



# YUKON TERRITORIAL COUNCIL

FIRST SESSION 1964

## Votes and Proceedings

Volume 1

I N D E X

VOTES AND PROCEEDINGS - 1964 (First Session)

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5	nil	Amend Carcross Electrical Franchise			
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THE END.

VOTES AND PROCEEDINGS  
OF THE  
COUNCIL OF THE YUKON TERRITORY

Monday, March 23, 1964  
10:00 o'clock A.M.

The first session of the Council for the year 1964, being the Ninth Session of the Nineteenth Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 10:00 o'clock A.M. on Monday, March 23, 1964.

The members present were:

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

Mr. George O. Shaw, Dawson, was absent.

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

The Commissioner, Mr. G.R. Cameron, was ushered into the Council Chambers by the Sergeant-at-Arms and gave his address. (Set out as Sessional Paper No. 12)

Sessional  
Paper  
No. 12

Mr. Speaker thanked Commissioner Cameron for his address.

Mr. Taylor moved, seconded by Mr. Watt, that the Commissioner's address be taken into consideration on days following.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Boyd, for leave to introduce Bill No. 3, An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance.

Introducing  
Bill  
No. 3

Motion Carried.

On motion Council adjourned until 10:00 o'clock A.M., Tuesday, March 24th, 1964.

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Tuesday, March 24, 1964.  
10:00 o'clock A.M.

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

Mr. Boyd, Chairman of the Committee, gave a report of the Liquor Committee. (Set out as Sessional Paper No. 13) Sessional Paper #13.

Mr. McKamey moved, seconded by Mr. Boyd, for leave to introduce Bill No. 1, An Ordinance Respecting the Corporation of the City of Dawson. Motion Carried. Introducing Bills: #1

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 2, An Ordinance to Amend the Yukon Housing Ordinance. Motion Carried. #2.

Mr. Boyd moved, seconded by Mr. McKamey, for leave to introduce Bill No. 4, An Ordinance To Amend the Disabled Persons Allowance Ordinance. Motion Carried. #4.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 9, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Interim Supply Appropriation Ordinance 1964). Motion Carried. #9.

Mr. Boyd moved, seconded by Mr. Taylor, for leave to introduce Bill No. 7, An Ordinance to Amend the Pharmaceutical Chemists Ordinance. Motion Carried. #7.

Mr. McKamey moved, seconded by Mr. Boyd, for leave to introduce Bill No. 10, 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 1964-65). Motion Carried. #10.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 11, An Ordinance For Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Second Appropriation Ordinance 1964-65). Motion Carried. #11.

Mr. Watt gave notice of Motion regarding a Corridor and Free Port in Alaska. Motion No. 1

Mr. McKinnon gave notice of Motion concerning the Flooding in the Marwell Area. Motion No. 2

Mr. Watt gave notice of Motion regarding C.B.C. Broadcasting time for Territorial Councillors. Motion No. 3

Mr. Watt gave notice of Motion for the Production of Papers concerning the delay in Construction of Whitehorse Airport Terminal Building. Production of Papers No. 1

Mr. McKinnon directed a question to the Administration as follows: Would the Administration provide Council with the effect on Territorial revenues if the recommendations of the Liquor Committee are followed? Question No. 1

Mr. Taylor directed the following question to the Administration: Due to the fact that after two sessions of asking Votes and Proceedings have not been placed in Territorial Libraries, would the Administration assure Council that the Votes and Proceedings of this session will in fact appear in Territorial Libraries? Question No. 2

Mr. McKamey asked the following question: Advisory Committee and Council requested Public Accounts Report be given to each Member individually. When can we expect the Report? Question No. 3

Motion re  
Liquor  
Committee  
Report.

Mr. Taylor moved, seconded by Mr. Boyd that the Report of the Liquor Committee be tabled and considered on days following. Motion Carried.

1st & 2nd  
Readings  
Bill #3.

First and Second readings were given to Bill No. 3, An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance.

Mr. Taylor moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss matters on the Agenda. Motion Carried.

Mr. Speaker appointed Mr. Taylor chairman of Committees.

In Committee of the Whole:

Due to the unavailability of certain members of the Administration Committee recessed until 2:00 P.M.

2:00 o'clock P.M.  
Tuesday, March 24th, 1964

Discussion  
Sessional  
Paper #11

Mr. Taylor, Chairman of Committee, called the Committee to order and they proceeded to discuss Sessional Paper #11, Centennial Project Financing with Commissioner Cameron in attendance.

Commissioner Cameron said he had discussed this briefly when he was in Ottawa and had attempted to outline the result of his discussions in the Sessional Paper. This is the proposal that was more or less tentatively agreed to by the member of the Centennial Administration, Mr. Peter Aykroyd. He had put the proposal (outlined as Plan A) up to them and Council had agreed in principle that one year's liquor tax money could be used for Centennial projects, which they were quite happy with. The Northwest Territories do not have anything similar to this at present but they will have to come up with some idea of raising money. The proposal was that if the Yukon Territory put up \$15,000.00, representing the 15,000 people (it might be more or less depending on when they establish the population count), then the Federal Government might be approached to put up \$2.00 per capita, which would mean \$30,000.00. It was agreed that the \$15,000.00 could be taken from the \$56,000.00 made available to the Councillors. This makes a total of \$86,000.00 which could be available for seven constituencies. It was observed that the \$86,000.00 was made up of \$45,000.00 on the per capita basis plus \$41,000.00 which is the remainder of the liquor money. He went on to explain that the original provincial agreements call for one dollar from the Federal Government if the province puts up one dollar per capita and if the municipalities and other recognized organizations will make up the third dollar. This, of course, was not realistic in regard to either Territory. Plan B came out some time after the Centennial Administration was formed, and it came about by the fact that the two provinces where the Fathers of Confederation originally met, namely the provinces of Prince Edward Island and Quebec, had special Centennial Memorial Projects established whereby the Federal Government agreed to pay up to 50% of a \$5 million project. In effect, what actually happened, the Federal Government put up the \$2½ million towards this complex and all of the other eight provinces threw in money to make up the other \$2½ million. The other provinces then felt this was not particularly fair - it was Canada's 100th birthday in 1967 and they felt they should have an additional grant over and above the per capita sharing program for a memorial type

of complex and the Federal Government agreed to this. Then the Territories, it was felt, should get into the act in some form, certainly not to the tune of \$2½ million, but in some form of a grant to assist a Centennial Memorial Project. Mr. Aykroyd had asked him what type of capital structures or buildings they had in the City of Whitehorse. He was told there was only the Federal Building but that the city had continually pushed the building of a new museum estimated at a cost of approximately \$75,000.00. The City had also been attempting to establish a "Building and Equipment Fund" in order to get a proper City Hall, including a fire hall, everything under one roof. Mr. Aykroyd felt it sounded reasonable and said we could possibly sell the idea of dealing with the Territory on behalf of the city for this one project, which would be up to them to maintain. They agreed to use \$250,000.00 as a talking figure at this point, pointing out that if it came to \$300,000.00 it would not necessarily be turned down. Mr. Aykroyd had asked if this was accepted, would it be fair to ask the three Councillors of the City of Whitehorse to give up their portion of \$8,000 per year plus the 3/7 of the \$30,000 put up by the Federal Government and turn it over to the four Councillors in the outlying districts. This would mean giving \$21,500 each to the four constituencies for projects of a lasting nature. Commissioner Cameron also mentioned the possibility of approaching the Federal Government to set up a fund in the Yukon Territory of \$250,000.00, the interest received from this money to be used to assist cultural problems in the Yukon.

Mr. Boyd wondered if the possibility of closing in the Whitehorse Lions Swimming Pool was discussed.

Commissioner Cameron replied that there were no specific projects mentioned except the two outlined, but a number of projects had been submitted in writing from the Yukon Territory beforehand.

Mr. McKinnon asked how this could be agreed upon in principle, when there may be seven new members of Council next fall who might have different ideas on the Centennial project. To tie up any part of the liquor community development fund for a year can't bind them in any way, shape or form, so it would be impossible to agree in principle to any of the plans now.

Commissioner Cameron said he doubted, even if there were seven new Councillors in the fall, that they would think entirely opposite to this Council. He said the wheels must start rolling so that a Centennial Committee can be set up.

Mr. Taylor (with Mr. Boyd in the Chair) asked if the \$56,000, to be produced by the Territory, could be taken out of any one year between now and 1967?

Commissioner Cameron said yes.

Mr. Taylor said the reason he asked was that at Watson Lake they were contemplating building an arena which would cost quite a bit of money. Under Plan A or Plan B it would be a physical impossibility unless some other arrangement could be made with the Centennial Committee to provide more funds with which to join the provinces in the celebrations. He also asked if there had been any indication of how quickly the National Centennial Committee would come up with an answer as to whether or not they will accept what we accept, or when would they give a definite answer as to what they would be willing to do and what they would not be willing to do?

Commissioner Cameron said he could not answer the question but felt it was imperative that they get this cleared up as quickly as possible because they wanted to get down to the practical application of the whole program. We may have an answer in five days and then again it might take two weeks.

Mr. Boyd thought the responsibility at hand is to agree to one of the two proposals and rely on the conscience and reliability of the future Council to think along the lines of the present Council. Once this Council agrees to something, things will fall into line and everyone will know where they stand later on.

Mr. Livesey said if Council agrees to these proposals something definite must be done so Ottawa will know what is going on. Even after they have agreed to these proposals what could they take back to their constituents when the session was over so the Councillor can say - 'this is the situation, now you go ahead with this or that or some other plan'.

Commissioner Cameron said the stumbling block is the basic method of financing. In part what they are attempting to do is, if Council agrees in principle and the Federal Government says they will go along with this, to form the Centennial Committee here in the Yukon Territory. There is enthusiasm throughout the Territory as more than thirty recommendations and suggestions have been received. As soon as the Centennial Committee is formed they could sit down and consider the feasibility of projects for certain areas, but before it is known how much money is involved they cannot get down to the basics of promoting it to the individual. These projects must be completed by July of 1967 unless there were an exceptional excuse because they want to close the books at a certain date and then there will be no more money available. These projects must be approved individually, by the Administration, which should not be too difficult but there might be certain projects they would turn down as not being feasible or practical, also there are certain projects that the Centennial Committee will turn down. So the thing is now "Are we going to agree in principle to go after this amount of money".

Mr. Watt asked Commissioner Cameron if, when he was in Ottawa, was it discussed who normally is on these Centennial project committees.

Commissioner Cameron said he did not think they were usually members of the Legislature but where the municipality becomes involved the City Council might want to appoint one of their own members. Basically they were organizations such as the Lions, Kiwanis, Chamber of Commerce, etc.

Mr. McKamey said they would have to have some control of this as they had with the liquor proceeds.

Commissioner Cameron said the \$86,000.00, if accepted and split four ways, would leave the \$21,500.00 basically in control of the member of Council for that area and therefore any former commitments in a community would in all probability be honored. It is not the intention for the committee when it is formed to spend the money - it is still the member of Council for the constituency they represent. His committee will look into the feasibility, practicability and economics of the different projects for the community.

Mr. Taylor said it occurred to him that even though they were granted the \$21,500.00, if one project amounted to only \$10,000.00 could not the difference be shuffled between the districts?

Commissioner Cameron said he could see nothing wrong with that.



Mr. Livesey asked who would appoint the Centennial Committee and what would be its exact purpose and how would it operate? Would it take in both the programs, the one in connection with the capital of the area and the \$86,000.00 program.

Commissioner Cameron said it is his feeling the committee should probably be headed by Mr. Gibson and a list of names have been picked out from different locations throughout the Yukon Territory. This committee, when formed, would fit into just about every phase of the Centennial celebration, they would have to cover just about every facet. This committee would have a lot to do in establishing the celebrations - plays, concerts, road shows - this is all part of it. There is no money in either of these plans for this type of operation - this is where the clubs and organizations would come in - and these individual people, when they meet as a committee, would require \$600 or \$800 from the Treasury once or twice a year to meet in one central location. This is not chargeable to the Centennial finances - administrative costs are not an acceptable part of the Federal participation in the Centennial finances.

Mr. Watt said he is still not clear on the separation of the two different plans. Is Council being asked to approve of one of these plans or both of them and is the Centennial complex something that is being planned and very likely to go through?

Commissioner Cameron said that although Plan A and Plan B have been referred to, it is really one plan because one is contingent upon the other. In other words, if Plan B, which calls for the Centennial Complex in the City of Whitehorse were acceptable, it would be reasonable to assume that the three Whitehorse members would relinquish their share of the \$86,000.00 and turn it over to the other four.

Mr. Boyd observed that this complex doesn't interfere with the \$8,000.00 at all.

Commissioner Cameron verified this saying they are entirely separate. The \$250,000.00 used in Plan B as a talking figure under the Memorial program is not available to build capital structures in scattered locations, it is referred to as a complex, it might be three or four buildings in one block or area.

Mr. Livesey asked if Commissioner Cameron could inform the Council just when something will be definite that can be taken to the constituents.

Commissioner Cameron said this is what they are trying to do, if Council approves this and word is received back from Ottawa that this has been accepted, then the Councillors would be notified and they could go to their constituents with information on the exact amount of money which would be at their disposal for Centennial projects of a lasting nature. He thought any new members of Council would agree with the plan as it was not a particularly objectionable one and they would be foolish to turn their backs on it and say the last Council should never have done this.

Mr. Watt asked Commissioner Cameron how far approval has gone in Ottawa for the Centennial Complex?

Commissioner Cameron replied that the Federal Government agrees that the Northwest Territories and the Yukon Territory are entitled to some assistance. Certainly not 2½ million dollars per Territory, but they do concede the fact that we are entitled to a share of that amount of money.

Mr. Taylor asked if members would agree to defer this item for a very short time until Sessional Paper No. 11 has been tabled which contains the two proposals.

Agreed.

...../7

Discussion  
Re Interim  
Appropriation

A discussion followed on the matter of interim appropriation.

Mr. Livesey wanted a clear picture as to what would be gone over as far as interim appropriations are concerned. He mentioned:

(1) The possibility that the government would want to carry on and ask Council to decide on 1/12 of the appropriations for each department in the event that the discussion of the actual budget carried over for the period of just a year, which would be April 1st.

(2) The question of contracts, which came up last year, where it was suggested that if the Administration had received the okays from the Council on certain matters that they would have had a definite advantage with regard to the contracts and the contractual situations which arise in the spring and they may have been able to save certain tax money. In the event the debate on the budget carried them beyond the fiscal year they would go along with the 1/12 situation but would not feel committed to the entire budget.

Mr. MacKenzie (Territorial Treasurer) and Mr. Baker (Territorial Engineer) attended Committee.

Mr. Watt said in past discussions they had in mind something along the lines of an engineering supply bill put into a different supply bill. He believed what they had here was an interim supply bill which was 1/12 of the total of every item which means that if the interim supply bill were passed, this is in effect an approval of the entire budget. What the Committee had in mind before was something that could be called an engineering supply bill so that the engineering items could be put in a single supply bill, discussed, voted upon and be ready to begin with the session so the contracts could be called earlier in the year.

Mr. MacKenzie pointed out that this is taken care of by Bill #10 which is different from Bill #9, where we have engineering projects on which Administration would like the committee's approval so that invitations to tender might be put out. The Interim Supply Bill #9 is something else again, that simply gives Administration funds with which to carry on until the Main Supply Bill is passed some time late in April, which was done last year. What is being done now is repetition of past practices.

Mr. Taylor asked if this was the sum and total of all the engineering projects this season.

Mr. MacKenzie said no, these are all the engineering projects which the Territorial Engineer requires permission on at this time. There is no hurry about the others so there is no need to consider them as an urgent matter at this time.

Mr. Boyd wanted to know if the people in Watson Lake and Mayo have declared themselves as being able to pay for the water and the sewer. Have they been told how much it is going to cost them and are they prepared to accept that.

Mr. Taylor pointed out that the bill itself was not being deliberated upon at this time, and this would be gone into after the bill has been passed into committee.

Mr. Livesey said he didn't get his question answered regarding interim supply.

Mr. MacKenzie answered that this is the same point that arose last year and Council will now pass these bills with reservations as Councillor Livesey suggested, and would not imply wholesale approval of the whole supply bill by any means. It is still open to Council to reject, question, or throw out any item in the main estimates and the fact that the interim bill is passed makes no difference.

Mr. Livesey acknowledged satisfaction with the answer.

Mr. MacKenzie and Mr. Baker were excused and committee proceeded to consideration of the business of opening Council.

Discussion  
on Opening  
Procedure

Mr. McKinnon thought the Clerk had copies of the parliamentary procedure in Ottawa and it might be interesting for the Committee to know what procedure is followed in Ontario at the beginning of the session. He was unsuccessful in his efforts to find in the law library the different ways the legislatures in the provinces were opened, but did come across the parliamentary procedure for the opening of the legislative assembly in Ontario and it would be interesting if Mr. Clerk would provide members with this.

Mr. Livesey said that in view of some of the laws created by Mr. Robarts not very long ago they would not want to follow anything that is going on in Ontario. In connection with the time of opening of Council he could not see the logic of bringing the Council members to Whitehorse for four days of the week preceding the Easter holiday when everything would be shut down for four days. Some members have three hundred miles to drive to their homes. He wanted this discussed with the Administration to find out the reason for the time chosen and whether in the future a better system could be figured out as to when the sessions should commence.

Commissioner Cameron agreed that this is not a very good operation, having a four day layover, it is expensive to everyone concerned. He understood that the Council Sessions have been progressively creeping ahead a little bit and it has been an accumulation of things that have caused it. He agreed that he could step up his operation and get it far enough ahead so that they could probably call the spring session at the first of March and the fall session at approximately the middle of October. Administration is quite prepared to attempt this.

Mr. Livesey said the question he raised was a simple one, only a question of efficiency. It is not a question of who is at fault but where do they go from here to get around the problem? He had suggested going to Ottawa in the fall but they went down this spring and this added to the confusion. It would have been far better to go in the fall when work hadn't commenced and when Cabinet had not yet started to discuss the budget, and discuss problems with them prior to their discussions.

Mr. Watt moved Mr. MacKenzie be invited down to explain this and figure out a way to get the bookwork done faster so that they could establish a tentative date to help the future Councillors.

Commissioner Cameron again stated that Mr. MacKenzie had assured him that he felt sure he could step his program up and the one thing that would have to be asked for was the same assistance from Ottawa in stepping their program up so they could receive their estimates as early as possible.

Mr. Taylor said that under the circumstances this could be discussed with Mr. MacKenzie when discussing the budget.

Mr. Watt asked what happened yesterday at the opening ceremonies. He referred to an article in the Whitehorse Star about the opening of Council and said if there was something definitely wrong with the opening let's get it ironed out here or have a motion to have a standing committee on procedure so that in future it can be run properly. This would be the sensible solution to bringing uniformity to this twenty minute ceremony, one of the few occasions when the house has a bit of a gallery.

Mr. Taylor (with Mr. Boyd in the Chair) agreed with Mr. Watt that this is a situation that should be reconciled one way or another. He felt that they are not here to play to a gallery, they are here to get some work done and are doing their utmost on behalf of the constituents, but he also felt they were making every attempt, and Administration as well, to assist and perfect the decorum of this legislature. He was quite shocked to see this article which goes to his constituents as it does to each of the others. The item which reads "Commissioner 'stood up' by Speaker" and in his opinion a reflection on the Speaker is a reflection on the legislature as the Speaker is the servant of the House elected by Council. It states in the article "this is the second time in the past year that the opening ceremony had been bungled". Apparently this newspaper seems to know more about legislative procedure than they do. He felt it wrong of a newspaper to print such things without looking into the facts. The opening of Council was done in what he considered to be a very proper fashion and it was in a manner agreed to by the Council and the Administration. He felt that his constituents, and those of the other members, are getting the wrong opinion from the newspaper as to this particular situation.

Mr. McKinnon said that after the opening of the fall session last year it was pretty well the consensus of all parties, the Administration and the Council members, that there was a little different procedure followed. We met in the Commissioner's office after the opening to discuss this and it seemed quite amicable that it was just an oversight on someone's part or someone noticed it where they had not. There was no spite intended and all parties ended with an amicable solution and they would open the House in the same manner as it is opened in Ottawa. It appears that this year they could not use the big courtroom and be called before the representative of the Queen to hear the Speech from the Throne, but at the session they found the same procedure followed as the previous year. He felt it was too bad this happened again since they had had the meeting and decided to open the House in the same manner as the House of Commons. He knew that in the province of Ontario the Speaker does leave the Chair when the Lieutenant-Governor, representative of the Queen, comes and reads the Speech from the Throne. He gives up his Chair to the representative of the Queen. He had been looking for information on the other province's procedures but had not found them yet. He thought Mr. Watt's suggestion was a very good one. He would personally like to write the Clerks of the other provinces and find out how the opening procedure does work and report back to committee if he would be allowed to do this. This is a case where the procedure should definitely be cleared up once and for all.

Mr. Livesey thought this was a lot of political billy, nothing but politics. He said: "I felt the opening yesterday went about as smooth as silk and if they had had any peppercorns from India and a few spices and the aroma of burning scent,

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There couldn't have been a nicer opening. But somebody decided in the press, typically the Whitehorse Star, that this wasn't the way it was going to be, it was going to be some other way - these people are deciding what rules we are going to have in the House. We make the rules in this House, the same as was said in the House of Commons in the last week or so, the House is an entity unto itself and makes its own rules, and we make the rules here, and even if we are wrong, the rules are still right. This is the House itself as it may proceed. There is no indication of any lack of cooperation on my part and I can assure you that when I discussed this question with the Commissioner there were no problems there at all. It is quite true as the member from Whitehorse North has stated that we were thinking of using the courtroom in order to separate the House that belongs to the people's representatives from some other place. This unfortunately could not take place, so we decided, by agreement, that this is the way it was going to be again - we would do the same thing as in our last session - this is exactly the way it would be and as far as I knew when I walked in that morning there was no problem whatsoever, one way or the other, and there was not any intention on my part to try to get any admission from the Commissioner on anything along this line at all - I am not making these statements to do this, but I think this is a matter of very deep concern to the residents of the Territory when they are fed this kind of hot air and nonsense on the front page of a newspaper which is criticising democracy itself. This is what these people are doing, they talk about no respect for Administration or Administration personnel, they are entirely wrong in this respect. They have no respect for the Speaker's Chair, and no respect for this House either. This is the problem, they have one thing in mind, and that is disruption, this is all they seem to be interested in. They are not trying to promote good government, decent, sensible, reasonable government like we have done since 1958, those of us who have been members of Council since that date, they are not assisting us at all, their ideas are totally different. They have their own opinions and this is how they do it, on the front page of a newspaper. This newspaper travels all over the Yukon Territory and people read this, and some believe it. I hope to God that most don't because I feel, as a member of this Council that I have put in a tremendous number of hours and worked as hard as I could as a Canadian to help the Yukon Territory to get better government and I intend to continue in this work. I am quite sure all you other members are the same, and feel the same way about it. It seems to me that this isn't a question of what the Administration is trying to do to the Legislature or what the Legislature is trying to do to the Administration, but what the newspaper thinks is the right way to proceed and what they think we are doing wrong and this is the way they go about it. But the question is, as far as I can see, that the House makes up these rules themselves, they have to, we are in a very unfortunate position here in the Yukon - we don't have a proper Legislative Chamber, we have no Upper Chamber. If it was possible to have one I am quite sure we would use it and we would leave this House and go to some other place in order to meet anyone at all or go through the proper procedure or whatever procedure was laid down. As far as I can see it's not a question of what goes on in the Legislature of Ontario or what goes on in the Legislature of British Columbia or in any other province, or even in the Northwest Territories, it is what we want here, following the line, as far as I see it, of British parliamentary procedure and this is what we have been following since 1958 and I see nothing wrong with it. However, I feel, that we as a body here, are deeply interested in this and will continue to work for a more autonomous form of government and when we do find that the road is clear and we can see our way there will be changes made but I don't think this is the right way to make them, I think this is entirely wrong. The sooner these people who write these kind of articles realize it, the better, because the people of this Territory are just as important as they are anywhere else and the people of the Territory are represented in this House, they are represented by elected people and the Speaker's Chair represents their position. To cast aspersion and to propagate ridiculous

assumptions in the public press, without any basic foundation, to me is wrong, and it will always be wrong and I will continue to condemn it at every opportunity. What we have to do here is work for cooperation, the fullest cooperation and this includes the press because the press, don't forget, has a special position in my opinion. They have a special duty to perform. They are fulfilling the ideals of other democrats who, as you know, fought for freedom of the press and it didn't just necessarily mean freedom not to print, it meant freedom to print. This is what freedom of the press is, and this has been a long struggle and one of the finest of democratic principles and this, I hope, the press will look on and will fully understand. This is an opportunity whereby they can help democracy in the Yukon Territory. They can help the people to understand what the Western ideals are, why we have Western ideals and why we have democracy here. This is their golden opportunity to help their country and I hope they realize this and try to fulfill it in a better way than trying to make ridiculous spectacles of the House in the Yukon Territory."

Mr. Watt said he noticed Mr. McKinnon quoted from an item here which is parliamentary procedure in Ontario. He said that the Lieutenant Governor took the Speaker's Chair - this was at the first session of an opening of a new House so we should not take this as gospel that this is what we should follow. The item in question is whether the Speaker should sit or stand or have a chair beside the Speaker's. He said he is still not sure whether in the opening ceremony something was done wrong or not and he would never even have known about it had he not seen it in the paper.

Mr. McKinnon stated that the procedure of the opening of the House in the Yukon Territory is not set down in the rules of the House and this is where all the difficulty arises. He agreed with the Councillor from Carmacks-Kluane that it is the prerogative of this House as an entity unto itself to make whatever rules it so desires after the opening. Let's make the rules, put them into the rules of the House and then we have the controversy settled for all time. This is the second session in a row where controversy has arisen because there has been nothing specific written in the rules of the House as to the opening of the House and during the course of this session a rule on the procedure of the opening of the House should be written into the rules.

Mr. Livesey said: "One thing I would like to get clarified and that is the question of the Speech from the Throne. I think the Commissioner would agree with me that there is no such animal - we've got to straighten this out first. The Speech from the Throne is the Speech from the Throne from the House of Commons in Ottawa - that is the Speech from the Throne. As far as the Territories are concerned, I believe in the Northwest Territories the speech is the speech of the Commissioner, the Commissioner's opening address and I think this point should be clarified too. I think this, and this is not disrespect to anyone, this is the case here and also it is the Commissioner's opening address. I don't think the Commissioner is involved here at all, I believe this is a lot of paper talk, that's all I think this is or a question of trying to make an attempt to undo the work that we have done in the last six years. It has been a tremendous struggle to get the work done that we have done and I don't need to remind a good many people in the Yukon of some of the spectacles that took place in this House before we entered it. I'm not going to cover this subject at all because I



don't think it is necessary but we have made a number of changes, a tremendous number of changes and I think they are all good and hope we continue in this way. Because a newspaper decides that they think that something should be some other way surely doesn't make it either right or wrong, it's their opinion. But unfortunately in the newspapers in the North we don't have sufficient opportunity here to provide other means of getting news to the public so they can hear both sides of the question. After they have heard both sides of the question then they can, properly I think, decide whether one is right or the other is right, but ours is in a further unfortunate position - even the radio news comes from the same newspaper that criticized the Council. This is the problem I think, so where do we go from here? I think the question is that the public are entitled to know what we talk about in here, they are entitled to know what we say and what we think and what we deliberate upon, not what someone's opinion of what we said, but actually what we did say then if anyone wants to criticize us, let them go to it, there is nothing wrong with this. No one is trying to stifle opposition or stifle criticism, the newspapers can criticize anyone - we know this, we wouldn't even think they should be stopped, but the situation is - let's surely get down to brass tacks and talk about something sensible, let's not go along on something like this."

Mr. Boyd felt there was no point in discussing this further, but that the next Council will automatically make it its business to take steps to clarify the situation and eliminate all this hassle.

The Chairman proceeded to the next item on the agenda - The Metropolitan Plan.

Discussion  
Metropolitan  
Plan

Commissioner Cameron said that the Central Mortgage and Housing Plan is not to be submitted this session.

Mr. Boyd felt members of the Administration should be present for discussion on this item because this thing, when it started off two sessions ago, was important and they wanted it passed at that time but a few wrinkles got in it. He said: "What I don't understand is what is holding it up. I am not too concerned with what is holding it up if the rest of the country could be loosened up. The whole country is tied up because of this plan. If we are going to lock the doors, let's lock them. You cannot buy a piece of land, you cannot get any action ... I've got a letter here and it says 'Because of this plan I must refuse your application'. What plan is he talking about? It isn't in existence, now if it isn't going to come into existence now or a year from now or five years from now, what are we doing? We've got to start something here, we can't hold up people. They want to go into business, they can't go into business and I say this factually. Let's say we're going to toss this plan out until you are prepared to do something with it. Who is holding it up? Where are we going to start? I want the plan but I don't want it two years from now or five years from now at the expense of the public."

Commissioner Cameron said he would have to check and find out where it stands at the present time. The holdup is over legislation for the implementation of the plan before it is submitted for final approval, but just where we stand on that he didn't know. There are a number of problems arising similar to Mr. Boyd's query and he agreed that it should be dealt with as quickly as possible. They are trying to get legislation drafted in order to include improvement district and village and so on. He said he would get the information on this.

After a short recess committee was called to order with Commissioner Cameron and Mr. D. Spray, Area Development Officer, in attendance.

Commissioner Cameron reported he had checked and it is the legislation or the presentation of this plan, it is scheduled for the fall session this year. The delay has been in setting up legislation. The legislation is very involved, the legislative committee has been sitting on this, plus other programs, all winter now, regularly once a week and sometimes oftener. For example, there will have to be legislation established for a complete new ordinance and legislation for a complete new set of bylaws and a change of the municipal act. Another thing they are looking into is the possibility of increasing the boundaries of the City of Whitehorse to include the Metropolitan area. This might not be feasible or practical, but in fact it originally was established for the proper orderly development and growth of the City of Whitehorse. The problems do arise as Mr. Boyd mentioned, where people are applying for the land and you refer to this plan. If you do throw this land open and ignore the plan, you can see what would happen - everybody would buy land knowing it will be of more value when it is zoned and set up in order under the plan.

Mr. Boyd accepted Commissioner Cameron's statement and replied that if by any chance there are any doubts about this they had better loosen up this country and let somebody get into business if they so desire. They have been "dilly-dallying" with Lot 19 and they might just as well have never started as they would be as far ahead as they are today. Unless somebody takes some initiative and says they are going to have the ground to make this acceptable, they are going to "dilly-dally" for another period of years. All this had to be thoroughly understood and accepted. Certain things are going to be done. If they can get something like this, all right, but if it is just a matter of putting it down here in another form and then they have to "dilly-dally" and get somebody to make up his mind whether he will challenge the White Pass and get this ground, this is not enough. If a man wants a piece of ground here in town the price is outrageous and the result is he moves off somewhere and it is going to be this way. If it is only going to be until fall, they can go on as they have gone on a couple of years now but if it isn't going to be finalized then it is time they started thinking.

Commissioner Cameron said he certainly wouldn't want it to be accepted as gospel that it would be submitted this fall. That is the way it is set up here and the way it is set up with the drafting division in Ottawa.

Mr. Watt said the land in the Whitehorse area has not been tied up for a year or 18 months, it has been tied up for a good five years, since the first utterance of the words Metropolitan Area. His first appointment to Council was to the Lands Committee and it was in existence long before he became a member of the Territorial Council. People have to live and they are moving out because they cannot get land to establish themselves in homes. They don't want a piece of land that belongs to the government or a piece of land that belongs to White Pass. They wouldn't spend money to improve their homes. If it is merely a matter of trying to draft legislation for expropriation proceedings he didn't think that should hold up the development of the plan because Whitehorse could get along without that 42% if the White Pass want to keep it. There is a large area in upper Whitehorse that could be developed and a lot of it is serviced with sewer and water right now. It is an inefficient way of doing it but if this were proposed, the pressure of the local businessmen on the White Pass to release some of this land would be enough to release it. This is what the Whitehorse Board of

Trade should be working on instead of a lot of other things they are concerning themselves with. He suggested that Council take this plan in this session - there are going to be some items they are not going to like and not going to accept - but take it and eliminate some of the points that the Council do not think are good for the Yukon Territory and get the Yukon moving again, get the Whitehorse area moving again a little bit.

Mr. Boyd said he wasn't in favor of this proposal. He would go along with the idea to wait 'till fall.

Mr. Taylor (with Mr. Boyd in the Chair) said there was one thing that puzzles him respecting the Metropolitan Plan and its relationship to the new legislation they have been expecting for some two years. The problem here is similar to the one in Watson Lake - it can't develop, can't go anywhere. It occurs to him there is new development in the Whitehorse area - that is, the new Imperial Mines potential in the copper belt which can no doubt add facility and settlement within this Metropolitan Area, insomuch as it is so close. Possibly the changeover of the Alaska Highway will create new homes by civilian personnel wishing to build and he could certainly sympathize with the Honourable Whitehorse members in this regard - these things, it appears, take years and years to accomplish. Whitehorse nor any other community can afford to stand and wait that long to get legislative action and we should strive to point this out to Ottawa and the people who are drafting the legislation and preparing the plans and so forth. It is realized these things cannot be done overnight but they could be hastened along somewhat, so as not to retard development. One item he wanted clarified by either Mr. Spray or Commissioner Cameron was "How does the proposed legislation actually affect the Metropolitan Plan? Are we dealing with two pieces of legislation or one? And if we are dealing with two, how does the new legislation, apart from amending our own Municipal Ordinance, affect the Metropolitan Plan?"

Commissioner Cameron said we could be dealing with two separate pieces of legislation or we could be dealing with one. This is what we are checking into at the present time.

Mr. Taylor gathered then that the legislation Council has asked for respecting improvement districts and townsite or village status would not apply in any way shape or form, really, to the Metropolitan Plan. That this only applies to those settlements that are growing outside of Whitehorse.

Commissioner Cameron said if the City expanded their boundaries we wouldn't be interested in village status and so on within the Metropolitan area. The Territory would still be interested in this beyond the Metropolitan area. But if we take by-laws and a separate ordinance, this is included in a new ordinance with the regulations and so on concerning towns, villages and improvement districts. Possibly Mr. Spray could enlarge on this.

Mr. Spray said that the local improvement district ordinance is a separate ordinance and has nothing to do with the Whitehorse Metropolitan committee whatsoever, unless Porter Creek is left outside the City limits and then it could possibly be an improvement district. The village legislation might be incorporated in the municipal ordinance because the two work very closely. The main thing in the Metropolitan plan is the zoning, you either have to have the city limits extended to include the whole metropolitan area and then the city zoned by by-law, or else you would have to have a separate ordinance if the metropolitan area was to zone the entire metropolitan area. Either way we have to have further legislation.

Mr. Boyd felt they would have no choice but were compelled to wait

until fall and hope for the best which will then fall into the hands of the new Council. He said he hoped they have real success in getting this straightened out.

Mr. McKamey asked the Commissioner what effect the Metropolitan Plan's restrictions would have on the New Imperial Mines.

Commissioner Cameron said "Let me put it this way, personally, if the New Imperial Mines are prepared, and when they are prepared to go into production there will be certain definite commitments on behalf of the Administration to help them in every possible way, and if necessary, make an exception to the Metropolitan plan in order to get this mine into production. He said he was just speaking off the top of his head in this but felt that it would be a shame to shut down an industry such as a mine because of a few feet here or there of the centre line of a highway. There is justification for making this exception and making it a good exception. There will be other things that will be justified and accepted, but this is the one point brought up and we would definitely have to look at ways around it so we wouldn't have to go to New Imperial Mines and say we were sorry but the Metropolitan Plan doesn't allow you to go into production."

Mr. Boyd said this is just the point he has been trying to get around for a long time. You have glosed the gates and here we have men now who are ready to spend money. Imperial Mines have been there a long time, that ground has been there a long time, you are prepared to make a concession for them even though the plan hasn't even been presented to us. This is not good enough. I can appreciate the money end of it but can also appreciate another individual who hasn't got the people's share money in his pocket by way of share money, he has his own money in his pocket and he is entitled to just as much consideration, within reason. I suggested this could be controlled and it should be controlled.

Commissioner Cameron did not agree entirely with Mr. Boyd and therefore endeavoured to clarify a point. He said "You brought up New Imperial Mines as an example. There is nothing wrong with New Imperial Mines to my knowledge, going into production or becoming a mine, there is nothing in conflict with the metropolitan area, except some warehouses which they are interested in getting on this side of McCrae, which they would have to bid on like anybody else will do. Should they be successful, they would request a lease of the land. He felt the exception could be made here, which is entirely different to the gentleman referred to or the business referred to, because this you might say is a change of ownership, the structure is already there. Another point is their location they are practically on the McCrae industrial site so you could possibly say we will expand the perimeter bounds of the McCrae industrial site, and maybe the gentleman or the organization referred to may have a point, but the one brought up just now was the New Imperial Mines." He felt it would be wrong to say to them that I'm sorry you will have to build new warehouses those have to be torn down, you can't have the land. He said he thought there would have to be a clause written into the lease stipulating it would have to be used specifically for the purpose of bringing this mine into production.

Mr. Spray said the Metropolitan area extends four miles on either side of the Alaska Highway and is also subject to development. The New Imperial Mines obviously can't come into the City of Whitehorse and the C.M.H.C. when they drew up the plan said that such an exception might have to be made.

Mr. McKamey asked whether Imperial Mines are aware of this plan going into effect.

Commissioner Cameron said yes, they have been corresponding along these lines.

Mr. Watt said he understands the plan covers four miles either side of the highway whether it is in the green belt or not. The green belt is laid out as no area for commercial or industrial expansion, that is 750 feet from the right-of-way which is 900 feet from the centre of the highway.

Commissioner Cameron clarified the point that there is nothing being put off, not a single thing. There was \$30,000. expended for a plan and it takes many months and sometimes years to get this thing so it is actually operational, there will be many wrinkles to iron out, now and in the future, and the legislation involved is immense and very complicated, but this thing has not been shelved, it is being worked on and has been worked on all winter every single week and sometimes more often by the legislative committee and the correspondence is back and forth all the time between C.M.H.C. and the Northern Affairs Department and our own Department. For the orderly growth of the City of Whitehorse. Talking about green belts, this was put in because that is exactly what it meant. It is for the City of Whitehorse, it is the people of Whitehorse and the business people and the high tax payers in the City of Whitehorse that you will have to answer to if you are going to turn all of this area wide open. They want to eventually control it. It is hoped that when this plan reaches maturity, we'll say in 20 years, that the city of Whitehorse would actually cover the perimeter as spelled out in this plan and they would have had some control over where houses were, where barns were, or hotels; it would divert traffic or bring everything into a central or focal point. Naturally your highest taxpayers are the centre of main business and this is the whole idea of the plan. If this Council so decided that until such time as the plan is completely accepted, throw all of this land wide open, then we could do this, but then you would throw \$30,000.00 down the drain.

Mr. Watt thought there was a way to salvage the \$30,000.00 investment and still throw some of this land wide open. The plan itself calls for projected and orderly development in certain areas in Whitehorse, and in the next 20 years they have allowed for something like 25,000 people in the Whitehorse area as part of the City of Whitehorse, and that doesn't even touch up the hill. In other words for the next 20 years we could release this questionable land we are talking about now and still have a plan that is in keeping with the plan as it is for the next 20 years, and he didn't think this was wasting \$30,000 dollars. By that time another plan would be needed anyway. We could accept it for the first 20 years stage of the plan.

Commissioner Cameron pointed out it is only a 20 year plan. That's the full life of the plan and its agreed by the C.M.H.C. that the final product will not necessarily look like the plan as submitted. This is merely a guide for 20 years of development of the City of Whitehorse.

Mr. Watt asked the Commissioner what is the position of the City with this plan now. Have they accepted it in part or in whole, or merely in principle?

Commissioner Cameron said they have accepted it in whole and in principle and they are now awaiting legislation which we could present to them through a change in the Municipal Act so that they could implement the plan. They are not without frustrations either. They are having the same problems that have been brought up by Mr. Boyd and Mr. Watt. They are trying to hold within the definition of the plan and yet not having been accepted in its entirety and in detail, they are having problems

Mr. Boyd asked the Commissioner and Mr. Spray what is the standing now that the Army has moved out off the top of the hill. There are going to be quite a few vacant lots up there - could a person buy a lot up there now and build a house on it or would he be told he would have to build it down town.

Commissioner Cameron replied that he would hope they would have to tell him to build it downtown or go out to Porter Creek. He was not sure that they would but would hope so. This is one of the things they have been trying to control and it has certainly been a bone of contention for a number of years amongst Council and individuals, as why do we allow these little places to suddenly crop up, why don't we put some control on it. This is the problem Mr. Taylor has in his own town. This is what happens in all these little places, it is not that we are being stingy with a quarter of a million square miles of land, but we find that we have to come back and lay our heads on the table before you and ask for more money to try and develop these little communities that suddenly grow up.

Mr. Taylor said that in Watson Lake the situation was recognized by many people years ago but the Administration failed to take action on it and when they did take action on it, took the same old deal of waiting.

Mr. Watt said his line of thought is much along the lines of Mr. Boyd's. We are trying to do our level best to develop down here in Whitehorse as fast as possible, but it seems almost impossible. If the Whitehorse City Council is sincere at all in trying to be fair with the people of the Yukon Territory, they would make sure that there would be land released in lower Whitehorse at a reasonable rate and as Mr. Boyd said we wouldn't have to go up on the hill. It isn't right that 42% of the land should be tied up by one company. The businessmen who want to protect their investments, if they thought for one minute that there would be something developed away from the centre of their investment they would get on their high horse and help to have land released in lower Whitehorse. This is the whole point. If we can't get any co-operation or help from the Administration the businessmen in Whitehorse, or from the City Council, he was going to do everything he could to get land released up the hill. If there are better ways of making it possible to live in the Yukon he thought it was to having land open down here and develop it.

Commissioner Cameron suggested that Mr. Watt's battle is with the City at the present time, and couldn't see what he meant in the form of co-operation.. We can't go out and seize property, we don't have expropriation powers at the present time. The City certainly has certainly restricted expropriation powers for streets but you would have to put it into a practical plan as to what he feels should be done.

Mr. Watt suggested that the better word to be used is co-operation between the three levels of government, with a little help from the business organizations in town to get land and property released. We are just driving people out of the Territory. We are not encouraging satellite settlements, but if it is a choice, and it is right now, my choice is either development on the hill and preventing the complete freezing of this land or very little development in the Whitehorse area at all.

Commissioner Cameron reiterated that Mr. Watt's problem is one with the City, we have just become involved. We have been trying to assist at the present time because it includes Territorial lands under the present regulations, but if he can sell it to them he didn't think there would be any particular exceptions here.

Mr. Watt asked if the City Council had control of the lands in upper Whitehorse.



Commissioner Cameron said the City Council doesn't but the City asked for the metropolitan plan and we would certainly be sniping them right in the back yard if we turned around and turned the land loose.

Mr. Watt said how can we forget the plan if we have been sitting on it for two years, we are patiently waiting. It isn't sniping at anyone, and if more genuine co-operation was given this legislation would have been handed down and thing speeded up. It seems what they want now is a complete freezing of the land. He felt the City Council would probably want land released in Whitehorse. If this land is not released it is the fault of those around this table.

Mr. Livesey wondered if it was not quite true that the Whitehorse City Council have for a number of years more or less balked at extending their boundaries of the City to other areas due to the fact that they felt that they were extending their resources and possibly were going to jeopardize the operation of the City itself by extending their boundaries to an area that would include a greater area of expense to them. Related to this question and in strict relation to the Metropolitan plan, he asked permission to ask Commissioner Cameron if the City has definitely decided that if the Metropolitan plan goes through they will extend their boundaries to take in the area of land now discussed by the various members of the committee this afternoon, for which at the moment we don't have anything definite.

Commissioner Cameron said the City of Whitehorse has probably never even heard of this suggestion. It has been discussed with the legislative programming committee and it will not be presented to the City Council until we look into the financial aspects. What happens there is that the City of Whitehorse receives grants from the Federal Government and also from the Territorial Government on an assessment basis and this would increase their grants. This is in the information stage at the present time for discussion and further checking on the finances. Possibly Mr. Spray had something more on that.

Mr. Spray said he had nothing more on the financial aspects of it.

Mr. Watt said he had talked to some members of the City Council and gathered that they wouldn't even take Camp Takhini if you gave it to them. If they don't even want to take in the Camp Takhini area, how can we even entertain the thought that they would consider extending their boundaries further.

Commissioner Cameron said he would like to correct the statement and say that they will take Camp Takhini when the time comes. Before the last election the Councillors and Mayor thought it was certainly quite reasonable, and these Councillors, once they have had it explained to them, will also feel that way.

Mr. McKamey suggested we set April 10<sup>th</sup> as a day certain for meeting with Dr. Kinloch and Mr. Wishart who have agreed to come to discuss water and sewer projects for Watson Lake and Mayo.

