his submission. That is why if there are going to be amendments made to the engineering ordinance, it appears to him they are made just to be able to continue the court actions. If there are going to be amendments to the ordinance he would ask Council to delete section 32 so that, if this does continue in this way, the right is given to take the matter to court on a company's behalf. As it is now these court actions can continue at a considerable cost. He thought if this goes in they should consider that section 32 comes out and if the association objects on it coming out they should be heard as well on this objection.

Mr. Livesey stated that he felt in view of the fact they have a decision of the court before them and it obviously clarifies the question of the word "engineering" and "professional engineering" and to bring legislation before the House, in order to create a situation which would make it possible to something which now cannot be lawfully done whilst there is conflict still in operation and in existence, this was most uncalled for.

Mr. Boyd said that Mr. Chamberlist had stated that if this is put through it would not affect him in any way and he had also remarked that it would be a means of putting a business out of business. Mr. Boyd was at a loss to know what business it was going to put out of business if it doesn't affect him.

Mr. Chamberlist said a corporation and an individual are separate entities and it would affect the company.

Mr. Shaw, referred to the decision made by Judge Parker in the explanatory notes, said it appears that Judge Parker has stated that the ordinance does not apply to corporations and he thought the matter of this particular amendment is whether or not Council wishes to include corporations on the same basis as individuals.

Mr. McKamey asked for Mr. Choate's views on that.

Mr. Choate stated that the Association of Professional Engineers of the Yukon Territory are responsible for the administering of the Professional Engineering Ordinance and it is their thinking after consulting their legal counsels that this revision be made to the ordinance to allow a partnership corporation to practise the professional engineering and that is why they asked that this ordinance be passed.

Mr. McKamey said, in respect to this amendment, it seemed to him that if Mr. Boyd, Mr. Shaw and himself wanted to form a company and were not professional electrical engineers, they could hire a professional electrical engineer but they wouldn't be allowed to join the association under this amendment.

Mr. Choate stated that the individual they hired could join the association and then their firm would be allowed to practise engineering and advertise as such.

Mr. McKamey asked what position would he be left in if he bid on a large contract and half way through the engineer quit.

Mr. Choate stated this would have to be negotiated between yourselves and the owners of the building being contracted.

Mr. McKamey said this would be the violation of the ordinance and he would be subject to the penalty laid down under this ordinance.

Mr. Choate said this is true but he imagined the Territorial Government would request that they either replace this person or turn the work over to another firm.

Mr. McKamey said this was the bad feature he could see and he didn't think that was quite fair.

Mr. Shaw quoted section 32 and asked Mr. Hughes if this gives the association of engineers any right to prosecute an individual or corporation according to the law.

Mr. Hughes said no. If they are not acting in a bona fide manner and a test case would be a bona fide exploration of legislation and no action would lie whether it was written in or not - the court is not going to allow actions to lie, they award costs, but for some reason or other this was necessary to state this in section 32 and any officer of the association would not be open to litigation if he was carrying out his duties in a bona fide manner. He pointed out some things which may be helpful and gave his opinion that as long as Whitehorse Electric continues to follow the mode of business and advertising technique that it followed at the time of the two prosecutions then there is no reason to think that a prosecution brought under that section will succeed in the future. Whitehorse Electric do not and have never held themselves out as professional engineers and as long as they continue to describe themselves as engineer they will be free from attack. Mr. Choate was inclined to use the words interchangeably and they are not interchangeable. He suggested they proceed with what they have in front of them.

Committee adjourned at 12:00 o'clock Noon.

Mr. Taylor called Committee to order and said that prior to the noon adjournment they had been discussing the Engineering Profession Ordinance.

Mr. Boyd stated he could not see how the passing of this Bill could hurt anybody and he would move therefore that they pass Bill No. 5 without amendment.

Mr. Shaw seconded the motion.

Mr. Livesey said there was one thing that bothered him and that was, he failed to see why the Explanatory Notes were put in unless there was a connection between the Bill and the Explanatory Notes. On the other hand, if the Explanatory Notes were justified, then there is something about the Bill to be explained. He understood from the Legal Adviser that the Bill, as it now stands, can become law and have no effect upon the position of the Whitehorse Electric, but he intended to follow this matter through himself especially where decisions of the Court have been presented to them in the Explanatory Notes. On the surface it would appear to have no particular effect upon this one particular company, but he was concerned about side effects that may result through the passage of this Bill. He had not heard yet fully why it was presented and he wished to know the origin that provided the need for the repeal. If it has a general beneficial effect whereby they would be looking for justice but not persecution, then that would give a different aspect of the situation altogether. He felt he should question the Legal Adviser further before proceeding with the motion before them.

Mr. McKamey stated that he also would like to direct some questions to the Legal Adviser.

Mr. Taylor felt that insofar as the Explanatory Notes were concerned the most important item for consideration by the committee is the result of the judicial enquiry. It seemed to him it should be amended to make quite clear what corporations may do. There has been some mention to Section 32 of the Ordinance which he thought was worthy of review. As to the interpretation of the word "Engineer", this is something for the Courts to decide and he did not feel they could go so far as to legislate what "Engineering" means. Their purpose is to provide sensible logical legislation which is beneficial to the public and to the industry and he would not like to feel that some side effects may result whereby this Bill becomes an imposition to an individual or a corporation. He requested Clerk-in-Council to ask the Legal Adviser to attend Committee.

Mr. Boyd assumed that the request for repeal originated from the Engineering Association and certainly they would not request for an amendment such as this solely because of one company, this applies to every engineering company in the Yukon. He could not see that it was strictly aimed at one corporation.

Mr. Watt stated that it seemed there could still be action against this particular company if they proceeded with this ordinance.

Mr. Taylor said that as the Legal Adviser could not be with them for awhile, they could possibly discuss one of the motions before them. He proceeded to Motion No. 23 - Distribution of Funds, Community Grants, Whitehorse. Discussion
Motion #23

Mr. Boyd stated that this motion was made by himself and seconded by Mr. McKinnon. He asked the Commissioner for his reaction to the proposal.

Commissioner Cameron stated he would react favourably to it, not that he understood the reasoning behind the particular wording in that the motion mentioned Whitehorse Councillors. It would be a good idea for any Councillor to possibly broaden thinking regarding the use of this money and he would say that if any Councillor felt that there was a particular use for this money, that he should be able to say so and, as far as the Administration is concerned, this would be received favourably. There had been different approaches to the Whitehorse Councillors for items and they had to say - "Well, this is not

actually what is meant by the use of this money." There is not supposed to be an accumulation beyond the term of Council of this money, it should not accumulate beyond the three-year term - he did not entirely agree with this and felt there should be a submission by Council of how they utilize the money and he thought Mr. Livesey had a big project which takes in the accumulation of funds. If it could be shown why this money has accumulated it would give ideas to other Councillors as to how they could better use this money. He agreed in principle to the motion, but felt it should include all Councillors, but maybe it should be worded the way it is as Whitehorse has three Councillors and have a greater variety of requests for the use of this money; however, he was quite agreeable to the recommendations.

Mr. Boyd said the reason why he included the Whitehorse Councillors only was because he was afraid of a storm, and to evade it the motion was worded as it is.

Mr. McKamey said he was all in favour of that.

Mr. Livesey stated that as far as the accumulations go, the Administration should give a certain amount of credit to those who have enough business sense to be able to hang on to what they have got and make sure that it does not get dissipated in the wrong area. One of the reasons why they have this money is because of a certain amount of competence in the Council and the way they have gone about in keeping a good eye on the public purse. If they were a wild organization and had no responsibility at all they would not have the money much longer because Ottawa would take a second look at the entire situation. As time goes on it is far better to settle on a cumulative program and one that has some vision as to what the requirements are going to be, not only this year, but next year, and the year after. Another angle to be considered is the participation of the individual in the local community area, but certain limitations have to be put on as the amount presented is not altogether the amount that has been supplied by one particular source. If they continue with the present system and are sure they have a program which will need the capital available, this is a good thing.

Mr. Watt quoted a section of the five-year agreement which says - "The payment of contributions towards capital costs in improved community centres in the maximum amount of \$56,000.00 per year for all projects - this assistance is available to all communities in the Territory". Would bands and this type of thing be considered as capital contributions?

Commissioner Cameron stated that regarding bands, he would say that the capital involved there would be instruments or equipment. His thinking was that possibly the word "capital" puts the walls too high, each project should be looked at on its own merits, and things could come up in any part of the Territory that would not necessarily be capital in the sense of the word that it is a physical structure - it might be classified as a capital expenditure to the community, but it might not be a physical structure. He would like to see the scope be widened a bit so that the word "capital" is not meant as just a building, a definite structure.

Mr. McKamey remarked there was a great difference between Whitehorse and the outlying districts due to the fact that Whitehorse already has nine auditoriums within its vicinity and the outlying districts have none, and they are attempting to build some. They would need to know where they are financially before they can embark on such a program. In the area he represents, the people are directly concerned with this money and the way it is to be spent, there are two community clubs (one in Keno and one in Mayo), and they have entered into an agreement between themselves whereby one would get the grant for two years and the other for the following two years. If this principle were altered, it is going to put some people in a very embarrassing position.

Mr. Shaw said that in his constituency he calls all the organizations together that are entitled to receive some of this money and they make the decisions on how it should be spent - he does not make the decision at all. To extend it further in his particular case it would create many difficulties because it gets spread over so wide an area that they would

never get unanimity on what the community requires. In the City of Whitehorse the situation is different, for example they need a band, they need some assistance on this which cannot be made available under the terms of the development grant. Members from the Whitehorse area have asked that a change be made in this and he felt that these members would know better the requirements of this area than what he would know. Therefore, if they wish to change this, he was quite amenable to it, and felt it to be in order. For his own area he was quite satisfied with the present arrangement.

Commissioner Cameron stated that in answer to Mr. McKamey and Mr. Shaw he would like to remind members that if there are any applications coming in to him (there might have been two or three), these are automatically returned with the request that they contact their individual Councillor, so there would not be any cases of anybody getting money that was not approved by the Councillor concerned. This is not done anywhere else in North America and causes a little criticism and he hoped Councillors could keep this problem from off their backs.

Mr. McKamey pointed out that this was very simple as far as his constituency was concerned and he would recommend it for other communities as it worked out very well and left no room for argument. The first thing they did was form the Mayo Community Club and they invited a member of every organization in the community to join the Club and get behind one specific effort and this settled all problems right then and there. They have the IODE, Masons, and churches - in fact everybody is involved.