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

Motion Carried.

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

Committee convened at 10:45 a.m. and recessed until 2 o'clock p.m. At this time Committee reconvened to discuss Centennial grant proposals with Commissioner Cameron in attendance. Mr. Baker and Mr. MacKenzie attended to discuss Interim Appropriation. Committee then discussed problems relating to the opening of Council and the Whitehorse Metropolitan Plan.

Committee  
Report

Council accepted the report of the Committee and adjourned until 10:00 A.M., Wednesday, March 25th.

..... /19

Wednesday, March 25, 1964  
10:00 o'clock A.M.

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

Mr. Speaker tabled several memoranda from Commissioner Cameron regarding the following:

Sessional Papers:

- |  |        |
|--|--------|
| (1) Public Washroom Facilities (Set out as Sessional Paper No. 1);                                       | No. 1  |
| (2) Court Facilities (Set out as Sessional Paper No. 2);   | No. 2  |
| (3) Removal of Lewes River Dam (Set out as Sessional Paper No. 3);                                       | No. 3  |
| (4) Proposed Sale of Securities Ordinance (Set out as Sessional Paper No. 4);                            | No. 4  |
| (5) Senior Legal Officer-Yukon (Set out as Sessional Paper No. 5);                                       | No. 5  |
| (6) Emergency Airstrip Nahanni Range Road (Set out as Sessional Paper No. 6);                            | No. 6  |
| (7) Gambling Dawson City (Motion No. 6, 1963-2nd) (Set out as Sessional Paper No. 7);                    | No. 7  |
| (8) Design of Mace (Motion No. 11, 1963-2nd) (Set out as Sessional Paper No. 8);                         | No. 8  |
| (9) Workmen's Compensation Claim - Mr. Doherty (Set out as Sessional Paper No. 9); and                   | No. 9  |
| (10) Annual Report on Operation of Yukon Territorial Schools 1962-63 (Set out as Sessional Paper No.10). | No. 10 |

Mr. Boyd gave notice of Motion regarding fuel oil tax.

Motions:  
No. 4

Mr. McKinnon gave notice of Motion regarding a Road from Porter Creek to garbage dump.

No. 5

Mr. Watt moved, seconded by Mr. McKamey, that the Administration be respectfully requested to present to Council all facts and information with respect to delay in construction of the Whitehorse Airport Terminal Building.

Production of Papers  
No. 1

Motion Carried.

Mr. Watt moved, seconded by Mr. Boyd, the Government of the Yukon Territory respectfully request that the Government of Canada commence negotiations with the Government of the U.S.A. The purpose of these negotiations would be to obtain for Canada a free port and a free corridor through the Alaska Pan Handle.

Motion  
No. 1

Mr. Watt said the idea behind the motion is that the Yukon does not have a very good outlet to the Pacific Ocean. There have been discussions of this item in the past and the general feeling is that a free port or corridor is needed in the Alaska Pan Handle. In the motion there is no mention of the location. It was brought up at this time because consideration is needed now. He wanted the unanimous consent of Council. He felt the Government of Canada may assist in this and if not could offer some alternative.

Mr. McKamey questioned Mr. Watt as to what he meant by free corridor.

Mr. Watt replied he meant to allow free accesses to and from the Pacific Ocean with a bare minimum of interference from Customs.

Mr. Taylor said this situation arose sometime ago and he was not sure if negotiations had ever started. He realized that the Pan Handle of Alaska presented quite a problem to the Yukon. There are only two places where they could have a free port. One of the problems that had arisen and which will always be with them as long as the Pan Handle exists is the fact that there are two conflicting economies - that of Alaska and that of Canada. He wondered what the benefits would be in having a free port.

Mr. Watt said this motion will not solve all the problems of the Yukon Territory but this would help the transfer of goods through the Territory and increase transportation. He hoped Council would pass the motion.

Mr. McKamey said in seconding the motion, it had received all his support and should have been acted on long ago. He thought some type of corridor where they would have access to tidal waters was very vital in the future development of the Yukon. He knew for a fact that a few years back there was talk of a major development in the Yukon - mining companies were going to dam a chain of lakes and put in a large smelter. This fell through because they were unable to reach an agreement with the American Government. He felt this motion was a step in the right direction and he could see no reason why an agreement could not be made with the American Government. The Yukon is hemmed in. What is good for the Yukon is good for Alaska. If we had a free corridor, freight costs would be reduced by two-thirds. A lot of mineral in the Yukon would become ore; ore that can be shipped economically. At the moment the cost factor of producing ore is one of the stumbling blocks in the Yukon. He thought this motion was very valid and he was in full accord with it. He hoped all the other Members of Council would support it.

Mr. Taylor said that anything they could do to improve coastal facilities would be fine but he could not see how they would have any reduction in freight cost. He could see little advantage to this motion over what they have now. He thought the problem was the American labour problem. He did however concur with the motion.

Mr. McKamey said he understood a free port was a duty free port and we have them in various countries of the world. You can purchase something and you are not required to pay duty on it. This would clarify this point. As far as labour goes, if there was some provision for the Yukon to establish their own facilities to load ships in Alaska, it would reduce costs. There is a large difference in the wage scale of Alaska and the Yukon and if we were provided with a road as access to the tidal waters we could haul ore and load it directly onto the boats cutting our costs by 60 percent.

Mr. Taylor said he was not aware they were paying duty on goods at the present time. As far as the labour situation was concerned, he thought the only way to beat this was to load by mechanical means.

Mr. Boyd felt this motion would do good if only to get consideration from Ottawa and the U.S.A.

Motion Carried.

Motion  
No. 2

Mr. McKinnon moved, seconded by Mr. Watt, it is the opinion of this Council that the Administration conduct studies to determine whether the annual flooding conditions in the Marwell Area can be eliminated or alleviated.

Mr. McKinnon said there had been a land freeze in the Whitehorse area and because of this construction of homes in the Marwell area originated. This area is not suitable land for housing. It is about 2 feet above the water table of the Yukon River. Every year in the fall at freeze up, the ice jams, the water backs and comes over the bank. He did not know what could be done. The Engineering Department have said they could not dynamite the ice jams. He had talked to blasters and they felt this could be dynamited. He asked for Council's approval to give him leave to ask Mr. Baker questions on this and requested this motion be referred to Committee.

All Agreed.

Mr. Watt moved, seconded by Mr. Taylor, the C.B.C. be requested Motion to allow Territorial Councillors radio time in keeping with the No. 3 policies laid down by the C.B.C. for Members of Parliament and Members of Provincial Legislatures.

Mr. Watt said there is no private broadcasting in the Yukon and he felt that at times they were misinterpreted over C.B.C. He noticed in the Manual of Policy and Regulations concerning the C.B.C. the following: "The C.B.C. is prepared at the request of a Member of Parliament or of a Provincial Legislature, to broadcast talks by him to his constituents on an appropriation basis which serve an area not covered by a privately owned radio station under the following conditions: (a) the talks will be reports of the work of parliament or the legislature and will not be political or controversial." He felt while their sittings were in progress one of them could take an evening every week or so and speak for two or three minutes on the work that is taking place.

Mr. McKinnon asked Mr. Watt if he had asked the manager of the local station if they could have any time on C.B.C.

Mr. Watt replied he was thinking more of Council on the whole. If this was a policy that was allowed by the C.B.C. then everybody could use it.

Mr. McKinnon suggested that Mr. Watt should see the C.B.C. first. He felt certain it was the policy of the C.B.C. in Whitehorse that any Councillor at any time could present his views. He would not support this motion until Mr. Watt had further information as he felt the motion was unnecessary.

Mr. Taylor said he believed Mr. Watt's motion was an attempt to disseminate the work that they do in Council to their constituents. They have found in the past that the newspapers have tended to be somewhat biased in their dissemination of the news and he recalled three members of the present Council requesting the C.B.C. for time some time ago and their answer was a flat no. All the news had to come from the source it now comes from. He believed that this is what Councillor Watt suggested and he asked that they make a request to C.B.C. for this time as a Council in whole.

Mr. Boyd felt the request was sensible. He wondered, inasmuch as this was the last session of the present Council, would these arrangements be made for the next Council.

Mr. Taylor thought that this was merely laying the groundwork.

Mr. McKamey was in accordance with the Motion. He could see nothing wrong in each Member taking one evening off a week and presenting the deliberations of Council over the C.B.C. as it was one way of getting the news to the outlying districts where the papers are days late.

Motion Carried with Mr. McKinnon  
opposed.

Mr. Watt asked Mr. Taylor, Clerk-in-Council, if it would be possible for the Sessional Papers to be printed on one side of the paper only.

Clerk-in-Council replied this would be taken into consideration.

First & Second Reading:

No. 1  
No. 2  
No. 4

No. 7

No. 9

No. 10

No. 11

First and Second Reading were given to the following Bills:  
Bill No. 1, An Ordinance Respecting the Corporation of the City of Dawson;  
Bill No. 2, An Ordinance to Amend the Yukon Housing Ordinance;  
Bill No. 4, An Ordinance to Amend the Disabled Persons Allowance Ordinance;  
Bill No. 7, An Ordinance to Amend the Pharmaceutical Chemists Ordinance;  
Bill No. 9, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Interim Supply Appropriation Ordinance 1964);  
Bill No. 10, 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 1964-65);  
Bill No. 11, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Second Appropriation Ordinance 1964-65).

Mr. Taylor moved, seconded by Mr. McKamey that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Memoranda, Sessional Papers and Liquor Report.

Motion Carried.

In Committee of the Whole.

In Committee of the Whole:  
Committee proceeded to discuss Bill No. 9 with Mr. Taylor as Chairman.

Mr. Livesey stated this was discussed previously with the Commissioner and the Territorial Treasurer and that the situation was established quite clearly then. This Bill was being passed simply for the purpose of assisting the Territorial Government to continue with their normal day to day operations on the basis of a percentage of the Main Supply Bill and Council was only proceeding on this basis. Even if the Bill was agreed to it would not tie Council down to the entire budget.

Mr. Watt moved, seconded by Mr. McKamey, that Vote 12 - Travel and Publicity - \$4,493.00, be deleted.

Mr. Watt felt that many of the expenditures in this Department needed understanding before this vote was passed. If they checked their estimates this Department had declared a surplus nearly every year previously and should have plenty of money to work on.

Mr. Boyd thought this was irrelevant at this time. They are only dealing with one month's budget.

Mr. Livesey said because of the time that Council Session was called made it unfortunately a very sad situation. Over the years it has happened this way practically every year. Council was called at a very late date, just a few days before the Territorial Government would run out of funds.

This is an Interim Supply Bill brought about by this fact. We are in this position and must accept it. Do we pick the Interim Supply Bill apart and say we are more in favour of one Department than another and debate the issue or go ahead and accept the Bill under the circumstances as it was laid down. He felt the debate should be on the main Bill itself.

Mr. McKamey asked if a Department required additional assistance, clerks or stenographers, and this expenditure was not approved, yet this Bill is 1/12 of the budget, by passing an item like this on the Interim Supply Bill, are we establishing a principle.

Mr. Livesey stated this is a position of normal maintenance and operation. The figures are more or less blanket and are not specific. This Bill merely advances so much money to the Department and doesn't specify what it is for. He felt the amounts in the Bill in no way tie them to any specific item.

Mr. Watt and Mr. McKamey withdrew their motion.

Mr. Boyd moved, seconded by Mr. Livesey, that Bill No. 9, Interim Supply Appropriation Ordinance, 1964 be passed out of Committee without amendment.

Bill No.9  
out of  
Committee.

Motion Carried.

Committee proceeded with Discussion on the Liquor Report, (Sessional Paper No. 13)

Mr. Boyd made the clarification that in the Liquor Report it was a Liquor Committee recommending the setting up of a Liquor Commission.

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

2:00 o'clock P.M.

Committee resumed discussion of the Liquor Committee Report with Commissioner Cameron in attendance.

Discussion  
of S.P. 13

Item (1) - Liquor Commission

Mr. McKinnon asked if it would be possible during this session to draft the necessary legislation to implement the recommendations of the Liquor Committee.

Mr. Hughes (Legal Advisor) replied that he couldnot undertake it at this session. The usual safe minimum limit for drafting legislation is approximately four months.

Mr. McKinnon suggested that the present Council could only approve of the report in principle.

Mr. Boyd felt it would be foolish to shelve it now as a lot of work had gone into the report. He felt they should continue as though there were going to be no change of Council and let the new Council take over from where they left it.

Agreed.

Mr. McKamey asked whether there would be any problems in implementing recommendation #1?

Commissioner Cameron replied that he had not had an opportunity to study the report and therefore was not prepared to say whether there would be complications or not. He stated that he would have to look into it more



, closely to determine whether it could be implemented in its entirety as outlined here or not.

Mr. Boyd drew attention to a clause in the report which states that the Liquor Commission would in no way interfere with the finances of the liquor business. He further said that he could not see anything in the recommendation that the Commissioner could answer tomorrow or the next day with any more intelligence than he could answer today.

Commissioner Cameron questioned the recommendations that said: "The two members be engaged for two year term and be paid \$20.00 per sitting plus any travel expense" and "That the Commission shall meet three times per year, or more if deemed necessary". He felt that if the Commission were to handle all of the duties outlined in the report they would have to sit at least once a month.

Mr. Boyd replied that the recommendation is that they must sit three times a year, no limit as to how often.

Mr. McKamey suggested that Committee dealt with the duties and function of the Liquor Commission and if there was any possibility of implementing such an entity then they could carry on with the rest of the recommendations.

Mr. Taylor (with Mr. Boyd in the Chair) mentioned that the members of the present Council had been quite concerned with the Liquor Report and in fact created the committee. He said that they should therefore continue and come up with the acceptance in whole or in part of the report, in order to get legislation on the way.

Commissioner Cameron asked, referring to "That the Chairman be engaged on a full time basis " whether this person should be a Territorial employee under the Public Service Ordinance.

Mr. Boyd said that the present method of employing personnel would be applicable. It meant that the Chairman would be a permanent employee and the other two paid so much per sitting. All would, however, be employed at the discretion of the Council and the Commissioner.

Mr. Watt asked whether the Chairman of the Liquor Commission would take over the duties of the present Liquor Inspector.

Mr. Boyd replied that the question is answered in the report where it says: "That the inspector and the superintendent of liquor shall be responsible to the Liquor Commission as constituted".

Mr. McKamey asked, referring to "That the two members be engaged for two year term and be paid \$20.00 per sitting plus any travel expense", how they arrive at the \$20.00.

Mr. Boyd answered that this would pay the individuals for the time spent in his work.

Mr. McKamey suggested they should be provided with living expenses like the Territorial Council or the Financial Advisory Committee.

Mr. Boyd replied that it was felt the Commission would be headquartered in Whitchorse and that those on it would be residents here.

Commissioner Cameron thought this would be in conflict with the Public Service Ordinance and that he understood that the Council could not become involved in the hiring and firing of employees.

Mr. McKamey said that in the provinces they have Liquor Commissions that are separate from the government and also have their Public Service Acts. He said: "If they got around this why can't we".

Commissioner Cameron said that in 1956 an amendment to the Public Service Ordinance was introduced whereby the Commissioner-in-Council would have the power to fire or hire employees. This amendment, however, was thrown out by the Governor-in-Council. He further said that he agreed with the report in principle but suggested the Committee scanned through the report right now and dealt with the more obvious questions. This would give him an opportunity to discuss it with the Administration before a more thorough examination.

Mr. Livesey suggested that before an item is passed the exact question that Council wants answered should be registered.

Agreed

Item (2) - Interdicts

Mr. McKinnon wondered how the commission would ascertain that an interdicted person had remained absolutely sober for the ninety days.

Mr. Boyd replied that their conduct would be observed in normal everyday association with people.

Mr. Taylor asked Mr. Boyd to explain the sentence: "It will do much to curtail bootlegging".

Mr. Boyd replied that if an interdicted person has been sober for ninety days or more and desired a drink, he is told he cannot buy any liquor or have a drink. To obtain a drink he will then have to break the law.

Mr. Taylor said he thought most interdicts get drink from bootleggers at all times.

Mr. Livesey asked for clarification of paragraphs 1 and 2 on Interdiction.

Mr. Boyd said that there was no intention of changing the present manner of interdicting people. The recommendation suggested that a persons name could be removed from the interdicted list if the person abstained from drinking for a period of ninety days. He said: "This is just giving the individual the opportunity of rehabilitating himself and getting off that list".

Mr. McKinnon asked if the Liquor Committee followed up any cases to find out whether their recommendation would work.

Mr. Boyd answered that the members of the committee had not made a study of it.

Commissioner Cameron said that he believed the committee was trying to change the period from twelve months, as now, to three months. He said that there were people who knew that they had a drinking problem and voluntarily put their name on the interdict list. Because they were outstanding citizens and abided by the law this was the little extra force that kept them on the safe side for a year. On the other hand some interdicted people who apply to have their names removed are refused because they have been charged while being an interdict. He asked Mr. Boyd if it was the committee's thought that twelve months was a little long.

Mr. Boyd said this was correct.

Mr. Watt wanted to know whether an interdicted person would have to make formal application to have his name removed from the interdict list if he abstained from drinking for ninety days, or would the name be dropped automatically.

Mr. Boyd answered that it was felt that a person who qualified should request to have his name taken off the interdiction list.

Commissioner Cameron said that under the present system an interdicted person must apply to have his name removed and again pointed out that his understanding of the recommendation was that everything would be the same except the time which would be reduced from twelve months to three months.

Item (3) - Alcoholism

Mr. McKamey mentioned that he saw the name Alcoholic Federation of Alberta mentioned in the report and asked if the Commissioner could enlighten the committee what had taken place to date.

Commissioner Cameron said that approximately a month and a half ago a lady representing the Alcoholic Federation of Alberta visited the Yukon Territory. She came to make a survey and submit her report. To his knowledge this report had not yet been submitted but she did express concern that there certainly was an alcoholic problem in the Yukon. The idea of her visit was to obtain recommendations as to how they should go about correcting the problems.

Item (5) - Legal Age Limit

Mr. Watt asked if a person under the age of 21 could handle liquor in work such as trucking, etc.

Mr. Huges, Legal Advisor, said he would take the question as noticed but added that the fact that liquor in trucking would be in bond might make a difference. He further said that at present the age for serving liquor is 21.

Item (6) - Drinking in Public

Mr. McKinnon agreed that picnickers and campers should be permitted to drink at their camping ground, but felt that the evidence that they were consuming food at the same time would be impossible to enforce.

Item (9) - Inspectors

Commissioner Cameron felt that some problems might arise here. He said that to have the Inspectors and the Superintendent of Liquor to be responsible to the Liquor Commission would be in conflict with the Public Service Ordinance.

Mr. McKamey suggested that perhaps the Public Service Ordinance could be amended.

Item (10) - New Outlets

Mr Taylor (with Mr. Watt in the Chair) did not agree with paragraph two. He said: "Why should the small cafe be just as large as a tavern". He further said that he could not understand why licensed outlets should be protected. He said in part: "If a party can fulfil the obligations set forth in the ordinance they should be entitled to set up a business and if they can provide the facilities and service to get the clientele then he will get the business and if an old operator wants to compete he will have to upgrade his service and premises".

Mr. McKinnon said: "I think the Honourable Member from Watson Lake forgets that the government is dictatorial and the only provider of liquor in the whole of the Yukon Territory". He suggested that an operator cannot go out as a man can that owns a gas station or a cafe, to get the best deal on his merchandise, because he has to deal exclusively with one wholesaler. With respect to the stipulation for new outlets that they would have to have a minimum of thirty rooms to accommodate the traveling public, he wanted to know what standards would be required outside of those called for in the ordinance.

Mr. Boyd replied by quoting paragraph 3 which says: "That the building shall be constructed and equipped to the satisfaction of the Commission".

Mr. Taylor (with Mr. Watt in the Chair) replied to the remarks made by Mr. McKinnon and said that because all liquor outlets have to get their liquor from the same source puts them on an equal basis in that respect. But where the operator can excel is in providing good facilities and in their attitude towards the public in general.

Mr. McKamey mentioned that all businesses have to have some protection. Too many hotels in competition with each other, in small towns, results in he felt "breaking the laws by peddling booze out the back door". He said: "Has the committee given any thought to making some provision in the ordinance whereby some of the hotel operators would be required to spend a certain amount of their profit in improving the premises?"

Mr. Boyd replied that it had been thought about but no recommendation was formulated.

Mr. McKamey then asked if there was any thought of providing standards for hotel accommodation and eating and drinking places in the Yukon?

Mr. Boyd said that an attempt had been made by setting thirty rooms and equal eating space as a requirement, but added "We can't put people out of business who have been serving the public for a long time as long as they keep to the ordinances, but if there are any new outlets opening they are going to be much better than the pattern now. In addition to this the Fire Warden and Health Departments are doing a lot towards making these establishments come up to standard".

Item (11) - Licensed Clubs

Mr. Taylor (with Mr. Watt in the Chair) felt the basic idea behind this recommendation was good.

Mr. McKamey asked for an explanation of the first paragraph of the recommendations.

Mr. Boyd said it meant that only 10% of the total membership of any club could be present as guests.

Commissioner Cameron added that under this recommendation, if a club had 100 members it meant that only ten guests could be present. To better explain it he said that the first member to enter the club premises could bring with him ten guests, if he wanted to. He further said that if a private club was used for private banquets or parties they would operate under a banquet permit and the rule of only ten percent of the membership could be present as guests would not be applicable.

Item (12) - Beer and Wine with Meals

Mr. Livesey asked the following question: "Does this mean that a restaurant where there is no adjacent tavern may be able to obtain a license to serve beer and wine with meals rather than the question of having a restaurant attached to an institution that sells liquor under license?"

Mr. Hughes (Legal Advisor) said he thought the reference meant that where there is a pub and they have a restaurant next door, they pay \$10.00 a year and they are allowed to sell beer with meals in the restaurant adjoining. Restaurants today can have their own beer and wine licenses such as the Flora Dora at Dawson, which is not connected to a public house at all.

Mr. McKamey, referring to the sentence: "To purchase beer and wine with meals seven days a week" asked if this meant 365 days a year.

Mr. Boyd answered that was the intention.

Mr. McKinnon mentioned that under the present legislation a separate dining room license carries limited hours, namely from 12:00 to 2:00 and from 6:00 to 9:00 and the cost of the license is \$100.00. On the recommendation of the Liquor Committee he found that the hours were from 10:00 A.M. to 11:30 P.M. and the license fee is \$25.00. He wanted to know the reason for this.

Item (13) - Beer Taverns

Mr. McKinnon asked if the opening and closing hours would be at the discretion of the licensee and had to be named when they applied for a license or renewal of a license, but that they had to close at midnight.

Item (15) - Two Prices for Beer

Mr. McKinnon maintained that Council should not dictate to the operator the price he is going to charge for his drinks. He said that in some cases cabarets bring in entertainment and cover the expenses by charging more for what they sell. He agreed however that the liquor should be supplied to all outlets at the same price.

Mr. McKamey agreed with Mr. McKinnon.

Mr. Livesey was of the opinion that there were many complaints about this and he felt that this particular aspect warrants review.

Item (16) - Draft Beer

Mr. Taylor (with Mr. Watt in the Chair) felt that sale of draft beer should be permitted in clubs as well as taverns, but wondered why the stipulation of the eight and twelve ounce glasses.

Mr. Boyd said that actually the committee had not given any thought to clubs having draft beer but he did not think there would be any objections if they wanted it. With respect to the eight and twelve ounce glasses, he said that where draft beer is sold these are the standard sizes and that is the only reason they were specified in the report.

Mr. McKamey wanted to know what effect the draft beer would have on the liquor revenue.

Mr. Boyd said the Liquor Committee had considered this aspect and brought out these points:

- 1) Draft beer is going to be bought for less so should be sold for less.
- 2) How much draft beer would be consumed was an unknown factor at the moment but it probably would not greatly affect the amount of beer consumed in homes and cocktail lounges from bottles.

- 3) The only people serving it would be the taverns and this seems to be a working mans place.
- 4) Sales are likely to increase somewhat because at lower prices a man could afford to stop in at the tavern on his way home.
- 5) By and large the difference in money would seem to be negligible.

Mr. McKamey read the following recommendation agreed upon by the Finance Committee: "The Committee recommends no change in either the Territorial pricing policy of spirits, wines and beer or the level of the surcharge on the sale of these commodities". He added that if the Liquor Committee recommendation was going to have any effect on this then they would be breaking their own agreement.

Mr. Taylor (with Mr. Watt in the Chair) expressed the opinion that the Liquor Committee recommendation, if implemented, would make no change in pricing policy. All it would do would be to add draft beer to the other types of liquor available.

Mr. McKamey commented on the effect the sale of draft beer would have and said in part: "In dealing with bottled beer we know exactly how many dollars we are going to bring in each year, it is on a continual upward trend but revenue as far as draft beer is concerned, is an unknown factor. It would appear that we are going to have about 40% reduction in the sale of it. I believe it is proposed in the recommendations to reduce the price of bottled beer by 20% and it says further on that draft beer be sold at a much lower price than bottled beer, possibly 20%. This would bring it 40% lower than it is now".

Mr. Boyd replied that one must take into consideration that people with little money are buying "goof" at \$1.25 a bottle and if the price of beer was down those people would drink it. He was of the opinion that many angles should be considered and in the long run it probably would not affect the financial structure.

Item (17) - Government Liquor Store

Mr. McKamey, in referring to the recommendation "That a modern liquor store be erected in Whitehorse" asked if this was meant to be a liquor store to serve the City of Whitehorse or would it be a combined warehouse. In his opinion if the government were ever to get into warehousing it would be getting into something rather expensive.

Mr. Boyd replied that there was absolutely no intention of storing or handling draft beer.

Item (18) - Tied Premises

Mr. McKamey asked if Mr. Boyd could elaborate on this recommendation.

Mr. Boyd said they wanted an owner to exercise the control of his business and not be dictated by another party as to what kind of beer to sell.

Mr. Livesey commented that it appeared the Liquor Committee wanted to get back to more individual control and a movement away from monopolies.

Mr. McKamey said that if some of the road houses on the Alaska Highway were given the opportunity to accept financial backing through a brewery to improve their premises, he could see nothing wrong with it.

Item (19) - Liquor Store Hours

Mr. Taylor (with Mr. Watt in the Chair) did not agree with the recommendation where it said that the hours in effect in rural areas remain unchanged. He said that his constituents would like the liquor stores to be open Saturday mornings from 10:00 o'clock. As far as the closing hour of 8:00 o'clock is concerned he thought it was perfectly acceptable.

Commissioner Cameron was excused from Committee.

Item (21) - Wines

Mr. Watt was wondering, if the Liquor Committee's recommendation was implemented, would light wines still be sold at the Liquor Store.

Mr. Boyd replied that they could be purchased from a Liquor Store the same as they are now.

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

Motion Carried.

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

Committee Report

Committee convened at 11:10 A.M. to discuss bills, memoranda, sessional papers and the Liquor Report. Following discussion on Bill No. 9 it was moved by Mr. Boyd, seconded by Mr. Livesey that Bill No. 9 be reported out of committee without amendment. Motion Carried. Committee recessed at 12:00 noon and reconvened at 2:00 P.M. to discuss the Liquor Report with Commissioner Cameron in attendance.

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M. Thursday, March 26, 1964.

Thursday, March 26, 1964  
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding Centennial Project Financing for the Yukon.

Sessional  
Paper  
No. 11

Mr. Taylor gave notice of Motion regarding a Yukon-B.C. conference on boundary problems.

Motion  
No. 6

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of Motion regarding institution of an unbiased non political news service to cover news of the north in the Yukon.

Motion  
No. 7

Mr. Boyd moved, seconded by Mr. Livesey, that in the opinion of Council, fuel used in the operation of farm tractors for farming purposes be exempt from the provisions of the Fuel Oil Tax Ordinance.

Motion  
No. 4

Mr. Boyd said this motion was an exact duplicate of a motion presented at the last session and passed by this Council. A letter was received from the Administration saying that they did not put it into operation because the Territory needed the money. In view of the wording, it would seem that this came from the Treasury Department. The money involved is negligible. The fact that the Territory needs the money is one sided. Certainly while the amount of money is small to the Territorial Government it is a considerable amount of money to a man trying to make a living. When a man buys fuel by the drum and is charged \$4.60 tax, it is very rough for him and now tax is going to be greater this year. He would like Council's support for this motion.

Mr. Taylor concurred with Councillor Boyd's proposal on the motion. He felt that in discussing the interdepartmental fiscal arrangement this should have been provided for and also that forestry should be considered for such an exemption. The logging industry needed assistance as well.

Mr. McKamey thought Councillor Boyd's motion very valid in regard to farming. At the time the Fuel Tax Ordinance was implemented there was possibly only one farm in the Territory but now there are several. In the outside provinces the farmers are exempt from this tax. This subject had come up when the Financial Advisory Committee were in Ottawa and having discussions with the Department of Northern Affairs. They were assured at that time that something would be done in the very near future to support agriculture. However as to Councillor Taylor's suggestion that logging be exempt, if they exempted logging there was no reason why they shouldn't exempt construction work. This would be quite an appreciable amount. He wholeheartedly supported Councillor Boyd's motion.

Mr. Taylor said he did not agree with Councillor McKamey. He found that fuel tax this year increased over last year in the amount of \$80,288.00. Total fuel tax revenues in the fiscal year ending March 31st was \$343,860.00. He was very sure that the amount of money derived from the tax paid on fuel used in sawmills is not a staggering amount. In the sawmills in his area, Ross River for instance, fuel has to be hauled in at a very high cost and in some cases it was flown in. These people are having a tough time of it. He felt they should be considered. If they gave assistance to miners and loggers and farmers for building their roads, then they should give assistance on fuel tax to the same people. The higher the price of producing a product then the higher the cost to the consumer.

Motion Carried.



Motion  
No. 5

It was agreed that Mr. McKinnon's motion regarding road from Porter Creek to garbage dump be referred to Committee to be discussed with Mr. Baker.

Question  
No. 4

Mr. Taylor asked the following Question: "Would the Administration advise Council as to what progress is being made in providing regular twice-monthly mail service to Ross River.

Mr. Watt asked Mr. McKinnon when he would give the report on Physical Fitness and Amateur Sport.

Mr. McKinnon replied he could give this at any time.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Sessional Papers, Public Bills and Memoranda.

Committee  
of the  
Whole.  
Discussion  
S.P. # 1.

Motion Carried.

Committee, with Mr. Taylor as Chairman, proceeded to discuss Sessional Paper No. 1, Public Washroom Facilities.

Mr. Boyd felt the Administration had come up with some sound excuses and he was prepared to leave this for the time being.

Mr. Watt said he was not satisfied with the answer. In the capitals of the provinces they have very large washrooms and he did not think they had such an attendant problem there. He felt this should be looked into further and the Administration be asked to try and find the money and the facilities.

Mr. McKamey wondered if anyone had explored the possibility of contacting the Municipality of Whitehorse and asking their support.

Mr. Boyd said in reply to Mr. McKamey's question the answer is no. The reason he was prepared to leave things as they are is that between now and the fall the congestion should be relieved a bit in this building. They will probably use some of the buildings up the hill and move some of the people from this building.

Discussion  
S.P. # 2.

Committee proceeded with discussions of Sessional Paper No. 2, Court Facilities.

Mr. Taylor (with Mr. Boyd in the Chair) said when this motion was raised earlier he pointed out the inadequacies in the courts in the outlying districts as they related to facilities. In this reply it states "To provide more elaborate facilities in these instances would seem unwarranted at the present time." The present facilities have no provision made for the attendance of the general public in Watson Lake. Just recently we had a very interesting case in Watson Lake and there were 90 people in attendance. They had to hold it in the community hall. This memorandum further states "The use of alternative accommodation already available in centres such as Haines Junction, Watson Lake, Mayo, Teslin and Carmacks, would represent a very minimum cost of \$5,000.00 a year in rental charges." This did not seem to him to be such an outstanding amount of money. He thought they should spend \$10,000.00 a year if it would ensure that a man would have a proper trial. It further states "the whole question is one of cost and whether it is warranted, having regard to the fact that, already, the funds made available for "Administration of Justice" are following a trend towards over-expenditure." Providing funds for court facilities was certainly not, in his opinion, a trend towards over-expenditure. Now, it reads "only in cases specifically authorized by the Commissioner and where it is fully justified that larger facilities are required to hold a hearing" He thought this

was ridiculous. Justice in the Territory needed a lot of cleaning up as far as he was concerned and he thought this was a way to start. He felt every effort should be made to provide facilities for all court proceedings whether large or small.

Mr. Livesey agreed. He said the Sessional Paper was coupled to a motion which he presented to the House a year ago regarding the training of Justices of the Peace. Both these items were discussed in Ottawa. Apparently some of our motions are not arriving where they should go and his inquiries to Mr. Chevrier, then the Minister of the Federal Department of Justice, were answered with "the paper concerning training Justices of the Peace had certainly not arrived at his desk." This is a sad situation. When we send these motions East we are making a request on behalf of all the people of the Territory to the Department. He thought it only fair and right that they should receive the fullest co-operation so that the people of the Territory can see their appointed representatives receive the action that they request and are entitled to. He would like to see the Administration do all they can in their power to institute both of these matters - the training of Justices of the Peace in the Territory and the question of court facilities. There should be a separate room where the public can attend and view what is going on. Even though they should not go into any large expenditures, the question of deciding a man's character in Court is a very important matter.

Mr. McKamey felt very strongly about the facilities that are provided in the outlying districts for court hearings. Court room facilities in the district he represented were very inadequate and have been reduced to half their size in the last short while. In the Mayo district facilities have been offered that are practically across the street from the Police Station for a fee of \$75.00 a month. This is a lobby in the Community Hall which will be kept heated, lighted etc. He could not see how anyone could equate justice with dollars and cents.

Mr. Boyd questioned as to where the large trial which was held recently in Mayo was held.

Mr. McKamey said it was held in the Masonic Lodge - possibly 2 blocks from the Police Station. At that time the community club was in the process of replacing the furnaces and it was very cold. He assured Council that there is someone nearly every day brought up before the Justice of the Peace and the only facilities available according to the Administration is the Police Station. Perhaps if some of these cases were dealt with properly they would never reach the Territorial Court where it is very costly to the Department.

Mr. McKinnon asked the Legal Advisor whether Justice received this request from the Community Hall at Mayo for \$75.00 a month and if so why this was not acted upon.

Mr. Hughes said he would investigate the matter.

Mr. Taylor (with Mr. Boyd in the Chair) said this is one year from the date of asking by Motion and this is as far as they have gotten. He would like to see steps taken by the Administration not next year but right now to insure that changes are made. There are Community Halls in the Territory which can be used at a minimal cost. In Watson Lake there are three Justices of the Peace and the main one is called out as many times as twice daily. If they had proper facilities they could all be done and over with. He asked that the Administration take this matter under advisement and that they do it immediately.

Mr. Livesey felt that the case had been placed before the Administration and they will act on the information available. As far as the question of training Justices of the Peace are concerned, he thought this was now receiving considerable action.

Discussion  
S.P. # 3.

Committee proceeded to discuss Sessional Paper No. 3, Removal of Lewes River Dam.

Mr. Boyd felt in view of what the paper stated there was no further point in discussing this.

Mr. Watt requested that as \$500.00 was in the estimates to survey this he wanted to bring this matter up again with Mr. Baker in Committee.

Mr. Livesey said in connection with improving facilities for the residents of Whitehorse for the use of boats on the river this would open up a tremendous waterway if this dam was removed. He believed the basic underlying material, the heavy rock which was placed in the river was the problem. They had discussed the possibility of removing one section if the entire dam could not be removed. Perhaps they could inquire to see if the Administration had any recommendations in regard to this aspect and suggested this question be raised with the Administration later.

Discussion  
S.P. # 4.

Committee proceeded to discuss Sessional Paper No. 4, Proposed Sale of Securities Ordinance.

Mr. Boyd said he realized that Securities are just as it says in the paper. He felt this was a little premature in the Yukon.

Mr. Watt asked the Legal Advisor his opinion.

Mr. Hughes said he would not pretend that there are not gaps that couldn't be plugged. Before legislation is introduced they have to have more experience. He felt they first had to figure how this was going to be enforced. There is still the matter of policing. At the moment the way in which this is controlled is by the mails. If they commit an offence here they are almost certainly committing an offence in some other area of Canada or the United States. It is only a question of time before people catch up to them. If we did have a Securities Ordinance, would we be any faster on this than the police are? It takes the police months to investigate these cases and they have contacts right across Canada and the United States.

Mr. McKamey agreed with the Legal Advisor. He pointed out that if the public was made aware of the system we are working under here, they could be of a great help to the Administration. He asked the Legal Advisor, if for example, he had doubts about some company operating in the Territory and referred them to his office, what action would be taken on them?

Mr. Hughes said it depended on the kind of doubts. If you wanted to know if it was registered in the Yukon, he could answer that from his records. If the Councillor felt they were up to some monkey business, then he would refer the report to the police. He had no facilities for policing the Companies Ordinance. He noticed that Councillor McKamey said that if the public were made aware they could help in this problem. Under the Ordinances complaints can be made to the Legal Advisor, however the public do not realize this. They always find out about two or three years after the event and then it is too late. Much more could be done if the alarm was sounded earlier.

Mr. Taylor (with Mr. Boyd in the Chair) agreed. As he recalled most Companies working in this area are registered under the Ontario Securities Commission which seems to be a prevailing commission across Canada. What happens when a Company incorporated in the Yukon is formed? Are they bound to be regulated by a Securities Commission.

He thought this was an avenue they should look at. In considering mining - there is a tremendous amount of promotion. But to his way of thinking there was two very much different types of promotion. There are those which are legitimate and constructive and are an essential part of the speculative industry and then there are the promotions which are false and damaging. As the Legal Advisor has pointed out sometimes it is very difficult to define the difference. He thought they should consider how they are going to control those companies which are forming locally and incorporating as companies. Whether we could perhaps bind them to the B.C. Securities Commission. He asked the Legal Advisor his opinion.

Mr. Hughes narrowed the field to the question of mining companies. In the last two years in the Yukon, four outside companies have asked to be registered here - Bralorne Pioneer, Canada Tungsten, Tintina Silver Mines and one other company. The last mining company which was incorporated in the Yukon as a private company was Johobo Mines in November 1959. There are very few instances of companies which are set up here as limited companies which can be used as a vehicle for policing people outside. Let us assume somebody sets up a company in the Yukon and wants to sell his shares outside so he starts selling them in Ontario. The Ontario Securities Commission will pick him up immediately, he has got to qualify his shares in Ontario. The mere fact that he is qualified here in the Yukon doesn't qualify him to go down and offer his shares to the public in Ontario. However, he may succeed in selling some of these because the public is uninformed and they don't say "are you qualified in Ontario". When the Security Commission in Ontario find out what is going on, they will deal with him there. If they set up here and are selling phony shares outside, they will be picked up there. We do not have that much control over companies - once they fool us and are set up - they can sell their shares in the Yukon. But they want to get into the big money - Vancouver, Ontario, the States - and all those places have their own dragnets to catch them.

Mr. Taylor said Mr. Hughes had answered his question very well and he had one supplementary question. He wondered if it would be wise or possible to effect, through Territorial Legislation, a situation where you would compel any new company (public) to register under the provisions of the Ontario Securities Commission for instance.

Mr. Hughes said Councillors McKamey and Shaw, in their motion, had a gem of an idea. It was that they could not buy or sell or trade shares unless they are registered in B.C. or qualified under an approved Securities Commission. This forms a very valuable thought and they could start on this. He did not think it should go into the present Companies Ordinance and it should eventually form a separate Ordinance. He gave an example of a mining company that had sold a considerable number of preferred shares without giving voting privileges. In Ontario they will not accept incorporation applications unless the investors eventually acquire voting rights. In our ordinance we do not have that and as Registrar, he couldn't insist on it. He was grateful for the opportunity of bringing this to their attention today and was going to make a recommendation to Commissioner Cameron on this.

Mr. McKamey wondered what protection there was in the Yukon against promoters coming in and taking the public, as has happened in recent years.

Mr. Hughes said there was protection but it depended on what they do and what they say. He could not say for sure unless he had specific facts.

Mr. McKamey cited a case from a few years back where two promoters came in from B.C. They were taking advantage of the public not knowing anything about the mining industry. These two promoters set up an office at one of the local hotels and eventually large amounts of money was taken out of Whitehorse. People had no idea what they were investing in. He wondered what sort of protection they had for this sort of thing.

Mr. Hughes said he did not know where these promoters were now or whether they were dealt with, but suppose the Administration does go down and find something phony in their prospectus, and tells them so, the Administration

doesn't have any power to tell the public of this. Suppose the Administration did have this power - then they would be in the position of appearing to endorse some of these projects. Suppose the geologist had made a mistake on looking over this and said it looked quite good and it turned out to be no good, then the Administration would be at a loss as it would be placed in the position of a witness. This is placing the Administration a little further than they are expected to go. Even the Securities people in Ontario merely qualify that the papers are in order. If they find something phoney about them, they won't qualify them. There is no one here, as far as he knew, directly charged with investigating this.

Mr. McKamey did not think the residents of the Yukon Territory were provided with any sort of protection. The reason these promoters come to the Yukon is because they couldn't sell this type of stock in the provinces and get away with it. He thought they should make some provision to protect the people in the Territory from this type of thing. There are a lot of properties in the Yukon that need development and he would rather see that type of money being spent here rather than have some sharpie come from the other provinces and become rich.

Mr. Hughes said if they can put this idea into adequate words, these people won't be able to come here because they will have to qualify these shares in a province which has government established machinery for analyzing this sort of thing, and this is what they are aiming for.

Mr. Livesey said that when the question was raised originally, they were attempting to protect not only the people of the Yukon Territory, but also the number one resource of the Territory which is mining. Under the basis of paragraph 4 where it says: "We have the protection of the Criminal Code and we have the advantage that the Criminal Code is extraterritorial, insofar as the Yukon is concerned, whereas if we try to enforce a Territorial Ordinance, we would have difficulty if the person we were pursuing had removed himself from the Yukon". This seemed to him to intimate that all they are interested in is whether the individual is in the Yukon. A good many of these schemes are cooked up somewhere else and they come to work the Yukon over, and if something isn't done about it this can mushroom. He thought Council intended to do something about this and that is why they asked for this Security Legislation.

Mr. Boyd thought the Legal Advisor had expressed the intent and if they can get their intention on paper, this should suffice for the time being. Mr. Livesey had pointed out they are not concerned about the man once he leaves the country but this is not the point. The point is once he gets out of the country he is beyond our reach and we cannot bring him back as we do not have that right. If there is a Federal law then we have a right to bring this person back from anywhere. By the same token, with the Securities Commission in Toronto, if you are operating in the west you are still required to be registered in Ontario, B.C. or Alberta. They cover whatever area you are working in. Even with all their laws and protection Ontario just recently locked up three men for fraud.

Mr. Taylor (with Mr. Boyd in the Chair) thought there was a very thin borderline between legitimate and constructive promotion. Mining in the Yukon is valued about 13 to 14 million dollars a year, the bulk of which is silver. In the 3rd paragraph it reads: "While security legislation is nice to have our need is not as urgent as it might be if gold moved strongly in price". He thought this should reflect in other minerals such as silver, lead and zinc, etc. He agreed he would like to see legislation drawn up and presented to Council as early as possible with regards to bringing newly formed companies under some form of Security legislation, possibly one of the provinces. If the Legal Advisor could take that under advisement and give it more thought during the summer, possibly at the fall session, he may be able to come up with a Securities Ordinance.

Committee recessed until 2:00 P.M.

Thursday, March 26, 1964  
2:00 o'clock P.M.

Committee commenced discussion of Sessional Paper No. 5, Senior Legal Officer for the Yukon Territory, with Mr. Hughes, (Legal Advisor) present.

Discussion  
Sessional  
Paper #5

On a question asked by Mr. Taylor regarding the present status of this matter, Mr. Hughes informed Committee that the position had been advertised vacant and that competition closed approximately one month ago. He assumed that the Civil Service Commission was considering applications received and also were proceeding with interviews.

Mr. Livesey felt that the Sessional Paper was meant for information only and did not call for any action.

Committee proceeded to discuss Sessional Paper No. 6.

Discussion  
Sessional  
Paper #6

Mr. Taylor (with Mr. Boyd in the Chair) said that prior to this session he had been informed that an emergency airstrip had been built on this road at a cost of approximately \$17,500.00. He said that he had been told that this airstrip was 3,500 feet long by 200 feet in width with normal approaches. He continued to say that this was in conflict with the information set out in paragraph three and four of the Sessional Paper now under discussion and he was wondering about the value of the information received. He said in part: "The reason I raise this question is in relation to the placing of an airstrip at Ross River where it would service a community of some 160 to 190 people. To the best of my knowledge there has never been an aircraft yet on the Nahanni Range Airstrip which is in my constituency approximately 120 miles north of Watson Lake on the Canada Tungsten Road and at this time this airstrip is serving no useful purpose. I feel the two conflicting pieces of information are worthy of being noticed and it gives rise to the suspicion that possibly all the information we receive is not exactly the proper information."

After a few remarks from Mr. McKamey to the effect that construction of these emergency airstrips was a Federal responsibility discussion closed.

Committee agreed that discussion on Sessional Paper No. 7 should be deferred until the Member from Dawson City could attend Council.

Discussion  
Sessional  
Paper #7

Committee proceeded to discuss Sessional Paper No. 8.

Discussion  
Sessional  
Paper #8

Mr. Boyd noted that the cost of the Mace would run around \$9,000.00 and he was wondering if Council should not consider using this money to provide an adequate courtroom facilities.

Mr. McKinnon remarked that in his opinion Mr. Beddoe had come up with some fine suggestions but he felt that the cost was prohibitive. He said: "What the Yukon needs is a kind philanthropist to hear the plea for the symbol of authority of the House and come through with a donation."

Mr. Livesey said that it would be nice if they could find someone who would donate the Mace. He said that he already had a commitment that if somebody donated the Mace this person would donate the Speaker's hat. He felt it absolutely necessary that a Mace be instituted and said: "What we have seen this last week by individuals who scorn the British parliamentary procedure, ignorant people who know no better, it is high time we had the proper symbols of democracy in the House, so that we can not only see those symbols but show those individuals, who have no respect for the House and what it stands for, that others have this respect. The Mace is a very old and historic symbol of the power of the people over the state and a symbol which dignifies procedure".

Mr. Watt asked if there had been an entry in the estimates for this item.

Mr. Taylor suggested that Commissioner Cameron attend Committee to discuss this matter.

Agreed.

Commissioner Cameron attended Committee and said that he had nothing to add to the memorandum because he was not at the discussion in Ottawa at the time the Financial Advisory Committee discussed this matter and he had not met with Mr. Beddoe.

Mr. McKamey suggested that perhaps Commissioner Cameron should approach such companies as United Keno Hill Mines and Yukon Consolidated Gold Mining Corporation and perhaps a few of the other placer gold mines in the Yukon to provide for gold and silver needed for the Mace, so that some Yukon minerals could be embodied in it.

Mr. Livesey said that he would also like to have some of the copper of the White River in the Mace. He further suggested that a number of stones could be incorporated in it as had been suggested by Mr. Beddoe.

Mr. Taylor (with Mr. Boyd in the Chair) concurred with Mr. McKamey's idea and said that he felt that perhaps local people could produce a suitable design and suggested that the matter be turned over to the Indian Affairs or one of the local branches and a Mace could be acquired at a minimal cost.

Commissioner Cameron said that it had been suggested that perhaps Miss Farley, a local artist, could be approached and asked to come up with some ideas. Her sketches could in turn be checked by Mr. Beddoe who is the designer and consultant on Heraldry.

Mr. Taylor suggested that they have a Trade School and if a committee of people, like Mr. Holland the Director of the Vocational Trade School, was formed then perhaps a contest among Yukon artists could be organized and it could all be done at home quite reasonably.

Mr. Boyd said that he agreed with Commissioner Cameron that Miss Farley should be approached and added that in his opinion there was enough talent in the Yukon so that the Mace could be designed and made here.

Mr. Watt thought that a competition should be opened to all Yukon artists.

Commissioner Cameron asked if Council wanted him to arrange for such a contest and if they were prepared to put up a decent prize for the chosen design.

Mr. Livesey felt that local artists may possibly need some guidance from people like Mr. Beddoe. He said that the person who had never seen a Mace and actually knows nothing about the tradition or its history would probably not be competent to design it. He felt, however, that Yukon artists definitely could assist in coming up with something reasonable provided that the basics of what is required came from a person with the ability of Mr. Beddoe.

Mr. Taylor asked if Committee would agree that Commissioner Cameron contact Mr. Beddoe and following such a consultation a contest be held among Yukon artists.

Agreed

Committee agreed to defer discussion of Sessional Papers No. 9 and 10 so that Committee could proceed to discuss Sessional Paper No. 11 and such other matters as they found necessary while Commissioner Cameron was in attendance.

Discussion  
Sessional  
Paper #11  
Motion re  
Sessional  
Paper #11

Mr. Boyd moved, seconded by Mr. McKinnon that Plan B, as outlined in Sessional Paper No. 11 be adopted.

Mr. McKamey referred to the conditions of the plan and said that in his opinion this was a method of endorsing Whitehorse as the capital of the Yukon Territory.

Mr. Boyd countered that Mr. McKamey was joking and said: "It will definitely be assumed the capital has to be Whitehorse".

Commissioner Cameron pointed out that the motion should say Plan A and Plan B, as one is contingent on the other. He said that Plan A has to do with the per capita sharing and Plan B has to do with the memorial portion of the program. He said that if Plan B was acceptable then Plan A should automatically become effective for four constituencies rather than seven.

Mr. Boyd remarked that this was understood as it was clearly set out in the last sentence of paragraph 3 of the Sessional Paper.

Mr. Livesey remarked: "Passing this we will establish for all time the generosity of the Councillors from the outlying areas".

Mr. McKinnon said: "On the contrary, this establishes for all time the generosity of the Councillors from the Whitehorse area. The Councillors from the outside areas are giving up nothing but the Councillors from the Whitehorse area are giving up \$8,000.00 a piece".

Mr. Watt asked if any specific year had been set aside for turning over the one year allotment of liquor money for this project.

Commissioner Cameron said that any specific year had not been established and suggested this was up to Council. He added however, that in his opinion it should be either 1965 or 1966. He further said that the present Council would be allowed to spend the entire year's liquor money in their constituencies in spite of this being an election year.

Mr. Boyd drew Commissioner Cameron's attention to the Lions Club Swimming Pool and asked that it be incorporated in the Centennial project, to be closed in, so that it can be used year round.

Commissioner Cameron said that this project was on the list already. He said: "As a matter of fact this was one of the first submissions received in my office".

Mr. Livesey said that in the Five Year Agreement it said that the \$56,000.00 per year should be divided for capital projects in the communities and it did not mention Centennial projects. He asked if the Administration could visualize any problem in this respect.

Commissioner Cameron replied that he did not anticipate any problem.

Mr. Watt enquired where submissions of project proposals should be sent.

Commissioner Cameron replied that they should be addressed to his office.

Mr. Watt said that under the Whitehorse Centennial Complex only two buildings were mentioned, namely the Fire Hall and the Museum. He was wondering whether they would comprise the entire complex.



Commissioner Cameron replied that it would consist of a City Hall - Fire Hall combination and a Museum. When the complex was completed most likely the Historical Society would move in and he also felt the area surrounding the complex would be landscaped and perhaps a small park established in the immediate vicinity.

Mr. Watt asked if the City Council had approved of this plan.

Commissioner Cameron answered in the affirmative.

Mr. Boyd said that the three Whitehorse Councillors had promised some money to the museum subject to its getting under way. He asked if this Plan B was acceptable, if the money committed would revert back to Council?

Commissioner Cameron answered that this was correct and added that the museum group had been informed.

Mr. Watt wanted to know whether the museum people had accepted this plan.

Commissioner Cameron answered in the affirmative.

Motion Carried.

A discussion followed on various other matters with Commissioner Cameron.

Discussion  
Sessional  
Paper #3

Mr. Livesey, in regard to the Lewes River Dam, said they had discussed this matter in the morning and he was wondering if Commissioner Cameron had any additional information. He said it appeared that it was too expensive to remove the entire dam due to the tremendous rock burden that was placed in the base of the dam but there may be some way of getting rid of the end of the dam and making a waterway without having to take out the whole thing.

Commissioner Cameron said that they had asked for tenders on the removal of the whole dam and the lowest price received was \$70,000.00. It was felt that lack of information caused the bidding contractor to allow for every possible contingency under the worst type of conditions and therefore it was suggested that the Engineering Department make a study of the situation this summer. He further said that they had considered cutting a canal or taking the end out of the dam but found this too risky unless they were able to get water channeled through there at twelve miles an hour or less and the necessary spare buoys and anchor buoys, etc. were provided for. There was only \$10,000.00 allowed in the Federal estimates for this project. He said: "We believe another \$10,000.00 could have been obtained. We originally started out at \$20,000.00 but they struck off \$10,000.00 because they thought the Canadian Army Engineers would do this as a demolition scheme. This would of course not be satisfactory because they would merely destroy the structure above the water and destroy the structure of the dam and wouldn't remove the mickey dams and the riff-raff in the riverbed and of course this would make a greater hazard than ever."

Mr. McKamey wondered if there were any blueprints of the dam.

Commissioner Cameron said that they have one or two engineering sectional drawings of the latest structure which was built approximately eight or nine years ago. The original dam, however, was built around 1924 and they did not have any specifications or drawings of it.

A discussion followed on court facilities.

Discussion  
Sessional Paper  
#2.

Mr. Taylor said that in view of some budgetary surplus, if the Administration could provide for some funds this year to ensure accommodations for court facilities in the outlying districts. He suggested \$10,000.00 be set aside this year.

Commissioner Cameron suggested Mr. MacKenzie be consulted on this matter.

Mr. Taylor asked that, providing sufficient money could be found, what direction from Council would Commissioner Cameron require to ensure that it would be implemented as soon as possible.

Commissioner Cameron suggested it be voted on and approved when it comes up in the budget.

Mr. Taylor said that in his opinion it was not within the jurisdiction of the Yukon Legislative Council to place items of expenditure in the budget.

Commissioner Cameron suggested he speak to Mr. MacKenzie (Territorial Treasurer) and see if it could be put in the budget.

Mr. Livesey, referring to the question of training of Justices of the Peace in the Yukon Territory, asked if Commissioner Cameron would have any information that could benefit the committee on this matter.

Training  
Justices  
of the  
Peace

Commissioner Cameron said that he had no additional information on this.

Discussion then took place on Sessional Paper No. 1.

Discussion  
Public  
Washroom  
Facilities  
Sessional  
Paper #1

Mr. Watt wondered if public washroom facilities could be incorporated in the plans for the Centennial Complex and asked if Commissioner Cameron would bring this matter up before the Centennial Commission.

Commissioner Cameron said he would rather leave that to the architects.

Commissioner Cameron was excused from Committee, and Committee proceeded to discuss Sessional Paper #9.

Discussion  
Sessional  
Paper #9

Mr. Livesey said, referring to this sessional paper, that this was the position they attempted to arrive at when they had a meeting with the Mine Mill & Smelter Workers and when Mr. Doherty was brought from Edmonton to Whitehorse to show his condition. He was of the opinion that it had been established that the five year limitation for reviewing a claim, as in the Workmen's Compensation Ordinance, was sadly out of order and that something had to be done about it. He said: "We have done something about this specific case, but what has been done about the Ordinance". He asked if Committee could have a legal interpretation of the Workmen's Compensation Ordinance in this respect.

Mr. Hughes (Legal Advisor) said that he could only give legal interpretation on a certain case with certain facts but not a general answer. He said that success in the Doherty case did not necessarily mean success in another case. He added that difficulties with the insurance companies, if cases are going to be reviewed twenty or thirty years later, should be looked into.

Mr. Livesey asked if the Legal Advisor could explain to the Committee the section referred to, namely Section 18, used in the Doherty case. He wanted to know what that section meant.

Mr. Hughes replied that probably Council was not really interested in the legal arguments used and how they succeeded and asked for a couple of days to review the facts.

Mr. Livesey said that the Committee would like to know if there were other avenues of escape from the five year limitation. If there was some way of getting around the five year limitation then Committee should decide whether or not the Ordinance should be repealed.

Committee agreed that Mr. Hughes should submit this information in a couple of days.

Committee decided to defer Sessional Paper No. 10 until discussion on education in the budget when Mr. Thompson would be in attendance.

Discussion  
Bill #1

Committee agreed to defer discussion on Bill No. 1 until the member from Dawson was present.

Discussion  
Bill #2

Committee proceeded to discuss Bill No. 2, An Ordinance to Amend The Yukon Housing Ordinance.

Mr. Boyd moved, seconded by Mr. McKinnon, that Bill No. 2 be passed out of Committee without amendment.

Mr. Livesey asked if the Legal Adviser could inform Committee why C.M.H.C. interest rates were being lowered progressively.

Mr. Hughes (Legal Advisor) replied that Mr. MacKenzie (Territorial Treasurer) or Mr. Spray (Area Development Officer) might be more familiar with the financial aspect of C.M.H.C.

Mr. Livesey requested that Mr. MacKenzie attend Committee.

Mr. Boyd said that he had noticed in Hansard that C.M.H.C. had made \$11 million profit. They had paid 5½ million in income tax leaving a net income of 5½ million. He felt that from this it would appear that their interest rate was too high to start with. He added that the only thing that worried him was that the rate should have been lowered about 3% rather than a half or a quarter and Mr. MacKenzie would not be able to change that.

Mr. Livesey said that all they could ask from Mr. MacKenzie was information.

Mr. Boyd argued that Mr. MacKenzie could not add anything more.

Motion re  
Bill #2

Mr. Watt moved, seconded by Mr. Livesey, that the question on the motion regarding Bill No. 2 be postponed until March 31.

Motion Carried.

Discussion  
Bill #3

Committee proceeded to discuss Bill No. 3, An Ordinance to Amend The Old Age Assistance and Blind Persons Allowance Ordinance.

Mr. Boyd moved, seconded by Mr. McKinnon, that Bill No. 3 be reported out of Committee without amendment.

Mr. Livesey commented that this parallels Federal legislation and brings Territorial legislation in line with it.

Motion Carried.

Discussion  
Bill #4

Committee proceeded to discuss Bill No. 4, An Ordinance to Amend the Disabled Persons Allowance Ordinance.

Mr. McKinnon moved, seconded by Mr. McKamey, that Bill No. 4 be reported out of Committee without amendment.

Motion Carried.

Committee proceeded to discuss Bill No. 7, An Ordinance to Amend the Pharmaceutical Chemists Ordinance.

Discussion  
Bill #7

Mr. Boyd asked the Legal Adviser if this was a standard bill to make it uniform across Canada.

Mr. Hughes said that the bill was not prepared locally and that Dr. Kinloch, (Chief Medical Health Officer), would have more information on this.

Mr. McKamey asked if the bill could be deferred until a later date.

Mr. McKinnon wondered if any of the pharmacists in the Yukon had seen the bill.

Mr. Hughes said it was not likely.

Mr. Watt asked that the Legal Adviser give the Committee specific information on how this amendment will affect the present legislation.

Mr. McKinnon noted a change under Schedule C where rubbing alcohol will, in future, have to be signed for.

On a question regarding Bill No. 8, An Ordinance to Amend the Public Health Ordinance, Clerk-in-Council advised the Committee that it will be forthcoming.

Committee agreed that discussion on Bill No. 10, 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 1964-65) should be deferred until the person from National Health and Welfare in Vancouver could attend Committee.

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

Motion Carried.

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

Committee convened at 10:30 A.M. to discuss bills, memoranda and sessional papers. Committee first dealt with sessional papers. Committee recessed at 12:00 noon and reconvened at 2:00 P.M. Commissioner Cameron attended Committee to discuss matters relating to fabrication of a Mace. It was moved by Mr. Boyd, seconded by Mr. McKinnon, that 'Plan B' as outlined in Sessional Paper No. 11, be adopted. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. McKinnon that Bill No. 2, An Ordinance to Amend the Yukon Housing Ordinance, be reported out of Committee without amendment. It was moved by Mr. Watt, seconded by Mr. Livesey, that the question on the motion regarding Bill No. 2 be postponed until March 31. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. McKinnon that Bill No. 3, An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance, be reported out of Committee without amendment. Motion Carried. It was moved by Mr. McKinnon, seconded by Mr. McKamey, that Bill No. 4, An Ordinance to Amend the Disabled Persons Allowance Ordinance, be reported out of Committee without amendment. Motion Carried. He reported progress on Bill No. 7, An Ordinance to Amend the Pharmaceutical Chemists Ordinance.

Committee  
Report

Council accepted the report of the Chairman of Committees.

Mr. Speaker tabled a memorandum from Commissioner Cameron dated March 26, 1964, (Set out as Sessional Paper #14) regarding the inability of Mr. Clausson of Central Mortgage and Housing Corporation, to meet with Council this Session.

Sessional  
Paper #14

Council adjourned until 10:00 A.M. Tuesday, March 31, 1964.

Tuesday, March 31, 1964  
10:00 o'clock A.M.

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

Mr. Speaker extended sympathy on behalf of the people of the Yukon Territory and the House to the people and Government of Alaska in view of their recent bereavement and shock from the recent earthquake.

Mr. Speaker read the following letter from Government House, Ottawa, dated March 18<sup>th</sup>, 1964: "The Secretary to the Governor-General is desired by His Excellency to send to you the enclosed letter which has been received from the Private Secretary to Her Majesty the Queen".

The enclosed letter from Buckingham Palace read as follows: "Dear Mr. Livesey: I am commanded to convey to you and to those associated with you the sincere thanks of the Queen and the Duke of Edinburgh for your kind message of congratulations on the birth of their son. Yours sincerely, signed Martin Chartens."

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

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| <ul style="list-style-type: none"> <li>(1) Regarding Motion No. 2 this Session - Annual Flooding in Marwell Area. (Set out as Sessional Paper No. 15)</li> <li>(2) Reply to Question No. 2, this Session - Votes &amp; Proceedings for Territorial Libraries. (Set out as Sessional Paper No. 16)</li> <li>(3) Regarding a telegram referring to Mr. G.R. Currie's visit. (Set out as Sessional Paper No. 17)</li> </ul> | <p>Sessional<br/>Papers<br/>No. 15</p> <p>No. 16</p> <p>No. 17</p> |
|--|--|

Mr. Taylor gave notice of Motion for the Production of Papers concerning Federal Revenues.

Productio  
of Papers  
No. 2

Mr. Taylor gave notice of Motion regarding the reduction of D.O.T. reserve - Teslin.

Motion  
No. 8

Mr. Taylor moved, seconded by Mr. Boyd, that in the opinion of Council the Administration are respectfully requested to enter into negotiations with the Province of British Columbia respecting formation of a joint conference to discuss and resolve problems which now affect citizens who reside at or near the Yukon-B.C. boundary. Such a conference should consider problems related to: law enforcement; liquor control; game administration; social services; Indian affairs; and any other problems of mutual concern.

Motion  
No. 6

Mr. Taylor said this was a matter of grave importance to constituents living in the B.C.-Yukon boundary area, particularly those in Watson Lake and the southeastern Yukon. There is a situation there where the Alaska Highway enters and departs from the Yukon several times in approximately 100 miles. People are scattered on both sides of the highway living under two different laws. For instance (1) liquor control - a man who lives at Iron Creek in the Yukon must come through B.C. to arrive at Watson Lake, Yukon, which is his nearest town. He purchases liquor to take home to Iron Creek and going home through B.C. gets fined. (2) Game administration - we have trapline problems over a man living at Lower Post, B.C. having a line in the Yukon and a man living in Watson Lake having a trapline in B.C. They both live two miles from the boundary and have always trapped and hunted in this area. (3) Social services, welfare - this type of thing is fairly well self-explanatory. (4) Indian affairs and so forth. This is why we propose and ask that Council consider supporting this motion in view of the fact that we may be able to get a conference going to discuss these common problems.

Mr. Watt asked Mr. Taylor if he did not think that this conference would overlap with the duties and problems normally taken up by the B.C.-Alaska-Yukon Conference.

Mr. Taylor thought the Alaska-B.C.-Yukon Conference was based at a much higher level of discussion. These problems would have to be resolved between Department Heads of the Province and the Territory.

Mr. Shaw commented that to resolve the problems you would have to get down to whether this area would have B.C. or Yukon laws. It would be quite a job. Motion Carried.

Question No. 5 Mr. Taylor asked the following question: Would the Administration endeavor to provide for Council the estimated loss of annual revenue which would result if stationary power units used to drive sawmills were exempted from the Fuel Tax Ordinance.

Question No. 6 Mr. Taylor presented the following question: Would the Administration provide Council with details respecting the forthcoming Territorial plebiscite on daylight saving time to be held this fall.

Mr. Shaw extended his apologies to Council for not being present on opening day.

THIRD Reading Bill # 9. Mr. Taylor moved, seconded by Mr. Boyd, that Bill No. 9, An Ordinance For Granting To the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Interim Supply Appropriation Ordinance 1964) be given THIRD reading.

Motion Carried.

Mr. Boyd moved, seconded by Mr. Taylor, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda and Sessional Papers.

Motion Carried.

In Committee In Committee of the Whole:

Discussion Bill #1. Committee proceeded to discuss Bill No. 1, An Ordinance Respecting the Corporation of the City of Dawson.

Mr. Taylor (with Mr. Boyd in the Chair) referred to the schedule attached to the Bill concerning construction of sewer along Dugas Street and asked the Legal Advisor if it was to be understood that the people living along that street would have to pay \$6.24 per frontage foot amortized over a period of twenty years.

Mr. Hughes (Legal Advisor) replied that in the schedule to the Bill they referred to two different amounts of \$3.12 each. One was a special tax of \$3.12 per foot and the other was a connection charge of \$3.12. As he understood it there was not going to be a double charge but added that maybe the Councillor from Dawson City, Mr. Shaw could elaborate on the matter.

Mr. Shaw said that he had not had an opportunity to look into the matter but that it appeared to him that at the present moment there were certain lots that were connected and had paid for the actual connection. "The lots mentioned in section 3 of the schedule" he said, "are not in use so if they want water connected then there would be a charge of \$3.12 per foot frontage for this connection plus the normal frontage tax." He added "I think this is the interpretation of  
..... /'6. this."

Mr. Boyd wanted to know who owned lots 3,4,5 and 6 in block 11.

Mr. Hughes answered that he could not tell without looking at the titles.

Mr. Boyd then asked if it was not customary when two thirds of the people agreed that sewer and water should be installed that all the people would be taxed for it whether they were hooked up or not. It seemed to him he said that the people who had their homes on that street right now were paying for the cost of this installation and the people that owned the property that had not been hooked up were paying nothing. It did not seem consistent.

Mr. Hughes replied that even though the question raised by Councillor Boyd was interesting it did not really concern the Council. In his opinion Council was asked to pass an Ordinance validating this by-law and were not asked to interfere with the by-law. He could not advise Council to go too far into the operation of Municipalities.

Mr. Taylor (with Mr. Boyd in the Chair) said that in section 4 of the by-law it says "by-law no. 83 is repealed", and it says in these explanatory notes "Dawson City Council purported to pass by-law 88 which was in almost exactly the same terms as the by-law in the schedule." He was wondering what by-law 83 was.

Mr. Hughes answered that he did not know off hand and that he could obtain a copy if Council so desired.

Mr. Shaw stated he would look into the matter and report back to Committee.

Agreed.

Committee proceeded to discuss Bill No. 11, The Main Supply Bill.

Discussion  
Bill No. 11

Mr. K. MacKenzie (Territorial Treasurer) attended Committee.

Mr. Livesey brought to the attention of the Committee that the Chairman of the Financial Advisory Committee was absent and he suggested that when discussing the various matters, they should appreciate that there might be some questions the Chairman of the Financial Advisory Committee would like to bring to Committee's attention.

Vote 1 - Yukon Legislative Council - Professional and Special Services-\$1,000.00

Mr. Taylor asked Mr. MacKenzie how much was expended on that item last year.

Mr. MacKenzie replied that this was a new primary put into effect at the request of Mr. Livesey.

Mr. Livesey said that he had brought this up on a number of occasions. He said that this provided a fund for payment of witnesses that are called by the House to help them with questions of importance. In his opinion this should have been instituted a long time ago.

Purchase of Reports and Publications

Mr. Shaw asked how much this was during 1962?

Mr. MacKenzie said he could not actually say and referred the question to Clerk-in-Council.

Clerk-in-Council said that the actual cost had been considerably under that figure. "But" he added "if all the Councillors ordered all the Committee reports, it would be very close to that figure".

Mr. Livesey agreed that if all Council members asked for all Committee Reports it would add up to that figure. He expressed however, dissatisfaction with the whole matter and said that he personally had asked for about 13 or 14 Committee Reports of the House of Commons but did not receive them. He said:

"About a year and a half ago I finally received a box of these reports dating back to 1959." He said further that only after some correspondence with the Deputy Minister had he started to receive a publication like Hansard. He said that Hansard was not particularly the criteria here but for some reason "someone doesn't want them to have these reports. When you ask for reports of the House of Commons and get banking reports of the Senate Committee there is something wrong. This item has so far been most unsatisfactory".

Committee proceeded to discuss Vote No. 2 - Territorial Treasurer and Collector of Taxes - Salaries - \$140,279.00.

Mr. Watt wondered if Mr. MacKenzie could give Committee a brief run-down on the rising cost of salaries.

Mr. MacKenzie replied that the work to be handled by his department was increasing, and that this increase involved additional staff. He assured Committee that he had no surplus staff.

Mr. Boyd commented that looking at Vote 2 he found that it had increased from 1959 up to today by approximately \$100,000.00. He said: "There are more laws to enforce but \$100,000.00 is a little to much".

Mr. Watt asked Mr. MacKenzie if the increase in this particular item reflected an increase in salaries or an increase in staff.

Mr. MacKenzie replied it was largely due to additional staff.

Mr. Taylor (with Mr. Boyd in the Chair) said it appeared to him as if there had been staff increases in nearly all departments, and that costs consequently had risen. He could not understand the reason for this as there had been no population increase in the Yukon Territory to cause the Administration costs to rise that much.

Mr. MacKenzie replied that it had been explained in detail to the Financial Advisory Committee and he had also made a special point of explaining it in Ottawa. He mentioned several additional responsibilities his Department had taken over, such as the Yukon Hospital Insurance Service, this was a new service the accounting and administration for which had to be done by his department. He further mentioned the Vocational Training School saying this was a major project governed by the agreement they had with Ottawa. The Unemployment Assistance Agreement, the St. Mary's Hospital and Nursing Home, and several other programmes.

Mr. Shaw commented that regardless of the expenditures being up about 50% for this year, he said "it all falls into the audit department."

Mr. MacKenzie again referred to additional duties taken on by his department and said that he wished to assure the Committee that there was not wasted money in the figure supplied to them.

Mr. Livesey said it seemed to him that the internal operation of the Government was expending at a very rapid rate. He said "The services that the public requires are being held down by the statement we just don't have the funds." He said they had been talking about sewer and water for some time but actually had achieved nothing because funds were not available. He noticed however that they were available for internal expansion of the Administration and felt they should take a closer look at this expansion. He said "When we go through the estimates we see all the Departments need more money so that the expansion of the Government is denying the needs of the public of the Territory. There should be a reasonable balance."



Mr. Watt asked Mr. MacKenzie what the total sum was last year compared to the total of this years budget of \$8,183, 904.00

Mr. MacKenzie replied it was approximately the same.

Mr. Taylor (with Mr. Boyd in the Chair) referred to the Glasgow Commission Report and wondered if the Territorial Administration had come under its scrutiny as to efficiency of operation.

Mr. MacKenzie replied that to the best of his knowledge only one man had been here for approximately one afternoon and that this man was interested mostly in personnel requirements.

Mr. Taylor asked Mr. MacKenzie if he would agree that possibly the answer to the problem they were discussing would lie in instituting some efficiency assessment of the Administration.

Mr. MacKenzie answered that an efficiency expert could come up with something good on paper but added that he would not know the local conditions and requirements. He would not agree with Mr. Taylor.

Mr. Boyd observed that the increase in salaries this year over last year amounted to \$250,000.00, and that \$58,000.00 of this was accountable to the Welfare Department.

Mr. MacKenzie said that he assumed that the figure Councillor Boyd was referring to was the gross figure and he had not taken into account the recovery. With respect to the expansion of each Department; he said the Commissioner could put a damper on any raise in cost in the end result. He said "Initially it is the Department heads, there is also myself as Territorial Treasurer to watch these expenditures. There are three scrutinizing forces. If there is anything in these costs not justified it wouldn't get through."

Mr. Taylor (with Mr. Boyd in the Chair) thought possibly the Commissioner depended very heavily on his Department heads and his Executive Assistant, Legal Advisor, and so forth for his information. He could not see where the Commissioner can effect effective control. He said "Who is going to control the Commissioner, Territorial Treasurer and Department Heads?" He added "It is quite possible to have a dictatorial type of Government and this is why I asked about the Glasgow Commission and whether they had taken the Territorial Administration into scrutiny."

Mr. Livesey felt that in every case there must be some control and he suggested that more power should be given to the Financial Advisory Committee. In his opinion this was the initial step towards creating effective control of this form of internal expansion programme.

Mr. Taylor (with Mr. Boyd in the Chair) asked if there had been given any thought to the use of computers in Mr. MacKenzie's Department.

Mr. MacKenzie answered no, and explained that there was no specific job in his Department that he could think of that would be suitable for a machine.

Mr. Shaw commented that the more services the people require and receive the more bookkeeping and personnel are required to handle them. "In the final analysis" he said " Council will only be able to question the actual expenses by matters of where money has been ill spent. Where people are employed and are failing to fulfill a function." He added "Government is growing and growing and as people need more services, it will continue to grow".

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

Tuesday, March 31, 1964  
2:00 o'clock P.M.

Committee was called to order with Commissioner Cameron and Mr. K. MacKenzie (Territorial Treasurer) in attendance.

Discussion  
Presentation  
of Gift NWHS  
leaving the  
Territory

Commissioner Cameron informed Committee that it had been suggested over the past few months that something possibly could be done in connection with a gift or some gesture of appreciation from the Territory to the Northwest Highway System, now that they are leaving the Territory. He continued to say that one suggestion brought up appealed to him and that was that the Territorial Government give a Northwest Highway System Scholarship each year under the Territorial Scholarship program. He personally felt that if money could be found for such a scholarship that \$750.00 would be a realistic figure and he added: "It would carry the Northwest Highway System's name on in perpetuity".

Mr. Watt commented that he could not think of a more fitting way of commemorating the Northwest Highway System's service in the Yukon.

Mr. Shaw expressed his agreement with the suggestion.

Mr. Boyd asked if the proposed scholarship would apply to children of Army personnel who had left the Territory or the Army by and large.

Commissioner Cameron replied that it would be for students of the Yukon Territory. "In fact," he said, "what we are saying is that the Northwest Highway System is presenting a scholarship and that Territorial funds are being used to do it to perpetuate their name."

Mr. McKamey wanted to know if it would be a Grade 12 scholarship.

Commissioner Cameron said that he would like to see it put in with the scholarship regulations and let the Scholarships Committee be allowed to work it out so there would not be a duplication of receipt by one student.

Mr. Shaw suggested that perhaps an engineering scholarship would be the most appropriate.

Commissioner Cameron pointed out that he believed there was an organization that wished to make a scholarship available for students in the Territory that intended to take up mining engineering.

Mr. McKamey asked if this scholarship would be designed to help a student carry on in a Canadian University?

Commissioner Cameron answered that the scholarship would carry on but the same student would not benefit from it each year. It would be used each year for a high school graduate to continue his studies at a university in Canada.

Mr. Boyd supported the idea of the scholarship.

Mr. McKamey asked Mr. MacKenzie if money was available.

Mr. MacKenzie replied in the affirmative.

Mr. Shaw had the idea of a scroll and thought perhaps that could be presented to the N.W.H.S.

Commissioner Cameron replied that the announcement in the paper, and the actual legislation and approval of the legislative body was about all that could be done.

Mr. Shaw however, felt it would not be too difficult to have a scroll made up that could be hung in the Army Headquarters.

Mr. Livesey went along with the idea of presenting a scroll and suggested that a good place for the scroll would be in the new Legislative building that would be built for Council. He was in agreement with the idea of the scholarship and in his opinion it would add to the tremendous amount of work that had been done toward increasing education in the Yukon. He was wondering how the students felt about the scholarships already available and how the Administration felt about the results of these scholarships.

Commissioner Cameron suggested that perhaps Mr. Thompson (Superintendent of Education) be asked to advise Council in that respect.

On a suggestion by Mr. Boyd, Committee agreed that Commissioner Cameron's proposal to institute a Northwest Highway System Scholarship to commemorate the former military operation of the Alaska Highway, in the amount of \$750.00 annually, be accepted.

Commissioner Cameron said that he would include Council's decision regarding the scholarship in his speech tomorrow at the official ceremonies when the maintenance of the Alaska Highway in the Yukon would be handed over to the Department of Public Works.

Discussion: Commissioner Cameron was excused and Committee proceeded to discuss Bill No. 2, An Ordinance to Amend the Yukon Housing Bill #2 Ordinance.

Mr. Livesey asked Mr. MacKenzie if he knew why Central Mortgage and Housing Corporation were continually reducing their interest rates by small amounts.

Mr. MacKenzie answered that he had no specific information in that respect.

Mr. Livesey then asked if there was a possibility of obtaining advice on the subject from C.M.H.C.

Mr. MacKenzie said he would be happy to write them.

Mr. Watt asked if Mr. MacKenzie expected C.M.H.C. would lower their interest rates on low cost housing as well as second mortgage loans.

Mr. MacKenzie answered he would ask about it in his letter.

Mr. Livesey commented that if the interest rates continue to decrease perhaps the people would wait for the rate to go down and consequently borrowing would decrease.

Mr. Shaw asked if Mr. MacKenzie could inform Committee whether people took advantage of this particular decrease on second mortgage loans in the Territory and if so in what areas.

Mr. MacKenzie replied that as per December 31, 1963 there were twenty-two loans for a total of \$37,990.00, and to the best of his knowledge that figure stood until the middle of February. He did not have any information with respect to the areas where these homes were situated.

Mr. Watt was wondering whether the lowered interest rate would affect the loans already in existence.

Mr. MacKenzie replied that it would be applicable to new loans only.

Mr. Livesey was of the opinion that as much information as possible should be obtained and passed on to the public in order to discourage them from waiting for interest rates to go down before building.

The motion moved by Mr. Boyd, seconded by Mr. McKinnon, that Bill #2 be passed out of Committee without amendment, on March 26 was carried.

Committee resumed discussion of Bill No. 11, The Main Supply Bill.

Discussion  
Bill #11

Vote No. 2

Mr. MacKenzie commenting on Salaries, said Councillors Livesey and Boyd might recall in Ottawa, having listened to talks on the reorganization taking place in the Department of Northern Affairs as a result of the Glasgow Commission Report, that one of the changes they were going to make was to exercise financial control by activity rather than primary. He said: "Primary consists of items like salaries, wages, materials and supplies while activity is what you spend it on, like Frederick Collins High School and the Mayo School". He continued to say that he was very pleased to be able to say that this had been done in the Territory for years. "In this instance" he said "the Federal Government is far behind the Territory, so that the Territorial Administration cannot be very much at fault, but is in fact up to date."

Mr. McKamey confirmed that this had been pointed out in Ottawa but added that nevertheless the Finance Committee had criticized Vote No. 2 as follows: "This department was criticized for overexpenditure. Under the Five Year Financial Agreement the amount provided for in the fiscal year 1964-65 was \$141,829.00. However this department has a budget of \$168,784.00 for the year 1964-65, and overexpenditure of \$26,955.00. It is worthy to note that this department has jumped from \$60,000.00 in the fiscal year of 1959-60 to \$168,784.00 for the fiscal year of 1964-65".

Mr. MacKenzie said that that the increase was well justified.

Mr. Livesey did not quite agree with the remarks made by Mr. MacKenzie about the efficiency here in the Yukon. He felt that the budget should be one of objectivity rather than a statistical monetary evaluation. He said: "There is no collective information which will show the public of the Territory what is being spent for projects or certain types of work, or the interests of the government of the people. The expansion program going on within the Administration, when given to the people in the form set out in the budget, is meaningless".

Mr. MacKenzie replied that he was in doubt as to what Mr. Livesey meant by objectivity and pointed out that they were recording their estimated expenditures by objects or activities. He said: "Education shows how much is to be spent on each school as well as how much is to be spent under each primary".

Mr. Livesey commented that the plans for the future were not shown and that this was one of the things that a member of the Department of Northern Affairs discussed.

Mr. MacKenzie replied that he did not recollect a comment to that effect, and said that he was still in doubt as to what Mr. Livesey wanted. He was wondering whether he meant that Vote 2 should be broken down into establishments or activities as well.

Mr. Livesey held the view that the budget would be uninteresting to the public or the man on the street because it was too dry.

Mr. MacKenzie replied that he was told in Ottawa that his estimates are more informative and more detailed than the Federal Estimates and he failed to see how one could go much further.

Mr. McKamey, in support of the point raised by Mr. Livesey, said that it shows in the budget that there was an increase from \$60,000.00 in 1959 to \$110,000.00 in 1960 but that there was nothing to explain why this increase was necessary.

Mr. MacKenzie replied that he covers increases in expenditures and revenues in the Annual Report and pointed out that the trend of the times is upwards. He said: "One could go on without end giving explanations".

Mr. McKamey disagreed and said that in his opinion it was the responsibility of the elected representatives of the taxpayers to exercise some control on how a department should expand. He said: "It is well known that you can walk into some departments during working hours and see feet up on the desk and magazines being read and by passing the budget without question they were supporting this sort of thing".

Mr. MacKenzie said he was surprised to hear that because, he said: "When the estimates are considered the increases over the previous year are gone into and explanations provided which presumably are satisfactory to the members of the Committee". He added that if more explanation was needed he would be glad to provide it. With respect to control, in the public accounts, it should be noticed that the Territorial Treasurer and Collector of Taxes expenditure for 1962-63 was \$110,000.00 but that Council voted \$121,000.00. He said: "Control was exercised to ensure expenditure did not exceed the money voted and in fact \$11,000.00 was saved".

After a short discussion followed by a suggestion from Mr. Boyd that since the Financial Advisory Committee had been through the budget several times only the total amount be looked at by the Committee except for those items to which there might be an objection. It was agreed that Committee should follow the customary procedure when dealing with the Main Supply Bill.

On a question from the Chairman of Committees, whether the public accounts could be made available to the members of the Financial Advisory Committee when they discuss the budget, Mr. MacKenzie said that they would have been given to them if they had been returned from the printers in time but added that mimeographed copies could be provided.

Employees Superannuation Fund - \$8,060.00

Mr. McKinnon inquired whether details concerning the fund had been worked out to everyone's satisfaction.

Mr. MacKenzie replied in the affirmative.

Mr. McKamey asked how far this scheme was retroactive.

Mr. MacKenzie replied that it was not and that it takes effect April 1st. He added however, that anybody with past service could have his enrollment taken back to the date of his commencement as a Territorial employee but he would have to pay for that elective service himself. That is if he himself wanted to make his participation retroactive he would have to pay 13% plus interest at 4%. In his opinion this retroactive service should be paid for by the government.

Committee proceeded to discuss Vote No. 3 with Mr. Thompson (Superintendent of Schools) in attendance.

Mr. Watt read from the minutes of the Financial Advisory Committee: "The opinion was expressed that occasional selection of unsatisfactory teachers might be avoided by interviewing applicants for teaching vacancies prior to appointments and if this could be done the

Superintendent of Schools arrange for interviews at suitable centres in the provinces." He asked Mr. Thompson if, after the interviews, he found out that this plan was feasible.

Mr. Thompson answered that it would not necessarily be more satisfactory because the final proof was in the service that the teacher gives.

Mr. McKamey commented that when the Financial Advisory Committee was in Ottawa the Department of Northern Affairs agreed that the practice of interviewing teachers before appointing them should be instituted in the Yukon Territory and he was wondering if Mr. Thompson planned to follow that practice this year.

Mr. Thompson answered that Commissioner Cameron has suggested they should and he believed they would do so during the latter part of April and early May.

Mr. Watt commented that he had heard a lot of comments during the last six or eight months about the quality of the teachers in the Territory.

Mr. Thompson commented that when you have 146 teachers things like this will come up. He was wondering however, whether the comments were facts or merely opinions.

Mr. Shaw said that in the general administration of Vote No. 3 he noted that the salaries had increased an amount of \$12,000.00 and also that salaries of teachers had increased by \$1,783.00. Since the Army personnel attached to the Northwest Highway System would be leaving the Yukon perhaps the attendance at schools would decrease and he was wondering whether this factor had been considered when preparing the estimates.

Mr. Thompson replied that the estimates had been prepared early last fall before the announcement that the Army would be leaving the Territory. He continued to say that he understood the dependents of civilians working for the Army would not be leaving and that the Takhini School, where they have twelve classrooms in operation, would be the hardest hit. He expected that only nine classrooms would be required under the present setup, and that Christ the King School might be affected to a certain extent also. He added: "In the other schools normal increase in enrollment will more than take care of the fact that the Army children will be leaving".

The item of General Administration - \$76,278.00 was cleared and Committee proceeded to discuss F. H. Collins Secondary School - \$229,631.00.

Mr. Taylor asked Mr. MacKenzie what was paid for electric power at the F. H. Collins Secondary School.

Mr. MacKenzie answered that he would undertake to get the amount if it is requested.

Mr. Taylor directed a question to Mr. Thompson asking if anything had been done in an attempt to stop overheating of schools.

Mr. Thompson answered that that overheating was not deliberate and it would seem it was a problem one would have to live with. He further said that it would be too expensive to have ventilation systems.

After a lengthy discussion on contracts for fuel to various schools in the Territory, Committee agreed that this matter should be brought to the attention of Mr. Baker, (Territorial Engineer) when Vote 9 was discussed.

Committee proceeded to discuss Whitehorse Elementary School - \$269,285.00.

Mr. Boyd said that he would appreciate some clarification with respect to this item. He said that the Financial Advisory Committee was told that, of the amount voted in 1963-64, approximately \$200,000.00 was not spent.

"It would seem" he said "that estimates for 1964-65 are a continuation of what was voted in 1963-64 and that there might be \$200,000.00 or more that will not be spent."

Mr. MacKenzie questioned the figure of \$200,000.00 and said that in fact the figure is \$75,000.00 according to the public accounts. "In a total vote of \$1¼ million" he said "to have a lapsing balance of only \$75,000.00 is very good estimating."

Mr. Livesey asked if more fencing was going to be done around the Whitehorse Elementary School and was also wondering if it was possible to acquire more land for that school.

Mr. Thompson replied that it was the intention to acquire more land on the north side of the school where the vacated firchall is situated. He added that in his opinion it would be a long time until that land could be acquired.

Mr. Livesey again asked whether any more fencing would be done around that school.

Mr. Thompson replied that they had gone as far as they could go until it was known what the boundary would be on the north side. He added that the situation seemed to be satisfactory at the present time.

Mr. Boyd wanted to know who held the title to the land in question.

Mr. Thompson replied that he was not quite sure whether it was the Army or the British Yukon Navigation Company but added that if he was requested to look into the matter he would try to obtain definite information for Committee.

Mr. Thompson and Mr. MacKenzie were excused from Committee.

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

Motion Carried.

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

Committee Report

Committee convened at 10:30 a.m. to discuss, bills, memoranda and sessional papers. I can report progress on Bill No. 1. Committee then proceeded with discussion on Bill No. 11, The Main Supply Bill, with Mr. MacKenzie (Territorial Treasurer) in attendance. Committee recessed at 12:00 noon and reconvened at 2:00 p.m. Commissioner Cameron attended Committee to discuss the institution of a Northwest Highway System Scholarship to commemorate the former military operation of the Alaska Highway. Committee agreed to the implementation of an annual \$750.00 scholarship. Committee then dealt with Bill No. 2 and question was called on a motion to report Bill No. 2 out of Committee without amendment proposed on March 26th last. Motion Carried. Mr. Thompson joined Committee to discuss Vote 3 of the Main Supply Bill. I can report progress on Bill No. 11.

Council accepted the report of the Chairman of Committees and reverted to daily routine.

Motion No. 13.

Mr. Shaw gave Notice of Motion respecting the scholarship to commemorate the operation of the Northwest Highway System over the past years in the Yukon Territory.

In order to allow Council members to attend the ceremonies of the changeover in maintenance of the highway from the Northwest Highway System to the Department of Public Works at 10:00 a.m. April 1st, Mr. Speaker adjourned Council until 2:00 p.m. Wednesday April 1st.

Wednesday, April 1st, 1964  
2:00 o'clock P.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding Court Facilities and Training of J.P.s. (Set out as Sessional Paper No. 18)

Sessional Paper No. 18

Mr. McKamey gave a report of the Financial Advisory Committee. (Set out as Sessional Paper No. 19)

No. 19

Mr. Taylor moved, seconded by Mr. McKamey, for leave to introduce Bill No. 13, An Ordinance to Amend the Ordinance to Authorize 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.

Introducing Bill # 13.

Motion Carried.

Mr. Shaw gave notice of Motion regarding the Tourist Promotion by the Klondike Visitors Association, Dawson City.

Motion No. 9

Mr. Taylor gave notice of Motion regarding the Yukon Communications Network.

Motion No. 10

Mr. Boyd gave notice of Motion regarding the resurveying of lots in certain areas.

Motion No. 11

Mr. Boyd gave notice of Motion regarding the sale of electricity.

Motion No. 12

Mr. Watt gave notice of Motion for the Production of Papers concerning the Whitehorse Escarpment Area.