Mr. Taylor echoed Mr. Shaw's remarks in this regard - he would like it left to "capital projects". As to the Whitehorse area, he would be amenable to seeing a special dispensation given in this case.

Mr. Boyd remarked that it was only a few years ago when they could not even get an orchestra around this town, but today they have probably a hundred or more people taking music lessons on different instruments - accordions are one big feature. They would like to promote this and have their hands loosened.

Mr. McKamey stated he would like to propose an amendment to this motion, that the last line of the motion read "Whitehorse Councillors and the Commissioner", so it would read "that the Whitehorse Councillors be permitted to disperse moderate sums of liquor tax money to local organizations such as bands, etc., same to be at the individual discretion of each Whitehorse Councillor and the Commissioner."

Mr. Shaw seconded the amendment to the motion.

Agreed.

Mr. Taylor put the question on the motion as amended.

Agreed.

Motion Carried.

Mr. Taylor proceeded to Motion No. 25, Fuel Tax.

Discussion
of Motion
No. 25.

Mr. Shaw here gave an outline of how the imposition of the fuel tax would adversely affect freighting from Dawson to Old Crow and read out a letter from the Brainstorm Freighting Service which explained in detail how this fuel tax would affect their business and requesting an exemption to it.

Commissioner Cameron asked if he understood correctly that the request for this exemption be given to this particular operator.

Mr. Shaw explained that these operators had lowered their freight rates, however, with the imposition of the tax, which is not in their schedule, they will be obliged to raise their rates again to compensate for the loss of \$500.00 or \$600.00 for fuel, if they have to pay this fuel tax.

Commissioner Cameron could not see how they could lower the fuel tax, it is unfortunate, but a number of fuel companies have been affected the same way by selling fuel at the old tax not realizing that this was going to become effective at a certain date. This is normal procedure, warnings are not sent out ahead, the budget and the estimates are all under wraps until they are all produced at this table, and he could not see how they could get around it. In fact some of the oil companies were quite unhappy, but they had to turn them down. He could not see how one particular operator could be helped without opening the door to others.

Mr. Boyd enquired how much it was for a licence to operate this barge at Dawson; maybe they could cut it in half.

Mr. Shaw replied that he thought this particular operation would come under Federal jurisdiction - "Navigation".

Clerk-in-Council said they should pay a territorial licence under the Business Licence Ordinance, but it would not be very much though, \$25.00 is the lowest licencing fee.

Mr. McKinnon felt sure that every Councillor around the table could come up with a company or a story where they felt there should be further exceptions made to this Fuel Tax Ordinance. He could think of different companies and different people that have approached him on different types of business asking whether they could get release under this Ordinance. However, he could not see how under any kind of taxation ordinance exceptions could be made - if this is made the entire ordinance is thrown wide open, and everybody in the Dominion will be crying for exemptions. If exemptions are made here the intent of the amendment to the ordinance to raise more revenue for the Territory is lost completely. He could not see how these exemptions or exceptions could be allowed at all.

Mr. Shaw remarked that if members considered it not sufficiently justified, he would have to agree to their opinion.

Commissioner Cameron believed that one of the reasons for which exceptions are made regarding fuel tax in the exploration and mining fields and so on, is because for these companies to bring equipment in, in order to develop certain areas, they have to spend a terrific amount of money in salaries to individuals in the Territory and this is no doubt in the thinking, when certain exceptions are granted. In the case of two individuals it would be hard to justify anything like that as there are innumerable small operators who feel that they have a legitimate ground for exemption.

Mr. McKamey personally thought the motion to be valid, it has a lot behind it, but at the same time they would have to agree that it would be throwing the ordinance wide open. Logging and lumber companies have already asked for exemptions and if they were granted, where would they stop. They also have to take into consideration that the Yukon Territory pays the lowest fuel tax of any province in Canada, the next lowest is Alberta.

Mr. Taylor stated there was no motion before them - the motion that was passed this morning and approved in Committee was "That it is respectfully requested that Council permit the mover of the motion to discuss in Committee the matter relevant to the fuel tax ordinance in the Brainstorm Freighting Company." It was thought that a motion might result from these discussions.

Commissioner Cameron mentioned at this point that there was a matter of great urgency which Council had to deal with immediately. It concerned the hospital in Dawson City. The Sisters of St. Anne were pulling out and they had to make some rapid decisions with regard to changes in the hospital and the Old Men's Home. The matter had been discussed with the Sister Superior and Mother Provincial and the Administration would like Council's feelings on this. Both Dr. Butler and Mr. MacKenzie would be available for immediate discussions.

Dr. Butler and Mr. MacKenzie attend Committee.

Commissioner Cameron gave a summary of the situation as follows. The Nursing Sisters are leaving Dawson City and they have asked if they could leave the 1st of August, but have agreed that if the situation was such where they could not have the establishment changed over at that time, they would be prepared to stay on until late fall or early winter. Now they are faced with a situation whereby they have to build a Nursing Station as they feel this is the only way out. The Old Men's Home is in a sad state of disrepair at the present time and it has been suggested that they do minimum expenditure on the present hospital and utilize it for the Old Men's Home. The total expenditure for the renovation of the Old Men's Home and the Hospital would be quite close to \$100,000.00, and they did not feel there was justification for that kind of expenditure on those two buildings. Historic Sites have not indicated their interest to the extent of financial assistance on the buildings - they might be talked into changing their minds, but in the meantime they have to correspond with a number of departments and Dr. Butler has a considerable amount of hustling to do to find out when and where this changeover can be made. Possibly Dr. Butler could give some information as to what he has in mind, what he feels will be necessary to establish in order to give the maximum coverage to the best utilization of the expended dollar.

Mr. McKamey asked what prompted this.

Commissioner Cameron stated that this has been pending for some months. Mother Provincial was up last fall and informed them that the situation was not too good - the patient days were very low and the condition of the buildings were such that it would involve quite an outlay of money. The Sisters actually own those two buildings, they bought them from the government for the sum of \$1.00 and, as long as they were operating them as a hospital and an Old Men's Home, they were the actual owners, and they would have to lay the money out to repair these buildings and then apply to the Federal Government for hospital grants which may or may not, in part or completely, be accepted. So, they did not feel this was justified. There is quite a call on their order in different parts of the world where they feel they are needed much more and they felt this was the only thing they could do. They only operate to a minimum of seven in such a location as Dawson - at present they are six. If they were to cut it down to two, then this is completely disallowed by the order concerned.

Dr. Butler said that this came as a surprise to him because Commissioner Cameron says it has been in the cards for three years as a matter of fact - they have been wanting to leave but what has been holding them there is the school rather than the hospital. He thought that what brought it to a head was the engineer's report on this cost of renovation to the buildings and they felt it was time to make a decision. This has placed the Territorial Administration in quite a quandary, the Sisters will be leaving in December at the latest, and that is very little time to go through all the machinations of government to get anything agreed on. The position, as he sees it, is that they have the choice of either continuing to run it as a hospital, in which case this would be a Territorial responsibility and nothing to do with Health & Welfare, which is Federal, or as a Nursing Station. The in-patient days at the Dawson Hospital have been very low - in January and February there were about 82 patient days, which is an average of 2½ or 3 patients a day. This month, he was up the other day, there were about 9 patients, mostly influenza patients. He would have to recommend that all that would

be required there would be a building of four to six beds with a room which could in cases of emergency have additional beds put in, say another four beds, giving a floor space capacity of about ten beds. On the population and on the hospitalization figures for Dawson, that is sufficient for foreseeable needs in the immediate future. These things may change if there was an ore strike at Dawson and therefore any facility built there will have to be designed in such a way that it could be expanded if necessary. As far as he could estimate, the population at Dawson is likely to decrease to 3, 4 or 500 and all that would be needed there is a Nursing Station. His department would be prepared to contribute their share towards the cost of a Nursing Station and at the present time their share would be 27.4%. He has not had the opportunity to consult with his department on this but he would put this matter before his department that a Nursing Station be provided at Dawson and that they run this facility. It is up to the Territory to decide whether they want this or not because his department could certainly not recommend a hospital in its place, they certainly would not build one. There will be a difficult period in the interim with the Sisters leaving and the possibility that the facility could not be built this year, but he could, with the approval of his department, loan a nurse or assistant matron to operate the hospital until such time as the other facility would be available and the Territory would reimburse the department for her salary. This is going to be a difficult period, snags are going to arise and probably there are going to be complaints, but all they can do is meet the difficulties as they arise. There is a definite need for a facility in Dawson, but he felt a Nursing Station would certainly be sufficient.

Mr. Boyd enquired about a staff for the aged people, he understood the Sisters were looking after them now.

Dr. Butler said that the Old Folks Home was not his responsibility, it comes under the Director of Welfare, and he had no say whatsoever. He would be interested in these men if they became sick, in the medical attention required, but they have suggested to Miss Riddell that in getting a supervisor for the Old Folks Home, she should try to get someone with nursing experience, either a qualified nurse, or a practical nurse. The average age of the people in the home is 80 or 90, and they do fall ill frequently, even though it is minor ailments. However, if there is a Nursing Station there, it would be convenient for them. YCGC, at the moment are only prepared to give a three-year contract, therefore they would have to accept the fact that unless something happens, there will be no doctor in Dawson in three years. He may be wrong, but those were his views.

Mr. Shaw said they were talking about the future and there was no question but that in any operation, the future should be considered; however, in this case, the future is so uncertain. At present there is a tremendous amount of activity and there are also other matters which in three years, could be clarified; however, that is something that cannot be stated so they will have to strike a happy medium. They will have to plan so that if the population goes down, they will not be over-supplied with equipment, but if things open up, they should expand their facilities. He would stress very strongly that for three years they will definitely require emergency facilities and two factors had to be considered, one being accommodation for the old folks, and the other for emergency cases. A Nursing Station sounds undesirable to him, he remembered Dr. Butler referring to it as a Cottage Hospital, and this would be a more appropriate term. There is a great deal of equipment in the present hospital and he would suggest that when the Cottage Hospital is built, all this equipment should be transferred to it.

Dr. Butler agreed that quite a number of this equipment be put in the new unit.

Mr. Shaw continued saying that the only solution would be to build this Cottage Hospital and use the present hospital as a home for the old folks as they would have to be fairly close to this new facility. He thought that type of a program would be the most economical. With regard to the

present Sisters' residence, this could be described as an uneconomical building in its present state - to repair the foundation of the building would cost in the neighborhood of \$60,000.00 or \$70,000.00. He assumed that the present hospital, when converted to the Old Folks Home, will have facilities for the staff of the Cottage Hospital, they would not have to build a new residence for the nurses.