Production of Papers No. 3

Mr. Watt gave notice of Motion for the Production of Papers concerning Lot 19 and other land in lower Whitehorse.

Production of Papers No. 4

Mr. Taylor moved, seconded by Mr. Livesey, that the Administration is respectfully requested to provide Council with figures indicating the amount of income tax and corporation tax accruing to the Federal Government from the Yukon Territory for the fiscal year ending March 31st, 1963.

Production of Papers No. 2

Motion Carried.

Mr. Speaker asked Mr. Taylor, Clerk-in-Council if there was anything further on the motion for Production of Papers no. 1 regarding the airport terminal building.

Clerk-in-Council replied there was nothing further.

Mr. Taylor moved, seconded by Mr. Watt, that in view of the need for usable lands for settlement and development in the Teslin Community area it is the opinion of Council that the Administration be respectfully requested to enter into negotiations with the Department of Transport with a view to obtaining lands for settlement and development by reduction of the Teslin Airport Reserve.

Motion No. 8

Mr. Taylor, speaking on this motion, said they have a situation in Teslin whereby the present area which is marked out as a subdivision is unsuitable for building as it is all swamp and muskeg. For example the school could not be put there. There is a suitable area on the end of the Airport Reserve, across the road from the present facilities and it is the wish of the Teslin residents that negotiations be entered into with the Department of Transport to have this area frozen for subdivision expansion and development. He had discussed this with the land office who would be happy to start negotiations and they do not perceive too many difficulties in the D.O.T. releasing this land. This would not conflict with any future runway extension and he hoped Council would add their support.



Mr. McKamey said he supported the motion as it would help provide orderly development of the Yukon.

Motion Carried.

Question  
No. 7

Mr. Watt asked the following question addressed to the Administration: What plans if any are made concerning the B.C.-Alaska-Yukon Conference?

Mr. Taylor asked the following questions:

Question  
No. 8

(1) Would the Administration endeavor to provide Council with full details as to Territorial Government participation respecting possible future administration and maintenance of the Alaska Highway by the Territorial Government.

Question  
No. 9

(2) Would the Administration advise Council as to the total amount of revenue presently owing to Government of the Yukon Territory by the Province of British Columbia.

Mr. Taylor asked the Clerk-in-Council if the expression of sympathy voiced in the House the day before on behalf of the people of the Yukon with respect to the Alaskan earthquake, had been forwarded to Governor Egan and the people of Alaska. If not, would this be undertaken?

Mr. Taylor said it seems highly illogical to voice such an expression of sympathy to the people of Alaska if they had no means of conveying it to them, and he assumed this was the duty of the Clerk-in-Council.

Mr. McKinnon rose on a point of order and suggested the matter be dealt with in another manner and not during the question period.

Mr. Speaker said that if agreeable he would take this matter up with the Clerk-in-Council.

Agreed.

Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, sessional papers, memoranda and other matters.

Motion Carried.

In Committee of the Whole:

In  
Committee

Committee agreed that Mr. Hughes (Legal Advisor) could be excused from Committee this afternoon.

Mr. Hughes said that he had been instructed by Mr. Speaker to be present at all times and wondered whether this matter could now be raised in Committee.

Mr. Livesey rose on a point of order and said that the Chair in Committee of the Whole can make such decisions based on the rules.

Mr. McKamey suggested that Mr. Hughes was welcome to stay if he so desired.

Discussion  
Bill #10

Committee proceeded to discuss Bill No. 10 with Mr. MacKenzie, (Territorial Treasurer) and Mr. K. Baker (Territorial Engineer) in attendance.

Schedule A - Vote 20

Mr. MacKenzie mentioned that the amount of \$91,270.00 under Education and the \$222,925.00 under Municipal and Area Development Administration were controversial items and he did not expect Council to discuss this now but suggested that they did consider and agree upon the \$579,800.00 under Roads, Bridges and Public Works.

Mr. Chairman suggested that they had to amend the Bill and delete the first two items because the Bill calls for an expenditure of \$893,995.00.

Mr. Shaw suggested that one portion of the Bill could be studied and agreed upon and the balance left for further discussions.

Mr. Livesey said that in his opinion it would be improper to discuss part of any Bill. He said: "A Bill is either passed or it is amended". He said that if the Administration felt there was an advantage to be gained from having the particular section passed by Committee he suggested they should separate the item of Roads, Bridges and Public Works from the rest of the Bill.

Mr. MacKenzie replied that he would be quite prepared to separate the Bill, one covering Roads, Bridges and Public Works for \$597,800.00 and one for the balance covering Education and Municipal and Area Development Administration.

Mr. Shaw then suggested that Committee proceed with discussion of the Bill without passing it.

Agreed.

Road and Garage Equipment - \$142,450.00

Mr. Chairman asked Mr. MacKenzie to give Committee a breakdown of this figure.

Mr. MacKenzie answered that there was a list of equipment on Page 25.

Mr. Taylor wondered why this appeared in two Bills of legislation, The Supply Bill and Bill No. 10.

Mr. MacKenzie said it does not appear in the Supply Bill, it appears in the one book but that book was covered by three Supply Bills, namely the Interim Supply Bill, the Main Supply Bill and the Special Bill to recover the capital.

Mr. Boyd suggested that this item relates to straight equipment, which is essential to the Engineering Department to carry on, it be accepted without any further discussion.

Mr. Taylor (with Mr. Boyd in the Chair) asked if the Territorial Government contemplated releasing some old equipment, such as No. 12 Graders, etc. for sale or distribution to outlying communities this summer? He said that in Teslin a power grader was greatly needed.

Mr. Baker said no but that this could perhaps be done.

Mr. Taylor commented that the roads were maintained by the Territorial Government but that the work was being done by an old grader and a truck to tow it around and some power equipment was needed.

Mr. Baker suggested to Mr. Taylor that perhaps it would be a better solution to arrange with the Department of Public Works for the maintenance of the streets in Teslin.

Mr. McKinnon said: "I thought the reason we were going to have a special bill in the Project and Loan Capital Section was that contracts could be called and work could get started earlier in the spring. Would the \$141,250.00 that is going to be spent on equipment actually fall into this urgent nature category that it should be in this special bill." I cannot see where this is going to get any contracts started earlier and provide employment."

Mr. Baker explained that the equipment was placed in that Bill because if they were to wait too long it was possible it would prohibit the use of the equipment this summer.

Mr. Taylor, referring to Vote No. 581 - Marina Development said: "I understood that each constituency, this was two years ago, were to get these ramps for marina development in our areas and I wonder what happened to this proposal".

Mr. Baker replied that he was not aware that in the Watson Lake and Teslin districts there was a requirement for that kind of equipment.

Mr. Taylor replied that it had been discussed in Committee at great length and it was agreed that this would be done.

Mr. McKamey supported Councillor Taylor on that item.

Mr. McKinnon rose on a point of order and said that the item under discussion was Bill No. 10 and the Marina Development does not enter into it.

Mr. Boyd pointed out that they had agreed to discuss the lower portion of Bill No. 10 and he would like to see Committee stay on that.

Mr. MacKenzie suggested that they defer discussion on this Bill until it is separated.

Agreed

Mr. Baker was excused from Committee.

Discussion  
Bill No. 11

Committee proceeded to discuss Bill No. 11 with Mr. MacKenzie and Mr. Thompson (Superintendent of Schools) in attendance.

Education - Vote 3

Takhini - \$125,297.00

Mr. Watt asked Mr. Thompson how the changeover of the Highway System would affect Takhini School.

Mr. Thompson replied that today there were twelve regular classrooms in operation but by next September he expected there would be only nine regular classrooms. He added that at the present time they were teaching up to Grade 6 but that this fall he understood there would be added a Grade 7, "but nevertheless" he said "it is possible that a classroom may be made available for a retarded children's class".

Mr. Shaw wondered if it would not be more efficient to designate certain schools for certain purposes and bring the children to these schools by bus.

Mr. Thompson replied that they had been doing this to some extent.

Mr. Livesey took up the question of land and access to schools. He said that he had discussed the question in Council on several occasions and also had carried on correspondence with certain members of the Department of Northern Affairs. He said that these people agreed that it was a logical move to make sure that all schools in the Territory were built on land held by the Territory. He concluded by directing the following question to the Superintendent of Schools: "Is it now clear that the Takhini School is built on Territorial ground and has free Territorial access to it by open road?"

Mr. Thompson replied that their policy was to built their schools on their own land only, and that to the best of his knowledge that policy had been followed when Takhini was built. He further said that they had made arrangements with the Army with respect to an access road to the school while the Army was there.

Mr. Livesey thanked Mr. Thompson for his reply and said that it seemed quite satisfactory. "However" he added "it might have been the policy of the Territorial Government to build schools on Territorial ground, but it certainly was not the policy on the Alaska Highway". He referred to the construction of schools at Beaver Creek and Destruction Bay.

Mr. Shaw said he could remember when the Takhini school was built. Council had been told that one of the features of building in that area was because it was close to the Army and it could be heated very economically. Today he found however, that the cost of heating that school was certainly not cheaper than heating any other school.

Mr. McKamey agreed with Mr. Shaw and noticed that the cost at the Selkirk School was \$335.00 a month over a 12 month period and that at Camp Takhini it was \$600.00 a month.

Mr. Thompson replied that he felt the figures given at that time were given in good faith. He said that they were estimates that the Department of National Defence had provided but when it came to billing the figures were considerably higher.

Mr. Livesey asked Mr. Thompson if he could give him the exact area of the Camp Takhini Schoolground.

Mr. Thompson replied that he did not know the exact area of the schoolground but he would not be surprised if it was in the area of 12 acres.

Mr. McKamey said that he did not think Mr. Thompson should consider releasing some of the ground. In his opinion, rather than release any, more should be acquired. He said that if an additional school had to be built at Camp Takhini, of the same size and following the recommendations of the Committee on Education: "perhaps you would need twice as much ground". He added that this was something that should be considered, approved and supported in Council.

Mr. Livesey said this was exactly what he was aiming at. He had been attempting to investigate the position of the Administration on it because he felt they should be very firm in this respect.

Porter Creek School - \$48,559.00

Mr. McKinnon directed a question to Mr. Thompson asking if the addition was finished.

Mr. Thompson answered that it was finished a week ago.

Christ the King Elementary School - clear

Christ the King High School - \$83,680.00

Mr. Shaw asked what was included in the renovation of the school.

Mr. Thompson said it would be represented in Vote 10.

Mr. McKinnon said that he understood that the oil was all in the one contract but found that in some of the schools in Whitehorse area it was sold for 26.8 cents and in others at 25.4 cents.

Mr. MacKenzie said that he had found, since the question came up yesterday, that it was not a case of dividing the Territory into two parts, one Whitehorse and one not Whitehorse. It could be that two separate schools could be supplied by two separate companies and he added: "that may be the case here". He suggested Mr. Baker should be consulted later.

Mr. Thompson said there were two different prices but one was on diesel fuel and the other one on stove oil.

4th Avenue Staff House - \$17,350.00

Mr. Livesey asked Mr. Thompson if there was any limit to the length of time a member of the staff could reside in a staff house.

Mr. Thompson said he had not received any instructions to limit the time.

Mr. MacKenzie said there would be instructions to limit the time to two years. The directive has not yet been sent out pending revision of the rental rates which have been delayed due to staff shortages.

Mr. Shaw said that he thought the policy was to have this as self sustaining as possible. He found however that they have revenues of \$11,400.00 and expenditures of \$17,350.00. He said: "There are ten people that stay in the house, is that all it is equipped for?"

Mr. MacKenzie said he believed there was accommodation for 13 but the average was 10. Right now they were losing because the rental rate was \$95.00 a month and this was not sufficient to meet the operating cost, but that is going to be remedied.

Nisutlin - \$7,961.00

Mr. Watt asked what was recovered on that block last year?

Mr. Thompson said it would not cover the whole year.

Mr. MacKenzie said that the figure estimated to be recovered on the Nisutlin Block was \$15,900.00. That took care of ten tenants when it was at full occupancy.

Mr. Watt wanted to know if that block was filled with teachers or if there were people from other departments in the block.

Mr. Thompson replied that right now eight were occupied by teachers for the regular schools, one by the Chief Instructor of the Vocational School and the one that was vacated was occupied from July by one of the persons in the Welfare Office.

Dawson Elementary High School - \$88,586.00

Mr. Livesey wanted to know if the fuel oil supplied to Dawson High School came from a low bid contract from a resale outlet or a low bid contract from a wholesale outlet.

Mr. Thompson thought it was a wholesale outlet.

Mr. Boyd wanted to know who supplied the electricity for that school.

Mr. Thompson replied that it was Dawson Light and Power Company.

Mr. MacKenzie said that the matter of light in Dawson was under review and consideration by the Commissioner.

Mr. Shaw added that it had been under review for about ten years.

Mr. Watt noticed that on Page 28 it said that two classrooms were added during 1962 and 1964. He was wondering whether that took care of the classrooms needed for Dawson City for some time to come.

Mr. Thompson replied that there had been a drop in students over the previous year, approximately 192 to 168. All classrooms are in operation but that previously they had been overcrowded.

A lengthy discussion followed on transportation, school buses and qualification of the school bus drivers. After a suggestion from Councillor Taylor that they should consider a review of the operators and chauffeurs licenses it was pointed out that under the present system no school bus driver was hired unless he had been specially tested and approved as a school bus driver.

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

Motion Carried.

Mr. MacKenzie (Territorial Treasurer) and Mr. Thompson (Superintendent of Schools) were excused from Committee.

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

Committee convened at 2:40 P.M. to discuss bills, memoranda and sessional papers. Mr Baker , Territorial Engineer and Mr. MacKenzie, Territorial Treasurer, attended Committee to discuss Bill No. 10. Mr. Thompson, Superintendent of Schools, attended Committee to discuss Vote 3, Bill No. 11. Progress is reported on Bill No. 11. Committee Report

Council accepted the report of the Chairman of Committees and adjourned until 10:00 A.M. Thursday, April 2, 1964.

Thursday, April 2, 1964,  
10:00 o'clock A.M.

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

Mr. Taylor gave notice of Motion regarding Smelter Potential in the Yukon Territory. Motion No. 14

Mr. McKinnon gave notice of Motion respecting Parliamentary Rules Committee for Territorial Council. Motion No. 15

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

- (1) regarding Beaver Creek Air Strip and Landing Field; No. 16
- (2) regarding Dust Control on Alaska Highway No. 17
- (3) regarding Burning Areas - North Alaska Highway No. 18

Mr. Watt moved, seconded by Mr. Taylor, that it is respectfully requested that the Administration outline plans if any for the Whitehorse escarpment stabilization program this year. Production of Papers No. 3

Motion Carried.

Mr. Watt moved, seconded by Mr. McKinnon, that it is respectfully requested that the Administration furnish Council with progress being made on the Lot 19 project. Are there any other plans to make land available in lower Whitehorse? Production of Papers No. 4

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKinnon, that it is the opinion of Council that in order to assist the Tourist Industry it is advisable to again provide a continuous form of entertainment for the visitors who will be going to Dawson City this coming summer. Be it recognized that the Klondike Visitors Association, approaching their twelfth year of Tourist Promotion have proven their ability to carry forth such a program. Be it recognized that this association is again going to ask the businessmen at Dawson City to pledge an amount of \$2,000.00 Be it recognized that \$2,000.00 is a very large amount of money to ask the few business's of this small community to contribute but this amount is still not sufficient to carry out an adequate program. It is therefore respectfully requested that the Administration provide a maximum amount of \$6,000.00 to the Klondike Visitors Association to enable them to carry out an adequate program of entertainment for the expected visitors and that this amount shall be paid out on a basis of \$3.00 to every \$1.00 raised by donation as above stated in paragraph four. Be it recognized that the Administration shall be provided with all pertinent data required by them from the Klondike Visitors Association to assure that the funds so allocated are spent in accordance with this resolution and the recommendations thereof. Motion No. 9

Mr. Shaw speaking on the motion said that the attached resolution was merely to give information to Council and was not a part of the motion. Further, he said, this was a matter of requesting the Administration to provide a specific amount of money, and he asked Council's permission to have this matter brought before Committee tomorrow morning when Commissioner Cameron would be in attendance. He added that it would be necessary for him to have an answer to this by Friday night.

Mr. McKamey suggested that perhaps Mr. Gibson, Director of Travel and Publicity, should attend Committee in connection with this matter. He added that possibly the \$6,000.00 asked for could be taken out of the appropriation for the Department of Travel and Publicity.

Mr. Shaw agreed.

Council agreed to discuss this matter in Committee with Commissioner Cameron and Mr. Gibson present.

Motion  
No. 10

Mr. Taylor moved, seconded by Mr. Shaw, that in the opinion of Council the Administration are respectfully requested to enter into negotiations with the Dept. of Transport and the Dept. of National Defence, with a view to establishing a Yukon wide communications network to service outlying settlements, survey and exploration camps, aviation agencies and other units active in remote and semi-remote areas of the Yukon Territory.

Mr. Taylor speaking on the motion said that this motion relates to the type of operation there used to be in the Territory under the Canadian Army. He said that at that time there was no difficulty in communicating back and forth, and if an emergency arose and an aircraft was needed the necessary messages could be relayed on the regular scheduled networks. He further said that since the Dept. of Transport took over that operation those services were no longer provided. The purpose of the motion, he said, was to try and institute negotiations and see if they could bring the Army Signals back to the Yukon. The only communications that Ross River has for example is through the Forestry Dept. He went on to say that for lack of a good transmitter this last winter a child died because they could not get an airplane to get the required medical help. He added "This system is badly needed."

It was agreed to refer this matter to Committee for further discussion.

Motion  
No. 11

Mr. Boyd moved, seconded by Mr. McKamey, that consideration be given to resurveying lots in areas where present lots are greater than 50' x 100' with a view to bringing all lots in the Yukon to a standard size of 50' x 100'.

Mr. Boyd speaking on the motion said the reason he brought this forth was because of the lots ranging in various sizes, water and sewer systems were in his opinion delayed. He said that the areas in question are not the best for putting water in in the first place which meant that the expenses would be much greater than the normal terrain. He added that there was nothing in the motion to suggest that the land he owns now would be taken away from him, but that he would simply own three or four lots instead of one. It would standardize the situation and make it more sensible in economics when it comes to sewer and water and he asked for support on this.

Mr. McKamey commented that he had supported such a move for a long time and that this was one of the reasons why he had requested Mr. Wishart to attend.

Mr. Taylor said that he could not support the motion on behalf of the people he represented.

Mr. McKinnon said that he believed that if people wanted lots bigger than 50 x 100 feet, they would be quite willing to pay for any services they may require and the higher cost of the bigger lots. He was opposed to the motion.

It was agreed to refer this motion to Committee for further discussion.

Motion  
No. 12

Mr. Boyd moved, seconded by Mr. McKinnon that the Administration contact the Canada Power Commission requesting that consideration be given to the reduction of the sale price of electricity.

Mr. Boyd said speaking on the motion that it seemed since the power commission got under way that the amount of electrical machinery, etc. had increased considerably and so had the number of homes, the usage



of electricity and so forth. He felt that if somebody did not ask for the prices to be reconsidered they would continue to pay an exorbitant price for electricity. He said that the bills around Whitehorse were almost equivalent to those in Dawson City and he merely wanted to find out if there was any chance of the cost of electricity being reduced.

Mr. McKinnon referred to a discussion with the Deputy Minister of Northern Affairs, Mr. Gordon Robertson, in Council some time ago and said that the Deputy Minister had told Council that Northern Canada Power Commission was not in business to make money, and that they were losing money in Whitehorse. He also had told Council that with a few years with increased electrical use they should be able to reduce the price they charge for power to the Yukon Electrical Company.

Mr. McKamey wanted to know the terms of the franchise agreement between the Yukon Electrical Company and the Territorial Government and said that he did not like to support a motion unless people were going to benefit by it.

Mr. Watt was of the opinion that what was needed was a committee to investigate and report on the retail power rates that were charged in the Whitehorse area. He said that in his opinion some of the rates that were charged were not right and if the charges were justified it would clear the air for the seller. If during the budget discussion they will find an item concerning the Yukon Hydro Commission, he would like to bring his motion forth at that time.

Mr. McKinnon said that less than three years ago a study was made by the Alberta Utilities Commission concerning the rates of power in the Whitehorse area. He knew that the commission had found that the rates charged were not exorbitant but quite fair and he wanted to know if Mr. Watt proposed that another commission be set up to look into the same matter less than three years after the first one.

Mr. Watt replied that the Alberta Utilities Commission were hired and paid for by the Yukon Electrical Company and he did not think that it was an unbiased opinion that the commission had reached. He thought they needed a commission set up by the Territorial Government and paid for by the people.

Taylor commented that in his opinion this should be taken up by the municipality rather than the Council and if it was found that it came under the terms of the franchise then it could be brought before the Commissioner. He felt the motion had some merit but wanted to know what price Yukon Electric buy power for and what they sell it for. He agreed that the motion could be deferred pending further information.

Mr. Boyd could see no reason to defer the motion and said it was a simple request for a reduction or the possibility of one.

Mr. McKamey did not agree with Councillor Boyd and said he did not see how this reduction necessarily would reduce the rate paid by the consumer. He had not seen the franchise and he thought it was necessary that a copy of this franchise be laid before them.

Mr. Shaw supported the motion.

Mr. Watt asked Mr. Boyd to consider his motion and said that in his opinion they should justify the charges or make some recommendations as to how they should be changed. He wanted the motion referred to Committee where something worthwhile could be done with it.

Mr. Taylor did not feel this motion should be referred to Committee.

Motion Carried.

Mr. McKinnon suggested if possible Commissioner Cameron should attend Council one day every week to answer questions orally.

All agreed.

First & Second Reading Bill #13 First and Second readings were given to Bill No. 13, An Ordinance To Amend 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.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Sessional Papers and matters relating to sewer and water with Mr. Wishart.

Motion Carried.

In Committee. Discussion of Bill # 11. Committee, with Mr. Thompson (Superintendent of Schools) present, proceeded to discuss Bill No. 11, Vote 3, Watson Lake Separate School. On a question, Mr. Thompson informed Committee that the school would be in operation on September 1st, 1964.

Mayo Elementary-High School:

On a question Mr. Thompson informed Committee that 90 students were attending that school at present.

Mr. MacKenzie, Territorial Treasurer, attended Committee.

Mr. Taylor said there had been some question about the fuel contract for Watson Lake, and the Committee had been wondering who had been awarded this contract.

Mr. MacKenzie replied that this comes under the Territorial Engineer's Department and they would have to discuss this with him.

Mr. Boyd asked Mr. MacKenzie what figures he had in his book, He had noted in one column it said estimated 1964-65 and he was now wondering if the figures voted in 1963-64 were estimated or actual ones.

Mr. MacKenzie said they were monies estimated and voted, not expenditures.

Mr. Boyd replied then they were looking at two sets of estimated figures - nothing factual.

Mr. MacKenzie said a further guide would be the public accounts.

Mr. McKamey wanted to know when these actual figures would be available.

Mr. MacKenzie replied he could give them the figures around the middle of May.

It was agreed that Mr. Baker, Territorial Engineer, should attend Committee at a later date to further discuss this matter.

Teslin School:

Mr. Taylor wanted to know if it was the intention of the Government of the Yukon Territory to purchase the land from the Department of Indian Affairs in view of the fact that the school was built on the Indian reserve.

Mr. Thompson replied they had approached the Indian Affairs Branch and he understood that permission had been obtained.

Haines Junction School:

Mr. Thompson informed Committee that at the present time they were using the older building, that by the first of September the new school would be in operation and then the old school would be used solely for a teacherage. He added that there would be space available in that building for other purposes.

Mr. Livesey wanted to know when the school at Haines Junction would be completed.

Mr. Thompson replied the contractor had asked the Administration if it would be agreeable if this school was completed by June 15th.

Mr. McKamey asked if there was a decrease in the enrollment in this school.

Mr. Thompson replied that there had been a slight decrease in the enrollment of that school and again it was because native children had been removed. He said that at the present time there were 42 students attending this school in grades from 1 to 9.

Kluane Lake School:

Mr. Livesey wanted to know if the land concerning this school had been turned over to the Territorial Government from the Federal Government.

Mr. Thompson replied he would look into the matter.

Mr. McKamey said he had noticed there was a considerable increase in the public utilities from \$68.00 a month to \$100.00 a month, and he wanted to know the reason for this.

Mr. Taylor replied that this is due to the take over of the power supply by the Yukon Electric Company from the Army.

Mr. McKamey wanted to know if this was under the franchise.

Mr. Livesey said that it seemed that in Carmacks the Company without any indication of direction or discussion with the Member of the area just moved in. No doubt they must have had this approved with the Administration.

Mr. McKamey wondered if Mr. MacKenzie could enlighten Committee on this.

Mr. MacKenzie replied that this would come under the Commissioner.

Mr. Boyd asked Councillor Livesey what type of equipment they were using at Kluane Lake.

Mr. Livesey said that as far as he was aware they had the same type of equipment there as at Beaver Creek and this is their own equipment.

Beaver Creek School:

Mr. McKamey said this was an estimate on behalf of the Administration. This year there was estimated 34.6 cents and last year they estimated 33 cents a gallon.

Mr. MacKenzie replied this was the exact cost.

Mr. McKamey wanted to know how they provided for that.

Mr. MacKenzie said they could not - all they could do was to have a transfer of allotments.

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

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Thursday, April 2, 1964  
2:00 o'clock, P.M.

Committee proceeded with discussion on Bill No. 10, with Mr. J. S. Wishart (Public Health Engineering Division, Vancouver), Dr. Kinloch (Chief Medical Health Officer), Mr. Spray (Area Development Officer) and Mr. K. MacKenzie (Territorial Treasurer) in attendance. Discussion Bill No. 10 Sewer and Water

Mr. McKamey said that he had requested that Commissioner Cameron and Mr. Clausson of C.M.H.C. be present also and added that he did not feel that anything could be gained unless everyone was present.

Mr. Shaw said that he found in Schedule A to the Bill that money was allotted for construction of a **sewer system** for Mayo and a **sewer and water** system for Watson Lake and he wanted to know if this meant that Mayo already had a water system.

Mr. McKamey spoke on the size of lots they should have in the Territory and said that the duty of Council was to create some form of a policy to follow when they came to size of lots because, in his opinion, this had a great bearing on the amount of services that could be given to the outlying districts. He was not attempting to dictate to any Councillor or to anyone else as to how much land a man should have to live on because he said: "A man in Canada has a right to acquire as much land as he wants". He went on to say that in the various subdivisions they have lots of various sizes, there might be lots 200 x 200 feet, 150 x 200 or 100 x 100. He added that in Mayo they have lots 30 x 100 feet and if a person was prepared to pay for what he wants he should have it. He felt however it was imperative that they have some uniformity in the size of lots in the Yukon Territory, so that everybody that had a lot would be able to qualify for a C.M.H.C. loan if the other qualifications he had to meet were met. He said: "It is up to this Council, right here, to knock out some policy and put the Administration on the spot once and for all, and if the Administration is not prepared to do something for the taxpayers of the Yukon Territory then it is time we had some new administration, - not only here, but all the way down the line to the House of Parliament in Ottawa. This is our responsibility, the people have elected us to come down here and do a specific job. They say they want this and they want that and are quite prepared to pay for it but they are denied it. This is the type of thing that causes communism". He went on to say that the people at Mayo wanted water and as a matter of fact they were the first ones to ask for it but what they got was not what they asked for but an item in the budget saying they will get sewer. In his opinion this proved that the power did not lay with the taxpayer or his representative but with the Administration. He concluded by saying "I feel very strongly about this and can guarantee that I'm not stopping here. If I can't get it through one means I am going to have to use other means. I beg you for your support in establishing some policy around this table".

Mr. Shaw commented that he took it that Mayo now have a project of a sewage system but no water system. He added: "All I wanted was information".

Mr. McKamey replied: "That is correct, we were told we were going to have a sewage system in Mayo and that's it".

Mr. Taylor (with Mr. Boyd in the Chair) said as the member from Watson Lake he was involved in this Bill and he wanted to express his agreement with the comments made by the member from Mayo, Mr. McKamey. He went on to say that they negotiated the Interdepartmental Committee Report on the Federal Territorial Financial Relations and that this Committee came along and said that they did not anticipate the need for any full systems in the 1962-1967 period. In the revised edition he found that it was said that they still did not need any system, but in a letter received from the Administration dated November 27 it was said that a system was needed and

that it would be a health measure which the Administration had no choice but to adopt. The letter further said that the advisability of having this system would not be referred to the residents of Watson Lake. He went on to say that he had gone to each and every person in Watson Lake with the revised system and said: "Look here this is what the government proposes now". Some people had told him that they could go for the sewer but they did not need the water and they asked him what it was going to cost. He had to advise the people that he had two cost estimates, one that was wrong and one old one that says the government says it is going to cost too much. The residents of Watson Lake do not know what it is going to cost them and he himself could not tell them because he did not know. There was a multitude of these problems and he was wondering when they were going to discuss them and how they should negotiate. He went on to say that as far as the people of Watson Lake were concerned they were not in favor of having anything, neither sewer nor water unless they could have a plebiscite and have these things explained and negotiated. With respect to the health problem he could agree that they had a health problem in Watson Lake now but when he had said so last fall the Administration told him there was no health problem but then again a few days after prorogation he received a letter from the Administration to the effect that there was a health problem in Watson Lake. He concluded by saying that he could only echo the feelings of the member from Mayo and that it was up to Council to straighten this thing out.

Mr. MacKenzie said that recommendations of the health officials had governed the Administration in the matter of sewer and water in the smaller communities, and that in the case of Watson Lake they had said that it was essential that the existing built-up area be served by sewers. Because not enough money had been provided for in the Five Year Agreement no extensive systems could be put in.

Mr. McKamey said that he did not think the Territorial Treasurer "had put the facts on the line" and felt that he had failed to point out the reasoning that governed the recommendations of Northern Health Services. He went on to say that when the Five Year Financial Agreement was drawn up sewer and water problems had been discussed with Mr. F. A. G. Carter and Council had pointed out to him that the cost of water and sewer systems had been underestimated. Mr. Carter had then told them that there should be ample money within the framework of the Agreement and in case of shortage for any particular project there would be nothing wrong in using some of the surplus if any. The main thing was to stay within the framework of the Financial Agreement, and as far as the Council was concerned they had not only stayed within the framework of the Financial Agreement but now had a surplus of \$1,500,000.00. He added: "yet there isn't enough money to put in the systems". He went on to say that \$700,000.00 was the amount provided for in the Agreement for the construction of systems in the Territory but that Associated Engineers had come up with a figure of \$1,200,000.00 so that they were a little short. But on the other hand they were not short at all because they were still within the framework of the Agreement. He said that this was the way it was explained and that was one of the reasons why Council, as a whole, agreed to the Financial Agreement. He would like to hear the Northern Health Services comments with respect to the cost factor and would like to know how much money they had to work with and how far they could go with their recommendations.

Mr. Wishart explained that the matter of individual costs did not influence them in any way but that the Commissioner had requested them through Dr. Kinloch, to recommend certain priorities, and he added: "The paper you have in front of you is the result". He said that

they had assessed, in Mayo and in Watson Lake, that the main thing was to get rid of the sewage. He went on to say that in the case of Watson Lake they would have to dispose of the sewage over the hill to the Liard drainage basin and in Mayo it would be to get it out into the river. This would however, in the case of Mayo, present another problem because of the Indians and their habits there and they were afraid that if they discharged more sewage into the river that the water supply to the Indian community would be made firm and if the Indians would be sitting on the present location they had to be given a supply of water.

Mr. McKamey asked Mr. Wishart where he got his information with respect to the water requirements in the Mayo district.

Mr. Wishart replied: "I was up the year before last and last year and did a personal reconnaissance in the area. I have read previous reports in the area, I have spoken to Mr. McKamey and various other people who are familiar with the problems there, that's all".

Mr. McKamey said he had discussed this problem with his constituents and he knew what they wanted and it was their view he was discussing today. It appeared now however, as if the stumbling block were right here within the Administration and that all opposition was here. He said: "If the opposition of the elected representatives is in this building I think that they should be treated as opposition and I mean it. I think that any member that is elected and stands in this Council Chamber to represent the people should take that stand and represent them properly".

Mr. Shaw asked if it was correct to assume that because the people in the Mayo area had facilities for disposal of sewage through septic tanks, that they wanted was a water supply first?

Mr. McKamey replied: "That is correct".

Mr. Shaw then said that it would appear to him that a water supply would be much cheaper than a sewage system and he wanted to know what objections there would be to have a water system in lieu of a sewer system.

Mr. MacKenzie replied that the reason they had proceeded along the lines indicated was because of the recommendations of the Department of Health.

Mr. Shaw asked: "Is the Department of Health paying for it or are the people that want it paying for it?"

Mr. MacKenzie replied that the tax payers of Canada were paying for it through the medium of the Federal Government through Treasury Board. He added that if they spent money differently from what the Treasury Board had approved they might find themselves in trouble regardless of what Mr. Carter had to say or any other official from the Department of Northern Affairs.

Mr. Shaw commented that he doubted very much if the people from the Treasury Board knew much about water and sewer systems in the north country. He said that if the people of Mayo want this water system and it is going to serve the purpose and be adequate why should they be forced to have a sewer system, which they will have to pay for to an extent they are not asking for.

Mr. MacKenzie replied that they were paying something and added that perhaps they could solve all these problems by ascertaining exactly what Mayo wanted and what Watson Lake wanted and what the other ten points required. He said: "Let us arrive at costs and send those costs to Ottawa and say that this is what we are asked by Council to spend. We can go up to so much on our present finances, can you provide the rest? Or, if we do use our own finances to the fullest extent and if we run dry before the end of the five years, can we come to you for more money?" He added: "That's the danger - of running dry before the five years are up".

Mr. Taylor said that they had discussed this matter on various occasions but now he was really confused because they had three different reports, the initial one, the final report which was different and then this report just laid before them which was different again. He said that he was at a loss to know how to proceed and he could only agree with Mr. McKamey but he would like to say that he, as the representative of the people at Watson Lake, would not commit the people of any of the communities to any part of what they have before them now. He said: "Let the people themselves decide, but give them the facts. Don't go down there and paint a pretty picture but give them both sides of the story". He would like to point out however that one thing was much appreciated in Watson Lake and that was that Commissioner Cameron came down there and told the people that he felt much the same way and that he would like to see the people have a say in this rather than we should sit around this table and vote \$158,300.00 on a system which might not be beneficial to the community at all.

Dr. Kinloch said that he would like to summarize the involvement of his department in the summary Committee had before them. The genesis of the report was based on:

1. The feeling of the Department of National Health and Welfare that both sewer and water services were desirable in any community.
2. That it is not economically feasible to provide these desirable services.
3. That if you are going to supply services on a budget which will not allow you to provide all the facilities, then in which order will you provide them.

It was on these grounds that the report had been prepared and the reasoning behind the recommendation that sewage be provided at the communities of Watson Lake and Mayo, in precedence to a water supply, was based on the fact that you cannot have septic tanks draining into aquifers, or water bearing soil, and at the same time have shallow wells taking their water supply from this same aquifer. He said: "If you do you are going to get pollution of water", and he added "it is a matter of not what is desirable, but what is feasible".

Mr. Shaw said that apparently the people at Mayo wanted a water system and he was wondering if it wouldn't be possible to get the water some distance away from the confined area. He wanted to know if something along that line could be looked into, possibly a survey made.

Dr. Kinloch said that it had to be taken into consideration that a water system is considerably more expensive than a sewage system. He said: "It is something like \$100,000.00 for water and \$22,000.00 for sewage".

Mr. Shaw said that he couldnot understand why there should be such a difference. In a sewage system you need pipes into every house and you need boxes to receive the sewage from each house, then it runs along into a manhole. He further said that you came to the pipes and connections of a water system, the cost should be less in that phase of it than the actual sewer system. Sewers were very much liabilities while a water system could be made self liquidating, and he did not think that the cost in the final analysis would be very much different.

Mr. Boyd asked if any calculations had been made concerning the operation cost of the sewer system.

Mr. MacKenzie replied that they were found in the operating section of Vote 6.

Mr. McKamey read some statistics from a petition presented to him by the residents of Mayo on or about the first of February, which were obtained by a door to door survey. He said that if Council were desirous of hearing their request he would be pleased to give it to them.

Mr. McKinnon asked if the people concerned in Ottawa had been made aware of this surplus funds that the Territory had at their advantage and if they had been asked whether these funds could be expended for water and sewer systems.

Mr. MacKenzie replied in the affirmative.

Mr. McKamey said that as Chairman of the Financial Advisory Committee he would like to inform Committee that when they discussed this with Northern Affairs and when Mr. Brown, who was chairing the meeting said "What do you think, Mr. MacKenzie, do you think this system is required?" Then Mr. MacKenzie had answered "No, it's premature".

Mr. MacKenzie commented "based upon the Department of National Health naturally".

Mr. Wishart said that they had always to have the sewer and water systems but if they couldn't have them because of lack of funds, then from the health angle certain priorities should be set out.

Mr. Livesey said that it seemed that the only way they could get around the question was to look at it once again and look at the whole proposition and find out exactly what the communities required and come up with a proper answer and get some action.

Mr. McKamey commented that he did not have to go back to his people to find out what they wanted because it was right here.

Mr. Boyd asked Mr. Wishart if he had had any experience in installing sewer and water in localities such as they had here in the Yukon Territory, where the lots could be anywhere from 200 x 200 feet and down and how successful it had been.

Mr. Wishart replied that he had had no experience of this kind in North America, but he had in Salisbury and what was Southern Rhodesia where the minimum lot was something around one acre.

Mr. Shaw asked if Mr. Wishart would suggest that the lots should be reduced before sewer and water is put in?

Mr. Wishart said that if they were going to have a really economical water supply system then a small frontage was necessary.

Mr. Taylor said that he agreed but asked Mr. Wishart if he could inform Committee of the position the Department of National Health and Welfare would take if Council decided that they did not wish to do anything with sewer and water at Watson Lake and Mayo.

Mr. Wishart replied that he felt certain that they all knew that his department just made recommendations and he said: "You consult us and we give you our advice and that is how it is".

Mr. Taylor said that they had talked about the financing of the sewer and water facilities and the Federal Government had offered to pay 7% of the capital cost and 8% of the operating cost of the \$158,000.00 scheme for Watson Lake. In his opinion the Federal Government did not give them much consideration when they offered to pay only 7% of the capital cost of the project, and he said: "Where are we getting our returns on our tax dollars". He went on to say that at Inuvik a big sewer and water system had been installed and he doubted very much if the people of Inuvik were paying for it and he further referred to Fort Simpson where he said that he believed the government had installed the facilities. He said that the Federal Government and the Territorial Government should take a "bigger chunk" of the responsibility, both capital and operating costwise, of the sewer and water proposals for the Yukon Territory and besides accepting greater



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responsibility they should also come up with something concrete, something they could tell the people what it is going to cost them per front foot per year. He said: "How can I go down and sell my people, and how can the Administration go down and sell the people of Watson Lake, on a sewer and water system on the basis of this pile of papers? It is just impossible for me to do."

Mr. MacKenzie replied that in the papers submitted from Associated Engineering no frontage charge was mentioned and in his opinion they needed those figures. "But" he said "first of all we do need to know what we want. What do you want in Watson Lake? A full system for the whole area or a part of the place or what? The same thing for Mayo. Then we will turn Associated Engineering loose again on these problems and let them come up with a revised set of estimates ending with the foot frontage costs and then we can go to the people and ask for their views on the thing".

Mr. Taylor asked if this would not depend on what it is going to cost.

Mr. MacKenzie suggested that they went to the people when they have the costs from Associated Engineering and that he understood that Mr. Taylor was of the opinion that he couldn't say what the people wanted until they knew how much it was going to cost.

Mr. Taylor agreed.

Mr. MacKenzie replied that before they could go ahead it was necessary to know what was wanted in the various places. He said: "Is it going to be what is recommended by the Department of Health and Welfare or is it going to be what Councillors say are required or asked for? We need direction so that we can go to Associated Engineering and ask them to work out the costs".

Mr. Boyd asked Mr. MacKenzie if it would be sufficient if they had a motion or recommendation from each of the representatives saying exactly what they wanted.

Mr. MacKenzie said that would be fine and that also a list of priorities should be submitted.

Commissioner Cameron asked for permission to comment on this matter and said that in the first place he wanted to make it clear that the Administration would like to see every community in the Yukon Territory have water and sewer. He said that four communities had been surveyed for possible installation of sewer and water systems and they had arrived at a cost of \$1,200,000.00 approximately \$500,000.00 more than what was available for ten units. He said: "This put it out of reach of this stage of the Five Year Agreement". He went on to say that rather than sit down they took the report from the Health Department and felt that this report gave a certain priority to these two communities they had discussed this afternoon and it was felt that possibly a partial system could be installed. This was merely a supplementary offer and could have been turned down in a short time by the members of the areas. They were building up a reserve which was, in his opinion, a happy situation at this early stage of the fiscal agreement and he felt sure that they would not be giving any of that money back to the Federal Government at the end of the Five Year Agreement. At the same time he felt that maybe this reserve should be held for one more year in order to get the maximum benefit out of the Agreement. He maintained that this water and sewer system, in all probability, could be installed within the Five Year Agreement, but not this year.

Mr. Livesey mentioned that they had started to discuss this when this Council first came together, that was three years ago and that next year would put it beyond the reach of this Council. He realized that

this took some time but they had one report from this engineering outfit, the first one tentative, and then they had a second report which was said to be a final report. Today he had heard however, the Territorial Treasurer saying that he felt the whole matter should go back to the engineering services again for another report and he was wondering where this thing was going to stop. He said: "When do we finally come up with something that is adequate, reasonable and sound and immediate so that the people involved will have something to go on, something factual and basic that they can look upon as being something they can discuss amongst themselves and say now this is going to be it, where do we go from here." Personally he was quite disappointed with the whole approach and felt that before Council is dissolved the question should be solved, as they had worked with it for more than three years and should be entitled to some answer.

Mr. Taylor referred to Mr. MacKenzie's question about what they wanted and referred him to page 171 of the Votes and Proceedings of the last session where it was clearly stated what was desired for Watson Lake and also for Mayo.

Mr. Shaw asked Dr. Kinloch if a piped water system would solve the sanitation problem from the health point of view, as far as Mayo was concerned.

Dr. Kinloch replied: "No".

Mr. Wishart said that he agreed with Dr. Kinloch and said that they had to consider the children playing in the area and if they were going to give the people piped water they would use quite a bit and they would have to get rid of quite a bit and consequently some of it will appear on the surface.

Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker now resume the Chair to hear the report of the Chairman of Committees.

Motion Carried.

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

"Committee convened at 11:05 a.m. to discuss bills, memoranda, sessional papers, motions and matters related to sewer and water. Committee discussed Vote 3 of the Main Supply Bill and recessed at 12:00 noon. Committee reconvened at 2:00 p.m. with Commissioner Cameron, Mr. Wishart, Dr. Kinloch, Mr. Spray and Mr. MacKenzie in attendance to discuss matters related to sewer and water proposals as contained in Bill No. 10. I can report progress on Bill No. 10." Committee Report

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m., Friday, April 3rd, 1964.

Friday, April 3, 1964  
10:00 o'clock A.M.

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

Mr. Speaker read the following telegram received from Mr. Malcolm A. Moe, Mayor of the City of Skagway, which read "Skagway has been advised of resolution passed by Yukon Territorial Legislature regarding possible negotiations between Canada and the United States for a free port and/or a corridor to the Pan Handle in Alaska if such negotiations should be forth coming Skagway earnestly requests that we be given consideration for one of the terminals."

Telegram  
re Motion  
No. 1

Mr. Speaker tabled the following memoranda from Commissioner Cameron:

- (1) Reply to Production of Papers no. 1, regarding Airport Terminal Building (Set out as Sessional Paper No. 20)
- (2) Regarding Motion no. 4, Fuel Oil Tax (Set out as Sessional Paper No. 21)

Sessional  
Papers:  
No. 20  
No. 21

Mr. Boyd moved, seconded by Mr. Shaw, for leave to introduce Bill No. 8, An Ordinance to Amend the Public Health Ordinance.

Introducing  
Bill No. 8

Motion Carried.

Mr. Boyd moved, seconded by Mr. Shaw, for leave to introduce Bill No. 14, An Ordinance For Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Third Appropriation Ordinance 1964-65)

Introducing  
Bill No. 14

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) gave notice Motion respecting Agricultural Development in the Yukon.

Motion  
No. 19

Mr. McKamey gave notice of Motion for Production of Papers respecting Insurance Coverage.

Production  
of Papers:  
No. 5

Mr. Watt gave notice of motion for Production of Papers respecting Whitehorse Electrical Franchise Agreement.

No. 6

Commissioner Cameron attended Council to answer questions as requested by Council.

Question  
Period

Mr. McKinnon asked Commissioner Cameron if there was any legislation planned on a Workmen's Compensation Ordinance in the near future.

Commissioner Cameron replied that the Legislative Programming Committee was working on this and that they were involved with correspondence between themselves, the compensation board, and Ottawa. He further stated that there was nothing for this Session and that he did not know if it was scheduled for the Fall Session or not.

Mr. McKinnon asked if after the repeal of the Low Cost Housing Ordinance any attempt was made to apply the money to other low cost housing plans.

Commissioner Cameron replied that nothing had been done.

Mr. Shaw asked if the land at the airport in Dawson was now available to the Government and if it actually was their property.

Commissioner Cameron replied that it was not yet the Yukon Territorial Government's property, but that they were working on it.

Mr. Boyd said that when he went through certain bills he noticed an alarming amount for electricity for operation of schools in Dawson City and wanted to know for how much longer these exorbitant rates will be charged.

Commissioner Cameron replied that there was a meeting to be held the next day concerning the power situation in Dawson City. He stated they were trying find out the intention of the present supplier and the possibility of other people supplying at a better rate.

Mr. Taylor asked the Commissioner what the picture of the Civil Defence or the Emergency Measures Organization was in the Yukon Territory.

Commissioner Cameron replied that this matter had been discussed in the last few days because of the departure of the Army. He said that it would be necessary to have another meeting and involve the Dept. of Public Works and possibly Whitehorse Regiment and have them fill in the gaps that have been military in the past. He further stated that they had turned down the hiring of a permanent emergency measure organizer because it was not felt that he would be kept busy and would have to make work for himself at all times. He suggested that this be submitted to Council in writing.

Mr. Taylor asked if the Emergency Measure Organization in the Yukon was big enough to bring civil defence into action in a matter of four or five hours - whether it be a flood or a fire.

Commissioner Cameron replied in the affirmative. He said "We are a satellite operation of the Alberta Emergency Measures Civil Defence Organization. They recognize the fact that we are a small population and they would be the logical ones to call upon. We have had meetings with the Regional Director of the Emergency Measures Organization and Mr. Delaite has been to a war emergency meeting in Edmonton. This was mainly an emergency measures discussion and also involved in regulations required under the War Emergency Act." He felt the residents of the Yukon Territory had ample coverage.

Mr. Shaw asked the Commissioner if in line with policy of other parts of Canada, if the rifles had been taken away from the Yukon Regiment.

Commissioner Cameron replied that he really was not that close to the Regiment but knew there was one around the Territory but understood the breach was in Carcross.

Mr. Watt asked the Commissioner if he knew if anyone had examined the dam since the earthquake.

Commissioner Cameron replied that he had not actually checked on that but felt certain that this had been done. He said that in 1958 there was an extensive check made and he felt sure it would be done in full force after this earthquake.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Sessional Papers and Motions.

Motion Carried.



Committee proceeded to discuss Sewer and Water with the following present: Mr. Wishart (Public Health Engineering Division, Vancouver); Mr. MacKenzie (Territorial Treasurer) Dr. Kinloch (Chief Medical Health Officer) and Mr. Spray (Area Development Officer).

In Committee of the Whole. Discussion of Sewer & Water.

Mr. Taylor (with Mr. Boyd in the Chair) referred to the report of the Interdepartmental Committee on Federal-Territorial Financial Relations and read the following recommendations from page 31: "(1) The Federal Government to pay 100% of capital and operating costs to service its own installations including Crown owned housing; (2) The Federal Government to pay 50% of capital and operating costs to service Indians and Eskimos with the balance payable by the Indians or Eskimos or by Federal Welfare funds to the extent they are unable to pay; (3) The Territorial Government to pay 50% of capital and operating costs to service everyone not covered in (1) and (2) as above, with the balance payable by the users or from the Territorial Welfare funds to the extent they are unable to pay; (4) Subsidies in (2) and (3) above by the Federal and Territorial Governments to be reduced, if necessary, by whatever amounts are required to ensure that the annual cost to the average user on a full system does not fall below \$150.00 and on a partial system does not fall below \$50.00; (5) Users pay 100% of any connection charges."

(Full System - means water supply source, sewage disposal area, and piped connections between source; user and disposal.

Partial System - means water supply source, sewage disposal area and truck connection between source, user and disposal)

Mr. Shaw asked if it was correct that each person would have to pay up to \$150.00 before getting assistance..

Mr. MacKenzie answered that was correct as a working figure.

Mr. Shaw said that if it costs, for example, \$200.00 to service each place, would that mean that the user would pay 50% of that - \$100.00 - or up to \$150.00.

Mr. MacKenzie said they had to use their discretion. They could knock that charge down to \$151.00 because if they reduced it below \$150.00 they would be going contrary to the recommendations of the report.

Mr. Taylor asked if this \$151.00 was a flat rate charge.

Mr. MacKenzie replied that it works out that way but that it was based on units and that one unit represented an average dwelling.

Mr. Taylor asked if there would be a frontage tax too.

Mr. MacKenzie replied that this was simply for estimating purposes.

Mr. Livesey asked if any figures were available covering the amount of pipe necessary for the plans they now contemplated because with these figures he felt they should be able to arrive at some sort of foot frontage basis.

Mr. MacKenzie said that he felt they had enough material now to arrive at accurate figures and said that the \$151.00 included both capital and operation, the operating cost \$42.00 and capital \$109.00. He was speaking of an average domestic dwelling and that was the basis of the estimates, an average home and an average lot.

Mr. MacKenzie said he noticed that the system was to be amortized over 25 years but noticed that it had been reduced considerably and wanted to know what the reason for this was.

Mr. MacKenzie replied that it was intended to be over 15 years and that 25 was an error.

Mr. McKamey said that the amortization in Whitehorse was 30 years and he wondered why the other was reduced so much.

Mr. MacKenzie replied that he did not know the reason for the 15 years but this was what Ottawa had decided.

Mr. McKamey asked if this would come from the Deputy Minister's Office.

Mr. MacKenzie replied that it was calculated in the office of the Director in the Department of Northern Affairs.

Mr. Taylor said that as far as amortization goes for a small community, he felt it should be spread out as far as possible, 20, 25 or 30 years so that the initial users are not saddled with the whole cost.

Mr. MacKenzie thought this was an acceptable suggestion to take to Ottawa. He proposed to have estimates worked up on the basis of the proposals contained in the first books of reports issued. In the case of Mayo, it was recommended that:

- (1) A water works system come through the central area of Mayo;
- (2) A waterworks system through the 50,000 imperial gallon tank in order to provide increased fire protection;
- (3) Water works system be equipped with circulating pumps to reduce the possibility of frozen water lines.

He asked if this was satisfactory.

Mr. McKamey asked if it would be possible to get definite costs on what this is going to be.

Mr. MacKenzie replied in the affirmative and said that cost figures could be expected next week.

Dr. Kinloch commented that the Department of National Health and Welfare was inalterably opposed to the provision of water to Mayo without any provision for sewage.

Mr. McKamey asked what would happen if the residents of Mayo refused and they had neither water nor sewer.

Dr. Kinloch replied that it was their choice and made it clear that they were not suggesting that Northern Health and Welfare had any right to tell them what to do. All they were suggesting was that they made an intelligent decision.

Mr. Livesey asked if Mr. Wishart had looked at the plans for water and sewer at Haines Junction.

Mr. Wishart replied that he looked at all the plans.

Mr. Livesey commented that according to his understanding of the recommendations of the Associated Engineers the installation of both sewer and water for Haines Junction was excellent.

Mr. McKamey asked for some comments with respect to standard lot sizes in Mayo in order to develop the community properly.

Mr. Spray replied that at the present time, without piped water or piped sewage systems, they needed lots 150 x 100 or 15,000 square feet. If they reduced the size of the lot he suggested they be surveyed 75 x 100 feet if there was no piped service in the community then the individual can have two lots of 7,500 square feet each and if piped service is put in the individual could sell one lot.

Mr. Baker commented that the lots should have as small a frontage as possible in order to keep the cost of service to the individual as cheap as possible.

Mr. Wishart agreed with Mr. Baker and said that he would go for 50 feet himself and put the extra depth on to protect the pipelines in the winter time and have them somewhere other than the travelled portion of the road.

Mr. MacKenzie asked what the situation was at Watson Lake and added that he proposed to take the recommendations of the number two report, a limited sewage collective system be installed to serve that portion of the settlement adjacent to the airport road junction - estimated capital cost of \$124,000.00.

Mr. Taylor said that he would like to see another proposal, a letter originating from the Administration.

Mr. MacKenzie said that he thought that proposal was for water and sewer.

Mr. Taylor said yes.

Mr. MacKenzie asked what was the situation at Haines Junction. The recommendation was that a water works system be planned for the central area and he asked what exactly Haines Junction wanted.

Mr. Livesey said he hoped to have the definite information by the beginning of next week.

Mr. MacKenzie then remarked that he thought Porter Creek wanted a piped water system.

Mr. McKinnon replied that this was correct.

Mr. McKamey again took up the question of lot sizes and said that if it was decided on the size of a lot to be 60 feet wide by 125 feet long, if it would reach the requirement of C.M.H.C. and the Department of Health. He would like this information because he wanted it incorporated into the Area Development Ordinance rather than having it as a regulation.

Mr. Wishart said that he would like to see the lot size reduced but wouldn't like to see somebody buy four lots as that defeated the object of the exercise. It meant that every time sewer and water is proposed he would say he was fine and had no trouble at all. It was better, if possible, to go back in a strip in his opinion. He added that if one were going to have septic tanks and sub-surface disposal one could not really define the lot but would have to see the ground before saying what size it should be.

Mr. McKamey said that this was a problem and he referred to new subdivisions and said that they had new subdivisions started and the people there said they wanted lots 100 x 200 and the Area Development Office said to them "go ahead". After a little while they had a subdivision with 30 or 40 people living there and they suddenly wanted street lights, side walks, sewer and water, etc. In his opinion they had to start to make some preparations to legislation to keep things like this under control because if people wanted 100'x 200' lots it was impossible to put a full sewer and water system in there. It was up to the members of the Council and the Administration to do something about this and if the Administration failed he felt it was up to the representatives of the people to pass legislation so that some control could be exercised.

Council adjourned until 2:00 o'clock p.m.



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Friday, April 3, 1964  
2:00 o'clock P.M.

Committee proceeded with discussion on Vote 3 - Education, with Discussion  
Mr. Thompson (Superintendent of Schools) and Mr. MacKenzie (Territorial Bill No. 11  
Treasurer) in attendance.

Mr. Thompson referred to a question asked by Mr. Livosey yesterday concerning the school site at Destruction Bay and informed Committee that in a letter from the Director, dated May 11, 1961, it said that DND had officially released a portion of the Destruction Bay camp. The portion consisted of 5.8 acres more or less.

Old Crow School - \$67,377.00

Mr. Shaw referring to gasoline, diesel and lubricants used in the generating plant, wondered if the plant was capable of producing more electricity than required for the school and if so could it be sold to the people up there.

Mr. Thompson replied that the plant sold some electricity, for example to the public nursing station, the R.C.M.P. and the two churches and a few other places, but it was getting close to the point where not enough electricity could be generated to meet the peak loads.

Mr. Shaw said he assumed there would be enough revenue derived from the sale to offset the cost for the year.

Mr. MacKenzie replied that there would be some revenue but not enough to offset all costs.

Mr. Watt said that when they first discussed Old Crow he was led to understand that the cost of taking over the school would be 100% recoverable.

Mr. MacKenzie replied that when they first agreed to take over the school they thought that all the pupils were Indian and therefore it would not cost the Territory one cent. They found, however a few months later that there were a number of non-Indian pupils, Indians of white status, which would be a Territorial responsibility. There are 14 of them.

Brook's Brook - \$7,873.00

Mr. Shaw wondered what would happen to Brook's Brook and other highway schools provided by the Department of National Defence. He wanted to know whether arrangements had been made with the Department of Transport or if they would have to bear Territorial responsibility.

Mr. Thompson said he didn't have the answer but would assume that the Department of Public Works would carry on on the same basis as the Department of National Defence did, namely that they would provide the building, heat and light and the Yukon Territorial Government provided the teacher, desks, etc.

Mr. MacKenzie said that he had a letter from DND to that effect.

Mr. Taylor (with Mr. Boyd in the Chair) asked if there was any plans on moving Brook's Brook into Teslin.

Mr. Thompson replied that he did not know.

Swift River - \$5,838.00

On a question from Mr. Taylor the Superintendent of Schools agreed that more shelving was required for that school and he would look into the matter.

Granville School - \$7,219.00

Mr. Boyd asked how many children attended that school.

Mr. Thompson replied that there was a minimum of nine.

Mr. Boyd then said that nine students and seven grades did not appear to be the ideal situation and thought maybe the children would be better off in a larger school.

Mr. Thompson replied that of the nine students listed in the teacher's monthly report for March, three were in Grade 1, two in Grade 2, three in Grade 3, one in Grade 7, one in Grade 8. He added that they had a very capable teacher and were receiving an education equivalent to anywhere else in the Territory.

Mr. Taylor (with Mr. Boyd in the Chair) referred to the discussion that took place last year on Ross River and asked if there were any indications from the Indian Affairs Branch as to their thinking on changing the policy that they established last spring concerning education for the children in their own communities.

Mr. Thompson replied that the local Superintendent had informed him that their policy was a long term policy on integration. The figures they had presented to him so far did not indicate that there would be any drastic change in enrolment, as far as Indian children were concerned, in the Territorial schools.

Mr. McKamey said that he understood from Bishop Coudert that some of the natives from Ross River were not capable of looking after their children so that they could get a proper education. If the family happened to be out hunting the child might be two or months late in starting school and even then it would take them a couple of months before they were cleaned up and back to a state of health where they could even concentrate, therefore it seemed to him that the best thing would be to keep them in the residential schools.

Mr. Taylor replied that he could not agree with Mr. McKamey about the people of Ross River because many of them had built their own homes this last season. He added that there was a sawmill in the community that provided work for some but admitted that there were some who could not provide for their children but felt that the rest of them should be treated the same as other residents of the Territory. If Indian Affairs were not prepared to take a more practical look at the situation possibly the Territorial Government should step in and do something about it. He concluded by saying that the motion passed at the Spring Session of Council should suffice to have the Administration carry out the planned survey.

Citizenship Instruction to Immigrants - \$1,204.00

Mr. Shaw wondered where the Citizenship Instruction course was given.

Mr. Thompson replied that it was a class in English for new Canadians given in Whitehorse only and that any expenditure made towards teachers salaries was returnable by the Department of Citizenship and Immigration. He added that the present enrolment was approximately ten.

Mr. Shaw asked why there wasn't any class at Mayo where there is a large immigrant population.

Mr. Thompson said there were three or four Chinese boys at Elsa who were interested but the teacher there was agreeable to give instruction on an informal basis only.

Territorial Government - Contribution towards University Training -  
\$5,300.00

Mr. McKinnon informed Committee that the Member from Carmacks-Kluane and himself constituted a committee to work on this matter. He said

that he personally would prefer to see the scholarships along the line of the Five Year Financial Agreement which stated two four year University scholarships at \$1,200.00 a year each, be made available each year of the 1962-67 period. He felt along the lines of the Science-Mathematics scholarship there should be a scholarship of an equal amount to a student who wants to go into the Liberal Arts course at the University. Also there could be some changes made in the Scholarship Committee on the method of choosing the scholarship recipients and hoped that before this session prorogues the committee will have occasion to meet with the Superintendent of Education to see if they could iron out the scholarships to make them a little more beneficial to the students.

Mr. Watt asked Mr. MacKenzie if the budget entry should not be amended to the extent of \$750.00 this year, as a result of the new Northwest Highway System scholarship.

Mr. MacKenzie replied that he had already given instructions for this sum to be included in the supplementary estimates.

Mr. Thompson (Superintendent of Schools) was excused from Committee.

Vote 4 - Territorial Secretary and Tax Assessor

Salaries - \$46,575.00

Mr. Shaw expressed surprise to see what appeared to be a decrease in salaries.

Mr. Taylor asked Clerk-in-Council how the labor provisions operation was coming along.

Clerk-in-Council replied that since he received the appointment the department had handled approximately 150 cases. He added that he could report satisfaction in every case and the employers started to see the light. "There used to be two or three a day" he said "but it is down to maybe one a day". He added that they expected to start spot checking this summer.

Mr. McKamey asked Mr. MacKenzie if the Territorial Government were paying time and a half for overtime.

Mr. MacKenzie replied there were various rates for various classes of labour. The office staff did not receive payment but were given time credit which was added to their annual leave on a straight time basis. He went on to say that for engineering labour the work week used to be 55 hours during the winter and 60 hours during the summer but that a new directive had gone out changing the workweek to 48 hours winter and summer. He explained to Committee that the Commissioner, may, under the Public Service Ordinance, make regulations concerning the hours of work for Public Service employees.

Mr. Taylor (with Mr. Boyd in the Chair) said that in his opinion this problem belonged under the Labour Provisions Ordinance and that the Territorial employees should be protected by the same safeguards rather than by regulations. He added that it was his intention to submit a private members bill in this respect during this session, but he had some trouble finding someone who would draft it for him as the Administration did not seem to be able to do this drafting for Territorial Councillors any more. He added that he intended to ask that funds be provided to hire lawyers to do this work.

Mr. McKinnon said that he could see some danger in the Labour Provisions Ordinance being really rigid in its enforcement. He told Committee that he had spent quite a few summers in the bush in the Yukon Territory and worked the 60 hour week at straight time. The crews out there got hold of some ordinances and found that they should not work more than 48 hours at straight time and the rest at time and a half. They then went to their employers with this and told them that they would like to have their overtime pay but were told that if they demanded overtime after 48 hours they were just going to cut their work week down to 40 hours a week. Consequently all the employees in that crew agreed that rather than sit around

and do nothing for twenty hours every week they would prefer to work the 60 hours on straight time. He said "This is the case in quite a number of other camps throughout the Yukon and their employees have agreed to work the 60 hour week at straight time." It was his opinion that if the Ordinance was enforced rigidly there would be just as many people unhappy as there are now.

Clerk-in-Council speaking as Labour Provisions Officer, said that they were aware of these instances and felt that certain industries should be exempt from the hours of work because of the very seasonal nature of their work. They were going to take this up with Mr. Currie and added that this was the reason they were not hiring a team of auditors to audit everybody's payroll right now.

The Chairman suggested they continue this discussion when they cover the subject of labour with Mr. Currie.

Mr. Taylor (with Mr. Boyd in the Chair) on the subject of licensing, felt that the Business License Ordinance could be amended and license fees collected on a percentage of gross income. He raised this question only because he had so many thoughts on it from his constituents.

Committee proceeded to discuss Motion No. 9 - Tourist Promotion in Dawson City.

Discussion  
Motion #9

Mr. Shaw said that his motion was accompanied by a copy of the financial profit and loss statement as of December 31, 1963 which showed what had been done financially and it also pointed out roughly what had been done last season and what was expected to be done this year. The reason he wanted to discuss this with Commissioner Cameron in attendance was that it involved money and that last year Council was kind enough to approve an appropriation of \$6,000.00 to carry out the program. He said: "As you realize, the business in that area is in a rather sad state of affairs, however, the few that were there did shell out a total amount of \$2,143.00 in order to receive this grant on the basis of three to one. If you look on the financial statement you will find that the total revenue for the summer's operation is \$21,574.00. In other words, the Territorial Government gave \$6,000.00 and the people themselves produced, by their efforts, almost \$16,000.00 for the tourist effort. The money so obtained from the travelling public and from the government was spent wholly, purely and absolutely for the purpose of entertaining the tourists. It was not used for any personal pleasure, it was used so that the people who went up there would have the opportunity of seeing a show in the Palace Grande, which many of them had heard about." He went on to say that this year the program which the Klondike Visitors Association had lined up was to be put on by the University of British Columbia Dramatic Club and thirteen players were coming up. The cost of this would not be much more than \$9,000.00 because there was only one person that they would pay and he would be paid \$500.00 for his services, namely Mr. John Wright the Director-Producer.

Mr. McKinnon said that he would hate to see the Klondike Visitors Association have to fold up because, in his opinion, they had done a very commendable job in entertaining the tourists that went through Dawson City each summer. He hoped that the money could be found by the Administration and that Committee would support the motion made by Councillor Shaw.

Commissioner Cameron said it sounded like a very good effort made and was worthy of support but added that he had to see Mr. MacKenzie to find where money could be obtained from. He concluded by saying that Council should have his answer by Monday morning.

Mr. McKamey asked if they would have Klondike Nights in addition to the imported play.

Mr. Shaw answered in the affirmative.

Mr. McKamey said that in his opinion this was a very worthy program and that he knew that the people in Dawson were dedicated people who worked long hours during the winter time and during the summer to contribute entertainment to the tourist industry. The people up there were making thousands of dollars and pouring it right back into the tourist industry in the Yukon, while other parts of the Yukon hadn't even given it a thought. Rather than discourage these people, Council should make every effort to assist them. He concluded by saying "Dawson City seems to be the only place that has provided entertainment for tourists and it is up to the rest of the Yukon to support it".

Mr. Boyd asked if the Klondike Visitors Association had any liabilities.

Mr. Shaw replied that they had no liabilities and added that they even pay the Federal Government \$923.49 for rent for the Palace Grande.

Mr. Livesey commented: "The profit motive, Mr. Chairman, for a government institution is rather remarkable these days, is it not?"

Mr. McKamey asked Mr. MacKenzie if he could give them any idea what the increase in fuel tax was last year.

Mr. MacKenzie said the increase was \$80,288.00, and added "You cannot attribute it to any influx of tourists".

Motion Carried.

Commissioner Cameron was excused from Committee.

Mr. Boyd moved, seconded by Mr. Shaw, that Mr. Speaker now resume the Chair to hear the report of the Chairman of Committees.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committees Committee  
reported as follows: Report

"Committee convened at 10:35 a.m. to discuss bills, memoranda, sessional papers and motions. Committee discussed Bill No. 10 with Commissioner Cameron, Mr. MacKenzie, Mr. Baker, Mr. Spray, Dr. Kinloch, and Mr. Wishart in attendance. Committee recessed at 12:00 o'clock noon and reconvened at 2:00 p.m. Committee discussed Vote 3, Bill No. 11, with Mr. Thompson and Mr. MacKenzie in attendance. I can report progress on Bills No. 10 and 11. Committee then discussed Motion No. 9 related to Tourist Promotion, Dawson City with Commissioner Cameron in attendance. Motion No. 9 was Carried in Committee."

Council accepted the report of the Chairman of Committees and agreed to a leave of absence for the member from Dawson City tomorrow morning to discuss certain questions of importance to the City of Dawson with Commissioner Cameron.

Council adjourned until 10:00 a.m., Saturday April 4, 1964.

Saturday, April 4th, 1964  
10:00 o'clock A.M.

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

Mr. Speaker tabled the following memoranda:

- (1) Regarding Workmen's Compensation Claim, Mr. John Doherty  
(Set out as Sessional Paper No. 22)
- (2) Regarding Motion No. 8, Reduction of D.O.T. Reserve,  
Teslin. (Set out as Sessional Paper No. 23)

Sessional  
Papers:  
No. 22  
  
No. 23

Mr. McKamey moved, seconded by Mr. Taylor, that Council respectfully requests the Administration to provide the following information: The total amount of insurance paid out in Yukon Territory to cover property and equipment in the last ten years, together with a figure representing the cash value of assets so covered. The statement should include annual premiums and total annual assets so covered.

Production  
of Papers  
No. 5

Motion Carried.

Mr. Watt moved, seconded by Mr. McKamey, that it is respectfully requested that the Administration table copies of the Whitehorse Electrical Franchise Agreement before Council.

Production  
of Papers  
No. 6

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, that in the opinion of Council, the Administration is respectfully requested to initiate discussions between the Territorial and Federal Governments and the Hudsons Bay Mining and Smelting Co. with a view to encouraging further development of the Tom Group of Mineral Claims located on the Upper Canal Road, Yukon Territory. Such discussions should relate to the increasing of potential ore reserves with a view towards providing sufficient tonnage to warrant construction and operation of a lead zinc smelter in the Yukon Territory.

Motion  
No. 14

Mr. Taylor, speaking on the motion, said that the Yukon Territory is lacking a smelter. He said that to operate a smelter approximately 59 to 60 million tons of ore was required and that the known deposits around the Territory would total between 30 and 40 million tons. He mentioned the Canal Road and said there was an ore reserve up there of approximately 10 million tons and he wished to ask the Administration to take into consideration the question of the Canal Road and opening it up on the agreement that the Hudsons Bay Mining and Smelting Company could go in and open up the property and possibly boost the tonnage up to 40 or 50 million tons. He maintained that the matter of a smelter was of great importance and that the Territory had the power for such a smelter. The water was available and at Carmacks they have the coal, the only thing they lack is phosphate. His idea was to get the Administration working with the Hudsons Bay Mining and Smelting Co. and encourage the development of a smelter.

Mr. Boyd thought that perhaps the Federal Government should come into the picture.

Mr. McKamey commented that in his opinion the motion had validity and to wait for Ottawa to make a move would be to wait indefinitely. He said that they would make a lot of properties in the Territory very economical if they could reduce the freighting costs and felt Council should support any motion to prod the Federal Government into assisting the Company mentioned into a productive Company.

Mr. Taylor pointed out the value of a smelter in the Yukon Territory and said that power dams would have to be built to produce power, carbon would be required, Carmacks coal could be brought into the

picture and that the Territory has water and coal.

Motion Carried.

Motion  
No. 15

Mr. Watt moved, seconded by Mr. McKinnon, that it is the opinion of Council that a parliamentary committee for rules and procedure be appointed from Members of Council.

Mr. Watt speaking on the motion said he was of the opinion if a committee of three were appointed from the Members of Council to take care of the details of procedure things would run more smoothly in the House. There has been some confusion at the openings and that Mr. Speaker was blamed for this. In his opinion if they appointed a committee as suggested the committee could lay out a smoother operation and hear complaints from Members of Council.

Mr. Taylor said he did not feel there had been any confusion at the opening. A committee had been formed last fall and that this committee had met with the Administration to discuss the matter but at that time it had been felt by the Administration that the committee should not be implemented because there was not facilities available for a different opening procedure and they requested that it be carried on in the same manner as before.

Mr. McKinnon said he was concerned with the business of the House and any method that would help get the business of the House done faster would be supported by him.

Mr. Taylor said he appreciated the views of Mr. McKinnon but added that he had been in the House for three years and any procedural battles had not lasted for not more than ten minutes.

Mr. McKinnon referred to rule 45 subsection (3) of the present rules and said there is a rule that no Member shall have more than 3 notices of motion on the order paper at one time. He noticed right now that one Member has 5 notices of motion on the order paper. He said "How rigid are we going to deal with these rules?"

Mr. McKamey replied that all the Chairman had to do, or the Speaker had to do, was to read the rules and enforce them. He could see no reason for a rules committee.

Motion Defeated with Mr. Watt and Mr. McKinnon voting for it, Mr. McKamey, Mr. Taylor and Mr. Boyd opposed.

Motion  
No. 17

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Boyd, that the Administration be respectfully requested to consult with the Dept. of Public Works with a view toward establishing a program of dust control in settlements along the Alaska Highway as early as possible this year.

Mr. Livesey, speaking on the motion, said that the dust problem along the Alaska Highway was quite annoying to the tourists that came into the Territory for enjoyment. Thinking of the people who work with tourist promotion, he felt they would agree with him that dust control would be a worth while problem to attack. He said that at Mile 1202 it was a very sad situation and the people that come from Alaska and had hardly seen any dust hit this problem as soon as they entered Canada. Traveling in dust causes accidents and perhaps with some assistance from the Federal Government they could successfully beat the problem. He believed there would be some time before the black top came and an attempt should be made to improve conditions in the settlements where travellers receive services and they should try to make it possible for those living in those areas to present to the traveling public a more efficient appearance.



Mr. McKamey said that he did not think it would cost too much to either oil or use salt to stop the dust and he added that the dust problem was serious in his own community.

Mr. McKinnon said he would support the motion.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss Bills, Sessional Papers, Memoranda and Motions.

Motion Carried.

IN  
Committee

Mrs. Colyer, Yukon Regional Librarian, attended Committee to discuss Bill No. 11, Vote 14.

Discussion  
Bill No.11

Mr. Taylor, Chairman of Committees, read the items listed under Vote 14.

Mr. Boyd said he was clear as far as the figures were concerned but he believed this budget was cut back because it did not fall within a certain scope. He asked Mrs. Colyer how much money was involed and how much was cut out.

Mrs. Colyer replied that she had been asked to cut back both the operational and capital budget. She said that there was only two items that could be cut back and that was salaries and books. The main item cut out in salaries was the provision of another professional librarian, this was a children's librarian she had hoped to add to her staff because this would have qualified them for a \$1500.00 grant from the University Womens Club for a traveling science collection which she had proposed to make available to the school children. She also explained that an item was taken out namely the cost planned for an extension to the present building.

Watt asked if they were operating from two different buildings.

Mrs. Colyer replied that it was all in one building.

Mr. Boyd said he had noticed the result of this library and it was becoming an outstanding institution in his opinion, as far as children were concerned. He said "When a business grows, in private business, you dont say you are going to cut back - you build an addition or hire another clerk."

Mr. McKamey agreed and pointed out that the Council prior to the present Council pushed for a library and he did not think they should cut it back. He said that Mrs. Colyer was a very capable person and that he would like to see her continue with the fine work she was doing, and said that the imrp of her fine work could certainly be felt in the outlying districts. He hoped that Mrs. Colyer would extend an invitation to the Councillors to visit the library. He concluded by saying that he was opposed to any cut backs where progress is concerned.

Mr. Taylor (with Mr. Boyd in the Chair) said he agreed, and that many in his constituency enjoyed the service this branch of the Government provided. In the outlying districts the library is a very important thing - it was their education and cultural centre and opened the door to the world. He added "This is something we should be building up and not tearing down."

Mr. McKamey said that he understood there was a \$60,000.00 extension planned for this library but that it had been postponed indefinitely. Hesuggested that perhaps something could be done in this respect under the Centennial grant for the Yukon Territory.

Mr. Taylor (with Mr. Boyd in the Chair) said that this appeared to be a good idea and he felt that it would be worth going after.

Mrs. Colyer mentioned that they had as many as two thousand books in the basement, good reference books, but there was no room on their shelves.

Mr. McKamey suggested that committee take up this matter with Commissioner Cameron and Mr. MacKenzie, Territorial Treasurer.

The Bill was left as it stands pending a visit of the Councillors to the Yukon Regional Library on Monday.

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

Motion Carried.

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

"Committee convened at 11:05 to discuss bills, sessional papers and memoranda. Mrs. Colyer attended Committee to discuss Bill 11, Vote 14. I can report progress on Bill 11."

Council adjourned until 10:00 o'clock A.M. Monday, April 6th.

Monday, April 6th, 1964  
10:00 o'clock A.M.

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

Mr. Boyd gave notice of Motion concerning the recent price increase for alcoholic beverages. Motion No. 20

Mr. Watt gave notice of Motion regarding allowances payable to Jurors. Motion No. 21

Mr. McKamey gave notice of Motion for the Production of Papers concerning the Liquor Statement. Production of Papers #7

Mr. Shaw moved, seconded by Mr. Boyd, that in the opinion of Council it is desirable in view of the turnover of the Alaska Highway to the Department of Public Works, that to commemorate the services rendered the Yukon Territory by the Northwest Highway System, that a scholarship in memorium should be set up, not to exceed \$750.00 each year. Motion No. 13

Motion Carried.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Taylor, that the Administration provide designated burning and refuse areas in the settlements of Silver Creek and Koidern. Motion No. 18

Mr. Livesey said that from information received from the residents of Silver Creek, Mile 1054 on the Alaska Highway and at Koidern, Mile 1167 with further establishment at Mile 1169, he felt that the question of establishing proper burning areas was very important both from the standpoint of the spread of fire in the summer time and also because the people, who were living there, could have a place set aside for that particular purpose. He said: "The thing to do is to have a proper area where refuse can be dumped and burned properly at specific times". He felt that the question should be brought to the attention of the Administration because as he said "There may be some way now that the Administration can take this particular aspect of it up with the Department of Public Works and possibly arrange for some type of cooperation and coordination before a new agreement had been taken out with the Department, as far as the road is concerned".

Mr. Shaw felt that this was the responsibility of the Area Development Department.

Mr. Boyd said that he thought Silver City was a campground and wanted to know who got rid of the garbage there. He also asked Mr. Livesey how many people lived at Silver City.

Mr. Livesey said that possibly in the areas where D.N.D. had camps they had set up their own places. He further said that Silver Creek was the wording of his motion and that he understood that Silver City, as a place, did not exist although the name still stood. At Silver Creek there were two lodges both catering to the public. "At Koidern" he said "in the summer time they have a certain population shift - people interested in hunting and some men very well known in the mining business live there. There is also another family who works for D.N.D. and then there is the Koidern Repeater Station of the C.N.T. and also White River Lodge, who cater to the tourist trade." He went on to say that in his own area - Beaver Creek - they had difficulties with people dumping garbage in the river. "There is not a definite decided area for dumping refuse in either of these areas" he said.

Motion Carried.

Question No. 11 Mr. Watt asked the Administration the following question: "Who are the members of the Community Planning Group? What are their duties? How will the group influence the Whitehorse Metropolitan Plan?"

Question No. 12 Mr. Taylor asked the Administration the following question: "Would the Administration provide the member from Watson Lake with a draft copy of a typical petition required to implement Sunday sports and movies in outlying communities?"

Mr. McKamey moved, seconded by Mr. Taylor, that Mr. Speaker now leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers.

Motion Carried.

In Committee of the Whole:

In  
Committee

Committee proceeded to discuss Bill No. 11 - Vote 4 - Territorial Secretary and Tax Assessor.

Materials and Supplies - \$7,500.00

Mr. Shaw wanted to know why there was an increase in this year.

Clerk-in-Council, speaking as the Registrar of Motor Vehicles, said that this was the normal estimated increase due to the amount of licenses increasing every year.

Mr. McKamey said, with reference to Primary 54 - Trip to Ottawa and to Winnipeg, "what are the purposes of these conferences?"

Clerk-in-Council replied that the trip to Ottawa was for the Vital Statistics Council of Canada and that this meeting was attended by one person from each province. The conference in Winnipeg was a Motor Vehicle Conference and was almost the same except in a different field. He further said that the Vital Statistics Council paid his transportation costs to the conference and the Territorial Government only paid his expenses.

Mr. McKamey said as he understood it they arrived at legislation through the results of these conferences and he wanted to know when they could expect some results.

Clerk-in-Council replied that the conferences dealt mainly with administration problems and said that the one result of the last conference was the adoption of a universal pink card and that there would be no legislation in that respect. He explained to Committee that this inter-provincial pink card would insure the holder against liability for bodily injury and property damage by reason of the operation of the motor vehicle described in the pink card in an amount not less than the statutory minimum requirements of every province of Canada. He further explained that in the Yukon Territory insurance is required before a person can buy his licence, and in case of an accident the reason the car is impounded was because the licence was not in effect if the insurance was not in effect.

After a short discussion on the question whether the compulsory insurance should be against the motor vehicle or against the driver of the motor vehicle and be made a requirement before a person could obtain his driver's licence, Mr. Taylor commented that he would like to know first of all when the compulsory liability came into being in the Yukon Territory and also if a study had been made on insurance rates as they effect automobile insurance.

Clerk-in-Council replied that the insurance companies made studies of their rates all the time and as a matter of fact quite a few insurance companies had ceased doing business in the Territory because of their loss. He was of the opinion that an increase would be justified.

Mr. Shaw now took up the question whether the Yukon Territory should provide for the necessary insurance and perhaps sell the insurance when they sell the plates. He said "The principle involved is the fact that the Government is forcing the people to carry insurance through a private company, which is wrong. The only alternative is either not to have any insurance or for the Government itself to sell this insurance."

Mr. Taylor (with Mr. Boyd in the Chair) said he was of the opinion that the compulsive insurance should be transferred from the automobile and onto the driver, and agreed in principle that the insurance system in use in the Territory had some merits. He further said that he didn't think the idea of the Government going into the insurance business was a good one.

Mr. Shaw agreed but said "When the Government forces you to carry this, they should be prepared to provide you with the service."

Mr. Watt asked Clerk-in-Council if he would enquire about the insurance rates that were charged per thousand dollars in the Yukon compared to the other provinces.

Clerk-in-Council replied he would.

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

Monday, April 6, 1964  
2:00 o'clock P.M.

Committee was called to order and discussion of Bill No. 11 was continued.

Discussion  
Bill #11

Committee agreed to postpone discussion on Vote 5 - Health due to the absence of Dr. Kinloch, who would not return until April 10th.

Committee proceeded with discussion on Vote 6 - Municipal and Area Development Administration, with Mr. Spray (Area Development Officer) and Mr. K. MacKenzie (Territorial Treasurer) in attendance.

Housing and Area Development Administration - \$31,936.00

Mr. Boyd asked what the increase in staff covered.

Mr. MacKenzie replied that there was a clerk-typist position to be filled in the Supervisor of Lands Department, and that this was a new position.

Mr. McKamey asked if that was not a Federal office.

Mr. MacKenzie replied yes but that it would constitute Territorial work.

Mr. McKamey asked what the purpose was of having it in the Federal office.

Mr. MacKenzie replied that Mr. McCall, Supervisor of Lands, could best explain that in detail.

Mr. Spray commented that Mr. McCall was handling the sale of the lots in the Territorial subdivisions and that this clerk was to work on Territorial land to handle land applications, agreements for sale, follow up on agreements for sale, correspondence, etc.

Mr. Taylor, (with Mr. Boyd in the Chair) commented that he felt the same way as he did during the last session and in his opinion they should not make retrogressive steps as handing back the responsibilities in the Territory to the Federal Government. He said that he was opposed to this measure and when he went to the Administration he was told by one of the executive assistants that it was none of his business as a councillor - it was strictly an administrative matter. He also raised the point concerning the appointment of a building inspector and said that he had not been in agreement with the last appointment but could not say anything about this one because he did not know what the qualifications were. He felt however, that a building inspector should possess the capability of an engineer because he had to know stresses, strains, National Building Code, National Fire Code, plumbing, wiring, etc. For this reason he asked for the qualifications of the newly appointed building inspector and he also wanted to know what qualifications the Administration had asked for in the competition.

Mr. Spray asked if Mr. Taylor would submit his question in writing.

Mr. MacKenzie said that it was more convenient to have Federal lands and Territorial lands run from the same office, because as he said "Otherwise there is a continuous flow of questions and queries between two offices". He continued to say that this was for the benefit of the public and that the Territorial Government were not shirking their responsibilities. He said "It is obviously more beneficial to have one office dealing with the two types of land than to have them in separate offices, and have the individual shuttling between each office".

Mr. McKamey then asked why have two departments and what was the purpose of the Area Development department.

Mr. Spray replied that Mr. McCall handles the actual sale of land and the land agents in the various areas handle applications for land. He added that the Area Development Office enforces the Area Development Ordinance and regulations and that also the building inspection and issuance of building permits was dealt with by his department.

Mr. Watt asked how the community planning group would fit into the organization they heard about in the Speech from the Throne.

Mr. Spray said this was a new committee and they only had one meeting to set up the terms of reference. They were attempting to coordinate the planning and have the Territorial Engineer, the Supervisor of Lands, the Administrative Assistants to the Commissioner and the Area Development Officer on the committee. They were prepared to invite members of other departments in the administration to discuss matters with them and if it was decided that a townsite should be built at Ross River, it would be a matter of discussion between the Department of Indian Affairs and Dr. Kinloch.

Mr. Shaw wondered if the Area Development Officer went to places like Watson Lake, Haines Junction, Ross River to talk with the people and get a view of the situation so that better management could be done for the future.

Mr. Spray replied that this was primarily what the community planning was for, to help in matters like that. He said they had the building inspector making a monthly trip to Watson Lake, occasional trips to Mayo, Haines Junction, Teslin, Carcross and Carmacks and added that he himself travelled occasionally.

Mr. Taylor said that he had asked, for the last two years, for a survey at Ross River and doubted if the Area Development Officer had ever been there. He further said that when administrative people went to Watson Lake they usually arrive approximately 5:00 p.m. to attend a meeting and then took off again. He felt that there should be someone who could stay a few days and talk to the people and become familiar with local conditions. He concluded by saying there should be an engineer in the Area Development Department.

Mr. Livesey said he had heard the member from Dawson, Mr. Shaw, ask some questions which he did not think had been answered. He added that it did not seem that the Administration took very much interest in the north end of the highway.

Mr. MacKenzie said that from what he had heard Council was expecting a fully fledged organization to be operating. The Area Development was a new department and it had not had a chance to work things out yet. He further said that there was money to be considered and what Council was talking about would certainly be more than \$31,936.00.

Mr. McKamey agreed with Mr. MacKenzie to a degree but said that he could certainly not point a finger at the Territorial Council. Council had requested a building inspector for the last two years and they certainly believed that the department should be properly staffed.

Mr. Taylor asked how long the department had been in operation.

Mr. Spray replied it started April 1, 1961.

Mr. Taylor said that if they had not been able to do anything during those three years of operation they should put some money in the budget and get personnel who could produce because he said "It is certainly no good the way it is".

Mr. Shaw commented that it appeared to him that more work should be done in the field and perhaps less in the office.

Mr. Taylor asked where he would find Ross River in the budget.

Mr. MacKenzie replied that it came under Watson Lake and points south.

Mr. Spray said that there was a certain sum in the budget set aside for engineers to make an initial survey and said that until they do this there was no use laying out a townsite on paper.

Mr. McKamey said that his idea of an Area Development Office was an office set up to deal with the disposal of lands and area development as a whole. Council had been told they had spent in the neighborhood of \$40,000.00 to Associated Engineers to conduct surveys and he thought that if the Area Development worked jointly with the Engineering Department and taken this money and hired a couple of young engineers specialized in that field, they could really have accomplished something in providing services for the outlying districts.

Mr. MacKenzie replied that part of the \$40,000.00 went for drilling at Mayo and that he felt Mr. McKamey assumed that the Territorial Engineering Department had engineers to spare to run off and undertake that survey. He said that the department had not and that it was fully occupied with its present work. He went on to say that this was something extra, and a big job too, and it was advisable to bring in an outside firm of experts to give them the completed cost picture and proposals.

Mr. Shaw wondered if it would be possible to hire a couple of highly qualified engineers. He said that in the past they had laid out money for engineering reports which were factual but which rarely got quite to the root of the problem. He made reference to the water system at Watson Lake and said that experts had come up with a solution but it probably would not work in a practical sense.

Mr. Taylor agreed that there should be engineers and surveyors right on the scene who were acquainted with local conditions and problems. He again referred to Ross River and said that unless they did something about it and got Territorial Engineers in there, and the Area Development people in there, it would probably take another two or three years before they had a subdivision there. He concluded by saying "Why should we even have a Municipal and Area Development department, let us put it all under Territorial Engineering and wipe it right out of the budget".

Mr. MacKenzie suggested that Council express their dissatisfaction in the form of a resolution and call on the Administration to act in accordance with their wishes.

Mr. McKamey said it was important they recognized some of the problems and cited a case where a person, attempting to buy some land, could not get what he wanted and therefore went up to Big Delta on the American side and purchased his land there. He said that this man was now in the process of moving 2,000 head of beef cattle and 100 head of horses on his land and said "This is what we drove out of the Yukon. You can see the reasons we are a little concerned about land and the way it is handled". He also cited a case in Mayo where a man had purchased several lots and paid for them and then the Area Development Officer came along and asked him what he planned to build and told the man that he had only a limited time to do so. The man then had asked when they were going to provide him services and facilities and since nobody could give him an answer, he asked for and got his money back.

Mr. MacKenzie said that the best way to get some action would be to set it down in a brief resolution and draw it to the attention of the Commissioner because any expansion of Mr. Spray's department should come from Commissioner Cameron.

Mr. Taylor wondered how they could submit a resolution unless they got some answers first. He said: "Maybe we could take this whole Area Development out of the budget and embody the necessary items under the Engineering estimates".



He said that they would only arrive at a solution through discussion and asking questions which were answered.

Commissioner Cameron attended Committee.

Mr. Shaw asked if Commissioner Cameron thought it would be feasible to employ one or two engineers for Area Development, who would go to the various areas and work continually there, estimating the cost of water and facilities, etc. He said that the field work could be done in the summer and the other work in the winter and he was of the opinion that Area Development needed engineering advice on a more or less continuous basis. He asked Commissioner Cameron if he would agree with him.

Commissioner Cameron said he could say he felt the same way. He said that from what they had discussed with engineers and companies and other people in Ottawa, the two individuals Mr. Shaw was talking about would not be able to do the job for the amount C.M.H.C. were doing it for. C.M.H.C. had a great number of people employed and in his opinion it could not be done with only two men, they needed specialists in every phase of development. If they were going to do the whole project to completion they would have to establish a metropolitan plan and would lose the benefit of an organization that does it in all different locations in Canada.