Dr. Butler said that normally in a Cottage Hospital the nurses live in the building because a Nursing Station does not normally provide a 24-hour hospital coverage. A 24-hour nursing coverage is a very expensive procedure and it cannot be done without five nurses, even if there is only one patient. There are three shifts, and when they count time off, and annual leave, they will find they need five nurses. With the nurses residence in the actual building and with the call-bell system, in most cases the nurses can go to bed at night, and whichever nurse is on duty can be reached in her room by this bell system. Dr. Butler showed Councillors a plan of the nursing facility at Cambridge Bay to give them an idea of a nursing station.

Mr. Shaw noticed that there was no operating room in the plan and he felt this was most essential due to its distance.

Dr. Butler explained they have a case-room which is set up as a theatre with all the necessary apparatus and is used for normal deliveries as well as abnormal deliveries - it is also used for emergency work. In a one-doctor station it is a bad medical practice for one doctor to perform an operation on his own if he can possibly avoid it. No one can contradict that statement. If they had to do a cesarean section or an emergency appendectomy, there would be sufficient instruments to do it. If in any one-doctor station they started doing hernias or any other elective surgery, he would have to, as adviser on health here, go to the doctor and tell him that it was not in the interest of the patient to perform that surgery - if the doctor insisted, he would have to ask that an enquiry be held as to why he was not carrying out orders.

Mr. Shaw had seen on many occasions during his long stay in Dawson where people in that area had such faith in the doctor looking after them that they want this particular person to perform a certain operation. On occasions such as that, a doctor would come from Mayo to act as anaesthetist and these operations, as far as he was aware, were always successful. To bring the patient down here when he wants his own doctor, would mean bringing the doctor down here too. He wondered if a Cottage Hospital would have the same facilities for doing the same jobs as are being done in the present hospital in Dawson.

Dr. Butler replied that it would not. The present hospital is set up as a hospital, but there would not be a full operating theatre in a nursing station - there would be sufficient for emergency surgery.

Mr. Shaw reiterated that all he wished was that the equipment in the present hospital be transferred to the new unit as the equipment is there already. He was not insisting on elective surgery but there could be many occasions where it would be necessary to do something at a particular moment and if the facilities were not there it may be a question of life or death. So all he was asking was provision for a larger room to house this equipment for emergency operations - it would not be overly expensive. He did not think the doctor up there would go in for all kinds of surgery.

Dr. Butler said he did visualize a case-room which is a combined delivery room and emergency operation room - they would have all their instruments, sterilizer, oxygen and anaesthetics. If they were to do anything of the size of the present operating room in Dawson it would be quite an expensive procedure, but it is very seldom that one has in the present day, with link-up roads and air service, to perform an emergency operation in a place like, say, Watson Lake, Dawson, or any one-doctor station. Usually doctors do not want to do it. There are limitations to a Cottage Hospital and they

should understand that a Cottage Hospital cannot accept long-term cases, it cannot accept chronic cases, it cannot accept the person who will need specialized nursing care. Even Whitehorse is limited in its facilities and very often patients have to be sent out to Vancouver or Edmonton.

Mr. Shaw said he agreed a lot to what Dr. Butler said, however, he was also thinking of it in another way. An average person trying to get by on an average income will have to go to a tremendous expense to come down to Whitehorse to have his teeth extracted or a new set of teeth made - if they are Indians or indigent people, they have no problems because the government looks after them. The actual work performed might cost \$15.00 or \$20.00, but it will cost them \$100.00 to get down here and get back again - this is tremendously out of proportion, but if there is no dentist there, they will have to accept this fact. If they need hospitalization, they can come down here too, it is very simple, but what will it cost them in relation to someone located here. No relief is given to a person for what they have to pay for transportation, hotel bills, and all these various and sundry costs. They should have facilities in the Cottage Hospital so that if a patient wishes to pay for a doctor from Mayo, at least it would be cheaper than coming to a larger area.

Dr. Butler explained that it was not only a question of space, but also a question of nursing - in a minor operation, like tonsillectomy, the patient has to be watched very carefully, he might be swallowing blood, so it will mean extra nursing staff as well. However, if they want full nursing service, it is a Territorial decision.

Mr. Boyd felt they had no other choice but to leave this matter in the hands of the professionals and leave them to size the situation up.

Mr. McKamey asked what the difference in operating costs would be if they were to continue on with the present hospital facilities that they have, in the way the Sisters have been operating it.

Dr. Butler said he could not altogether answer that question as he did not have the figures at his disposal. However, knowing religious organizations, they run it in a most economical manner - instead of working an 8-hour day, they work a 16-hour day. They start working at 8:00 a.m. and they are still there at 10:00 in the night. To replace one Sister would have to have two lay people - a 16-hour day is voluntary work and they cannot demand it of a salaried person. The cost at present is about \$23.00 per day, but if they were to operate it, this cost would rise considerably.

Commissioner Cameron said that if they were to carry on with the present hospital then they would have to find some other place for the old folks. The engineering report says it would strongly recommend that these people be moved from their present home immediately as the foundations of this building are completely gone and they have to get them out of there before flood conditions this spring; therefore, they would have to build an Old Folks Home because there is not any other place available in the area. To build this new Old Folks Home would mean, as Dr. Butler explained, an expenditure of around \$100,000.00 to \$200,000.00.

Mr. McKamey asked if any consideration had been given to the old administration building.

Commissioner Cameron said yes, but the old administration building is such a size and age and he believed they would not fall in favour with the people there if they took a section of it for the old folks. At present it is a fire hazard, requires foundation work, and there would be no justification in putting safety equipment or renovating it to the point where they would use it.

Mr. Watt asked for an assessment of care in a cottage hospital as compared to what the people in Dawson have now, not as far as emergency operations, but just standard care.

Dr. Butler said he could best answer that by defining the uses of a Nursing Station. It is for the care of acute short-term illnesses, and the admission and confinement of maternity cases. Normal maternity cases that will not cause the doctor much trouble. Again, they were not thinking of the doctor, but of the patient - with only one doctor in the area, that patient should be sent where expert advice is available, where the anaesthetist is available, and where extra nurses are available. At the moment, there is no cold surgery being carried out in the Dawson Hospital and has not in the past since his time here, or even before, except emergency work.

Mr. Shaw stated that maybe the present doctor does not like to do it but in the years that he has been there they have done everything imaginable, with only one death when a substitute doctor was in attendance while the regular doctor was away. At the moment it is so restricted that in an emergency they have to put a person on a plane and send him down here hoping that he will live until he gets here. When emergency occurs, they cannot tell what state of emergency might exist, and how far they can move the patient. All that is required is a larger area so that when these things have to be done they have all the facilities for doing them, but he did agree with Dr. Butler that elective surgery is quite a different case altogether. There have been times where serious operations had to be performed immediately, there was no question of moving the patient, as the operation had to be done at once.

Dr. Butler said that a case-room, which is a small operating room, would be provided and there would certainly be no restriction on necessary emergency surgery. The only restriction would be elective surgery, that is surgery which can be done either today or next month. Council should know this before they approve of it - there are limitations, but they are reasonable limitations and they are there for the protection of the patient. In Whitehorse, here, only certain doctors can do certain operations, the professional authorities strictly say what they can do depending on the doctor's qualifications, and it is the same with anaesthetists. They have only one official certified anaesthetist in Whitehorse at the moment although the doctors can do it themselves. The only reason they are in an accredited hospital is that they discipline themselves for the benefit of the patient. This is the reason why they were able this year to procure accreditation for the hospital in that the doctors control themselves. People in other hospitals are entitled to the same protection and here they have been trying to abide by hospital standards. There would be no restriction on anything to save a person's life.

Mr. Shaw said that was the point he was getting at - there will be occasions when a person has to be operated on immediately, but if the facilities are not there to do that, they would have to get this patient a few hundred miles elsewhere. In the meantime the patient dies. The second largest employment area in relation to mining is in Dawson and very often people get hurt quite seriously and have to have medical attention immediately. If emergency occurs, and the facilities are taken away, this means a long trip and this may be delayed owing to weather conditions - this is almost criminal as some of those people will surely die.

Mr. McKamey wholeheartedly agreed with Councillor Shaw and cited two instances of severe burns - in the one case the man was saved for having quick medical attention, in the other the man, with less severe burns, died through lack of early treatment. They would also have to look at this from another angle - if they wish to develop the North they would have to provide the proper facilities. They are trying to encourage mining companies and exploration companies to come in here and spend millions of dollars and then they abandon all facilities that provide some encouragement for people operating here - a certain amount of safety should be given to employees.

Mr. Taylor said he had to agree with Mr. McKamey - besides the two instances given by Mr. McKamey, he could cite a thousand others. As there is a full operating theatre in Dawson it should be preserved, they preserve all sorts of things there, but he thought the operating theatre was the most important. He strongly urged that this operating theatre remain there as it could be put to big use and save lives.

Mr. Boyd said he would like to hear from Mr. MacKenzie concerning money.

Mr. MacKenzie said it sounded like an expensive proposition, but it would be a case of working out the figures, referring the proposition to Ottawa and getting their views because this has not been provided for in the financial agreement. This would have to be a matter outside the agreement and before they start on it they should find out how much they can get as it will cost several hundred thousand dollars.

Mr. Shaw stated that he was not asking for a million dollar hospital - all he wanted was a space in the proposed nursing station where they could utilize the equipment they already have. A few dollars in providing a little larger space is very well spent if it could perhaps save someone's life that might have to be expended in travelling the distances he mentioned. On many occasions, up there in the sticks, a plane cannot fly for a few days.

Mr. Boyd asked how old was the present home for the aged.

Mr. Shaw replied about 63 years old.

Mr. Boyd said a new home was not anticipated in the five-year agreement.

Mr. Shaw felt this was because it was not foreseen that the Sisters would be moving out of the area.

Mr. McKamey asked how many old people there were in the present accommodation.

Dr. Butler said he would like it to be understood that his department had nothing to do with the old people; however, there are eleven of them.

Mr. Shaw added that this was separate from the people who can look after themselves, these are the people who have to have care. The Senior Citizens Home is another building entirely.

Mr. Livesey asked Mr. MacKenzie if he had any suggestions as to how they should approach the financial aspect of the situation due to the contents of the Federal-Territorial Financial Agreement.