Mr. McKamey said that in discussing some of these problems of C.M.H.C. on their last trip he had been told that they were going out of business completely, this was approximately three years ago, and the sooner they could start standing on their own two feet the better off they would be. He would suggest that some consideration should be given to hiring a qualified engineer. He went on to say that last year they had asked for a qualified building inspector and now he was disappointed to see the terms of reference of the qualifications that man was required to have.

Mr. Watt asked if Commissioner Cameron had the terms of reference for the Community Planning Group written out.

Commissioner Cameron answered in the affirmative.

Mr. Watt asked if Commissioner Cameron would table the terms of reference on the Community Planning Group tomorrow.

Commissioner Cameron said he would do so.

Mr. Livesey wondered where the Community Planning Group connects with the wishes of the people. He said: "Is it strictly an academic group or a group which ties itself to the creation of provisions for regulations in Area Development, or just how is this going to fit in with the actual people who are in the long run most vitally affected, that is the people who are living there. This is amply being shown in a larger way whereby Federal authorities tried to plan for the Northwest Territories, but the people in the Northwest Territories did not like it". He asked if Commissioner Cameron could help them to get this straightened out as they then might be able to get more satisfaction from the work of any group whether it was administrative, legislative or something else. He said "If we had it explained we could get further".

Commissioner Cameron replied that he would be pleased to give them the terms of reference and that he would also ask Mr. Hargrave, the Chairman of the Community Planning Group to explain them for Council.

Mr. Livesey agreed this would be the most satisfactory course.

Mr. Shaw again commented that the Area Development needed engineering advice and that without some steady professional engineering in town planning, it would appear very difficult for him to operate a department like that.

Mr. Livesey asked if Commissioner Cameron could inform Committee of how many committees were set up within the Administration and to what extent these committees were empowered to act.

Commissioner Cameron named the following committees, Tote Trail Committee, Community Planning Committee, Legislative Programming Committee, Staff Selection Committee and Board of Adjudication (automobile accidents).

Mr. Taylor asked if these committees were made up entirely within the Administration.

Commissioner Cameron replied that they were.

Mr. Livesey said that he did not think he got his questions answered because he was given the names only and not their qualifications as far as power to act was concerned.

Commissioner Cameron replied that they basically made their recommendations to him.

Mr. McKamey said he would submit that these committees formulate policy and when it comes down to the new form of legislation it was the prerogative of the elected representatives to accept it or throw it out. He said: "In regard to the building inspector, this was a subject of a lot of discussion last session of Council and Council was very emphatic on the type of person they thought should be hired as a building inspector." He said that he had noticed in the competition that the terms of reference laid down were to the contrary and he wanted to know who formulated the provisions into the terms of reference.

Mr. Spray said that he had prepared the competition.

Mr. McKamey said that Council wanted a fully qualified building inspector, somebody that had specialized in building inspections and could judge whether the wiring was right, or the plumbing was right and the material was right. He said that this person had to be certified in certain lines of trades, not somebody they could pick off the street. He did not think there should have been any misunderstanding as to what they wanted because it had been pointed out clear enough earlier and he doubted whether C.M.H.C. or N.H.A. would have accepted a report of this man. He concluded by saying "I would like to know the reason behind it".

Commissioner Cameron said that he was certain C.M.H.C. would accept the qualifications of the person recently appointed as building inspector. He said there was no reason why they should go out and hire a man for \$10,000.00 a year to do a building inspection job because if a man had some good basic experience behind him, on a number of subjects, and he had the engineering assistance from the Engineering Department, he should be able to do a satisfactory job. He added that he did not know why Council felt the building inspector should be such a specialist.

Mr. McKamey maintained that if they had a highly qualified building inspector money would be saved each year. He said that in the provinces when a building inspector went out on inspections he takes a four pound sledge hammer with him and he walks through a building as it progresses stage by stage and anything he thinks is not right, he will take the four pound hammer, whether it was a bathtub or a wash basin on the wall, or studding, or whatever it may be and just smash it right out. He said "This is the way we should do it here". He concluded by saying that he was going to propose that this item be deleted from the budget because he felt it would serve no useful purpose.

Mr. Taylor said that he agreed with the member from Mayo that they should kick this right out of the budget until someone could be found who qualified.

Mr. Watt pointed out that in his opinion the building inspector was for the protection of the public and before going any further he would like to see the application sent out again.

Mr. McKinnon said that he was wondering if they were not a little unfair to the successful applicant of the job and that he had not heard any of the Councillors asking the Administration of this man's qualifications. He said that the man was on probation and subject to dismissal if he did not fulfill the job requirements.

Mr. Taylor replied that they were not dealing with the individual but with the position as outlined in the competition.

Mr. McKamey said that the qualifications of a building inspector in the City of Vancouver or the City of Edmonton would be that the man was required to have a thorough knowledge of all classes of construction, be familiar with the National Building Code, the requirements in electrical work, plumbing and heating and so forth.

Mr. Livesey said that Council had made numerous requests over the years, long before Commissioner Cameron took office, asking for a qualified building inspector to watch daily the erection and construction of buildings. He said that he would submit that had there been such a person his wages would have been saved over and over again. He further said that he had asked for someone to watch the construction of schools on the Alaska Highway on a daily basis, and that this was not done. They have come through a heavy construction period, the past three years, and that they certainly needed a building inspector and if they could get a competent inspector his wages would be saved by others in the Territory, including the Territorial Government.

Mr. Spray said that the building inspector that works out of the Area Development Office did not inspect such things as schools or nursing stations, etc. that were built for the Territorial Government. He said they were concerned with private construction in subdivisions only.

Commissioner Cameron added that the Engineering Department does the inspection on schools, public buildings and so on.

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

Motion Carried.

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

Committee Report

"Committee convened at 10:30 a.m. to discuss bills, memoranda, motions and sessional papers. Committee commenced discussion on Bill No. 11, The Main Supply Bill. Committee recessed at 12:00 o'clock noon and reconvened at 2:00 p.m. Mr. MacKenzie (Territorial Treasurer) attended Committee to discuss Vote 6, Area Development. Commissioner Cameron and Mr. Spray (Area Development Officer) also attended Committee. I can report progress on Bill No. 11."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m., Tuesday, April 7, 1964.

Tuesday, April 7th, 1964  
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. 6, Daylight Saving Time (set out as Sessional Paper No. 24)           | Sessional<br>Papers<br>No. 24 |
| (2) Regarding motion for Production of Papers no. 4, Lot 19 (Set out as Sessional Paper No. 25) | No. 25                        |

Mr. Shaw gave notice of Motion concerning amusement tax. Motion No. 22

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. McKamey, that the Administration take all possible steps toward the early establishment of an air field at Beaver Creek together with suitable equipment - navigational aids - buildings and services as may be found to be necessary for such establishment. Motion No. 16

Mr. Livesey, speaking on the motion, said that the need for an airstrip at Beaver Creek had first been brought to his attention by his constituents approximately four years ago. He was told that the Federal Government was thinking of abandoning Aishihik airfield and the one at Snag. As soon as he heard this he wrote to the Member of Parliament for the Yukon and stated his objections and asked their views on establishing the airfield at Burwash Landing as an alternative. He said that there lived a number of native families at Aishihik and at Snag and he was afraid that if the Federal Government abandoned both those fields certain problems would arise, and he also felt that the matter of tourism entered into the picture. He mentioned that the state of Alaska had a number of individuals that own small aircraft. The fact that they do have an airport at the border has curtailed the people in Alaska coming to the Yukon for fishing and hunting. He further said that the position of Beaver Creek was suitable for an airstrip. The ground has a heavy gravel base and he said "If one looks at the International Air Routes, he will find that there is a point of convergence there for aircraft who follow the route known as the Amber Route." He further said that at Haines Junction the Pan American Airways had a beacon station which is heard for a large distance and is very helpful to navigation.

Mr. Shaw said he was in full accord of the motion and he believed it would make it easier for people to come into the Territory. He said there was no question that Alaska had more small planes than any other state in the United States and for those people to have to come to Whitehorse to check in and out again if they wanted to go fishing for example in Kluane Lake was an inconvenience. It was a very sensible proposition and would not, in his opinion, cost an awful lot of money.

Mr. McKamey said he was in favour of the motion but asked Mr. Livesey to clarify the meaning of navigational aids.

Mr. Livesey said the meaning of it was he did not want an ordinary airstrip with nothing on it, he wanted something that would benefit aircraft using the field. One of the benefits was a windsock and he also wanted a certain amount of safety equipment and also a provision for something to help the individual who runs into darkness and wants to land. He said that he did not want a tower or anything like that but just the normal requirements for safety in navigation which the Department of Transport was familiar with.

Mr. McKamey commented that the fact that there was no airport at the customs at mile 1202 created a hardship.

Mr. Boyd said he would like to see an airport at 1202.

Motion Carried.

Motion No. 20. Mr. Boyd moved, seconded by Mr. McKinnon, that Mr. Vars and Mr. MacKenzie be respectfully requested to appear before Committee for the purpose of explaining the recent price increase in alcoholic beverages.

Mr. Boyd, speaking on the motion, said that as of April 1st, 1964, the public had once more been asked to dig a little more deeper in their pockets and he wanted to know what had caused the increase.

Mr. Watt commented that he was in favour of the motion.

Motion Carried.

Motion No. 21 Mr. Watt moved, seconded by Mr. McKamey, that it is the opinion of Council that allowances payable to jurors be revised to reasonably compensate citizens for loss of wages.

Mr. Watt speaking on the motion, said he believed the present allowances payable to jurors were set in the early 1900's. At that time it was close to the standard wage of the Territory and he now felt that they should be revised. He said that judges, lawyers, etc. were all paid fabulous fees while the ordinary citizens are paid nominal sums. Some of the cases last for a long time and when the ordinary citizen is called for juror duty, it could happen that the person had deadlines to meet with banks etc and if he was called on a long case, he might lose a considerable amount of money, which he could not afford to lose and he said this may possibly affect the sanning of the jury.

Mr. Shaw commented that it seemed to him that only recently this had been brought up to date and in his opinion, jury duty was a part of the duties of a citizen of the country. He wondered what the present rates were.

Clerk-in-Council said that when one is called for jury duty one received \$ 4.00 for making an appearance only. If he is actually impaneled on the jury he is paid \$12.00 a day plus room and board.

Mr. Shaw asked Mr. Watt if he considered \$12.00 a day inadequate.

Mr. Watt said that he thought that the ordinary working man in the Territory on an ordinary working day would make approximately from \$20.00 to \$25.00 per day. He said that he personally was called on a jury some years ago and lost a considerable amount of money while sitting there. He said there were some members of the jury whose wages ordinarily continued but a man on an hourly wage has to take a loss, and therefore he felt they should be brought more in line.

Mr. Taylor did not think the average person in the Territory made \$25.00 a day, he felt that \$16.00 or \$18.00 would be more realistic. He said that if a member of the jury was paid \$12.00 a day plus room and board that this would bring him somewhere in the category of \$25.00 or so a day. He could see no reason for an increase.

Mr. Boyd questioned Mr. Watt as to what Manitoba, Alberta and B.C. jurors get.

Clerk-in-Council replied that he could find out.

Mr. McKamey said he would like to know this also and felt that Mr. Watt had a good point. He had been told that on occasions people had been asked to serve as a jury but due to the low remuneration they automatically came up with some excuse. He thought they should pay the normal rate of pay that any man receives and the minimum wage would be about \$16.00 a day. He suggested that the motion be deferred and discussed in Committee.

Agreed.

First and Second Readings were given to the following Bills:

Bill No. 8, An Ordinance to Amend the Public Health Ordinance.

Bill No. 14, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Third Appropriation Ordinance 1964-65)

First &  
Second  
Readings:  
Bill #8  
Bill #14

Mr. Taylor moved, seconded by Mr. Boyd that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Sessional Papers, Motions and Matters relating to labour.

Motion Carried.

In  
Committee  
of the  
Whole:

In Committee of the Whole:

Commissioner Cameron, Mr. MacKenzie, Territorial Treasurer, and Mr. Spray, Area Development Officer, attended Committee.

Discussio  
Bill #11.

Committee proceeded to discuss Vote 6 - Municipal and Area Development Administration.

Mr. Taylor (with Mr. Boyd in the Chair) was still concerned with the matter of salaries and maintained the matter of a building inspector was a very important item. He told Committee he had done some research and it seemed to him that a building inspector in the Yukon Territory should possess the following qualities: He should be fully conversant with the fire and building codes, the electrical code, plumbing and the engineering aspects of stress and strain. He said that the building inspector would not be dealing alone with the aspects of residential dwellings, but also theatres, hotels etc. and other public buildings that would not be constructed by the Government. He further said that he would not agree to the passage of the item specified for a building inspector and proposed a motion to the effect that that item be deleted as listed until such time as a fully qualified person could be obtained.

Commissioner Cameron explained to Committee that the person they were referring to would not sit in judgment of any large building and that the Engineering Department has a building inspector that specializes in that kind of buildings. He further said that the man had just been appointed and that all indications are that he will be a very good man. The building inspector they needed was a man with a large learning capacity. A man who could take the manuals and know what was right and what was wrong. He asked Council that they check a little further as to what they meant by a fully qualified building inspector and asked that they put their recommendations in writing. Upon receipt of the recommendation, he said, the Administration would be prepared to do everything possible to implement it.

Mr. Hargrave, Administrative Assistant to the Commissioner, attended Committee.

Mr. Taylor (with Mr. Boyd in the Chair) said they were not referring to the person but to the qualifications this person needed. A man who gains the position should possess the qualifications he had outlined earlier.

Mr. Shaw enquired if this person would be on probation and if so during the course of this probationary period would he be required to study the building codes etc.

Commissioner Cameron said this was correct. All employees are hired on a probationary period and they realize that at the end of that period they had to be retained or released. During the probationary period it was their responsibility to come up with the necessary knowledge to perform the functions of their positions.

Mr. MacKenzie said he would like to make one point clear mainly that the building inspector in vote 9 had nothing to do with the inspector in vote 6.

Mr. Boyd asked the Commissioner if the building inspector in vote 6 was the man that looked after C.M.H.C. and the inspector in vote 9 was the man that looked after schools. He asked if the man in vote 9 could take the place of the man in vote 6 since they were not going to build any schools this year.

Commissioner Cameron said that that man does not only schools but grader stations, garages, or buildings of public assembly but that possibly he would be available to help the man under vote 6. That man and the whole Engineering Dept. are available to Area Development.

Mr. McKamey wondered how many applications there were in the Yukon for building C.M.H.C. homes.

Commissioner Cameron replied that he did not know.

Mr. Boyd asked if a man wanted to build a home under C.M.H.C. would he have to go to a firm of lawyers to make up his application and pay for it.

Commissioner Cameron answered in the affirmative.

Mr. McKamey said he believed that under C.M.H.C. requirements you automatically turn over 1 1/2% of your loan to the lawyers.

Mr. Watt wanted to know about the second mortgage loan from C.M.H.C. of \$2,000.00

Mr. Spray replied that the second mortgage loan was made only to persons who had received the previous loan from C.M.H.C. He said that the C.M.H.C. administered the second mortgage loans on behalf of the Yukon Territory.

Mr. Watt asked if it was possible with these second mortgage loans for a person to build a new home with absolutely not a penny of his own money.

Mr. Spray said this was not true. You can not build a home under C.M.H.C. unless you have 5% of the total cost of the construction yourself. He said that on a three bedroom house in Riverdale you would require at least to have the price of the lot approximately \$2,000.00 and with a second mortgage loan it would make it possible for you to build a house with possibly \$2,000.00 down instead of \$4,000.00

Mr. Taylor (with Mr. Boyd in the Chair) said he did not wish to approve the expenditure for a building inspector and would like to leave it to the final review of the budget. At that time, he said, he might possibly have a resolution. He wanted to know if the Community Planning Group was a result of the Ross River Committee which was formed some time last year and if so, had this Committee anything to report on their findings in Ross River.

Mr. Hargrave replied that the group had not been formed as a result of the Ross River Committee. This had been discussed three weeks ago and thrashed out between Mr. McCall, Supervisor of Lands, Mr. Baker, Territorial Engineer, Mr. Spray, Area Development Officer and himself. It was modeled after the Community Planning Group of the Dept. of Northern Affairs

and National Resources.

Mr. Taylor (with Mr. Boyd in the Chair) said he wanted to know what had happened to the Ross River Committee. He also asked if Mr. Spray could advise him if they would get their main street this year or not.

Mr. Spray said that the Ross River Committee was replaced by the Community Planning Group. With respect to the main street at Watson Lake it had been listed for survey this year.

Mr. Boyd said that with respect to land in Ross River they needed the Supervisor of Lands from Ottawa to survey the land up there. He said "What the people are complaining about is the fact that they cannot get an answer. What we want to see up there are people who would have the say. If I want a lot in Riverdale, I can buy it without having to go to Ottawa."

Commissioner Cameron agreed with Mr. Boyd and said that land is a hard thing to handle and he assured Committee that if someone wanted a piece of property in Riverdale and it was available he could buy it. He would like to submit on behalf of the Administration and the Council a recommendation to solve the problem.

Mr. McKamey said that it appeared to him that the recommendations were completely ignored.

Commissioner Cameron replied that the recommendations of Council were dealt with.

Mr. Boyd said that when they were in Ottawa they were told they were going to do this and that by a certain person and that the price would be so much per acre. He wanted to know who put the price on the land.

Mr. Livesey said that he had made several motions concerning land and that very few people that he had talked to agreed with the distribution and the sale of land in the Yukon. They all said that it is not satisfactory and felt that Council should use every means to make their position known to the Administration.

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



Tuesday, April 7, 1964.  
2:00 o'clock P.M.

Committee proceeded to discuss Labour Relations with Mr. G.R. Currie, Industrial Relations Officer, Department of Labour, Vancouver, and Mr. Hughes in attendance.

## Discussion

Mr. Boyd thought they should start by having Mr. Currie give some remarks that would relate to their position in the Yukon with differences to other locations insofar as a Labour Ordinance is concerned, before going into the questions put forward by the Administration.

Mr. Currie expressed his pleasure in being here and his pleasure insofar as his work has taken him into both the Northwest Territories and the Yukon Territory. He said he might make some preliminary remarks that might be of interest. The work in which he takes most interest is conciliation and they have been venturing north into the Yukon and Northwest Territories for a good many years and settling the disputes and he did not think anybody had really noticed they had been doing this. He had a list of their activities and in the Yukon they have had some 33 actions that involve dealing with applications of certification and have had 21 conciliations. It is rather remarkable they have had over 40 conciliations in the Northwest Territories and the Yukon and under the legislation have never had a strike or a threat of one. In fact in the larger operations they have come to lean on them as a part of the bargaining machine, which is not always the best thing. This is a feature of this country that appeals. When they come into this situation they find people willing to get down to business and they are interested in getting settlement and are looking for help. This is a very distinguishing mark which makes the work worthwhile. He has never heard of any complaints and is assuming there are none until he hears of them. In general he did not want Council to think that he was going to prescribe all the remedies and come up with an easy solution to their problems in this field. He wouldn't say whether any particular course would be the best course. First of all you have to know what your problem is, how big it is, and then you have to have some sort of general policy in mind and plot your progress. In some ways it seems that the Yukon forms, in miniature, problems that face the Dominion Government. They haven't too much labour legislation on their books after all these years. This year, in Parliament, the Minister has promised a definite program. It is a rather remarkable thing that they have carried on without too much difficulty, or criticism and without a legislative program except in certain fields where there was a real demand for it. One of the reasons they haven't got fully involved in the field is that there are about 10% of the people under Federal jurisdiction, spread from one end of the country to the other, which creates a problem in itself. A great many of these people are engaged in the type of enterprise that is here, they are isolated and are small enterprises. Also the majority of the people under their jurisdiction have been, for years, under union agreements, the railways for instance, and those people had a cooperative way of protecting themselves. Here to a certain extent you have something similar in the Territory. The history of bargaining in United Keno Hill goes back to the second world war, and YCGC goes back to 1944 which is the only time there was a strike in the history of the Yukon. Recently the third largest employer has pretty well been unionized and there is collective bargaining as with the White Pass operation, and the largest employers are under union agreement. He said he just cited this as a very poor comparison with situations in the Federal Government. He said they started off with collective bargaining legislation because there had to be collective bargaining - their legislation goes back to 1907 and they have assumed Yukon burdens in the field. When annual vacations by law became general they followed suit. They have a fair employment practices act. There have only been six or seven complaints in the history of the act. He was not saying they shouldn't have such an act because usually its preventative power is of more value than the number of complaints. You can't really judge the value. They have an equal pay act, which provides a woman gets the same pay as a man. He had never heard of a complaint made under it. And of course the fair wages and hours of labour on government contracts, the effect of our act on your area and he thought the Yukon used Federal rates in their own

contracts. That is just about all their legislation. If they've been lax at least it shows they have been very slow and careful in getting into the field. One area where there have been some repercussions that have always been very disturbing to himself is the fact that they get complaints from people who have left this country and have landed in Vancouver, Edmonton or Calgary, and their wages have not been paid. You are ahead of the Federal Government and he thought this a good thing. The act fills a good need because when people get away from this country, how can a poor man take action unless he has an act of this sort to help him. They haven't got that type of legislation in the Federal field but he said he often wished that they had. He didn't think he would want to give the impression that he could lay down a program for the Yukon. If he had a better idea of what the problems were he might have some views. In fact a little later if members wanted to ask questions he could express some views in the hope that the basis for them is correct. At this stage he would want to be a little careful about giving the wrong impression about his status in dealing with them. He stated he has had almost thirty years experience in the business and is retiring at the end of the year and he feels that his experience should be of some help, but he could always recognize it as only a personal opinion and other people's opinions may be right. Maybe strict regulations is the answer. In any case he said he was at Council's disposal and if he could answer any questions or express an opinion he would do his best.

Mr. McKamey appreciated the submission given by Mr. Currie and said that out of his thirty years experience in the field he would expect nothing but good advice. He said one of the main problems here is having so many ordinances on the same subject and Council has felt it would be advantageous to incorporate all of them into one ordinance. He thought a lot of the fault lies in the lack of proper enforcement of the ordinances and thus there is a hardship on a lot of the labour forces as well as contractors in the Yukon Territory. It has been drawn to the attention of the Administration and the members of the Territorial Council on numerous occasions that when they have these Federal contracts, they have outside contractors bidding and winning the bid. As a result of this, when they put in the bid they were bidding on the basis of the wages they were going to pay in Manitoba and in some way were circumventing the laws in the Yukon. However, some of these outside contractors, he understood, were to live up to certain specifications and requirements in their contracts and this is where he attached the blame on the Federal level of government in not enforcing their contracts. Another point that came to his mind, something that is continually being thrown at members of the Council by the taxpayers is the fact that there is one law for the individual employer in the Yukon Territory and then another labor law for the Territorial Government. This creates a hardship on industry in the Yukon, and also it is creating a lot of dissension amongst the workers in the Yukon. There has been a great deal of pressure put on Councillors during the past year to do something about it. He said they had discussed it with the Administration and thought the problem had been solved but it is apparent that it is not. He felt if the Administration is going to enforce laws on an operator who is in business or industry here, they should be prepared to enforce the ordinance upon themselves.

Mr. Currie said he is leaving in six months time so is free to say what he wants. This is something that anybody that works in a labor department has views on. He didn't think you could put the government and the people they represent on the same basis. He thought rightly or wrongly the people we elect represent us and what they do they should be held responsible for but not on a legal basis. There is a remedy. A government should be a good employer and that would mean in the sense that the rules they apply to other people in general they should

apply to themselves. When you make comparisons you have to be careful that you make the proper comparisons. He said he didn't think you could compare a Civil Servant with a prevailing rate employec, and they don't. They are individuals working under different conditions. He felt however that this is something he should not comment on. He said he was familiar with contracts and as far as the Federal Government contracts are concerned, they have a fairly good system and on the whole do a pretty good job, but are handicapped by lack of staff. Unfortunately all the wage work and construction comes in the summer months. There has never been a true inspection system in the Federal field and he thought they should do a little better job. He didn't think he should spend too much time talking about labor conditions. Speaking about a central code, he said the more you get into code the less simple it gets. The more legislation you have the more complicated. He noticed even the summaries that the provinces put out are pretty complicated. He said he couldn't think of a simple code that would dispose of the difficulty that was mentioned. Lack of enforcement is a fundamental question of policy. There is a limit in almost all of the provincial areas as to the degree of enforcement. It is largely a matter of making the law known to the people through a number of sources and helping them in providing a method once the complaint is brought to the proper attention. Some places in minimum wages they have a periodical inspection, they try to get around approximately once a year. He said they had never had any enforcements in the Federal field. They try to make people aware that there is a law and they have certain privileges. He thought, on the whole, in this area people would soon become aware of what they were entitled to.

Mr. Shaw said his reason for rising is in relation to Mr. Currie's initial remarks on what assistance he can give and why they require his assistance. He said if you look through the ordinance you will find they have many ordinances governing the same thing in labor legislation, though they are covered under different headings, such as Woodman's Lien Ordinance, Warehousemen's Lien Ordinance, Miner's Lien Ordinance, Mechanic's Lien Ordinance, Master and Servant's Ordinance, Labor Provisions Ordinance and Annual Vacations Ordinance. They all accomplish pretty well the same sort of thing. When an employer wants to start an operation in the Territory one of the first things he is going to do is see what kind of labor laws are in effect in that particular area. When the employee wants to know what protection he is entitled to, it would be very nice for him to be able to refer to one particular ordinance to ascertain whether or not he was getting fair treatment from his employer. In reviewing the contents of the present book we find many of these ordinances were put into effect some sixty years ago and have just remained there. Council felt that it was necessary to take some of the old ordinances out and bring in a comprehensive labor relations bill that everyone could follow. In this effort Council has requested that the Administration take these particular many and varied ordinances and consolidate them into one Labor Relations Ordinance, which they are in the process of doing. Last spring Council was given a document which brings forth a lot of questions that would be very difficult to answer, that is why it was necessary to have someone come in. He said he was glad to have Mr. Currie here to give the assistance and possibly tell them how these particular questions work in British Columbia and various other provinces. He said he hoped Mr. Currie would be able to make recommendations as to what may be necessary and what may not be.

Mr. Currie commented on the two elements involved in Mr. Shaw's remarks. On the question of making the information readily accessible in a simple form, he said in the Federal Government there is no uniform pattern, they have individual acts and find this is convenient. To hand out a very large document to a person who is interested only in knowing what the annual vacation is would be of little use. B.C. follows the same procedure and the document they finally emerge with is constantly being amended and added to. Alberta codified their legislation; there you end up, every time you want an amendment, wondering if you should issue a new volume and so on. So it has problems. Then Mr. Shaw says it isn't just the legislation that's in the book, it's the new legislation, these questions refer to new legislation. He said he didn't know exactly what Mr. Shaw had in mind, but would like to help if he could. He would have to have a good look at the questions and wouldn't mind being asked questions about them when the time comes.

Mr. Shaw, having ascertained that Mr. Currie had a copy of the questions, said they were specifically concise as to what you think, but in many cases he would have no idea how to answer. For instance in question 11 he would not want any coercion whatsoever on anybody on anything.

Mr. Currie pointed out that these questions are all in relation to collective bargaining. He said he would think the problem here is - does the manner in which collective bargaining is now handled meet your needs. He said there may be criticism he has never heard of and referred to his earlier remarks about their activity here and the number of times they have acted. Is this situation unknown actually? Are people generally aware? For instance, he said, he was taking a vote at Tourist Services Ltd. on Thursday.

Mr. Taylor (with Mr. Boyd in the Chair) said he had one comment to make on the questions. He felt they were very important. He said they had been asking for a consolidation of the labor ordinances and for labor legislation for quite some time. He had approached the Canadian Labor Congress on the questions and was told they should proceed with caution because as far as the union is concerned they were dangerous. He agreed but felt they should thresh them out and get some opinions on them, especially in view of the fact that they get the ball rolling somewhere. One of the most constant pressing problems in the districts is the plea of the workman who has been aggrieved in some manner or another. He said it has been his intention at this session to introduce a private members bill relating to the bringing of the Territorial Government under the normal Labor Provisions Ordinance and thus giving the Territorial employee, with a grievance, a common ground upon which to work and the protection of the ordinance as it stands. He stated they should get at this a little cautiously but a little more rapidly. He said the Northwest Territories has recognized this fact and we have much the same problems. They recognize they have a steadily increasing labor force which requires protection. He would like to go through the questions and have Mr. Currie's views on them as they come up.

Mr. Boyd said he wasn't sure a labor relations ordinance is required and he would expect to hear an opinion from Mr. Currie. He said they already have some protection. They have heard one or two statements that the law is here but there is lack of enforcement - this they can charge to themselves - they needn't ask Mr. Currie anything about that. He pointed out there were only 15,000 people in the Territory and only half are working. He didn't want to sit here and go through 67 questions until he was sure they needed an ordinance and whether the Council by and large wants one at this stage of the game. He felt if it were necessary, the place to discuss the questions would be in a committee.

Mr. Currie said it is a pretty involved thing and would require a great deal of consideration. He said he thought the problem here is first to see what you have and to see what you need.

Mr. McKinnon asked if he understood correctly that Mr. Currie's department acts as an agent for the Territorial Government in collective bargaining between a union and management.

Mr. Currie replied that their act applies and it provides for a labour relations board but this labor relations board doesn't enter into the conciliation phase of it, its under the control of the Minister, so he is acting on appointment of the Minister of Labor when he is so appointed in a dispute which has taken place in the Yukon or the Northwest Territories.

Mr. McKinnon said he assumed this would be because there is no such thing as a labour relations board within the Yukon Territory.

Mr. Currie said that is his understanding.

Mr. McKinnon asked Mr. Currie if this is on instructions from the Minister of Labor or requests from the union or management.

Mr. Currie replied that the Minister rarely initiates, that is another step in the proceedings. Either party, usually the union requests this. The law forbids to go on strike until they have gone through a certain procedure. One thing is to apply for the services of a conciliation officer and you have so long to make a report and deal with it, then usually they have to go to a board of conciliation and investigation, which is a public body. Both sides select representatives and the two sides select a chairman. That board hears evidence and renders an opinion or a decision, that decision doesn't have to be accepted by either party. Within a week of the time the Minister gets that board report either party can take any action they like. This goes back to the old 1907 act. It provides really that before a union can strike or an employer can walk out there must be this procedure. That procedure can be by-passed but the usual action is for the union to ask for the assistance of a conciliation officer, he does his best with it, if he fails then it goes to a board. Usually we come in after the board functions and try and pull the pieces together if the boards recommendations are not accepted. He said offhand he could hardly remember ever having gone to a board in the North-west Territories or the Yukon, although he thought they had.

Mr. McKinnon asked Mr. Currie if he was familiar with the labor legislation which is now in effect in the Yukon Territory and whether he considers it adequate or not.

Mr. Currie said this again gets into the question of knowing what your problem is. He said he hesitates a little because he hasn't got all the information to give, but you have more legislation than we have. You've got annual vacations, wage recovery, provisions for statutory holidays that requires payment if worked - he said they don't have this, it is brand new even in the provincial field, you have some regulation of hours of work, we have none, limited control of wages in labor provisions. He thought one of the best things they could do would be to institute this wage recovery ordinance. He understood there have been quite a few cases dealt with under the act and he had the impression they had been fairly successful and asked if this was correct.

Clerk-in-Council said there was almost one a week for the last six weeks, sometimes one a day.

Mr. McKamey added that there has been a big change. He said they have had Mr. Taylor appointed as the Labor Provisions Officer, they have had some action and a lot of problems have been solved in the Yukon.

Commissioner Cameron attended Committee.

Mr. Livesey said he noticed that if anything, the Federal questions related to labor and legislation seem to be far more light in nature, they don't seem to be quite as detailed and quite as constructive, on an average basis, as labor legislation in the provinces. To him the labor laws in the Territory are just a mass of ponderables. It sits at the moment in several departments, it is non-collective, each item seems to separate from the other, yet all related to labor. First this is confusing to the employer and very confusing to the employee. He felt there should be a consolidation and this would help both the employer and employee understand his relation to the other. This is the most important point. He said they are discussing collective bargaining in the Territory at the moment but could not see how this could possibly happen without legislation. They need guidance in this and that is the reason Mr. Currie is with them today. The question today would be is labor happy with the way things are or would they want something else, and he thought from discussions with people who have worked continuously in the Territory for years, that they don't feel labor has been taken

any notice of at all, they don't feel the codes are up to date and they don't think what we have at present means anything in 1964, which he was inclined to agree with. What they need is an overhaul of the present legislation, a consolidation of that legislation, consideration whether they need collective bargaining or they don't. He suggested that the laws of B.C., Alberta and the Northwest Territories could be studied and in going over the problems on this basis they could come up with something worthwhile.

Mr. Taylor (with Mr. Shaw in the Chair) said he had two questions to ask Mr. Currie and they were, the strike prohibitions, whether or not a union could in fact in the Yukon Territory go on strike without doing anything and is there a provision for a strike vote by a board?

Mr. Currie replied that they are forbidden to go on strike until they have complied with all the procedure.

Mr. Taylor wanted to know if there is any existing agreement between the Federal government and the Yukon Territory as it relates to the Federal Labor Department's position in the Yukon.

Mr. Currie said he couldn't tell them anything about the Territorial position, but in the provinces it is pretty well understood and settled by the B.N.A. Act.

Mr. Taylor asked Commissioner Cameron if he knew the answer.

Commissioner Cameron said he didn't know as he wasn't up on the labor problem but he suggested that possibly the Clerk-in-Council or the Legal Adviser might know.

Mr. Watt directed the following questions to Mr. Currie concerning a minimum wage law: Would he recommend a minimum wage law for the Yukon Territory and would it be complicated, and would he be prepared to assist in drafting and recommending figures for such a minimum wage law?

Mr. Currie said he thought they didn't have any Federal legislation of this kind and it is a little out of his field. There has been some discussion of a Federal law and the Minister has promised some definite legislation in several fields and there was talk of a \$1.25 minimum. He thought that would be a general minimum and there was some criticism from some of the provinces that the figure was too high. He couldn't be too helpful on this question when you get down to the details of a minimum wage law. It would need some careful inquiry and he could probably come up with a figure that at least they might start with but which would be subject to a great deal of criticism. He didn't think it was anything to be rushed into without a great deal of consideration as it has taken the Federal Government ninety-eight years to arrive at the point of decision.

Mr. Watt asked if Mr. Currie would recommend it at the Territorial level for the Yukon and would he be prepared to assist in the drafting.

Mr. Currie said he wouldn't be of any assistance in drafting. The decision you have to reach is the principle, the technical details of drafting shouldn't be too difficult. When you start on this sort of a program you have a lot of work ahead of you. He produced a summary of the Saskatchewan legislation. In a very small booklet they have reference to 58 different acts giving the purpose, application, administration, provisions in very simple form, penalties and where enquiries should be made. He would think from the standpoint of getting information to employers and employees something of that kind would be very useful.

Mr. McKamey asked where does the Federal Government get their authorization to act on behalf of labor in the Yukon.

Mr. Hughes understood that you only intervene by invitation of the parties interested, and that is the authority on which you should rely.

Mr. Livesey commented that due to the lack of local legislation then, the only other source that is available would be Federal and he asked if this was correct. An individual request to another authority is surely a private matter, even if it is a Federal body which appears to have been asked to arbitrate in this case. He said the Yukon doesn't have legislation now which provides for arbitration and because it doesn't exist it would seem that requests can only be made to the Federal Government. He wondered if the employer and employees either mutually or separately had asked the Labor Relations Board of British Columbia to step in and settle any question of dispute, whether that would have been acceptable on the same basis.

Mr. Currie said he had never given any thought to that possibility of legislation not having any status so he just did not know whether there is any validity to that claim or not. The fact remains, they have been functioning in the same way as if they did have the rights and authority all in a very good cause and very successfully.

Mr. Livesey said that surely in law that which is not written is not implied.

Mr. Shaw said it appears from what Mr. Currie says that the Federal Government doesn't have very much labor legislation and that their activities are apparently very active in matters of conciliation and arbitration in respect to organized unions. He asked whether Mr. Currie would say, with the exception of the one branch of which he plays a very important part, that the amount of statutes which the Federal Government has would possibly be less than the ordinances that the Yukon Territory has in relation to labor?

Mr. Currie replied that he did not see any great purpose in making an exact comparison. He would phrase it a little differently. They have a lack of what might better be termed labor standards legislation. They have collective bargaining, legislation, discrimination, fair employment, equal pay and a number of these things but what they do not have is control of minimum hours and wages. He said they have one departure in that field - that is the annual vacations but do not have any provision for the paying for work on statutory holidays.

Mr. Shaw thought statutory holidays was contained in the Civil Service Act.

Mr. Currie said we get into a little complication there. This statutory holiday is a holiday that is proclaimed under statute. As far as he knew there is no Federal law which requires a holiday to be given to the ordinary person. The Federal laws apply to bills of exchange, the banks, the civil servants, they don't apply to the ordinary public. In any case the bulk of the public, insofar as the regulation of theirs is concerned, would come under provincial authority not under Federal. He said the Yukon has provided in their act that if people work on certain days they must get a certain rate of pay, the Federal government has no equivalent.

Mr. Shaw said it would appear that the Federal Government Labor Relations Act is an act that takes into consideration possibly that the provinces all have their Labor Relations Acts and so it is very brief, in fact it would be less than would be covered in the Yukon.

Clerk-in-Council commented that Mr. Currie had mentioned that the Federal Annual Vacations Act applied to the White Pass. He said this was something new to him until about two weeks ago when he had a complaint because the White Pass don't pay the same amount of annual vacation as the rest of the industries in the Territory do. In other words they are governed by the Federal Act and only have to pay one week's holiday for the first year and if a person is terminated within two years they only get 2% of their gross pay, whereas under the Yukon Act



everybody else in the Territory gets two weeks and on termination gets 1/26 of their gross pay which is about 4%. It is a fact then that you control the White Pass and they are all second class citizens as far as annual vacation goes.

Mr. Currie said he has two answers to that. In a great many cases the employers don't pay any attention to the Federal law. But give them another three months and they will have theirs the same as anybody else.

Clerk-in-Council said he understood that it is only going to be changed so that in the second year you get two weeks but still after the first year you only get one week.

Mr. Currie said he would be surprised if they don't get two weeks.

Clerk-in-Council said anyway up to the present time he has been told by the White Pass that they go by the Federal Act.

Mr. Currie said the banks for instance are not under provincial or territorial labor law, they almost invariably pay the 4% to everybody in B.C.

Clerk-in-Council said this is what he expected everybody else would do but was surprised to find that White Pass do not.

Mr. Currie said he thought you had to be employed three months before you accumulate in the Federal Government.

Commissioner Cameron said that is right, you accumulate for the first year.

Mr. McKamey wondered about the C.P.R. and C.N.R.

Mr. Currie said they stick to the Federal law pretty well. It is 2% the first year and 4% the second.

Mr. Shaw asked, in connection with a railroad such as the White Pass, does it mean that they would come under Federal jurisdiction and not Territorial jurisdiction. In other words, if the labor laws in the Territory were more favorable to the employee, that the company could take the stand that they only have to pay the minimum required by the Federal Government.

Mr. Currie replied where a railroad operates within a province the Federal Government does not exercise jurisdiction.

Mr. Shaw said in that case this railroad operated within this Territory exclusively, not interprovincial. He asked how that would work.

Mr. Currie said they have been handling these matters in the collective bargaining. When speaking of the White Pass, it runs from the United States into Canada and their trucking operates over provincial boundaries.

Mr. Watt asked how this would affect lumber yards that have trucks going across borders.

Mr. Currie said this is incidental to their basic business.

Mr. Taylor said it seems they have determined through the B.N.A. Act that there is no direct authority to set up bargaining and so forth between the Federal Government and the Territorial Government, and he asked if it would come through Section X or Section Z in Section 16 of the Yukon Act.

Mr. Hughes wasn't sure he understood the question because Councillor Taylor referred to the question of bargaining between the Federal and the



Territorial Governments. He didn't see how that connects up with the areas of jurisdiction. He said if he is right in his guess at the intention of the question, the position as he sees it is if the Territory has not provided legislation and the Territory does not occupy an independent suzerainty as a province may claim to do, then it seems logical to assume that the vacuum is filled by existing Federal legislation. You ask whether the Territory has power to legislate on fields of labor problems. He said his view would be yes, provided it does not run counter to the reserve area, that is the interprovincial jurisdiction, the operation of banks, railroads, airlines and so on, provided you did not try to include any of these fields. He thought that there is ground so the Yukon Act gives you the power to introduce legislation.

Mr. Currie was excused from Committee.

Mr. McKamey 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 of Committees reported as follows:

Committee  
Report

"Committee convened at 11:10 a.m. to discuss bills, memoranda, motions, sessional papers and matters related to labor. Committee first continued discussions on Bill No. 11 with Mr. Spray, Mr. MacKenzie and Commissioner Cameron present. The Committee recessed at 12:00 noon and reconvened at 2:10 p.m. I can report progress on Bill No. 11. Mr. G. R. Currie attended Committee to discuss problems related to Labor Legislation. Following a short break Commissioner Cameron also attended Committee."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m., Wednesday, April 8, 1964.

Wednesday, April 8th, 1964  
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 8, regarding Highway Changeover (Set out as Sessional Paper No. 26) Sessional Papers: No. 26
- (2) Reply to Question 7, concerning B.C.-Alaska-Yukon Conference. (Set out as Sessional Paper No. 27) No. 27

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of Motion regarding Trespass of Horses and Cattle on Public Highways. Motion No. 23

Mr. Shaw moved, seconded by Mr. Taylor, that it is considered desirable that a review is necessary of the amusement tax currently imposed by the Territorial Government. It would appear that hardships are created by this form of taxation in smaller populated communities and that some system of relief might be extended in the form of exemption on sales below a certain number of tickets sold. Motion No. 22

Mr. Shaw, speaking on the motion requested that it be taken up in Committee with Commissioner Cameron and Mr. MacKenzie, Territorial Treasurer present.

Mr. Taylor agreed with the motion and also agreed that it be discussed in Committee.

All agreed.

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Boyd, that the Administration request that the Federal Department of Agriculture proceed as soon as possible with a program designed to permit the development of agriculture in the Yukon. Motion No. 19

Mr. Livesey, speaking on the motion, said that he first made the motion in 1959 and it had been discussed by the present Council as well as the previous Council. He added that up to date there had been no progress relating to agriculture in the Territory. He informed Council that a great deal of research had gone into the question of developing agriculture in the Territory and he felt that land in the Yukon could be used for something more than merely to look at and hunt over. He told Council that the problem had been discussed in Ottawa in the Financial Advisory Committee and they had received every courtesy from the Dept. of Agriculture and it appeared to him that the Dept. of Agriculture were interested. He asked for Council's support on his motion because as he said "It would help the Yukon to get a program started."

Mr. Shaw commented that he was in accord with the motion and that there should be a liason between the Dept. of Agriculture and the Dept. of Northern Affairs. He said "There must be an agreement that certain areas be kept for farming and that every consideration will be given to the farmer in order to get started."

Mr. Livesey commented that in his opinion it would be necessary for the Federal Government to assist the farmers in the Yukon Territory to get started, and said that if they looked into other fields the Federal Government subsidized mining and gave all kinds of assistance to different types of individuals and industry and he was sure they would not leave agriculture out. He said that the question of agriculture across the other Provinces, especially on the prairies, had received a tremendous amount of assistance and he thought that if they could receive this assistance outside the Yukon, the Yukon would not be left out where they need more assistance. Personally he would

like to see the Federal Government assist the farmers in the Yukon with clearing off the land with common equipment.

Motion Carried.

Question No. 13

Mr. Taylor directed the following question to the Administration: "Would the Administration be able to assure Council that the proposed B.C.-Yukon conference on boundary problems will be conducted in the community of Watson Lake this coming summer in order to facilitate witnesses who may be required by such commission.

Mr. Watt asked the Legal Advisor concerning the freighting of beer and liquor and wanted to know if under age persons could handle it.

Mr. Hughes (Legal Advisor) said he would look into the matter and give his answer the following day.

Mr. Taylor asked the Legal Advisor if 3rd Reading to Bills 3 and 4, Amendments to Old Age Assistance and Blind Persons Allowance and the Disabled Persons Allowance Ordinances, was required in order that the increase in pensions as outlined in the Bills would be effective April 1st.

Mr. Hughes replied that he could see no reason why it should be done right away.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Sessional Papers and matters relating to labour.

Motion Carried.

In Committee

Commissioner Cameron, and Mr. G.R. Currie, Industrial Relations Officer, Dept. of Labour, Vancouver, attended Committee.

Discussion Labour Legislation

Committee proceeded to discuss matters relating to labour.

Mr. Shaw asked Mr. Currie if he felt it was up to them to draft their own ordinance and that the Department of Labour not enter into it.

Mr. Currie replied that, in his opinion, they could do the job themselves. He suggested that they produce some information for the public which will enable them to know what is available and where they can go for the detailed information.