Mr. MacKenzie said they would have to work out the figures, every possible aspect of it, and present it to Ottawa, suggesting what we want to do, what it is going to cost, and what can be done to provide the necessary finance, because they haven't got it, or have difficulty in finding it. This is a clear case of Ottawa having to provide additional funds.

Mr. McKamey asked Mr. MacKenzie where the old people in Whitehorse are being kept.

Mr. MacKenzie replied that they are not kept in hospitals unless they need medical attention, they are in private homes. Now if it is not anything beyond nursing, they go into the nursing section of the hospital.

Mr. MacKenzie added that he would like to confirm that there is no provision in the capital section of the Health Plan for the construction of a nursing station in Dawson.

Dr. Butler said that originally it was intended that Dawson Hospital should reduce the number of beds to a certain number and then come down to the status of a nursing station and no new facility would be built and that is why there is no capital expenditure for this. Everything in Dawson is in such a state of change that it is difficult to estimate anything. He felt that this question of looking after the aged will be a reducing problem, once these old-timers are gone - these people do have remarkable ages.

Mr. Taylor asked what specifically was being asked of Council in this matter so that they can proceed.

Mr. MacKenzie said that they were just informing Council of the situation and trying to ascertain Council's ideas so that they may be borne in mind. There was no point in the Administration going ahead on a hard and fast line without the views of Council.

Mr. Taylor asked if a motion would be required possibly from the member of the district concerned.

Mr. MacKenzie felt that was unnecessary - all they wanted was Council's view and it seemed to be in favour of a nursing station,

Mr. Shaw stated that the attitude has been taken that Dawson will be getting smaller; however, his suggestion was more or less on a compromise basis as he was not sure that it is going to get smaller. He hoped it would get bigger and that is the expectation of lots of people. Companies are spending millions in that particular area and they hope to come up with something soon. Therefore, in building this nursing station there should be provision for expansion and for an operating theatre in cases of emergency.

Dr. Butler agreed with Mr. Shaw's suggestion that they have an emergency facility, in all their nursing stations they have it. They are fully prepared for all emergencies but he felt they were on rather dangerous ground when they start talking of a nursing station with hospital facilities, and he wanted this to be made clear so that they cannot be brought in for supplying a nursing station and then criticised for not giving hospital facilities. There is a definite difference between a hospital and a nursing station, the main difference being that in a hospital you have a 24-hour nursing service and you employ a staff to deal with this. In Dawson the nursing station will have emergency facilities and an emergency operation can be performed, in other words you have a table and spotlight, and that is all a theatre requires. But there are limitations to a nursing station and if they run a nursing station they will be running it on those limitations. They cannot supply 24-hour nursing because they do not employ six nurses and they cannot have elective surgery and they cannot cater to long-term cases. These are the points he would like to make.

Mr. McKamey gathered from what Dr. Butler said that there could be no half way, it has to be either one or the other.

Dr. Butler remarked that there was a certain amount of leeway, but he had to cite the limitations of a nursing station otherwise they will be putting up a nursing station and find that hospital facilities are expected.

Mr. Taylor thought they were becoming a little ridiculous on this matter of nursing. There can be an in-between. They have agreed that this would be for only an emergency basis where an operation had to be done. In Watson Lake they had two nurses, but they have six women volunteers among the community, registered nurses, nurses aides, and many of them have spent night after night in helping out. He felt this system could also work in Dawson.

Dr. Butler said there is one registered nurse in Watson Lake who is prepared to work and she will work only on morning shifts - there is one unregistered nursing aide. The registered nurse is leaving in June.

Mr. McKamey could see where this could be very dangerous. There is nothing tying these people down, there is nothing to say they are going to be there next week.

Mr. Shaw said he had already stated what he thought would be required and from now it will be in the hands of the Department in Ottawa.

Dr. Butler said he would put the views of Council to his superiors in Ottawa.

Mr. Boyd moved, seconded by Mr. Watt, that Mr. Speaker do now resume the Chair and hear the report of Chairman of the Committees.

Motion carried.

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

Committee convened at 11:00 a.m. this morning to discuss Public Bill and Motions. Mr. Chamberlist (President of Whitehorse Electric Company Limited) and Mr. Choate (Manager of Yukon Electric Company Limited) attended Committee to discuss Bill No. 5. It was moved by Mr. Boyd and seconded by Mr. Shaw that Bill No. 5 be reported out of Committee without amendment. This motion was not decided and he could report progress on Bill No. 5. Mr. Commissioner attended Committee to discuss Motion No. 23 which was carried in Committee. Dr. Butler and Mr. MacKenzie then joined Committee to discuss a matter relative to Dawson City.

Council accepted the report and adjourned until 10:00 a.m. Tuesday, April 30th.

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Tuesday, April 30th, 1963
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

(1) In relation to motion no. 8 stating that this is a matter which comes within the purview of the headquarters of the Canadian Broadcasting Corporation and steps have therefore been taken to bring this to their attention through the usual channels and when a reply has been received it will be communicated to Council. Re Motion No. 8

(2) A further reply to Question no. 10 in the form of a telegram dated April 26th, 1963 stating Retel April 25th supply CMHC plans for Watson Lake and Haines Junction limited. Will forward when available next week and advise mailing date. Signed Director. Further Reply to Question No. 10

(3) A reply to Question no. 16 stating (a) as of January 31st, 1963, a total of 120 persons, white and native, were listed as interdicts in the Yukon Territory; and (b) since February 1st, 1963, another 8 persons white and native, have been added to the list of interdicts, giving us a total of 128 persons interdicted in the Territory as of today's date. Reply to Question No. 16

Mr. Shaw gave notice of motion in relation to St. Mary's Hospital at Dawson. Motion No. 29

Mr. Watt moved, seconded by Mr. Boyd, that it is respectfully requested that the Administration furnish Council with the following information: Production of Papers No. 20

- (1) The number of lots concerned in the Whitepass Railway owned tax disputed property in Carcross.
- (2) The total amount of taxes levied on such property before the repeal of the Taxation Ordinance that gave rise to the dispute.
- (3) The total amount of taxes that would be levied on this property if the taxes are levied in accordance with the new interpretation of the Taxation Ordinance.
- (4) What conclusions and decisions has the Administration reached as to what the intentions of the repeal of the Taxation Ordinance are?
- (5) At what date will the property, or parts of it, be made available to the public if the taxes are not paid.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing public bills and motions in Committee.

Motion Carried.

In Committee of the Whole:

In Committee

Discussion was renewed on Bill No. 5, An Ordinance to Amend the Engineering Profession Ordinance, with a motion on the floor that this Bill be passed out of committee without amendment. Mr. Hughes was present for the discussions. Discussion of Bill No. 5

Mr. Shaw stated there was a matter that concerned him and that was section 32. He didn't see anything like it in the Medical Profession Ordinance or the Dental Profession Ordinance. He wondered why it was there and if it was necessary.

Mr. Hughes stated that frankly he didn't know why it was there and as long as they acted without animosity; in a bona fide manner, they wouldn't be open to attack. The best he could offer to do there is to inquire of Ottawa as to why it was put in and either report back

to this session, if the answer comes in time, or report at the next session. He would await their direction as to whether they would like him to try and get an answer now or wait until another session.

Mr. McKamey asked if this was taken to Supreme Court wouldn't it be ruled as ultra vires because does this not create a third legal entity within the Yukon Territory.

Mr. Hughes said no, the underlying idea of professional discipline is that they run their own show. They want the right to discipline members and take action against those people who are infringing on the area that they govern.

Mr. Shaw stated that usually in memorandums of association they have provisions in their own society for their own discipline within the organization and this appeared to him in that he has never noticed it before but it appears as if a special privilege is being given in an ordinance which is not customarily in there and he wished to be fair to all concerned and he would very much appreciate it if the Legal Advisor would look into it and make a report to Council at his earliest convenience and if he on his findings would make recommendations accordingly.

Mr. McKamey asked if Mr. Hughes had a copy of the by-laws of the professional engineering association and are they available to this Committee.

Mr. Hughes replied he thought he could obtain a copy.

Mr. McKamey asked if they were available to the public as a whole. Would it be compulsory that they give a copy of the by-laws to any individual that might be interested in setting up a professional engineering company.

Mr. Hughes replied they were probably available.

Mr. McKamey said he was referring to the legal aspect. Has the public the right to demand to see these by-laws. When they legislate it is made available to the public and it seemed to him if they provide certain concessions and allow another autonomous body which makes by-laws, those by-laws should be available to the public.

Mr. Hughes stated that the association is not a society under the Societies Ordinance. They have not filed their by-laws with him, however he could arrange to secure them and have them on file in the future.

Mr. McKamey asked what Ordinance would they be incorporated under if they aren't under the Societies Ordinance.

Mr. Hughes replied they are a creation of the Engineering Profession Ordinance and this puts them outside his daily routine.

Mr. Watt asked if there is any appeal pending or if they pass this ordinance would it open the door for any new action on this particular case.

Mr. Hughes said no as far as he is aware there is no appeal pending, no appeal has been filed and no appeal could be raised now. Referring to the by-laws, he stated all by-laws passed by the association should be tabled by the Commissioner at a session of the Council under subsection (3) of section 10. Presumably this has been done and are probably filed in central registry. If the by-laws have not been presented and passed by Council they are not valid.

Mr. Watt asked if by passing this amendment to the ordinance, would they be opening doors in any way for new litigation to be brought against this particular company.

Mr. Hughes said there is no guarantee that litigation for prosecution wont be launched but as long as they try and prosecute Whitehorse Electric for carrying on engineering and not professional engineering they are not going to succeed. He didn't see any danger of the amendment reviving any actions or stimulating any further prosecutions but he couldn't control the actions of society.

Mr. Livesey stated it seemed to him a question of protecting the public from unscrupulous people was possibly the original motive behind bringing the Engineering Profession Ordinance into being. He thought there should be some limitation put on the powers of the professionals in comparison to the laymen. Where a lot of objection is apparently sustained is in the fringe areas where the professionals cease and the laymen take over and vice versa. This particular area doesn't seem to be clarified whereby it is readily discernible, just what powers those who have taken proper examinations should have and those who have practical experience sufficient to allow them to carry on in these fringe areas without actually transgressing on the field of the professional. This is missing and as far as the bill is concerned it seems to him what the bill does is fulfill this vacuum. This was brought to the public's attention by a judgement of Judge Parker's whereby corporations did not appear to be involved in any question of membership. He didn't feel that it is good ethics for a legislative body to participate in any particular action against an individual or create any tools whereby certain individuals can proceed when at the moment it is prohibited by lack of legislation. If this subsection (a) of section 17 does not create any means where further action can be taken and by making this specifically clear for one reason that if future action is based upon this section he would feel, if they pass it, that Council had done a disservice. He hoped that this would not be the case and he made this clear so the record of the Journals could be read at any future time. If it can be made known to the Council that subsection (a) of section 17 does not create any means whereby a party or parties may have new grounds for court action then he would say that it would be perfectly normal for them to pass the bill because it would fill a vacuum brought to the attention of the public by Justice Parker.

Mr. Watt said there seems to be some question brought up by a witness about the effect of the retroactivity of this ordinance and using a type of advertising as such before this amendment to the ordinance was put into effect.

Mr. Hughes said confining himself to what he knows of the advertising as set out in Mr. Justice Sisson's judgement, that was not an offence as charged. He said as charged because he thought the charge might have been made on another section. If they continue to use that advertising it still will not be an offence and they can still escape from that particular charge. This amendment would not widen the vulnerability of Whitehorse Electric unless they trespass into the use of the word "professional". This amendment enables associations and partnerships to practise professional engineering in the Territory provided it has as a member a qualified engineer in the sense he is a member of the association but if a corporation or association carried on engineering opposed to professional engineering, which is what Mr. Chamberlist is doing, this section doesn't affect them.

Mr. Taylor, with Mr. Boyd in the Chair, stated he couldn't see the big concern over this annexed judgement or series of court cases as Mr. Hughes has pointed out Judge Sissons in his final account of the case said "we are not entitled to infer in this case that engineer means professional engineer" and Judge Parker said if the Ordinance is to achieve its purpose then it should be amended to make quite clear what corporations might do and consequently they arrive at Bill no. 5 stating what a partnership, an association of persons or a corporation may do and in his interpretation of the bill it brings these people in line with the individual and he certainly couldn't see this opening the door for any unwarranted action against anyone. As for section 32 he would like to see a review and he would like to see it presented to Council at the next session and it is well worthy of looking at.

Mr. McKamey asked that the by-laws of the Engineering Profession be tabled as soon as possible.

Mr. Hughes stated he would undertake to secure them.

The motion that Bill No. 5 be passed out of committee without amendment was voted on.

Motion Carried.

Committee proceeded to Bill no. 17, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (First Appropriation Ordinance 1963-64)

Discussion
of Bill
No. 17

Mr. Shaw moved, seconded by Mr. Livesey, that Bill no. 17 be reported out of committee without amendment.

Motion Carried.

Committee proceeded to Bill No. 8, An Ordinance to Amend the Low Cost Housing Ordinance, with Mr. Spray and Mr. MacKenzie present.

Discussion
of Bill
No. 8

Mr. Shaw said he has become confused and suggested that this whole ordinance be repealed and a new one be drawn up. It appears to him that this might have been a little premature and they have discovered where there are facts that should be changed and he would be prepared to consider this.

Mr. Hughes stated he was bewildered too but it requires an act of faith on their part and it really flows from one simple thing, ignoring this change in values, etc. They had in mind giving security in section 2 but this was artificial because you can't really say a person is a holder in fee simple when he doesn't have title - he merely has a claim to secure title - so it was felt that that had to be changed and in doing that they have come up with all these subparagraphs to subsections etc. so whole intricate business flows from that. There is indeed a great deal of weight to be placed on Councillor Shaw's suggestion but he wasn't sure whether or not he was up against a time factor and if Council saw fit to accept these amendments now and where the scheme at least could be put in operation, as it is held up now, and they could come back with a new ordinance in the fall sitting and make suggestions. All in one passing and replace this involved business before them, but in the meantime they are trying to get this show on the road.

Mr. Watt said Mr. Spray had something to do with the suggestions of the drafting of the amendment to this ordinance and he wanted to hear his suggestions on how the amendments to the ordinance, as presented, make it easier to obtain loans under the Low Cost Housing Ordinance.

Mr. Spray said he was as lost as everyone else. One of the main points is that no longer does a person have to be refused a N.H.A. loan on grounds of inadequate income - they can be refused on any grounds. That is if they are building in a subdivision that hasn't water and sewer then C.M.H.C. will not loan money and they may, regardless of income. The second point is that if they are building a house the value of which is in excess of \$7,000.00 they may do so and obtain a first mortgage only - the maximum of \$6,000.00 but they may not obtain the second mortgage loan but they may build a house in excess of \$7,000.00 which they couldn't do under the old one. If they wish to build a home valued at only \$7,000.00 then they can obtain both the first and second mortgage loan. These are the two main points that were holding them up before.

Mr. Boyd said it seemed to him that the Administration has made an attempt to get around what was difficulties in the past and he would like to suggest they pass this as suggested and when they know what is not working and what is not satisfactory, maybe this fall they can do something about it.

Mr. Shaw asked if it would be possible for a person to borrow \$7,000.00 to build a house that he is not able to construct under C.M.H.C. regulations. He is assuming that the man has the qualifications to borrow the loan and that he isn't restricted if it is a \$10,000.00 home.

Mr. Hughes said he is limited to \$6,000.00 if he is going over the \$7,000.00 value and this question in the past was a difficulty because C.M.H.C. would refuse if there wasn't adequate drainage facilities etc. And they would refuse on grounds of income. Then they lowered the income but they still left this barrier that precluded them from filling the gap even though their refusal was lack of drainage. What these bits of drafting are trying to do is to make it work.

Mr. Shaw asked are there restrictions on income to borrow \$6,000.00 and he is assuming you can't get it under C.M.H.C.

Mr. Spray stated if a person applies for a loan of \$6,000.00 and has an income of \$2,500.00 and they check out his credit and it is excellent but he has six children and they know he can't make the monthly payments on a \$6,000.00 loan they will recommend he have a \$2,500.00 loan or no loan. There are no set limits as such written down for income however the whole case is judged on his income, credit rating and the necessary expenditure and his ability to repay the loan.

Mr. Shaw asked if the man has \$7,000.00 a year income and he wants to borrow \$6,000.00 would he be able to borrow the money.

Mr. Spray said if he is unable to get a loan from C.M.H.C. because of locale, or for any other reason, he would be eligible if all things are considered, credit rating, etc.

Mr. Shaw asked if a person wanted to extend a facility on his house, would it be possible for him to do so under this Low Cost Housing Ordinance.

Mr. Spray said no, not to extend the present dwelling. It is not a home improvement loan and they are available at the bank.

Mr. Watt asked if there is a set of building standards for such loans.

Mr. Spray replied the National Building Code.

Mr. Boyd asked if a man can borrow \$6,000.00 and do his own work.

Mr. Spray said yes as long as his plans are approved and as the building is constructed the inspections meet the requirements of the National Building Code, he can do his own work.

Mr. Boyd asked if there would be no curtailment on what he would build even if it is a \$12,000.00 house, this wouldn't concern anybody but himself even though he only borrowed \$6,000.00.

Mr. Spray replied before the loan he would submit his plans which would show a \$12,000.00 home and he would be asking for a loan of \$6,000.00, which would be the maximum he could obtain, he would have to show them where the balance of the \$12,000.00 is coming from. If he has no money in the bank; has a low paying job; is unable to put enough time in the house to amount to \$6,000.00 worth of labour; then they obviously aren't going to go for this. But if he can prove where he has a certain amount of money in the bank, has the ability to do a certain amount of work on his own home and has the time, then they will approve it.

Mr. Shaw said if a person had started building and then applied to C.M.H.C. and they said no because he had started construction, now would that person be precluded from borrowing because he had started even if what he had done is approved.

Mr. Spray said no but it would have to be at a stage where it is not past inspection so they could ensure that everything that is done to date is National Building Code Standards.

Mr. Watt pointed out that those living in subdivisions would be automatically disqualified because most agreements for sale are for 5 years and to obtain a loan your lease would have to be 5 yrs beyond the term of the loan.

Mr. Spray stated that if an individual wishes to take a loan under this ordinance and the loan is approved; he has the lot under an agreement for sale, with the consent of both parties, himself and the Commissioner, the agreement can be terminated and they can enter into a lease on the property with an individual for 5 years longer than the loan period.

Mr. Livesey referring to section 3 of the amendment which is in regard to second mortgage loans, he was wondering if the \$7,000.00 referred to means \$7,000.00 worth of additional construction.

Mr. Spray replied that a person may borrow a first mortgage loan, a maximum of \$6,000.00 regardless of the value of the house as long as he makes in excess of \$6,000.00. If he wishes to build a house of \$7,000.00 value and no more but hasn't any money of his own other than the piece of land, then he may borrow \$7,000.00 from them - \$6,000.00 first mortgage and \$1,000.00 second mortgage. To get the second mortgage he must not build in excess of \$7,000.00.

Mr. McKinnon asked if there was any reason given on why a second mortgage loan would only be made available to a person who was building a \$7,000.00 house or under. He failed to see the reasoning of this and why a person building a more expensive house couldn't get a second mortgage.

Mr. Spray stated that initially the Cabinet decision said that no house could exceed \$7,000.00 in value or a loan couldn't be given and they asked for this to be extended for people who wished to put some of their own money into it and as the 2nd mortgage loan is in effect a grant, they don't pay interest on it but the yearly payments are waived as long as they live in the house for the full 10 years or any portion thereof, and he imagined that Cabinet has figured that it is an outright grant and it will only be given to those who actually require it.

Mr. Shaw remarked that a \$7,000.00 wasn't much of a house but he agrees that these people should be assisted by this second mortgage as there are limits of where you can get a \$1,000.00 and he was happy to see that a person can borrow now to build himself a house which wasn't available in the past.

Mr. McKamey asked if someone was to make a loan in Beaver Creek, Dawson, Keno or Watson Lake, who would conduct the inspections in those outlying districts and how often and would there be any delay in the building.

Mr. Spray stated that the inspections would be made by the building inspector working out of his office excepting cases where say a house was being constructed in Keno and the Territorial Engineer was making a visit to that area just at the time when the inspection was required then they would supply him with all previous information and he could make the inspection as he is going through, and there would be no delay.

Mr. McKinnon asked if there has ever been any consideration given to asking for a plan from contractors what a \$7,000.00 home would look like. He would be interested in knowing as he didn't believe it was much. This includes labour and material and he couldn't see where it would be much more than a shack or a cabin.