Mr. Livesey felt they had two main sections in regard to labour. One was collective bargaining and the other was not collective bargaining. With respect to the first he wondered if Mr. Currie would say that certain problems, that could have arisen, had been eliminated by the fact that collective bargaining legislation was available. He asked Mr. Currie if he felt that the Yukon Territory should have that kind of legislation or not.

Mr. Currie replied that he could argue both ways.

Mr. Livesey said that suppose a union came into the Yukon and there were no rules, no regulations, laws or anything and you had a strike but no legal machinery to either settle it, start it, negotiate it or anything else, did Mr. Currie feel it was safer to proceed, as far as the Territory is concerned, with no regulations.

Mr. Currie replied that there were accepted rules and laws in all parts of Canada. He said that it was true that a union could come to an employer and ask for an agreement and the employer could sign the agreement without going through any procedure. He went on to say that this is not the way it happens and that the employer would not be obliged to

bargain with that union because that union would have no standing as far as collective bargaining was concerned and that the union could call no strike and if they did it would be illegal. He said that the usual procedure was for the union to request certification and that involves an examination of the union. It had to be a properly constituted body, not employer dominated, and they needed to prove that they had a majority of the employees. If they met those qualifications they could insist on bargaining. He said that there was no moral obligation on either party to reach agreement, it was a matter of bargaining and that if they failed to reach agreement the only restriction was that either party could not take any action until they had undergone that process of conciliation.

Mr. Livesey said that he could not see how they could discuss certification in the Territory where no legislation had been enacted covering arbitration or conciliation or any matter with respect to certification. He said "This is redundant. If you have legislation you can talk about certification. What laws are you following?" He was wondering if they were reaching a period where through lack of legislation they could run into problems or would they be better off by leaving the legislation the way it was. He said: "This is very important, because if something does happen because of lack of legislation, who is to blame".

Mr. Currie replied that he did not think there were too many serious problems in the Yukon for a number of reasons. He said that in his opinion not too many unions would come into the Territory because the number of people that would join any one union would be limited.

Mr. Taylor (with Mr. Shaw in the Chair) said that he did not agree with the remarks made by Mr. Currie and that last night he had the opportunity to talk to an organizer of one of the larger unions in the Territory and that he had declared that the Yukon Territory was in for a series of labor wars. He said that the union at Cassiar is going to expand into the mining camps at Mayo and other areas of the Yukon. He asked Mr. Currie who would be certifying the union in regards to Tourists Services.

Mr. Currie replied that the Canada Labour Relations Board dealt with the application and that the Board consisted of one independent chairman plus three or four representatives of International Labour Unions and four representatives of employers organizations. He further said that the Board had received an application for Tourists Services for certification but the Board decided not to give a decision but take a representation vote of the employees of the associated limited. The result would be submitted to the Board at their next meeting and the Board would then decide whether or not certification should be granted.

Mr. Taylor asked if the Yukon Territory had any assurance that undesirable unions would be refused certification.

Mr. Currie replied that any interested party could make representation but that on several occasions the provincial government had intervened and he supposed the Territorial Council would be in the same position.

Mr. Taylor asked under what authority the Canada Labour Relations Board operates in the Yukon Territory.

Mr. Currie replied that he was not a constitutional expert.

Mr. Livesey said that they presently had Mr. H. J. Taylor appointed as Labour Provisions Officer in the Yukon Territory. He explained that Mr. Taylor's office had been instituted by the enactment of legislation by the Yukon Legislative Council but felt that the Labor Provisions Officer's position should be facilitated by further legislation. He wondered if Mr. Currie could provide them with some guidance towards the expansion of the authority of the Labor Provisions Officer.

Mr. Currie replied that he intended to leave some documents with Mr. Taylor, which he could study and most likely would find useful. He explained to

Committee that there were three or four classes of labor legislation and said that it could be possible in Mr. Taylor's case to combine the functions but he thought it would be in the labor standards area that an officer of Mr. Taylor's category would be useful. He said they needed somebody who would be responsible for the administration and enforcement of the labour standards because that is where they would ordinarily expect any expansion.

A lengthy discussion followed on whether a vacuum existed in respect to Territorial Legislation concerning matters of certifying unions. During the discussion it was pointed out by Mr. Hughes (Legal Adviser) that in fact no vacuum existed because the Territory was in a position of being able to get the Federal Government to come in. He further said that he could see no objections to continuing with the present system and that their legal position was quite sound.

Mr. Shaw argued that in his opinion, it was a matter of whether the Territory should create their own legislation, whether they wanted to take it over themselves, or not.

Committee recessed until 2:00 o'clock p.m.

Wednesday, April 8, 1964,  
2:00 o'clock P.M.

Committee proceeded with discussion on Labour Legislation with Commissioner Cameron and Mr. Currie in attendance.

Discussion  
Labour  
Legislation

Mr. Watt said it would seem that Mr. Currie recommended that there was no need for a Labour Relations Ordinance in the Territory as it was best taken care of by the Federal Government.

Mr. Currie replied that this was his opinion but he did not suggest that they should not give the subject a complete study.

Mr. Watt now asked if the Northwest Territories had legislation concerning minimum wages.

Mr. Currie replied that he did not think so nor did he think that they had a Wages Recovery Act.

Mr. Boyd asked if Mr. Currie had any reason to believe that the Federal Government would set a minimum wage in the near future.

Mr. Currie replied that the Minister had announced a definite program to be completed this year during the current session. He added that he thought this was politically desirable and that there has been some pressure exercised on the government.

Mr. Watt said that he would like to pursue the general minimum a little further but there was no point in doing so if the Federal Government was going to do something about it.

Mr. Currie said that he could not give anything definite but he would write and ask for any indication.

Mr. McKamey said that as far as he was concerned he was opposed to the Federal Government getting involved in something he did not feel was within their jurisdiction and telling people in the provinces and territories what they were going to have to pay. He said that he would hate to see something like that happen because as soon as something was laid down it would provide a great stepping stone for the politicians. "Every time" he said "somebody wants to get elected they will just go out and promise the gullible public a raise in pay and this is exactly what will happen, it will be used as a stepping stone to get into power and this has happened in many cases as far as the Federal Government is concerned". He concluded by saying that in his opinion, "you lose the form of democracy as soon as something like that happens".

Mr. Shaw asked what would be the position of the Territorial Government if the Yukon Territory had a minimum wage law of \$1.00 and the Federal Government passed a minimum wage law of \$1.25?

Mr. Hughes (Legal Advisor) replied that he thought that a \$1.00 minimum under the Territorial legislation would prevail in those industries over which they had the right to intervene.

Mr. Currie said that regarding the people that come under Federal jurisdiction in the provinces, no one else can legislate until they change the B.N.A. Act. He said that there were about 10% of the people, almost two million, in the Dominion who, insofar as labor matters were concerned, were exclusively under Federal jurisdiction.

Mr. Boyd commented that they had to make up their minds themselves to what they wanted and, in his opinion, any further clarification right now seemed pointless.

Mr. Watt suggested they need an anti-trust or anti-monopoly ordinance in the Territory.

There being no further questions, the Chairman thanked Mr. Currie on behalf of the Committee for attending and giving his views on Labour Relations.

Discussion  
Bill  
No. 11

Committee proceeded with Bill No. 11, Vote 6 with Commissioner Cameron, Mr. K. MacKenzie (Territorial Treasurer) and Mr. Spray (Area Development Officer) in attendance.

Housing and Area Development Administration - \$31,936.00

Mr. Watt commented that he had noticed the Community Planning Committee was composed of the same people as the committee set up to consider land applications for the Whitehorse Metropolitan Area sometime ago, with the exception of one. He further said that in this new committee the Territorial Councillor, who sat on the old Metropolitan Committee, was replaced by the new Territorial Building Inspector and he asked if it would not be advisable to have the Territorial Councillor from the constituency, whose land was under consideration, to attend the meetings.

Mr. Spray replied that the Community Planning Committee was not replaced by the Whitehorse Lands Committee and as far as he knew that committee was still in existence.

Mr. Taylor stated that there seemed to be a great deal of merit in Mr. Watt's suggestion and said he was "at a total and colossal loss" to know how they could appoint a building inspector to a Community Planning Committee and he would like to see this building inspector be replaced on the committee by the Councillor for the district in which such community planning existed.

Mr. Watt interjected that he was not suggesting that Mr. Waterous, the building inspector, should be replaced but was merely saying that there should be, in his opinion, a Territorial Councillor on the committee from the area under consideration. He asked Mr. Spray what the Community Planning Committee would have to do with the land within the Whitehorse Metropolitan Area?

Mr. Spray replied that he could not answer this because the committee had not started to function yet. He also pointed out that Mr. Waterous (Building Inspector) was acting as secretary to the committee and as he would be travelling to all the development areas in the Yukon, it was felt he would be an asset to the committee.

Mr. McKamey appeared to be doubtful as to the qualifications of the various members of the committee and said that community development and planning was a very important field that could cost millions of dollars. He went on to say that it had been his contention that they should have some professional people in the administration of the Yukon Territory and that Council had asked for a specialist for a building inspector and a specialist in the Engineering Department who could go out in a community and lay out a townsite or lay out a water system. He said he was wondering why they could not take advantage of specialized people and suggested that Council should go on record as being opposed to hiring anything but specialists who were going to save the taxpayers nothing but money. He said "To show items in the budget here and pass them and allow the Administration to hire men who are not competent in the field they are taking part in, is a mistake and a very bad one." He concluded by saying that in his opinion Council should take a stand and solve the problem once and for all, because the time had come when they had to take a step and insist that something should be done.

Mr. Watt said that there existed a community plan for the Whitehorse area, in its very initial stages, and it said in the Terms of Reference of the Community Planning Committee that this was to be discussed and coordinated with the community plan. He stated that he did not know whether this plan had been accepted or even discussed at the Territorial level and he would like Commissioner Cameron's assurance that the group would not start coordinating and initiating a community plan until after it had been discussed by the Territorial Council.

Commissioner Cameron replied that the group was not established with the Whitehorse Metropolitan Plan in mind and said that the Metropolitan Plan itself had to receive approval by the Territorial Council and the City Council, but the group was not set up in conjunction with the Metropolitan Plan.

Mr. Taylor (with Mr. Boyd in the Chair) again stated that he would like to see the item of a building inspector taken out of the budget because he was not in agreement with it. He added that in the final review of the budget he would propose a resolution concerning the matter.

Mr. McKamey commented that when planning for the future they should seek to obtain the best help available, if they could afford it, and that was all he was asking the Administration.

Commissioner Cameron said that he certainly agreed with Mr. McKamey, that for town planning and future expansion and progress in the Territory, they should get the best available.

Mr. Taylor still maintained that they did not require a layman as a building inspector but they required somebody with the knowledge of a professional engineer.

Now followed a lengthy discussion on minimum taxes payable under the Taxation Ordinance and it was pointed out to Committee that a minimum tax of \$10.00 per year is payable per lot. Reference was made to an area of land held by White Pass and Yukon Route in the townsite of Carcross and Committee asked for an explanation of why the land had been resurveyed so that rather than having to pay \$120.00 per block they now paid only some \$20.00 per block. It was explained to Committee that White Pass and Yukon Route had filed an application for a resurvey under the Land Titles Act and that their own plan of survey had been accepted. During the discussion Mr. Boyd stated that he was absolutely against what had taken place and he wanted to know whether it was too late to get the lots back to where they originally were.

Mr. McKamey commented during the discussion that this was the highest degree of discrimination he had ever witnessed in the Yukon Territory.

Mr. McKinnon commented that he could not help but agree that it appeared to be a case of discrimination against the small land holder and in favor of the large land holder in this case the White Pass and Yukon Route.

Mr. Livesey commented that as far as he was aware Council had certainly agreed that all people should be treated the same.

Mr. Watt commented that the Territorial Council might as well not bother having ordinances if they are just going to be circumvented by whoever allows circumvention of what their intentions were.

Mr. Shaw said that there appeared to be some skulduggery in this particular item.

Dawson Conditional Grant - \$47,011.00.

Mr. Watt referred to a recommendation by the Financial Advisory Committee concerning the grant and asked if the grant to Dawson had been cut down.

Mr. MacKenzie replied that they would pay the city \$15,000.00 less than what was in the original estimates.



Mr. Shaw commented that he felt he should have the right to enquire of the Financial Advisory Committee on what basis it was recommended that the grant should be cut down. He said "In what would you justify this huge saving to the Territory particularly in view of the fact that this money had been made available by the Federal Government to the Territorial Government for this specific purpose?"

Mr. McKamey replied that he wasn't sure whether it was due to the fact that it was exceeding what was approved by the Financial Agreement or whether they thought it was excessive. They had taken into consideration the fact that there had been no great expansion in the City of Dawson since 1959. At that time the grant was \$39,000.00, in 1962-63 it was \$59,000.00 and in 1964-65 it was \$62,000.00. He said that the Committee felt it was unrealistic compared to the grants the rest of the Yukon received. He added that the Committee also felt there was a duplication of services in the City of Dawson insofar as the Territorial Government had equipment available and had their garage headquarters in Dawson next to the Municipality of Dawson's garage.

Mr. Shaw commented that he was certain the decision had not been reached by knowing all the facts of the matter. He was not saying that economies should not have been effected but he questioned very much the cutting down of this. He assumed the Inspector of Municipalities must have okayed the expenditures in the first place. To put that down as a matter of economy and the relation to how much is spent in that particular area, he thought there were other matters they could look at and see where the expenditures come in the Territory. Take education, for example, when there was an amount of \$7,000.00 for a Granville School or there happened to be a dozen Indian children up at Old Crow, to create the expense he had to explain this as though he were almost the Superintendent of Education. In that particular instance they find if they look in the book which shows where the money should be spent and where it shouldn't be spent, they find that the City of Whitehorse and the surrounding area, with a population of a third of the Yukon Territory, they have an expenditure of two-thirds of the total amount of money spent for education on schools alone, not talking about administration. Out of 1½ million dollars they spend \$182,233.00 in Whitehorse. They are spending two-thirds of their education money on one-third of the population. He was not complaining about this, when you come to the grants for schools he says okay, you need that, it is put in the budget for a reason and far be it for him to question every mop that is bought and every window that is cleaned, so he would approve that situation. They come along to the Yukon Hospital Insurance Service with the same ratio of population, and out of a total of \$813,000.00 you find that \$529,525.00 is paid in this particular area. In other words they again have 60% of the expenditures on one-third of the population, but he didn't question this amount because they are needed here. They come to a matter of General Health Services and there you have a similar situation. The outside areas are supposed to require all this not a large municipality with all the facilities but they find that in the City of Whitehorse they have \$104,000.00 of General Health Services expenditures on a total of \$188,000.00. That isn't quite 60% but it is awful close to it. In Municipal and Area Development they find that out of the total of \$293,620.00 they have a low ratio this time for the area of Whitehorse, which is \$108,000.00. This is the only area where the City of Dawson actually catches up in this particular ratio because the Federal Government has looked after this special grant and put it in the Federal estimates. For General Insurance, they find out when they look at the general department that the direct expenditures in Whitehorse, out of \$267,000.00, was \$225,000.00. He wouldn't complain about that because he imagined they need this for operating. They come to Justice - the Superintendent of Police here told them on various occasions, when he was pleading to get the jail moved into the Dawson area, that it was a very good idea but because they get 80% of the bad boys in this particular area this is where it has to be, so out of \$469,000.00 they have \$275,282.00 spent

in Whitehorse. That is also out of proportion. When they come to Debt Redemptions they find they have the Whitehorse sewer \$33,000.00 odd, Whitehorse Hospital \$46,000.00, C.M.H.C. \$8,000.00 and he pointed out there was no C.M.H.C. land except in this area, that he was aware of, two other Whitehorse sewer deals at \$57,000.00 and \$23,000.00 respectively and for the hospital there is another redemption of \$16,000.00 and a second mortgage of a mere \$687,000.00. For Debt Redemption for the City of Whitehorse they have \$166,686.00 and he was not complaining about that. Then they come to the Project and Loan Capital and they find in this whole project on loan capital, with a total expenditure of \$550,000.00, the City of Dawson received \$8,000.00 from this. That is the \$8,000.00 Dawson City gets out of the Community Development Fund. He stated that he has totaled up these things and finds that in the City of Whitehorse, directly and indirectly, there is spent \$3,147,104.00. He said this is a lot of money and he hasn't objected to the spending of it. Now the Financial Advisory Committee sits down and the best they can do is cut out \$15,000.00 from the City of Dawson grant. One reason for paying the tab is that if it is paid they were not faced with the problem of closing it down and something had to be done about it. They are just feeding the wolf a little bit of meat and letting things remain as they are and that is exactly the way it has been for many many years. He said he has come up before the members of Council and pleaded to get something done with this utilities system, it is an absolute disgraceful situation and he felt sure it was the highest rate in the whole of Canada. However, the Federal Government recognized the fact that they did need assistance on this account and this is where the money is going. The hydrants alone are about \$10,000.00 a year. These are facts. So the Financial Advisory Committee sits down and out of this budget of about 8½ million dollars they lop \$15,000.00 from the City of Dawson grant. With all due respect he felt they should be ashamed to allow this if they take into consideration all that he has mentioned.

Mr. Watt commented that Mr. Shaw said he was not objecting to anything while he was actually objecting to everything and he wanted to draw to his attention that the City of Whitehorse and the surrounding area represented by the three Whitehorse Councillors represented approximately 75% of the population of the Yukon Territory. He felt this was not equal representation and unfair to the people of Whitehorse.

Mr. Shaw replied that his actions proved that he has approved the money laid down in the budget for the City of Whitehorse and all he was stating was that the area he represented was also a part of the Territory.

Mr. Boyd said that the Finance Committee did intimate it was felt that possibly Dawson City could consolidate some of these fire hydrants and get them to a point where they were not serving such a large uninhabited area. He said that another point he found interesting was the wolf that Mr. Shaw talked about and he suggested they better take a look at its internal organs.

Mr. Shaw suggested that the look was taken at the wrong end and said he would be glad to see anyone who could go up to Dawson and give them a solution to the problem that would not require a great deal of money.

Mr. McKamey said he would like to clear up a few points and put some reasoning behind what was recommended by the Financial Advisory Committee in respect to Dawson. He said he did not think there was any intent by any member of the Advisory Committee to do this as a means of hurting Dawson but they thought the only way they could bring the problem to a head was by not pumping money into the problem to make it grow bigger and bigger. They thought if they were to retract they could make the people in Dawson realize that there could be a terrific saving if they were to consolidate the town. As everybody knows the northern section of Dawson City is very sparsely populated and yet it is serviced with streets, sidewalks, sewer and water which is very costly. The Financial Advisory Committee, as well as the Administration, thought the same way. He noticed it was not hard to talk the Administration into reducing something for the outlying areas. If the City of Dawson was reduced to a size that was economical to operate this would be a step in the right direction in solving the light problem and the other services and facilities such as sewer and water, street maintenance, sidewalks and so forth. He said they hammer away at the Administration every day in regard

to the ribbon developments and they have to be consistent in their thinking. He said he has always gone on record as trying to consolidate communities to make them reasonable to service and this is the reasoning behind this reduction. There are things that have happened in Dawson City of which he did not approve, for instance a bill in regard to a sewer system that they have to pass. He didn't think the Municipality of Dawson were competent to run their own affairs. Last year a brief and a petition circulated in Dawson recommending that the Territorial Government should dissolve the Municipality of Dawson and let it become one of the problems of the Territorial Government. Everybody signed it apparently but the City Council said wait, we aren't in favor of what the people want in this town so they went to Mr. Strachan and said how about putting your equipment to work, and that is exactly what they did and the petition was destroyed and that was the end of it. He felt the affairs of Dawson would be better handled by the Territorial Government because they are not big enough to grapple with the problems that are thrown upon them. He admired the people of Dawson to a great degree because they have fought, pushed and worked hard for years and they are taxed right to the hilt, but the thing is too big for them to handle. It was the contention of the Financial Advisory Committee that the Territorial Government was established there, they have government grants, equipment and everything else, and right in the same lot was the Municipal Government. The Committee felt this was a duplication of services and an unnecessary expenditure and that by reducing the grant they would be helping them to solve their problems. He thought the only way the problem will be solved is to put the responsibility where it belongs, with the Territorial Government. When it becomes a Territorial responsibility they have to do something about it and if they don't, it is up to the Council of the Yukon Territory to see that they are replaced by a body that is competent. He said they should not let these problems grow because they become financial burdens.

Further discussion was deferred on this matter until the next day.

Mr. Spray and Mr. MacKenzie were excused from Committee.

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

Motion Carried.

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

Committee  
Report

"Committee convened at 11:05 a.m. to discuss bills, memoranda, sessional papers, motions and matters related to Labor. Mr. Currie (Industrial Relations Officer, Department of Labor, Vancouver) and Commissioner Cameron joined Committee to discuss proposed Labour Legislation. Committee adjourned at 12:00 noon and reconvened at 2:00 p.m. Committee then resumed consideration of Bill No. 11, Vote 6 with Commissioner Cameron, Mr. K. MacKenzie and Mr. Spray in attendance. I can report progress on Bill No. 11."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 A.M., April 9, 1964.

Thursday, April 9th, 1964  
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 Production of Papers No. 6, regarding Whitehorse Electrical Franchise Agreement (Set out as Sessional Paper No. 28)      | Sessional Papers No. 28 |
| (2) Reply to Production of Papers No. 5, concerning Insurance coverage on property and equipment. (Set out as Sessional Paper No. 29) | No. 29                  |
| (3) Reply to Question No. 10, regarding present state of Yukon Emergency Measures Organization (Set out as Sessional Paper No. 30)    | No. 30                  |
| (4) Regarding Motion no. 10, Communications Network (Set out as Sessional Paper No. 31)   | No. 31                  |
| (5) Reply to Question No. 5, Fuel Tax Ordinance (Set out as Sessional Paper No. 32)   | No. 32                  |
| (6) Brief and request from the Yukon Federation of Home and School Association (Set out as Sessional Paper No. 33)                    | No. 33                  |

Mr. Taylor gave notice of the following Motions:

- |   |                 |
|---|-----------------|
| (1) Regarding Ross River Provisional Airstrip | Motions: No. 24 |
| (2) Regarding Community Well at Teslin        | No. 25          |

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. McKamey, that the Commissioner of the Yukon Territory be respectfully requested to advise the Minister of Northern Affairs and National Resources, the Honourable Arthur Laing, that in the opinion of the Yukon Legislative Council the present arrangement for the reporting of news originating in the Yukon and broadcast over the Yukon network of the C.B.C. is not satisfactory. That the Commissioner of the Yukon Territory be therefore respectfully requested to advise the Minister of Northern Affairs and National Resources, that in the opinion of Council the present news contract between the Whitehorse Star and the C.B.C. should be terminated forthwith and that,

(a) the sole authority and full responsibility for the receiving, editing and broadcasting of all regional news over the Yukon network be vested in the local station manager of the C.B.C.; (b) the news policy shall be the same in all respects as that laid down for the C.B.C. regional stations in other parts of Canada, not including the Northwest Territories; (c) parity contracts for the bulk of the news be negotiated with both the Whitehorse Star and the News-Advertiser; (d) news should also be received by the station from other reliable sources anywhere in the area served by the network, which can be obtained without cost to the C.B.C.; and (e) that Council is of the opinion that the present C.B.C. staff on the station is capable of providing this news service.

Motion No. 7

Mr. Livesey, speaking on the motion, said this was the first time Council had taken any action with regards to the press or the type of news that the people of the Yukon were getting. In his opinion the motion was fair and honest and presented to Council in that scope. He continued by saying that the "News of the North" was news related to the Yukon and something very interesting to the people that live in the Territory. The news was transmitted over the Government radio station to all parts of the Territory and it seemed to him that for the people to be able to decide what local Government they needed and required it depended upon the type of information they receive, the quality of the information and the facts. He did not feel that what they had in the Yukon Territory was good policy and said that as long as there was only one contract and the C.B.C. was getting its news from one source only there was something wrong. His motion showed what was wrong and also attempted to show how the Government should go about trying to clear the issue. In his opinion the editing should

be done by an independent source who did not rely on the distribution of news for a living. He said that the way to eliminate this was to make it possible to have news sent to the C.B.C. so that they could edit it. In the Yukon Territory they were not given fair coverage because the C.B.C. are not the editors of the news. He said that this was not a challenge to the freedom of the press or the freedom of speech, but these matters are pillars of democracy. No one was saying that editorial columns were wrong and that they should be challenged, except when they make false statements. What he was saying was that the news of the Territory should come from several sources. The decision as to what should be said and what should not be said should come from an independent body. He said that Council would recall that last fall when they had a problem with Bill 12 and there were editorial writeups on this which he did not agree with. This was what the public read but the public were entitled to hear the other side of the story so he wrote a letter to the editor of the Whitehorse Star but his letter was not published. He asked that the following excerpt from his letter which was dated January 16th, 1964, be included in the Votes and Proceedings.

"Re Yukon Viewpoint - or a Look at Pomposity and Perplexity.

I do hope that you have enjoyed a very Merry Christmas and that you have been able to spend a little time on resolutions for the new year, as far as your paper is concerned. Looking back over the year 1963, it would appear that you have been following the old snow shoe tracks of your predecessor especially in the editorial column, particularly where you discuss items of interest to the Yukon Legislative Council and their subsequent decisions. However, to be fair, I believe that it could be said that your comments and expressions generally speaking appear to have been made with a more pronounced reference to the dictionary and respected verse although still clinging to a confused style and half statement, half question type of journalism. Especially noted has been the apparent desire to cling to a line parallel to the current thesis of the paid, salaried and appointed gentlemen of the local government administration while at the same time either opposing or seeming to ignore the position taken by Council. This situation could stand some improvement, especially when you come to consider the important role you play toward first establishing the facts in the minds of those concerned the most, taxpayers and residents, then allowing the same people to make up their own minds based on factual knowledge and understanding of the varied sides of any issue. Too much propaganda leads to chaos, doubt and confusion rather than decisions based on the ideals of democracy. Another good point to remember is that it was not the bureaucrats who produced the free press - it was the democrats. Along with this also is added - journalism's linguistic candy bar - a free licence, and another chalk mark on the wall of time for the democrats."

He felt this made a clear and concise statement. When you have "News of the North" and news that covers the Council Sessions related to the views of the Members of the House fair coverage should be given. He knew from an editorial point of view one had to judge whether something was important or not but even this judgement should be as impartial as possible at all times. He concluded by saying that this was not denying either of the newspapers in the Yukon their privilege to submit news, but that this was the creation and the embodiment of freedom of the press and freedom of speech, and it was a fair way to go about giving the public of the Territory facts upon which they can reach the proper decisions as good residents.

Mr. Shaw said in his opinion it was a fair motion but he wondered if the News-Advertiser had had the opportunity to bid on any contract or if the Whitehorse Star had a contract or was the news donated as a public service.

Mr. Livesey said as far as he knew the Whitehorse Star had a contract.

Mr. Boyd said that he had been told by the owner of the Advertiser that he had sought to submit news on the same basis as the Whitehorse Star but was refused the right to do so.

Mr. Watt commented that if Mr. Livesey meant what the motion read he would go along with it but if by the motion he meant something else he could not agree.

Mr. Livesey pointed out that what he wanted was embodied in the motion.

Mr. McKamey said that he was in accordance with the motion and added that this was what the people of the Yukon wanted and further added that he did not think there was any doubt about a contract between C.B.C. and the Whitehorse Star.

Motion Carried.

Mr. Taylor directed the following question to the Administration: "Would the Administration enlighten Council as to the degree of participation undertaken by the Territorial Administration in the recent Alaska earthquake disaster as noted in reply to Question No. 10?"

Question No. 14

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Memoranda, Motions and Sessional Papers.

In Committee of the Whole.

Motion Carried.

In Committee of the Whole:

Mr. Spray, Area Development Officer and Mr. MacKenzie, Territorial Treasurer, attended Committee.

Committee proceeded to discuss Bill No. 11, Vote 6, Municipal and Area Development Administration.

Discussion of Bill No. 11

Dawson Conditional Grant \$47,011.00

Mr. Shaw said he had received a letter which might justify his stand yesterday. The letter was dated April 6th, 1964 addressed to Mr. George Shaw, Dawson Member, Territorial Council, Whitehorse, Y.T. and signed by Mr. B. Hakonson and asked that the following extracts be included in the Votes and Proceedings.

"To acknowledge your letter of March 31st, 1964, which contained 7 questions with regard to the unusual poor water service which resulted in freeze ups with the further result of an increase of cost in sewer maintenance. You will know of course that the water system is owned and distributed by a private company while the sewer system is under the City authorities, and, as everyone knows a sewer system cannot operate without a water system. In your letter you have the following questions. (1) How many persons had water lines frozen? A. Without having on hand an actual count, we would say 75% of the consumers. (2) How many water lines froze more than once? A. 50% (3) Have all the people with water lines frozen now regained service? A. At the moment yes. This of course can change overnight. (4) How many sewers etc. did the City of Dawson have to work on as a result of these freeze ups? A. All of them off and on except Dugas Street. (5) What are the costs to the City of Dawson as a result of these freeze ups? A. Up to March 31st 1963 Wages - \$573.45, Gas-Oil \$47.82 Total \$621.27 Up to March 31st, 1964 wages \$1,627.22 Gas-Oil \$174.16 Total \$1,801.38 (6) As the freeze ups for last winter are away out of proportion to any previous years can you give the reason for this serious break down of service? A. The water mains are finished. Their life is over and new mains are required. As you know it has been said by the plant operators

that the mains cannot stand increased pressure if required to provide water to fight a serious fire. You are aware that this was evident when the school burned down and the water at the hose nozzle could not reach to the top of a telephone pole for lack of pressure. The water mains being in the condition that they are has caused leaks in numerous places. This is evident by the number of glaciers which now dot the streets and which glaciers will now add to the cost of street maintenance. You perhaps know that the method of repairing a leak or a pin hole where these appear in the mains is done by tapping a wooden wedge of the size required for the hole which stops the leak temporary. The pipe is covered and the repair is said to be complete. I hardly need to remind you how ridiculous this is. In fairness it should be said that the sewer line on King street is in need of replacing and is the last line to be done under the 5 year plan. The foregoing will do by way of example. You, having lived here for a number of years probably know of other reasons not mentioned here. (7) Have the Council of the City of Dawson any recommendations to make to prevent a re-occurrence of these series of break downs? A. This can be summed up in two words - a franchise. Without a franchise the Company has said in effect when a complaint has been made - "if you don't like it you can lump it". If the Company will not agree to a franchise then they should be relieved of providing this service which should in reality be provided by Government because it affects sanitation and health. Here we have a ridiculous situation - Sewer system owned by the Government. Water system owned by a private company. The sewer system is dependent on the Water Company as to whether the sewer system will operate or not. The water lines and the sewer lines are in many cases side by side. We have had this situation several times. Example: The water freezes then the sewer freezes. The City thaws the sewer as this must be done first, but the Company take their time about thawing out the water line and before they get around to it the sewer is frozen again. This causes no end of inconvenience to the householder. Public relations between the Company and the City cannot be said to be good. You no doubt are aware of this and why. You also know that the Territorial Government pays \$9,300.00 a year to the Company for fire hydrant services. Multiply this by 60 years and you have over a half a million dollars paid out to the Company. It would appear that a Government owned system would recover some of this cost over the next 20 years where as there is no return now. Also a Government owned system would improve public relations and lessen the cost of sewer maintenance. Further to the fire hydrants. Even though this high rate is paid to the Company, yet on occasion our D.P.W. have been told that they could not use the hydrants for flushing out a sewer main. Rather strange don't you think when you consider that we pay this rate to the Company but at times are not allowed to use the hydrants. The whole set up is ridiculous. If the Company wants to retain the providing of this water service then they should only be allowed to do so under the terms of a franchise. A point to consider - King Street Sewer. This is the last line to be done under the 5 year plan which began at the suggestion of former Commissioner Collins. This being the 5th year. This line is in a poor to bad condition and requires a complete overhaul from the Yukon River to 7th Avenue and is a 10" main. The Territorial Financial Advisory Committee have indicated a \$15,000.00 cut back on grant monies paid to the City of Dawson. A good part of this cut back is directed at the cost of the sewer system. To keep within this cut back it was suggested that only a portion of King Street be done this year. Now to overhaul any line we must start at the beginning and work to the end. That is from the Yukon River to 7th or 8th avenues. The main problem with King Street is between 7th and 4th avenues and to only do this part is to start at the end and work towards the beginning and we cannot obtain the proper grade by starting at the end. The proper grade is obtained by starting at the beginning. If we must do only half and that half is the bad half we cannot say that

the job will be properly done for reason that the bad half is the end half. We ask that the Territorial Government reconsider and allow us to do this complete overhaul which would complete the 5 year plan this year."

Mr. Shaw continued by saying in view of the fact that this cutback had been recommended by the Committee and accepted by the Administration it presented problems. He asked Committee to take the view that the Administration provide the amount necessary up to a certain amount to complete this particular project instead of having it half done. He said it might involve \$5,000.00 or \$6,000.00

Mr. MacKenzie said that the Dawson Conditional Grant had not been reduced without prior consultation with the City of Dawson. The impression he got was that the \$15,000.00 was not necessary at that time and therefore it was reduced.

Mr. Taylor (with Mr. Boyd in the Chair) wondered if they deferred this part of the 5 year programme until next year if it would cost them more money. He added that in his opinion Mr. Shaw's request was just and fair and if it didn't cost any large sum of money they should go ahead with it.

Mr. MacKenzie replied they were dealing with sewer only - it had nothing to do with water. It was sewer repairs that was being reduced.

Mr. Taylor (with Mr. Boyd in the Chair) said they were dealing with sewer repair but what happens if it broke down, what about sanitation etc. He said if for a small expenditure it could be repaired this year, it should be done.

Mr. Shaw commented that all he wanted was sufficient money to complete the project that had been started some time ago.

Mr. MacKenzie said that the money in the original estimates would have completed the sewer system but according to the City Clerk he got the impression that this was not essential this year.

Mr. Shaw said that in his opinion the situation had been outlined very clearly in the letter and he suggested that the Administration look into this.

Mr. McKamey said that when the Financial Advisory Committee discussed this they were not aware that the money was for a specific job.

During the discussion that followed it was explained that the functioning of the sewer system depended upon the functioning of the water system in the City during the winter. If the water line froze the flow of water to the sewer system stopped and the sewer system froze too, therefore when thawing out the water lines they also had to thaw out the sewer.

Mr. Boyd suggested that maybe the cost of thawing the sewer lines could be charged back to Dawson Water Company (a subsidiary of Y.C.G.C.) which owned the water system and operated it. It has also been pointed out that the Government paid \$9,300.00 to the Company for keeping hydrants from freezing and that the average consumer paid \$12.50 for water while the sewer services cost nothing.

Committee wondered if the Territorial Government could do anything to solve the problem and perhaps take over the Dawson Water Company.

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



Thursday, April 9, 1964  
2:00 o'clock P.M.

Committee continued discussion on Vote 6 - Dawson Conditional Grant with Mr. Spray (Area Development Officer) Mr. Hughes (Legal Advisor) and Mr. K. MacKenzie (Territorial Treasurer) in attendance.

Discussion  
Bill No. 11

Mr. McKamey asked Mr. Hughes if a municipality in the Territory, or the Territorial Government had the power to expropriate.

Mr. Hughes replied that his first feeling would be that the Territory did not have a general power of expropriation and that he was not quite so sure about the municipal position.

Mr. McKamey said he was referring to a public utility within a municipality and would confine it to a water system such as the one in Dawson City that was owned by a limited company and had no franchise to operate under.

Mr. Hughes replied that the Dawson City Water and Power Company had a franchise so he could not apply the question to the example. He said that they did have a franchise and they did file a return and as far as he was concerned he had ignored the fact that they had come sixty years without filing returns, but that they were in good standing now.

Mr. McKamey asked if it was only in recent years that they had registered under the Registrar of Joint Stock Companies.

Mr. Hughes replied that they were incorporated by a special ordinance, not under the existing Companies Ordinance.

Mr. Taylor asked the Legal Advisor what the terms were for the franchise that presently existed.

Mr. Hughes replied that they were under no obligation to go on delivering water and lights because they were incorporated to sell electricity and water.

Mr. McKamey asked if somebody wished to run in competition with them was there anything to stop them. He said "If the Territorial Government took over the water line what right would they have to claim an interest in it?"

Mr. Hughes pointed out that they owned the electric lines and the piping and had been given a right to put that in, therefore he said they could maintain a good argument that you could not use their system. On the other hand they would not have any argument against anyone putting in their own pipelines.

Mr. Shaw wondered, further to Mr. McKamey's question, whether the government could, if they so desired, tell this company they could no longer operate.

Mr. Hughes replied that he thought the government would be entitled to revoke an ordinance or amend it and that this franchise was nothing more than an ordinance. Continuing with Councillor McKamey's point on expropriation he pointed out that the power plant was outside the Municipality of Dawson while most of the consumers were inside. He said that if the Government decided to expropriate they would become involved because the equipment did not only serve Dawson City but also supplied the dredges and the government would be assuming an obligation to keep the dredges running. He added that they would be perfectly at liberty to set up their own utility business in Dawson but that expropriation was a specialized field which would require the services of an expert.

Mr. Taylor (with Mr. Boyd in the Chair) said that the Legal Advisor had taken note of the possibility of expropriation but said the answer may lie in negotiation on behalf of the Territorial Administration. He felt that if the project requiring the funds as outlined was necessary to complete the

five year program the necessary funds should be provided on behalf of the people in Dawson and urged that the Administration undertook to ensure that this was done.

Mr. Shaw, in summing up, said the matter of expropriation came up in the course of discussion and as a matter of information, and felt that the best way to handle the situation was by negotiation. He said it would appear that in negotiation it is not impossible to have a private company take over the light and power distribution but as far as the water was concerned that would have to be a matter for the government. He hoped Council would concur with his bid to the Administration to provide the necessary funds to ensure that the last of the five year rehabilitation project was completed, instead of having it cut out of the budget.

In the discussion that now followed Committee agreed that an amount up to but not exceeding \$15,000.00, should be added to the Dawson Conditional Grant in the 1964-65 budget to enable the city to complete its five year rehabilitation program.

Watson Lake Services - \$6,246.00

Mr. Livesey asked if this would give Watson Lake 37 street lights in addition to the 14 they already had.

Mr. MacKenzie replied as far as he understood that was the situation.

Watson Lake Fire Protection - \$2,572.00

Mr. Taylor inquired about the situation at Upper Liard and said that although there was no Territorial Subdivision there they do have quite a few residents in that community and that they had asked for three street lights.

Mr. Spray replied that it had been provided for in Establishment No. 221 under Vote 6.

Mr. Taylor said that he had made a request for mosquito control in the outlying districts and that it was his intention to propose another motion in order to have this considered for this year for the outlying districts.

Teslin Fire Protection - \$2,515.00

Mr. McKinnon wondered why some fire chiefs received \$50.00 and others \$100.00.

Mr. Spray said the standard was \$50.00 per month for each fire chief.

Mr. McKamey said that it used to be \$100.00 in Mayo but when it was cut down to \$50.00 the fire chief quit and now they had no fire chief.

Haines Junction Services - \$4,558.00

Following a comment from Mr. Livesey, Mr. Spray pointed out that in Teslin they would be using 189 watt incandescent and 295 watt incandescent whereas in Haines Junction they would be using 250 watt mercury vapor and 295 watt incandescent street lights. He said that street lighting was proposed by the Yukon Electrical Company on a progressive basis, they gave Area Development the recommendations for adequate lighting in a community as a community expanded and that in one locality 189 watt incandescent may suffice whereas in another area 250 watt mercury vapor could cover just that much larger an area and give adequate lighting.

Mr. Livesey said he would take that under advisement because he was sure his constituents would be very interested in the situation.

Mr. MacKenzie informed Committee, following a question from Mr. Watt, that the government paid \$5.50 per month to the electrical company for each light and that it was an average rate paid even in the summer.

Haines Junction Fire Protection - \$2,723.00

Mr. Livesey asked Mr. Spray if the exercise of fire chief was in full operation.

Mr. Spray replied in the affirmative.

Mr. Livesey asked if the Territorial Government had considered taking over the fire engine and providing for a proper building for it and relieving the community club of its responsibility.

Mr. Spray replied that he had to check back in his files to give a correct answer.

Carmacks Services - \$1,585.00

Mr. Livesey said he had noticed there were only six street lights listed for Carmacks.

Mr. Spray replied that this would be the first phase of the program for lighting Carmacks.

Carmacks Fire Protection - \$2,123.00

Mr. Boyd asked Mr. MacKenzie if he could find out what rate the Territorial Government paid the electrical company because in his opinion, if the government followed their recommendations they should receive a good rate.

Mr. MacKenzie consented to check into it.

Keno Services - \$2,364.00

Mr. Boyd asked Mr. Spray who supplied the electricity for street lights and why did they have to pay \$12.15 per light.

Mr. Spray replied that the power in Keno was supplied by a company of individuals and that the cost of street lights and the number of street lights in Keno was subject to correspondence at the present time and that they were hoping to bring down the cost of the individual lights. He added that the whole picture of public utilities for Keno was being studied by the Territorial Government at the present time.

Porter Creek Services - \$9,502.00

Mr. McKamey asked Mr. MacKenzie what proportion of the appropriations for each community was actually spent.

Mr. MacKenzie referred him to the Public Accounts for the period ending March 31, which showed the appropriations and expenditures to be very close, within about \$5.00.

Mr. Shaw commented that from the records it seemed the Territorial Treasurer was doing a very good job.

Mr. Taylor said that he had calculated all the items listed under street lights throughout Vote 6 and the total amount was \$13,286.00 to illuminate all the streets out of Whitehorse.

Following a question from Mr. Watt concerning fire protection in the areas of Porter Creek, Crestview and south of the terminal, Mr. Spray referred him to Establishment 223, Whitehorse Metropolitan Area, Page 36 and said that the agreement was in effect for the 1963-64 fiscal year and as far as he knew it would also be in effect for 1964-65.

After some discussion between Mr. Watt and Mr. Spray concerning fire protection for the areas mentioned, Mr. Spray said that he would work on the matter and endeavor to have services extended the full length of the Metropolitan Area which would be a ten mile radius.

Mr. Shaw supported Mr. Watt's view and said it seemed to be very reasonable.

Mr. Boyd questioned the \$900.00 budgeted for a dog catcher and Mr. McKinnon said it was the stray dogs infiltrating from Whitehorse, the Porter Creek citizens were trying to get rid of.

Mr. McKinnon asked Mr. Spray if there was a formal signed agreement between the D.P.W. Fire Hall and the Territorial Government concerning fire protection in the subdivision.

Mr. Spray replied that there was a signed contract between the Department of National Defence and the Territorial Government.

Mr. Shaw asked if the dogs in Porter Creek were required to have a license.

Mr. McKinnon replied that the Porter Creek Citizens Association charges a fee of \$1.00 a year and provides licenses.

Mr. McKamey asked if Mr. Spray had been able to do anything about a dog catcher in Mayo.

Mr. Spray said they had not been able to get a dog catcher for Mayo yet.

Mr. Spray and Mr. MacKenzie were excused from Committee.

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

Motion Carried.

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

Committee  
Report

"Committee convened at 10:50 a.m. to discuss bills, memoranda, motions and sessional papers. Mr. Spray and Mr. MacKenzie attended Committee to discuss Bill No. 11, Vote 6. Committee recessed at 12:00 noon and reconvened at 2:15 p.m. I can report progress on Bill No. 11."

Council accepted the report of the Chairman of Committees.

Mr. Boyd requested that it go on record that as soon as Mr. Vars (Superintendent of Liquor) was available they should ask him to appear before Council along with Mr. MacKenzie (Territorial Treasurer) and that the House does not proceed without Mr. Vars present.

Agreed

Council adjourned until 10:00 A.M., Friday, April 10, 1964.

Friday, April 10th, 1964  
10:00 o'clock, A.M.

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

Sessional  
Paper  
No. 34

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding motion no. 16, Beaver Creek Air Strip and Landing Field. (Set out as Sessional Paper No. 34)

Motion  
No. 26

Mr. Taylor gave notice of Motion regarding Insect Control

Motion  
No. 24

Mr. Taylor moved, seconded by Mr. Livesey, that in the opinion of Council the Administration is respectfully requested to enter into negotiations with the Dept. of Indian Affairs with a view to establishment of a minimum standard provisional landing strip at the community of Ross River, Yukon.