Mr. Spray said it would depend upon the size of the house.

Mr. McKamey raised the point that the government figures \$16.00 per square foot, and possibly higher in the outlying districts.

Mr. Watt thought they were adding more restrictions. If a man has an agreement for sale for a piece of property he can get a loan and build on it. He then can pay for the land and own it and own the house with a mortgage against it, which is normal. He couldn't see why they couldn't do this here instead of changing the agreement of sale into a long term lease which restricts the property.

Mr. Hughes stated that it would have been possible to secure a loan by assigning to the Commissioner all the borrowers rights under an agreement for sale and purchase of the land on which the house is to be constructed. That was a device of their contriving here. Ottawa subsequently criticized this because they said under the Land Titles Act you can't register such an assignment and that is true. However it had looked like a good practical way so many people who had Agreements for Sale here and it seemed to them locally, and he took full responsibility for this, that it would be a good practical way to simply assign the agreement to the Commissioner until the matter was paid off however Ottawa weren't too happy about it. They took a more refined approach to the drafting and they suggest that instead of proceeding by assignment of agreements of sale they should either take a lease from these people and have it charged as this can be mortgaged and if that is not suitable then out of the money which is being advanced probably the man would take title and pay for the land and then you have the assurance that the charge is his and that can be mortgaged in favor of the Commissioner.

Mr. Watt asked wouldn't it be simpler and just as sound business practice if they entered into an agreement for sale for a piece of land and then get your mortgage registered, register your second mortgage and the occupier of the land couldn't transfer the land or evade his responsibilities without first complying with the mortgage as it is registered.

Mr. Hughes said this is what they are trying to do but unfortunately that type of interest is not an interest that you can mortgage and register in Land Titles.

Mr. Boyd moved this bill be passed as written subject to the amendments as requested by the Administration.

Mr. Shaw seconded the motion.

Mr. McKamey asked Mr. Spray if there are any requirements for foundations on this type of building in the National Building Code and if they're cement.

Mr. Spray replied they allow concrete pads and wooden posts.

Mr. Watt said if we assume that these mortgages go out under a lease what will the effect of these leases be on the resale of the property. He had a 3 year lease with the Federal Government which was cancelled by the Government and the people had built homes there and they were cancelled. Now they are asking to do the same thing. The land was leased, homes built and in some cases transferred to a 3rd party. As for this bill, in a period of 25 years the land could be transferred to a 3rd party. What would be the effect of the possible cancellation of these.

Mr. Hughes said the underlying idea is that the Commissioner would have title to the land and letters patent would be invested in him if the land is not already vested in him and he would lease. He didn't know anything about the particular case. It may not have been registered and it may not have been registerable.

Mr. Shaw moved, seconded by Mr. Watt, that Mr. Speaker do now resume the Chair for the purpose of giving Bill 17 third reading.

Motion Carried.

Mr. Speaker resumed the Chair.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 17, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (First Appropriation Ordinance 1963-64) third reading.

THIRD
Reading
Bill
No. 17

Motion Carried.

Council adjourned at 12:00 o'clock Noon.

Mr. Speaker called the House to order and said he would like to enquire if any decision had been reached by the Administration with respect to Bill No. 17.

Commissioner Cameron said he would give his assent to Bill No. 17 as passed by the Speaker and Members of Council.

Bill No.17 Assented to.

Mr. Shaw moved, seconded by Mr. McKamey, that Mr. Speaker do now leave the chair and Council resolve itself into a committee of the whole to continue discussing where they laid off that morning.

Motion Carried.

Mr. Taylor took the chair and said that prior to the noon adjournment he was informed that the motion, as he had interpreted it, was not so and that in fact the motion called for reporting Bill No. 8 out of committee as amended, or with amendment, and as no amendment had been proposed or considered by committee he would have to move to rule the motion out of order and consequently they may proceed on any lines that the committee desired. He instructed Clerk-in-Council to ask Mr. Spray to attend committee.

Discussion Bill No.8.

Mr. Spray attended Committee.

Mr. Taylor stated he had a piece of correspondence suggesting an amendment to Bill No. 8, respecting sub-paragraph 4, paragraph (d), sub-section 3, section 3 of the said ordinance which reads - "Be secured by a first mortgage in favour of the Commissioner upon the land on which the house is to be constructed."

Motion re Amendment Bill No.8.

Mr. Shaw said that as this has been read in Committee, would that not be an amendment.

Mr. Livesey stated he did not believe that any amendment has been proposed by any member of the committee and therefore no amendment has as yet been proposed.

Mr. Boyd moved that an amendment to Bill No. 8 be as written in this letter dated April 23, 1963, and signed by the Legal Adviser and which has been read by the Chairman of the Committee.

Mr. Shaw seconded the motion.

Mr. Watt suggested that the Legal Adviser be present and Clerk-in-Council was asked to inform the Legal Adviser that his presence in Committee was desired.

Mr. Hughes, Legal Adviser, attended Committee.

Mr. McKamey suggested they have a copy of what is proposed as an amendment so that they can have it before them and they will know what they are considering. The next proper procedure is that the Bill be read in Committee.

Mr. Taylor said the Bill had been read this morning but felt they should proceed in a more orderly manner and prepare these motions and follow procedure as closely as possible in the amending of the Bill.

Mr. Shaw withdrew as second to the motion.

Mr. Boyd withdrew his motion.

Agreed.

Mr. Taylor requested Clerk-in-Council to have copies made of the amendment and circulated to all members of the Committee.

Mr. Watt said it appeared there is an amendment by which a loan can be secured by a first mortgage upon the land. He wished to know if there had been any applications for Low Cost Housing to date and, if so, how many.

Mr. Spray replied that he could not give the exact number.

Mr. Watt wished to know what had been done with these applications.

Mr. Spray replied that the applications, in the first place, are without plans and they have sent out forms to ascertain credit rating and verification of salaries. Until the Low Cost Housing Ordinance is amended, they cannot go ahead on the scheme.

Mr. Watt said that if the amendment is to be passed, as printed and presented to them in Bill No. 8, would the applications fall in the matter of a loan, assuming the credit risk is okay.

Mr. Spray felt unable to answer that, but assuming credit was good for the amount asked for, they would have to check the plans. Without the plans he could not say.

Mr. Watt asked that if the plans were okay and the credit risk is okay, is there anything in the ordinance to stop them. Are there any obstacles they could eliminate here?

Mr. Spray replied that if the plans and credit are okay and they have sufficient income to repay the loan and if his department can satisfy themselves with regard to the land situation, whether they have a title and these people have been unable to secure a loan through CMHC, then there is no reason why the application should not go through.

Mr. McKinnon wished to know what the process is for applicants of the loan to prove that they are not eligible for a loan under the CMHC or NHA.

Mr. Spray replied that to a certain degree they do not have to prove it. If someone were to come in from Porter Creek and wishes to build a house in Porter Creek, then it is assumed that he is not eligible for Low Cost Housing from CHMC. It is only if someone wishes to build a house in Whitehorse or Dawson at the present time, then they would have to question him.

Mr. McKinnon said he saw nothing in the ordinance that prevents these monies from being used as a home improvement loan, say, if someone has a foundation and is looking for money to finish his building. Is this in regulations or is there something in the ordinance that prohibits the use of this money for building unless it is started right from the ground up.

Clerk-in-Council suggested that a new bill be typed reflecting those two letters in it before they go any further. There are not two amendments, but only one.

Agreed.

Mr. Taylor said he would be pleased if Clerk-in-Council proceeded along those lines.

Mr. Spray, in reply to Mr. McKinnon, said the Ordinance and Regulations are controlled by Cabinet decisions and there is a certain leeway in what might be termed Home Improvement Loans in that a loan may be made on a house that is already started, but they cannot make a loan where a house is already completely constructed.

Mr. McKinnon asked if anyone at Council table is familiar with the procedure that is followed in obtaining a Home Improvement Loan from the bank.

Mr. Watt stated it was pretty simple. You go to the bank and they will lend up to a maximum of \$4,000.00 to improve your home. They will ask for a list of the improvements you are planning on making, and who is going to do the work and where you are going to get the materials from if you do the work yourself. In a \$4,000.00 loan you can break this down to about twenty items, they are not really finicky about it - if they think you have some equity in the land and in the house, they are free with these home improvement loans. Their interest is 6% and you have to pay an insurance premium of one-half of one percent which goes to the Federal Government so that the Federal Government will ensure the loan is paid by the bank. You pay the loan to the bank, in other words, the Federal Government is backing the loan. If you wish to build more than one unit per house you are allowed \$4,000.00 for the first unit and \$1,500.00 for each unit thereafter. If you already have a first mortgage on the loan you can get this \$4,000.00 plus \$1,500.00 for each one minus the cost of the mortgage. This is available in areas that are not even sub-divided - people across the river, not in Riverdale, away from the Municipality of Whitehorse, have received such loans.

Mr. Taylor asked if they were willing to defer this item until they had the finished Bill.

Agreed.

Mr. Boyd asked if these mortgages are repayable at the option of the man who signs the mortgage - in other words, could he pay it ahead of time.

Mr. Spray said yes, under section 3(3)(f).

Mr. Taylor proceeded to Bill No. 9, An Ordinance to Amend the Liquor Ordinance.

Discussion
Bill No.9.

Mr. Livesey believed that when they suspended discussion on the Bill they were discussing the question in relation to the powers of any inspector under the terms of the Bill before them.

Mr. Taylor said he was opposed to the Bill in one respect and that is the inclusion of peace officers in the matter of suspending the operation of any licenced premises in the Yukon and he had given his reasons for it. He wished to reiterate that peace officers should not be left with too many discretionary powers.

Mr. McKinnon stated the trend is towards taking the powers away from the police officer and putting it in the hands of a qualified Liquor Inspector and he could not see why the Yukon should be the exception in this matter. He would object to this section in the ordinance also - he had strong misgivings about this amendment to the liquor ordinance at this time. He was led to believe that at the time the findings of the Liquor Enquiry Board came down and their recommendations were tabled that that would have been the time they would go through the Liquor Ordinance from a start-to-finish, following along their lines of recommendation and more or less do a complete overhaul of the ordinance. He would wish to hear from Mr. Boyd why this amendment is absolutely necessary at this time and why it could not have waited until the results of the Liquor Enquiry Board were brought before Council.

Mr. Boyd explained that it is the wish of the people, stated in every brief they listened to, and had it been a case of waiting until the fall he would not have brought it here now. For example, they sent a particular request for this Ordinance to be written in legal phraseology in January and when they went to sit in Council they still did not have it back from Ottawa. Could they imagine what will happen if they submit

their proposals governing the whole of the Liquor Commission - he would not expect to see it this fall and he doubted if they would see it next fall. He may be wrong, but they cannot take it as an accepted fact that Ottawa will give any attention to what they may submit to them this fall. He was getting tired of seeing these drunks around Whitehorse early in the morning and something has to be done to stop it.

Mr. Watt remarked that Mr. Boyd had been talking about delays and here they have just passed a motion curtailing liquor licences in Whitehorse until the Liquor Ordinance is passed.

Mr. Boyd stated the report would be submitted in ample time to get it here this fall - he was merely stating what action they get out of Ottawa, and he could not control Ottawa, but as far as the Liquor Committee is concerned, they will have their job done.

Mr. McKamey thought that the standard procedure when a committee is formed for a study in certain matters, that this committee come up with recommendations to the Council and not put legislation before it. Now they have legislation before them, so what is the purpose of Council. If they were to empower a Liquor Inspector and he was to be on duty 24 hours a day, at the hours most convenient to him, then his work would be effective, he would be getting to the roots of the problem. The amendment is already in the ordinance and it does not solve the problem. Right now, as the ordinance reads, he believed they have peace officers under the age of 21 and these men are being authorized to go into a cocktail lounge, They are minors, although peace officers.

Mr. Shaw thought the Bill quite reasonable in that it is providing for something that is not in the present ordinance. With regard to peace officers and a Liquor Inspector, the latter can only be in one place at a time and if a disturbance should start in a place far distant in the Territory, who is going to stop it. How can an inspector be spread over such a vast area. Mr. Boyd who had spent a great deal of time and work on this matter has come up before Council, as a representative of Council, telling them that it was the unanimous opinion of the people that there be more enforcement, so, no doubt his committee had passed that information on to the Administration with the request that a Bill be brought in to provide for enforcement in a particular instance where there is none.

Mr. Boyd wished to clarify the fact that this is not his doing alone, it is the wish of the Liquor Committee, and he had his instructions from them. As far as the inspector part is concerned, they had stated "inspector", and to their way of thinking an inspector was a capable man. It was certainly the duty of the Administration to hire competent men and, furthermore, the police do not want to walk into these different places.

Mr. Taylor said that in viewing the ordinance he could see that there was nothing but good intent in it, but he was opposed to one thing, and that is giving peace officers discretionary powers. Right now, as their Liquor Ordinance stands, under Section 3, of this proposed Bill respecting sub-section 4 of 12D, the peace officer has the discretionary power in the case only of Special Occasion Permits. He thought this should be removed as well as the words "or a peace officer" in Section 3 of the Bill; in sub-section 7 under section 4; and in 15B, sub-section 1.

Mr. Shaw wished to know what would happen if a riot developed as a result of a drinking party in a place where no one had discretionary powers.

Mr. Taylor replied that if such a thing did occur then the police would be called in by the licensee and there will be no need for suspension, suspension would be quite voluntary. He would not want to see discretionary powers given to untrained individuals, he would have no objections to a competent inspector being given these powers. It does not take a long time for a Liquor Inspector to inspect premises, so the balance of his time could be spent in making periodic checks around the Territory and this is what he

should be doing, moving about. He could check various places at various times during the course of the evening. He was referring to the powers of suspension and not to other matters as they have pretty wide control over the rest of the ordinance.

Mr. Shaw stated that in the case of a Special Occasion permit where immediate suspension is permissible if the place is not conducted in an orderly manner, then somebody has to have the power to do it and, if there isn't an Inspector in the vicinity, to whom would the powers be delegated. Council either has to accept the public's wish that more enforcement be instituted, or disregard the public's wishes. He could not foresee where the police would be going around shutting down every tavern, cocktail lounge or liquor outlet.

Mr. Taylor said he would be amenable to removing these powers from a peace officer and investing it in a magistrate or a Justice of the Peace.

Mr. Shaw said they have to have these peace officers because in Whitehorse now there is only one liquor inspector and he could not possibly cover the entire Territory.

Mr. McKamey agreed with Mr. Taylor, they should not be so loose with authority in suspending licences. However, if they are going to accept this, it would be a good idea for the peace officer to go to the Liquor Inspector with a report and the actual power to suspend be left with the Liquor Inspector or the Commissioner.

Mr. Hughes said that a year ago Council brought in a provision in 12D, subsection 4, relating to the suspension of a Special Occasion Permit. They accepted this, and as a result of their acceptance of it at that time, and its success in operation, the public wants to increase the powers of the peace officers to close premises where disorderly conduct was taking place. It was recognized that this was a dangerous thing, but they have to understand that there is only one liquor inspector, and it was therefore thought advisable to give these powers to peace officers in any place not easily accessible to a liquor inspector. It is open to the Commissioner to appoint a peace officer as a liquor inspector in any outlying area if the Commissioner of the RCMP agrees. An attempt is being made to narrow this authority of the police and it is not contemplated by the Administration that every police officer, other than the Special Occasion situation, should be free to walk in and close premises. The piece of legislation merely states the express views of the people, in other words they are hearing from their constituents. If Council rejects this amendment, they will be leaving on the books section 4 which they approved in 1962 and it would only be logical to move to repeal that and take away this power which was given to peace officers. They would have to go a little further than just reject this.

Mr. Taylor said he had pointed this out a few minutes ago - the way to do it is by repealing section 12D (4) and deleting the words "or a peace officer" from the present Bill in the sections he referred to earlier. If a place has to be closed immediately and a peace officer refers this to a magistrate or a Justice of the Peace, he could agree to this.

Mr. Boyd said they should bear in mind that no one wants to go around closing premises and that warnings should be given before this is done. If they eliminate the peace officer in the outlying areas what would they use for control in these places.

Mr. Taylor said the peace officer could contact the Liquor Inspector in this regard.

Mr. Boyd said that assuming it is a quarter to midnight and there has been considerable over-serving, by the time the peace officer gets around to seeing the magistrate for advice and action, it is probably 10:00 the next day and it is going to be pretty hard to prove in Court that there was over-serving. Many features of this nature could enter into this thing.

Mr. Taylor said that is covered in subsection 4 where it says - "in his opinion conduct of a disorderly nature has occurred."

Mr. Shaw said the liquor briefs came from operators of licenced premises as well as from the general public and he felt they should abide by the wishes of these people.

Mr. Livesey was worried about the suspension part of the Bill for if an order of suspension takes place, without the establishment of guilt, the individual who is suspended is already paying for an offence which has not as yet been proven. If there is a legitimate complaint, proceedings should take place against the individual on the grounds of the complaint and that complaint should be proved first before any suspension takes place.

Mr. McKinnon stated that in reference to Mr. Hughes' remarks that if Section 3 of this new amendment of the Liquor Ordinance is passed Council would have to consider the repeal of old subsection (4) regarding Special Occasion Permits, it was difficult for him to grasp the connection between the two. If he recollected correctly the reason why a police officer was given discriminatory powers under a Special Occasion Permit was that this Special Occasion would be lasting for a period of only one evening. With respect to assurances given by the Legal Adviser and Mr. Boyd, that the power to close premises would not be abused, and that this would pertain to outlying districts only, he could not see in the ordinance where this safeguard is given and there has been examples brought up where a police officer would have to use these powers in the suspension of a licence. If this section were left in the amendment it could possibly come to the situation where a person completely intoxicated could walk into a licensed premises, create a disturbance, and if the operator telephone the RCMP to get the man out, his licence could actually be suspended for this. The question is - who do they want to enforce the ordinance. He felt it should be a qualified and competent Liquor Inspector or inspectors. This is a business that is bringing in a lot of revenue to the Territory and if it takes two or three inspectors to enforce the ordinance properly, then that is what they need.

Mr. Taylor moved that an amendment be drafted to exclude from Bill No. 9 the following words "or a peace officer" from subsection 4 of section 12D; from subsection 7 of section 15; from subsection 1 of section 15B. Motion re Amendment Bill No.9.

Mr. Livesey seconded the motion.

Mr. McKamey understood this was only in reference to the cabaret lounge licence, but that is a permit and not a licence, so this must apply to taverns, cocktail lounges and cabaret lounges.

Mr. Hughes said that the powers which would be given to an Inspector or a peace officer to suspend a licence is limited to the licences issued under subsection 1 of section 12D - what they are talking about is the Special Occasion Permit, whether incorporated or not. He read the relative section. They are only dealing with the permits under section 1, subsection 1. He did not know whether this would call for a reconsideration of some of the remarks and possibly a review of the motion. However, he had to point out that under section 1 of the Bill Council had before them it does say - "an Inspector may suspend a licence issued pursuant to subsection 1," that is subsection 1 of section 12A. It is a possibility that in any of the outlying areas the Commissioner would pay heed to the expression of the public and seek to appoint a police officer as an assistant inspector. If it is their objection to giving peace officers this power, they must bear in mind that you can appoint a peace officer as an inspector.

Mr. McKinnon stated that he was under a misapprehension and apologized for any mistakes he may have made in regard to this. The trouble is that he has been against legislation on a piecemeal basis since he became a member of Council. An amendment in a broad ordinance is sometimes mistaken because they haven't the whole ordinance in front of them. He would vote against this ordinance because he believed that the proper time for such an amendment to the Liquor Ordinance is when the Liquor Enquiry Committee has examined its findings and given its recommendations to the Yukon Legislative Council. At that time he hoped to be able to sit down and examine the Liquor Ordinance from the beginning to the end.

Mr. Livesey did not believe it was the intention to eliminate police officers altogether, the idea is to invest in one individual the power to make decisions and if the Commissioner does appoint a peace officer as an inspector, he assumed that the Commissioner would appoint a corporal or someone of higher rank than the average individual policeman. This would place things in a different category. With regard to the Special Occasion Permit he felt this should also be left to the final decision of an inspector, preferably an inspector who is not a member of the RCMP.

Mr. Taylor stated they gave the power when they created this particular section of 12D of the ordinance - they did at that time feel it would work out, but it is not working out. He could not agree that these powers be given to a corporal - for example, at the New Year in Watson Lake they were going to be refused a licence to hold a Special Occasion on the grounds that there was an inconsistency between the regulations and the ordinance. It was necessary then to telephone the Commissioner who wired back through Mr. Vars advising that, in fact, we could have a Special Occasion Permit for a New Year's dance. People are placing all kinds of different interpretations - liquor inspectors, who would have the proper interpretations, could enact the ordinance. Therefore, he felt that any police constable or peace officer should not have the right of suspension. He agreed with Mr. McKinnon that they should not be getting legislation piecemeal.

Mr. McKamey said he was inclined to agree with Mr. McKinnon also that recommendations of the Liquor Enquiry Board should be submitted to Council first before steps were taken to legislate these recommendations.

Mr. Shaw said that from his experience of sitting down on the entire ordinance, this would be a tremendous undertaking. By the time you get to the end you are a lot more confused than when you started - this could be debated on both sides and he did not think it a strong point. He was against any change but if Committee felt otherwise they could vote on it and dispose of the matter.

Mr. Boyd stated that the Liquor Committee had no intention of submitting any piecemeal documents - this is the only one until the final one comes.

Mr. Watt was leary of putting too much power in the hands of too many people, peace officers and the like. However, he felt this was a reasonable presentation to Council to help enact their Liquor Ordinance and he thought the Liquor Commission had done a pretty fair job. The recommendation is reasonable and it may be the last one the Commission will give them in their term of office so, if this would make their ordinance more workable, he would vote first of all for the amendment, and then for the Liquor Ordinance as amended.

Mr. Taylor wondered if the Commissioner would appoint Liquor Inspectors without first consulting Council.

Mr. Hughes replied most definitely if the emergency arose, if conditions got so bad and there was not a Liquor Inspector available. He would look for an experienced person and not some well-intentioned householder.

Mr. Boyd said he had a motion there and were they ready for the question. He read - "It was moved by Mr. Taylor and seconded by Mr. Livesey that an amendment be drafted to exclude from Bill No. 9 the following words "or a Peace Officer" from subsection A of subsection 12B; from subsection 7 of section 15; from subsection 1 of section 15B.

Agreed

Motion Carried.

Mr. Shaw stated he was opposed to the motion.

Discussion
of Bill
No. 8

Mr. Taylor reminded committee that they now had the completed form of Bill No. 8 in their hands and he suggested they complete discussions on the Bill. He read the Bill.

Mr. Watt said that in the light of this added section "be secured by a first mortgage in favour of the Commissioner upon the land on which the house is to be constructed" - it was said this morning that one could not register this particular type of article because of the type of agreement for sale. Can this article, as described in the new section here, be registered as a mortgage?

Mr. Hughes stated they would have to understand the system of landholding. Before land goes on to his register it has to be the subject of a Crown grant. When a person comes into the office and makes an application to buy land, a period of several weeks or even several years may go by before he gets his land patent and until that happens he, the Legal Adviser, cannot register dealings with that land, even though the person is living on the land and is building a house. There is nothing on his books to show that the person has title to it. In the Land Office downstairs, they will have a record that he has an application in and provided he carries out so much building on the ground in a space of two or three years, he will be in line to have land patent. He could then go to the Legal Adviser with the property that is described, it is important that it is described accurately, and then when he has his letters patent this is noted, and they are in business. He could then sell that land and give somebody an effective transfer, he could also mortgage it. The same thing applies in the case of a lease - they would have to assume that under the procedure the Commissioner would obtain the land and take title and then the man comes in and registers the lease. It sounds complicated but this is the way it is operated now. In using the expression "being secured" it is a matter of indifference whether he owns the land or whether he has mortgaged his lease, but what the man cannot do is mortgage the agreement for sale. It is not an interest in land in the legal sense of the word. Most of this is a conveyancing problem.

Mr. Watt wished to know if there were any legal obstacles now in the way of granting this land and securing a loan. There was a legal obstacle before and that is why they do not have Low Cost Housing Loans at present.

Mr. Hughes said there was no legal obstacles in the case of people who held land. The main stumbling block was that Cabinet decision, the wording, which made it impossible for you to venture into the area of loans which the CMHC had taken over. If that had not happened, the people who have these simple titles really had bought the land and could obtain money under the loan scheme, but the other people would have had to gun in with their agreements for sale and either pay the rest of the money and get their title, or they would have to go to a long lease. Since this was coming back to Council they have taken the opportunity to improve the drafting.

Mr. Taylor said they must first consider the amendment as this was not the same Bill as was initially introduced - this is an amended Bill and if they would agree to the amendment, they could vote on the Bill as amended.

Mr. Shaw moved that the amendment be accepted as is.

Seconded by Mr. Boyd.

Motion Carried.

Mr. Shaw moved that Bill No. 8, An Ordinance to Amend the Low Cost Housing Ordinance be reported out of Committee as amended.

Seconded by Mr. Boyd.

Mr. Watt wished to know if there was anything in the Low Cost Housing Ordinance to stop a contractor or anybody else from getting say 10 of these loans, just the first mortgage of \$6,000.00 without the second, construct houses and resell.

Mr. Hughes thought the question should be directed to Mr. Spray.

Mr. McKamey asked if a loan could be secured on a prefab house, costing about \$6,800.00 which is brought up from B.C.

Mr. McKinnon said as it was last year, unless the regulations have been changed, the person who wants the first and second mortgage loan has to get a paper signed by a qualified contractor that the whole finished house is not going to exceed \$7,000.00.

Clerk-in-Council was asked to request Mr. Spray to attend Committee.

Mr. Spray attended Committee.

Mr. Watt repeated his question to Mr. Spray with reference to a contractor desiring to take up a certain number of loans and start a low cost housing development.

Mr. Spray replied that in the Ordinance as it is at the present time, in section 3 subsection 2 paragraph (b) "is not a mortgagor to the Commissioner." The Commissioner may make a loan to anybody who is not a mortgagor to the Commissioner. Technically, he would say, that if they took out a loan and applied for a second loan, they are already in mortgage to the Commissioner and cannot have a second loan.

Mr. Watt said that if the contractor or person applied for ten loans simultaneously, he is not a mortgagor to the Commissioner at the time the loan is made.

Mr. Spray replied that actually it has always been the view that if a contractor came along and had ten lots and wishes to build ten houses, it would be a good idea, but they would have to in some way control the rents. He is building under the low cost housing ordinance and if he charges exorbitant rents, there would be no purpose to the scheme.

Mr. Watt asked if the contractor could sell them and the purchaser take over the loans. You pay roughly \$30.00 a month back over a period of twenty years and it brings the cost of the house per month down. If it could be used along these lines, a person could then not just rent a house where it is under the control of a landlord, but buy it.

Mr. Spray replied that the purchasers would be buying it and the contractor would be making sure that he receives sufficient money to pay the loans which he had. Therefore the individual will be paying at least the same amount as he would had he got the loan from the Government and built it himself. The contractor may possibly sell at a profit.

Mr. Shaw said that if contractors went on this business it would defeat the purpose of the Bill. In the first instance the \$1,000.00 second mortgage is given to this person to help pay off the interest. It is a gift and it is to help that particular person to help himself. If contractors are brought into the deal, there must be a question of profit, it is an accepted form of business. Mr. Shaw felt this was for individuals, and contractors should not have their fingers in this pie at all.

Mr. Watt thought this ordinance would be most useful if made available to people like contractors, the end result would be the same, but the people would be owning the house. There is a possibility that the house will not cost more to the individual who is buying it as the contractor could possibly be able to buy everything cheaper at wholesale.

Mr. Taylor said the ordinance was designed to meet the requirements of those who did not have the finance to build fairly large homes and not for the upper income bracket.

Mr. Watt felt that this would make financing available - the Government is providing 90% financing for those in the higher brackets through CHMC and they in turn back another 15% of these loans through the second mortgage. They provide this service for the high income groups who do not need it as much as the low income groups, and this service is not provided to the low income groups. If they could provide 90% financing for low income groups they would have a lot more low income houses.

Mr. McKamey said that when this was first discussed it was for individuals and not for contractors - if they were to throw the door open to contractors, one contractor could absorb this right here in one little district. This is for the entire Yukon and not for one municipality or one specific area and everybody is supposed to have a chance to construct this type of a house. He now had a question to ask Mr. Spray. He had inspected a lot of pre-cut and pre-fab houses recently in B.C. and the price tags were from \$4,000.00 to \$6,800.00 - this included electrical wiring and plumbing. It would cost \$2,500.00 to transport it up here and if a person wanted to buy this house (it is a three-bedroom house), and was willing to pay the transportation, say to Mayo, \$2,500.00, would he be eligible for this loan, or would this be included in the cost of the house - where is the cut-off.

Mr. Spray stated that this would place the cost of the house at \$9,300.00. What they will do in all cases is to take the plan of the house, plus the materials that go into it, and the inspector would look at it and say - "This house constructed in Mayo would cost \$7,000.00". If the cost is over \$7,000.00 then the applicant would not be eligible for a second mortgage. The point of freight would have to be clarified but, he felt it would be included in the cost of the house.

Mr. Taylor said there was a motion before the House - "It was moved by Mr. Shaw and seconded by Mr. Boyd that Bill No. 8 be reported out of Committee as amended.

Motion Carried.

Mr. Boyd moved, seconded by Mr. Livesey, that Mr. Speaker do now resume his Chair and hear the report of the Chairman of Committees.

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee reported as follows:

Committee convened at 10:20 a.m. to discuss Public Bills and motions. The Committee considered a motion made on April 29th by Mr. Boyd, which was seconded by Mr. Shaw, that Bill No. 5, An Ordinance to Amend the Engineering Ordinance, be reported out of committee without amendment. The motion was carried.

Committee
Report

Mr. Shaw moved, seconded by Mr. Livesey, that Bill No. 17, be reported out of committee without amendment. The motion was carried.

Mr. Spray and Mr. MacKenzie attended committee to discuss Bill No. 8. It was moved by Mr. Boyd, seconded by Mr. Shaw, that Bill No. 8 be reported out of committee without amendment. The motion was carried.

The Chairman was informed by committee that the motion under consideration was incorrectly recorded and in fact the motion called for reporting Bill No. 8 out of committee with amendment. The Chairman ruled the motion out of order in view of no question having been previously determined respecting any amendment to Bill No. 8.

It was moved by Mr. Taylor, seconded by Mr. Livesey, that an amendment be drafted to exclude from Bill No. 9 the following words "or a Peace Officer" from subsection (4) of section 12D, subsection (7) of section 15, and subsection (1) of section 15D. The motion was carried.

It was moved by Mr. Shaw and seconded by Mr. Boyd that Bill No. 8 be reported out of committee **as amended**. The motion was carried.

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M. Wednesday, **May 1st, 1963.**