Mr. Taylor, speaking on the motion, said that this was a subject he had brought up every year on behalf of his constituents at Ross River. He explained to Council that the Community of Ross River is located on the Canol Road and was very isolated. During a six month period every year the only means of access is by aircraft. He said that the population of Ross River estimated last year was 179 persons and that the community is served by a trading post, saw mill, health station etc. and is a jumping off point for mining explorations etc. during the summer. Further, the most difficult period at Ross River as far as communications are concerned was during freeze-up and break-up when one could neither land on floats, wheels or skis. During the winter one could land on the river on skis but there was a pipe bridge crossing the river which can present a problem if the wind is not blowing in the right direction. The proposed site was located about one mile from the river (Pelly River) and approximately one mile from the road from Ross River and was flat. The initial proposal was for 4000 feet and the area is covered by scattered small spruce and poplar, and had a very good gravel base. The reason the initial strip was asked for was because there might be a possibility, in view of the cross roads coming from Watson Lake and over to Carmacks, that Ross River could be moved in 3 or 4 years to a place called Jackfish Lake, approximately 7 miles away. But he added the native population and the trading post would remain where they were. He said if there was a possibility that the Territorial Government would set up a grader station at Jackfish Lake he did not think they should go too heavily into the airstrip at this time and he therefore asked for a minimum standard strip. He said that the problem at Ross River was that at any time of the year they could have an emergency particularly with children and he mentioned an instance last year where a child died because there was no way to get the child out. He also said he understood there was a pull grader available at Ross River which could look after the eventual maintenance of the strip. He said that they should ask the Dept. of Indian Affairs and the Administration to get their heads together over this matter.

Mr. McKamey suggested the motion should be referred to Committee for discussion.

All agreed.

Mr. Taylor moved, seconded by Mr. Livesey, that in the opinion of Council the Administration was respectfully requested to provide a community well in the settlement of Teslin.

Motion  
No. 25

Mr. Taylor, speaking on the motion, said this had also been asked before and agreed to but not provided. What is required is a central point from which people can draw water and that the present situation was that many people took their water from the lake and he added that when the lake was high they could easily get water but when the lake is low it was very difficult. He said that the nature of the soil was of such consistence that it would not be too easy to get a well and the Community Club had suggested that if a well was put in they would provide the heating and keep it available for citizens to draw water from it. In his opinion this would provide a safe and adequate water supply for the community.

Motion Carried.

Motion  
No. 23

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. Taylor, that in view of conditions that now exist detrimental to the occupation of outfitting - cattle raising and kindred matters as determined by laws presently related to the trespass of animals on public highways - the position of all parties related thereto be reviewed and witnesses called for committee discussion.

Mr. Livesey, speaking on the motion, said that the present situation creates problems concerning the responsibility of accidents on the highways in connection with the trespassing of horses and other animals and that there is an indication that the outfitters of the Territory were seriously affected by it. He said that insurance regulations and the result of decisions with regard to insurance concerning the responsibility created problems and it was so bad that if something wasn't done the outfitters felt that the business of outfitting, guiding and hunting would be eliminated. He suggested the motion be discussed in committee where witnesses could be brought to the table to answer questions so that all Members would understand the problem.

Mr. Boyd commented that if Mr. Livesey was suggesting that horses and cattle be brought for interviews he would be all for it as they have some tough times. He said he was not interested in discussions with the owners of those horses.

Mr. Livesey replied it was the first time he ever heard of a horse having a vote. He felt that the gentlemen that have investments in the outfitting business were entitled to a hearing. He wished to make it clear that he was not saying they should be swallowed up by their arguments but he did believe they should hear their side.

Mr. Shaw commented that he could see nothing wrong with the motion.

Mr. McKinnon said he agreed whole-heartedly with the motion and said that it was a serious problem in the Yukon at this time. He suggested that a member of the Outfitters Association and Mr. D. Collins, a local lawyer who represents the outfitters be asked to appear before the Committee and also Mr. S. Enderton another local lawyer who was on the other side of the question during a recent court case.

Mr. Boyd commented that this was one sided and said that they should also ask "some fellow who had a \$5,000.00 car wrecked and someone else who had spent some time in the hospital - get those people here so we can have their views too."

Mr. Taylor remarked that the matter of witnesses would be discussed if the motion was carried.

Motion Carried.

Mr. Watt said he had left with the Legal Advisor a question on the interpretation of the Liquor Ordinance and he wondered if Mr. Hughes had it now.

Mr. Hughes replied that the question was if people under 21 years of age could be involved in transporting and handling liquor. He said "with regard to the transportation of liquor, there is nothing in my view which prevents a person under the age of 21 years from handling liquor on a truck and off loading it but they cannot take it into licenced premises." He said he had come to the conclusion that provided the possession was innocent and the person under 21 carried a bottle of liquor from a truck or from a car into a house, it was physical possession but not dominate control. He said it was not possession that entitles them to take and use the liquor. The people employing these young people should instruct them not to carry liquor into licenced premises and also that a liquor store is not a licenced premise. He concluded by saying that there were circumstances where a person under 21 could quite legitimately handle liquor, but added "if the cap is off the bottle the fat is in the fire."

Mr. Taylor asked Commissioner Cameron, referring to areas across Canada designated as industrial depressed areas and some incentive given to industry to come and put their plants etc in these areas, if there had ever been discussions between the Territorial Administration and the Federal Government concerning having the Yukon considered an industrial depressed area.

Commissioner Cameron replied it had not been discussed.

Mr. Watt referred back to his question under the Liquor Ordinance and asked Mr. Hughes if it was to be understood that in his opinion the Liquor Ordinance did not need to be amended to allow a person under the age of 21 years to drive a truck and handle liquor.

Mr. Hughes replied that he intended to make it quite clear that it was no offence as such in a person under 21 driving a truck or handling liquor as long as it was still packaged. He said "in theory it does not call for legislation to enable a person under 21 to transport liquor, provided they are old enough to drive a truck and strong enough to lift one of those cases, they can do it as far as the law stands now."

Mr. Taylor said that he understood a survey had been made concerning the possibility of opening up the Upper-Canol road on a seasonal basis and asked if the project would continue this season as planned and what progress had been made.

Commissioner Cameron replied that the programme had been shelved for the time being. There is a draft submission in Ottawa which they are working on at present and that this draft showed the proposed network of roads in the Yukon for the next 10 or 15 years. The re-opening of the Canol road was one but there was nothing this year for the continuation of that specific road.

Mr. Watt said there was a situation where a speed limit sign had been changed from 40 miles an hour to 20 miles an hour and moved from where it used to be and was now difficult to see. There has been levied some fines and that he himself had looked for this sign and had to drive by it three times before he could find it - he was wondering if the people charged should have the offence looked into and possibly have a refund.

Mr. Hughes replied that if the highway sign was not properly installed and the conviction was improper then a petition to the Governor General was the only remedy. He said it was quite common in Britain and he added that he was quite sure that the Magistrate was satisfied that the sign was properly installed.

Mr. Taylor said that the first year he sat in Council they had discussed the Health Plan and agreed upon that a senior official of the Northern Health Services should appear before Council each year to discuss matters of mutual benefit in relation to the Health Plan. He said that further to this there was an item of \$500.00 in the budget to ensure that this would be done. He asked the Commissioner why nothing had been done in that respect.

Commissioner Cameron replied that he would take the question as notice.

Mr. Boyd asked Commissioner Cameron if he had anything to add concerning the fence on the road south of town around the river bank. He also referred to the runway on Whitehorse Airport they were blasting and asked if there was any thought given to the riprap off the runway for the area down there.

Commissioner Cameron replied he knew nothing about what progress had been made on the fence but said that there was a certain amount of pressure in the Whitehorse area to have the road improved and made

more of a permanent entrance into the City, and as the road became more popular the fence would be more essential than ever. The riprap off the runway at the present time was placed at the City water intake pump house because of the erosion and he doubted if all the riprap would go into that location and if not he felt sure it could be placed along the road Mr. Boyd was speaking about.

Mr. Livesey (with Deputy Speaker in the Chair) said he would like to clarify a couple of questions raised yesterday in connection with his motion number 7. He said that a contract existed between the Whitehorse Star and the C.B.C. and that there was a monetary consideration. He further said that the News-Advertiser had shown desire to provide news but had been refused the opportunity to do so.

Mr. McKinnon said he would like to verify Mr. Watt's statement concerning the road sign and wondered if it was possible for Council to have the sign changed and put in a proper position. He added that the sign is situated on the Northwest Highway System road.

Commissioner Cameron replied that he did not feel there would be any problem in having the sign changed.

Commissioner Cameron was excused from Council.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Memoranda, Sessional Papers and Motions.

In  
Committee  
of the  
Whole

Motion Carried.

In Committee of the Whole:

Mr. MacKenzie, Territorial Treasurer and Mr. Spray, Area Development officer, attended Committee.

Discussion Vote 6 - Crestview Services \$2,545.00  
Bill No.

11. Mr. MacKenzie said that yesterday afternoon in Committee Councillor McKinnon had asked whether the agreement with D.N.D. for fire-fighting for Crestview, Porter Creek, etc had been transferred to D.P.W. He said the answer was yes and that he had a letter from the Deputy Minister, Dept. of National Defence, Ottawa, advising that him that D.P.W. had taken over as of April 1st.

Canyon Crescent Subdivision \$500.00

Mr. McKamey asked how many houses there were in the Subdivision.

Mr. Spray replied there was one house occupied, two were under construction and one would be constructed this year. He added that this was the Subdivision which they closed but some people had purchased lots and were allowed to stay there if they so desired. He added that there were 8 lots held under agreement of sale in Canyon Crescent at the present time.

Mr. Watt said he was going to ask Committee to reopen that Subdivision and said that he had seen a letter circulated to some 250 people concerning the squatter situation, asking them to sign that they undertook to be off Crown land or B.Y.R. land on or before Sept. 30<sup>th</sup> 1964. He wanted to know if the Administration had anything to do with the construction of the letter and the promoting of people to sign it.

Mr. Spray replied that to the best of his knowledge the Territorial Government had nothing to do with circulating the letter and that



it was the Squatters Committee that handled it. He added that he could not say that the people would be forced off the property on that certain date. With respect to the reopening of Canyon Crescent he said that the Subdivision was closed as part of the recommendations set out in the Whitehorse Metropolitan Plan and also on the recommendation of the Territorial Council. He said that they had 195 lots available in Porter Creek and a further 18 lots available at Crestview Subdivision. That in order to reopen Canyon Crescent they had to extend the roads to make available more lots. He added that the cost of the lots in those Subdivisions mentioned would average \$350.00 for a 100'x200' lot.

Mr. Watt said that in his opinion Council made a mistake when they closed the Canyon Crescent Subdivision and he expressed thanks to the Member from Whitehorse North for supporting him when they voted against it. He concurred that the Whitehorse Metropolitan Plan called for the deletion of that Subdivision but said "we acted on it but we haven't acted on providing other land." He asked what the Area Administration had done to help release land in the lower Whitehorse area.

Mr. Spray replied that there was land available in Riverdale and there were certain properties in the west end of the City, which would have to be serviced by water and sewer, then there was Lot 19 and also the Transient Area.

Mr. Watt said he would like to deal with all four of the locations mentioned by Mr. Spray. He said that in the Transient Area, he did not think the land was available. He agreed that you could put a house there but you can't buy the land, you have to rent it. With respect to Lot 19 he thought that it was to be understood that no agreement had been reached there and the deal was off. With respect to land held by the Yukon Territory in the City of Whitehorse he understood there were only 8 lots available and in his opinion that wouldn't go very far. He also wanted to know how many lots there were available in Riverdale and what the price would be.

Mr. Spray agreed that the land in the Transient Area was not for sale but could be leased for 12 dollars per month for a 60 x 60 lot. The Lot 19 agreement he said was not in effect until the money was paid and with respect to Riverdale he wished to inform Committee that 32 lots were available for sale at the present time ranging in price from \$1,500 to \$2,000.00 He added that another 120 lots could be made available in Riverdale if they supplied the services and the roads.

Mr. Watt referred back to his question of Canyon Crescent Subdivision and asked if Mr. Spray could tell him how many of the letters he had mentioned had been signed and if action was going to be taken on Sept. 30<sup>th</sup>. He also said that he would like Mr. Spray to make a firm recommendation to Council as to what action he would recommend that the Territorial Council take to have land released in the lower Whitehorse area.

Mr. Boyd asked if the lots in Canyon Crescent were 750', 1,000' or 1,500' away from the highway because of the greenbelt that was in effect.

Mr. Spray replied that they were not that far away but a substantial distance from the highway. The lots sold in that Subdivision were sold before the recommendation came through from C.M.H.C.

Mr. Boyd said this meant that there should be no buildings within that area and if they had not built yet they could not build.

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

Friday, April 10, 1964,  
2:00 o'clock P.M.

Committee proceeded with discussion on Vote 6 - Area Development with Mr. Spray (Area Development Officer) in attendance.

Discussion  
Bill No. 11

Canyon Crescent Subdivision

Mr. Boyd said he felt that the Metropolitan Plan should be put into effect officially. He said that it had been acted upon as though it were in effect as evidenced by correspondence from Mr. McCall's office. He further said that he recommended deferment of the vote under discussion until the question of the Metropolitan Plan was resolved.

Mr. McKamey said that he did not think members of Council had been supplied with copies of the Whitehorse Metropolitan Plan but he understood there were certain regulations laid down in it.

Mr. Spray explained to Committee that with respect to Canyon Crescent Subdivision the lots had been sold to the individuals under agreements for sale before the recommendation of the green belt along the Alaska Highway was made by Central Mortgage and Housing Corporation. He said that one could assume that the Territorial Government had a moral obligation to the individuals that purchased the lots and added that there were only three lots that were fronting on the highway side of the subdivision and that the balance of the lots ranged from 700 to 900 feet from the edge of the highway right-of-way. He further said that he believed that Central Mortgage and Housing Corporation planners took the view that subdivisions were not subject to the recommendation of the green belt in the same way as the property along the highway because the subdivisions were residential areas and the green belt was to preserve the highway and to encourage commercial establishments to come into lower Whitehorse. He said he would be happy to help Council by supplying them with copies of the proposals so they could read them during this session.

Mr. McKamey asked if the property owners at Canyon Crescent were advised when the C.M.H.C. recommended that it not be a subdivision and that it should be discouraged, that they would be on their own and not provided with street lighting, water and sanitary facilities?

Mr. Spray answered in the affirmative.

Mr. McKamey said that the Council had gone on record and were unanimous in their decision that they should not provide money or encourage this kind of development along the Alaska Highway and C.M.H.C. had made the recommendation.

Mr. McKamey moved, seconded by Mr. Boyd, that Establishment 217, Vote 6 be deleted from the budget.

Motion Re  
Vote 6  
Bill 11

Mr. Watt said "What are you going to do now, kick them right out of their homes?"

Mr. Boyd replied that nobody was going to kick anybody out of anywhere.

Mr. Watt said he would like to have the motion deferred until the information requested during the forenoon was made available from Mr. Spray.

Mr. McKinnon said that he had to speak in favor of the C.M.H.C. housing plan that discouraged ribbon development and said that only the Porter Creek Subdivision should be allowed to grow from the others. He added that he could not see how they could shut off minimal services to the Canyon Crescent Subdivision. He said that the people bought the land from

the Territorial Government in good faith and expected that the area would be developed, but after the motion of this Council and the recommendation of C.M.H.C. the subdivision should not be allowed to grow bigger. He repeated that he could not see how they could stop providing the minimal services for the people who had already bought their lot and had built there.

Mr. Shaw commented that \$500.00 was allowed for in the budget to provide for minimal services to the people that lived in Canyon Crescent. He said that Council had asked that expansion of that subdivision should not take place and apparently it had not. "All that is being done" he said, "is honoring a commitment it would appear the government had given these people when they first settled on that particular section. That is well worth considering before crossing out this item".

Mr. Spray informed Committee that as of April 1, 1963 there were 39 lots under agreement for sale in Canyon Crescent, but as of April 1, 1964 there were only eight lots under agreement for sale, 31 lots had been turned back to the Territorial Government so rather than expand the subdivision they had done everything in their power to reduce it.

Mr. Shaw said he would like to have an answer to the following two questions: "Is it true that the Government is not in a position to force these people to move?", and "If it is true, would it not indicate that the people who are there have legal reason to be there?"

Mr. Spray said he believed that both questions should be dealt with by the Legal Advisor.

Mr. McKamey commented that he would rather vote five or ten thousand dollars to purchase the property from these people living at Canyon Crescent and move them rather than vote \$500.00 which would only create bigger problems.

Mr. Watt said that "Mr. McKamey says he has not got a copy of the plan, he said this morning he would like one and now he says we should implement it. I suggest you read it before you implement it".

Mr. Boyd asked if the eight privately owned lots were held by one man.

Mr. Spray replied that one individual owned three lots and that each lot was approximately 100 x 200 feet.

Mr. Taylor said that it appeared to him they had a subdivision with eight lots left and that three of those lots were held by one man so they were looking at five land owners. He said "If in the Territory, any five landowners can get together and get facilities, we are going to have lots of communities". He said there was no shortage of land within a comparable distance from the Metropolitan Area of Whitehorse and therefore concurred with the people that felt the item should be entirely deleted from the budget.

Motion Carried with  
Mr. Shaw, Mr. McKinnon, and  
Mr. Watt opposed.

Wells Subdivision - \$2,500.00

Committee agreed to defer discussion on the Wells Subdivision and Transient Area Subdivision until Mr. MacKenzie (Territorial Treasurer) could be present.

Beaver Creek Fire Protection - \$1,973.00

Mr. Livesey asked Mr. Spray when action was going to take place concerning the implementation of fire protection, especially with regard to proper buildings, fire trucks, drills and the appointment of a fire chief.

Mr. Spray replied that it had been put in the budget. He added that they had nothing for the capital construction of a fire hall in the subdivision however he felt they should work this year to get an active volunteer fire brigade in Beaver Creek.

Mr. Livesey replied that what he was worried about was that they had the maintenance and operation but nothing for capital.

Mr. Spray said that the operation and maintenance is in an it was their hope to work up a proper fire brigade in Beaver Creek this year. He said that the Fire Marshall was in the Territory the latter part of January and would be coming back this spring and the discussion of a fire brigade in Beaver Creek would be the first item on the agenda.

Mr. Livesey said "If you are going to have the equipment, where is it going to come from if you don't have it in the vote?"

Mr. Spray said they had feelers out from Calgary to Vancouver to the northern part of the Yukon for fire trucks.

Upper Liard Services - \$750.00

Mr. Watt asked if this was a new subdivison and if it was how big were the lots, what did they sell for and how much taxes were paid?

Mr. Taylor (with Mr. Shaw in the Chair) said that the Upper Liard Services provided for the three street lights he referred to earlier and the balance for snow plowing in order to get the school bus in to collect the children and to provide access for ambulance and fire services to the community of Liard. He said that the population in the area was about 350 of which he would estimate some 55-60 were whites and the rest native.

Mr. Watt asked Mr. Spray to answer his question.

Mr. Spray replied that this was not a subdivision inasmuch as it was not declared an area under the Area Development Ordinance and without looking at the plan of survey he could not inform him of the number of lots, size and position of the lots. With respect to the question of taxes he suggested it be referred to the tax collector.

Fire Marshall - Territorial - \$3,000.00

Mr. McKamey asked if the salary was to be borne by the Federal Government, why the \$3,000.00.

Mr. Spray stated it covered the air fare from Ottawa to Whitehorse return, expenses while in Whitehorse, etc.

Mr. Watt asked if the Fire Marshall had made any prosecutions this year under the new Fire Prevention Ordinance.

Mr. Spray said there had been enquiries made on behalf of the Fire Marshall's Office.

Fire Protection - Whitehorse Metropolitan Area - \$1,200.00

Further discussion on this item was deferred until the information requested was supplied by Mr. Spray.

Mr. MacKenzie (Territorial Treasurer ) attended Committee.

Wells Subdivision - \$2,500.00

Mr. Spray explained to Committee that this was a privately owned subdivision and the \$2,500.00 asked for was to maintain the streets and street lighting which were the property of the Territorial Government.

Mr. McKamey moved, seconded by Mr. Livesey, that Establishment 218 be deferred until final review of the budget.

Motion Carried.

Transient Area Subdivision - \$863.00

Mr. Watt said that this was a peculiar setup, in his opinion, where they take houses from one place and put them in another and charge rent on the land. He asked if Mr. Spray had run into a situation where a person did not pay his rent and if it happened what did they do with the house?

Mr. Spray said that this type of situation had never come up but if they did not pay their lease fee they were required to vacate the land and remove their buildings from the land.

Mr. Watt asked Mr. Spray if some of the people were in arrears on their rent right now and if so, what were they going to do about it.

Mr. Spray replied that he could not answer unless he looked at the records but said that they had certain procedures to follow and so far they had always paid the rent.

Investigation - Fires - \$3,500.00

Mr. Watt asked who did the investigation?

Mr. Boyd replied that nobody had done anything yet but when the occasion arises there would be money to cover it.

Water Services - Areas adjacent to Whitehorse - \$15,355.00

Mr. Boyd asked if the drilled well at Porter Creek was now supplying water or whether water was still trucked from Whitehorse.

Mr. Spray replied that they were still trucking water from Whitehorse but there was provision made for a pumphouse and tanks to be located in Porter Creek, under Establishment 552, Vote 26 and it was hoped that something could be done this summer. He added that out of the \$15,000.00, 50% was recoverable from the users.

Mr. McKamey said he would like to know why nothing was done last year.

Mr. Boyd asked if it was anticipated that when the well was brought into operation the services would be reduced in price so that the residents would be paying for the services they were getting.

Mr. Spray replied that the truck water system at Porter Creek and Crestview were established in January of 1963. He added that the cost of the water to the users had already been reduced once since the operation started and would be revised again as soon as the source was settled in Porter Creek.

Mr. Watt commented that in Porter Creek they paid  $\frac{3}{4}$ ¢ per gallon whereas other areas outside the city limits paid double that and he felt they should all pay the same price for their water.

Sewage Eductor - \$12,268.00

Mr. Boyd said they had guessed \$5,000.00 last year and this year they were guessing \$12,000.00. He realized that the present eductor went all over the Yukon but felt it should be cheaper to have something in the different areas.

Mr. Spray was excused from Committee.

Committee proceeded with Bill No. 14, Third Appropriation Ordinance covering Roads, Bridges and Public Works. Mr. MacKenzie (Territorial Treasurer) Discussion and Mr. Baker (Territorial Engineer) were in attendance. Bill No. 14

Schedule A - Vote 20  
Road and Garage Equipment - \$142,450.00

Mr. MacKenzie explained, following a question from Mr. McKamey, that this would have no effect on the revolving fund as it concerned the purchase of equipment only.

Mr. McKamey asked what the plan was in connection with disposing of Unit 163.

Mr. Baker replied that the plan, at the moment, was to place it up for sale.

Mr. Watt asked if they required payment in cash when equipment was put up for sale.

Mr. Baker replied that they asked for 10% of the price to be deposited with the tender. He said "From now on equipment will be offered to the public and they will not ask dealers for trade-in prices, and anyone bidding on Territorial equipment will be required to put up the 10% deposit". He added that in the advertisement they were prepared to include, along with the unit number, the location of the equipment.

Mr. Taylor asked the condition of the landing barge that was to be replaced at Dawson City.

Mr. Baker replied that the existing barge was made out of wood and was approximately 26 years old and in quite bad shape. He added the new one would be made out of steel.

Tagish Bridge - \$7,350.00

On a question from Mr. Shaw, Mr. Baker explained to Committee that they were going to build a 420 foot - 4 foot wide safety walk. He explained that the Tagish Bridge was a one-way bridge at the moment and in the spring quite a few pedestrians were on it creating traffic hazards, they therefore felt a safety walk was necessary. He concluded by saying that the expenditure was 100% Territorial.

Mr. McKamey commented that it was a rather peculiar situation that they had enough money to put up walks so people could go fishing on a bridge but not enough money with respect to water and sewer facilities, which had been recommended by the Department of Health.

Mr. Boyd, as the member from that area, said that the bridge was well occupied all summer starting around this weekend. He said there was virtually a small town on that bridge, throughout the Saturday and Sundays and evenings, with their fishing tackle, their lunch kits, their babies and chairs and some spent all day there. He said that with cars coming and going somebody might get hurt one day so the idea was to put up a walk so they will not be where the traffic had to go.

Mr. Shaw commented that perhaps this could be in the tourist promotion budget.

Mr. Boyd said that the people represented a lot of the community but also tourists who camped there. He said that anyone familiar with fishing would know that one had to fish with a hook running downstream so there would be only one walk.

Mr. McKamey commented this would be a good project for the Centennial Year and maybe it should be named the "Centennial Walk!"

The Chairman asked if there was any further questions.

Mr. McKamey said they had not really started yet and Councillor Boyd was going to have to answer a lot more questions before the vote went through.

Mr. Watt said before the Honorable Member from Mayo gets started, he would only say he knew that he wanted to pay for water and sewer and to help it he had deleted one subdivision and postponed another and now he wanted to pay for another block with the bridge. He said "As the Honorable Member from Watson Lake would say 'the situation is critical'", but he urged that the members support Mr. Boyd on this item.

Mr. McKamey commented that it seemed to be a considerable expenditure and maybe they would be better off if they voted \$5,000.00 for people to buy their fish.

Whitehorse Keho Road - \$430,000.00

Mr. MacKenzie explained that this was 100% recoverable from the Federal Government.

On a question from Mr. Watt, whether Mr. McKamey considered this road necessary, Mr. McKamey replied "It is the backbone of our economy in the Yukon Territory and without this there would be no need for Whitehorse".

Mr. Livesey and Mr. McKamey both commented that the Territorial Engineering Department had done an excellent job and it certainly could be said that this was one of the better maintained gravel highways in Canada.

Motion  
Re Bill  
No. 14

Mr. Boyd moved, seconded by Mr. Livesey, that Bill No. 14 be reported out of Committee without amendment.

Motion Carried.

Discussion  
Bill No. 11

Committee proceeded with discussion of fuel contracts for schools with Mr. Baker and Mr. MacKenzie in attendance.

Mr. Baker explained to Committee that they did advertise for the supply of fuel and anybody could bid on it. He said that this applied to all the people who run retail outlets, so as far as he knew everybody had an opportunity to bid.

Mr. Livesey asked if the Department entertained a bid on one single school for the supply of fuel or whether the Department considered it better to ask for a contract on a block of schools, for example Whitehorse north or Whitehorse south.

Mr. Baker explained to Committee that they asked for contracts on areas and that the low bidder would supply all buildings within that area. He further explained that they usually required three types of petroleum products and that theoretically there could be three companies supplying the same area, one could be the low bidder on gasoline, the other on stove oil and the third on diesel fuel. He also said that Beaver Creek, for example, was an area in which there was one building namely the school, while other areas could cover a number of buildings, schools, garages, residences, etc.

Mr. Taylor asked that he be informed of the size of the Watson Lake district and the size of the contract in that area.

Mr. Baker said he could furnish the information as it was available in his office.

Mr. McKamey wondered if the Territorial Government bought their fuel for graders, pickups, trucks, etc. from private companies that have service stations.

Mr. Baker replied that they bought all their petroleum products for their wheeled equipment from a local retail supplier and did not know just exactly how the price compared with the price paid by other individuals, but he said it would be lower.

Mr. McKamey said that it seemed to him that the Territorial road equipment in his area was serviced by Hutton's garage in Mayo and he would like to know whether they bought it direct from Hutton or whether they bought it from White Pass and Yukon Route and Hutton just dumped it into their tanks.

Mr. Baker replied that in all cases where they bought products from a retail outlet they paid 7¢ a gallon dispensing fees which went to the retailer.

Mr. McKamey asked if the fuel used in the graders was not put for bid.

Mr. Baker replied it was and said that when the tender document arrived the dispensing fee was clearly shown in that document.

Mr. McKamey commented that perhaps rather than asking the big major companies for tenders, they should ask the local people for tenders for the specific areas. For example he said "In Carmacks for instance, why not let the two dealers there bid on who is going to supply the patrols, gravel trucks and pickups for the year". He said he couldn't see why it could not be done at the Territorial level as it was being done by the Federal Government.

Mr. Livesey pointed out that the Federal Government let the main company, who get the contract, supply the fuel through its outlets in the various areas.

Mr. Baker commented that Mr. Livesey described exactly what they were doing on the highway right now.

Mr. Baker and Mr. MacKenzie were excused from Committee.

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

Motion Carried.

Committee Report

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

"Committee convened at 11:30 a.m. to discuss bills, memoranda, motions and sessional papers. Mr. Spray and Mr. MacKenzie attended Committee to discuss Vote 6, Bill No. 11. Committee recessed at 12:00 o'clock noon and reconvened at 2:00 p.m. It was moved by Mr. McKamey, seconded by Mr. Boyd, that Establishment 217 of Vote 6 be deleted. Motion Carried. Mr. McKinnon, Mr. Shaw and Mr. Watt wished to go on record as being opposed to the motion. It was moved by Mr. McKamey, seconded by Mr. Livesey that Establishment 218 be deferred until final review of the budget. Motion Carried. I can report progress on Bill No. 11. Mr. MacKenzie and Mr. Baker attended Committee to discuss Bill No. 14. It was moved by Mr. Boyd, seconded by Mr. Livesey, that Bill No. 14 be reported out of Committee without amendment. Motion Carried."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m., Saturday, April 11, 1964.



Saturday, April 11th, 1964  
10:00 o'clock A.M.

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

Mr. Taylor gave notice of the following Motions:

- (1) Re office of Territorial Building Inspector
- (2) Re Improvement District Legislation

Motions:  
No. 27  
No. 28

Mr. Taylor moved, seconded by Mr. Livesey that in the opinion of Council the Administration is respectfully requested to consider implementation of some form of insect control in the more populated communities throughout the Yukon Territory.

Motion  
No. 26

Mr. Taylor, speaking on the motion, said that the other day he raised this question and pointed out to members of Committee at that time that he had received a communication from the Administration on the subject dated Oct. 15th, 1963 in which they outlined the proposed units and programme. He thought that some form of insect control should be provided to the more populated communities outside Whitehorse. He said the Administration stated in their letter that they had looked into the matter and ascertained that the cost of a standard unit to do the job would be in the neighbourhood of \$3,000.00. He pointed out that once they have the equipment it could be used year after year and possibly one should think of the matter as a long term investment and in his opinion a very sound one.

Mr. Boyd said that he thought the motion had merit and deserved consideration.

Mr. McKamey commented he thought it a very good motion.

Mr. Shaw commented that in his opinion it was a good motion.

Mr. Taylor said that he had a great deal of experience in the Arctic where the mosquitoes and black flies get very bad and possibly the Administration could consider the type of equipment used there.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, that THIRD reading be given to Bill No. 14, An Ordinance For Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Third Appropriation Ordinance 1964-65)

THIRD  
Reading  
Bill #14

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, that Council resolve into Committee of the Whole to discuss Bills, Memoranda, Sessional Papers and Motions.

In  
Committee  
of the  
Whole

Motion Carried

Mr. Fitzgerald, Director of Game, attended Committee to discuss Vote 7.

Discussion  
Bill # 11

Mr. Taylor (with Mr. Shaw in the Chair) said he would like to know why there was an increase of \$2,192.00 for salaries.

Mr. Fitzgerald replied that in part the increase was due to yearly increases in salary to his office staff and increase in casual labour.

Mr. Taylor commented that last year the vote for the Game Department was some \$34,248.00 and this year \$36,020.00 but he had noted that in the Public Accounts it was a revenue producing department and this was always in excess of the expenditure. He asked Mr. Fitzgerald if he could tell Committee just what the revenue was over expenditure last year or perhaps the figures were not available yet.

Mr. Fitzgerald replied that the report covering the last fiscal year was not prepared yet and would not be ready for some time.

Mr. Taylor said that apparently the game was the only resource they had in the Yukon Territory which they controlled. He said they did not control the land but they did control the game. He remarked that he asked on two occasions that provision be made in the budget for three qualified game wardens in the Territory and that his feelings were that these game wardens should handle the trap line administration and all the duties and functions of the game department in the outlying districts. His suggestion was that one should be in Teslin for the Watson Lake area, one in Whitehorse on the highway north and the third in the Mayo-Dawson area. He said "If we are to deal with matters such as closed seasons and possibilities of big game management areas and trap lines management, it should be taken out of the hands of the R.C.M.P. in the outlying districts and we should have people directly under the Territorial Game Department to administrate these things." He went on to say that Game Wardens were not law enforcement officers and that it should be a minor part of their work. Their job would be to work with the trapper, encourage the fisher, hunter, and so forth, and he was very disappointed that nothing had been done. In his opinion until something like this was done he could not see where they would have a properly administrated game department.

Mr. Boyd commented that he thought what Mr. Taylor was suggesting was that they should turn the whole country over to the Administration and then the rest of them leave town. He said that he was for cutting down administration and get some of the money back into the people's pocket. He said "We have to get away from the idea of thinking that we just have to ask for the best and the most and dip into the people's pockets."

Mr. Taylor said that the Game Department for the year '62/63 produced \$11,393.00 over and above the expenditure. It was a revenue producing department and the department that controlled the fur industry in the Territory which in his opinion was a depressed industry and he felt that with a little boost they could increase fur production. He said "We have the fur and a game warden in the Territory, even if we start with one, a good trained qualified game warden working with the trapper, going around helping him and showing him the latest trapping methods is what we require in the Yukon Territory."

Mr. McKamey asked Mr. Fitzgerald what it would cost to set up an office, provide transportation, for a game warden in one of the outlying districts.

Mr. Fitzgerald said that a rough estimate would be \$12,000.00, possibly more, considering a boat, a motor and a few other items.

Mr. Watt wondered what this person would do to keep busy.

Mr. Fitzgerald said he thought a man like that would be kept busy, but one would have to be prepared to pay him a good wage. He added that the matter of an increase in his department had not been ignored but at this time it did not seem reasonable to have an increase in the Game Department.

Mr. Taylor said he could only disagree. His district was probably one of the most productive fur bearing areas of the Yukon and had many trappers and hunters. Many of them had never seen a Game Warden or recognized them as being such and some times there are changes in regulations and they are supposed to be notified by circulars. Mailing points are not kept up to date and he cited a case where a man almost lost his line because his mail went to Watson Lake. In his opinion, had there been a Game Warden this would not have happened.

Mr. Fitzgerald replied that the matter Mr. Taylor mentioned was being looked into.

Mr. Shaw (with Mr. Boyd in the Chair) said he had had some dealings with the Game Department and he felt the department was operated efficiently. He asked if the department had figures of the amount of fur coming from different areas.

Mr. Fitzgerald replied that he did not have any figures covering the various areas but said that most of the rats come out of the north country and the good marten were produced on the eastern side.

A lengthy discussion followed on fur sale, and fur export. During the discussion -

Mr. Taylor said too much fur was sent outside the Yukon to areas in B.C. and to points in Alberta and that he would like to see that a man could walk into the Game Department and buy a licence to trade and traffic fur.

Mr. Livesey also pointed out during the discussion that in his opinion there should be no restrictions.

Mr. McKamey enquired about the wolf bounty.

Mr. Fitzgerald replied that the bounty came into effect on Sept. 10th, 1959 and that up to March 31st, 1963, 216 wolves at \$15.00 each had been taken. Following that date the bounty had been raised to \$25.00 a wolf and up until today 111 wolves had been taken.

Mr. Watt asked Mr. Fitzgerald about the costs of wolf poisoning.

Mr. Fitzgerald replied that they used up the money that had been allotted and the day before yesterday they got 26 wolves. He added that they wanted to clean the bates up before the bears came out.

Mr. Shaw said he thought the wolf poisoning system worked very well.

Mr. Taylor raised the point of reciprocity between the provinces and the Yukon Territory and said he understood an agreement was in effect between the western provinces whereby a person having a resident bird licence in one province could go to the other and be qualified to buy a resident bird licence in that province. He said he would like to see the Yukon a part of that agreement, and asked Mr. Fitzgerald whether or not an amendment to the current legislation would be necessary or whether it could be done by regulations.

Mr. Fitzgerald said he would certainly like to see the agreement come into effect in the Yukon Territory and he thought they would have to change the resident laws and the Act slightly.

Mr. McKamey commented that if the Legal Department was too busy perhaps this could be done by a Members Bill. He added that he was in favour and that they should not worry too much about people from the other provinces taking too many birds out of the Yukon because the season did not open until the birds were down in the provinces.

Mr. Taylor asked if, when the Director of Game hired an aircraft, was it done by contract or was it done in the various communities.

Mr. Fitzgerald said that sometimes it was more economical for them to fly from here instead of driving to Teslin and going out from there, but the normal procedure was to hire where ever the service was available.

Mr. Taylor, (with Mr. Shaw in the Chair) referred to the last item "Search and Rescue Operations" and asked how much the McDiarmid operation had cost the Territorial Taxpayers. He explained that the McDiarmid issue was the situation of a nonproficient trapper going into the bush and getting lost.

Mr. Fitzgerald replied that he did not have the exact amount but they had paid for a flight or two into there.

Mr. Livesey wondered if the Game Department had considered selling hunting licences, other than by police officers and the Game Department. He said that he understood this was done in other parts of Canada and that he had had several enquiries during the last year from local residents as to why they could buy a fishing licence at the local establishments but not a hunting licence.

Mr. Fitzgerald said that the main reason for it was that some of the people who would like to sell the licences were not well enough acquainted with the Game Ordinance.

Mr. Boyd commented that he could see nothing wrong with the present set up which he thought was a good deal and he would like to see it left alone.

Mr. Watt asked if the General Clerk was a transfer of personnel.

Mr. Fitzgerald answered in the affirmative.

Mr. Shaw moved, seconded by Mr. McKamey, 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, Chairman of Committee reported as follows:

"Committee convened at 10:30 A.M. to discuss Bills, Memoranda, Motions, and Sessional Papers. Mr. Fitzgerald, Director of Game, attended Committee to discuss Vote 7, Bill 11. I can report progress on Bill 11."

Council accepted the report of the Chairman and agreed to discuss Motion No. 23, Trespassing of Animals on Public Highways, on Tuesday morning at 10:30 A.M. It was further decided to allow Members to call witnesses they desired present provided the Chairman was notified ahead of time.

Council adjourned until Monday, April 13th, at 10:00 A.M. at which time they would deal with matters pertaining to the Correctional Institution.

Monday, April 13th, 1964  
10:00 o'clock A.M.

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

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding Whitehorse Escarpment - reply to Production of Papers No. 3 (Set out as Sessional Paper No. 35)

Sessional Paper No. 35

Mr. Taylor moved, seconded by Mr. Shaw, for leave to introduce Bill No. 15, An Ordinance to Amend the Bills of Sale Ordinance.

Introducing Bill #15

Motion Carried.

Mr. Boyd moved, seconded by Mr. Shaw, for leave to introduce Bill No. 17, An Ordinance to Amend the School Ordinance

Introducing Bill #17

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 16, An Ordinance to Amend the Public Service Ordinance

Introducing Bill #16

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that in the opinion of Council, the desired standard of qualifications required for the office of Territorial Building Inspector, should be raised to the Civil Engineering level, and successful applicant should possess knowledge of all types of building construction, including a thorough knowledge of the National Fire, Electrical, Plumbing and Building Codes. In addition it is the opinion of Council, that a salary be provided commensurate with ability, experience and duties performed.

Motion No. 27

Mr. Taylor, speaking on the motion, said this motion came as a result of the lengthy discussion in Committee on the subject.

Mr. McKinnon said he was opposed to the motion and he believed the Territorial Engineering Department had capable men inspecting public buildings, hotels, schools etc. throughout the Territory. He said that if a man was hired by the Area Development Office simply for the inspection of homes built in the Territorial Subdivisions and had the qualifications that were asked for in the motion, he would have a hard time doing a job that was deserving of the salary that would have to be paid. He added that in his opinion the building inspector as he is now can draw on all the wealth of engineering skill in the Territorial Engineering Dept. and he could not see where the expenditure could be justified.

Mr. Taylor said that he did not agree. He said that the office of the Territorial Building Inspector was considered part of the Community Planning Group and he would sooner see a man possessing engineering qualifications to deal with all the problems in the community. He said "This is a very important position."

Mr. McKamey said that "I will not support false economy. Anybody that is opposed to this motion this is exactly what they are doing - they are supporting false economy." He made reference to the Community Planning Group and said that if they hired a full fledged building inspector at the civil engineer level they would have somebody in that group with knowledge. He said "we had a list presented to us the other day of the names of the people who are supposed to be on this Committee for Community Planning and so forth. I may be wrong but I honestly do not believe that these people are competent to sit down and do such work and save the tax payers money in the future." He went on to say he could not understand why anyone would be opposed to upgrading the staff of the Territorial Government and submitted that the matter had been sadly neglected and was badly needed. He said "I do not think anyone can deny that." He said that he was not happy with the Area Development Department and it would go on record that in his

opinion they needed some really good qualified people. He referred to the Engineers Department and the Area Development Department and said that in his opinion they should take the building inspector out of the Area Development Department and let the Engineers Department hire a qualified man. He concluded his remarks by saying "I really think, Mr. Speaker, that we should take a step in the right direction and go on record, we went on record in the past, we have told the Administration what we have wanted, they completely ignored us and it seems like they just go the other direction. I take this as an insult, there were motions passed by this Council in the past explaining to the Administration what we thought a building inspector was and what we wanted. Now this has been ignored completely and I honestly think that if we are going to do our job properly as representatives of the taxpayers, we are going to have to take steps in upgrading these departments and this is our responsibility."

Mr. Boyd said in part "a building inspector as we have at the present time gauges the caliber of the Department under which he is working. I do not like the situation as it is but I do not like to go to the extent that a man for the purpose it is intended, should be a civil engineer. The engineers or inspectors we have now are sufficient and if the Area Development Department want to hire a typist to keep track of things then they should hire him but not call him a building inspector. I know that some men who were really capable men have applied for the job - capable as building inspectors without degrees but in large having far more knowledge than what they have hired. It makes me think they want a typist or a "joe-boy" and I do not like the motion with the words "civil engineer level" in it."

Mr. Taylor said in part "Mr. Speaker, certainly we have engineers down here but they are all busy, they have other chores. Other than running around inspecting buildings. I still feel that we need an engineer and we need one building inspector as someone at the civil engineering level. It might be another type of engineer, might be a municipal engineer, might be any type, but I am saying here in the motion that civil engineering level, at least to that level of intelligence and education, that is what we are saying here."

Mr. Shaw commented that he was inclined to agree with some of the remarks made by Mr. Boyd but said that his feeling was that a useful person on the staff would be an engineer that could take over the Area Development Department. He said that in his opinion area development was a very complicated procedure and one of the main functions was planning for the future. He was not convinced that a civil engineer was required as a building inspector and that he was not too happy with the general set up of the Area Development Department because he felt that the importance that should be attached to it had not been attached to it. He further said that he did not know the qualifications of the present person but if the person had the qualifications as outlined in the advertisement he could not see why he could not turn in a good job. He said "surely a man of engineer's ability should not be required to assess an individual's buildings although as I mentioned before, I do think an engineer heading that department would serve a very useful purpose."

Mr. McKamey said in part "Mr. Speaker, the reason I seconded the motion in hiring a man with a civil engineer level, was that I thought he could perform a very good service to the Yukon. One man could probably do the job of a dozen or a thousand incompetent men. There is a lot of work to be done, we know there is and anybody that has the trust to get up here and tell me that there is not enough work to keep one good man going I think he is absolutely out of his mind because all you have to do is to go into these districts and take a look around. I am here to tell you, Mr. Speaker, that we are ten years behind and it is time we smartened up."

Mr. Watt said that in his opinion he did not think that a conscientious civil engineer would take a job to run around to help the fire inspector and to inspect buildings. He did not agree with hiring a civil engineer to do a clerk's job. He said that to hire a ten thousand a year man for this job would be false economy and a waste of money. He said "There is an engineer now besides the regular Territorial Engineer and there doesn't seem to be enough jobs to hire him full time so we share his services with the City. Now you want to hire another civil engineer when we already have one with not enough work."

Mr. Taylor said "Mr. Speaker, apparently the Member is somewhat confused here. At the first instance, talking about fire inspection, I state that the lack of proper and adequate building inspection in the Territory over the last two years resulted in the fire inspector coming through, finding that the fire code was not adhered to and making people change things that they had already built and there was not one of our inspectors who ever told them any different so consequently he did not expect the building inspector to go around with the fire inspector. Now we have you asking that we keep sending around laymen as building inspectors. Well I will tell you something - in Watson Lake as far as we are concerned, Ross River or anywhere in the constituency that I have the honour of representing, I would sooner see no building inspector whatsoever, none, not a one, keep them all up here, or somewhere else in the Territory, unless you can send us a good one, somebody worth while. We would rather not see one down there - let us go ahead as we have in the past years and build ourselves, but don't send a layman down telling us what we are going to do and how we are going to live, and what we are to do. We need qualified professional men to safe guard the taxpayer's dollar and the cost of putting in another man, a man of good qualifications, as a Territorial Building Inspector is going to save us a great deal of money, indeed a great deal of money."

Mr. McKamey maintained that it was necessary to have a building inspector at the civil engineer level. He said, "The building inspector can keep himself busy, we have a lot of communities and these communities are expanding forever and they will be and we hope they will be and if we come along with good orderly community development it will provide some incentive for these people to live in these communities so they have to expand. I think we should either go for the best or don't go at all."

Mr. McKinnon commented that he could not see a building inspector other than someone who has spent his life in the building trade and knows it.

Mr. Shaw commented that the Department needed an engineer for planning but as far as a building inspector was concerned he did not think that came under the same category. He said "If you hired a civil engineer for a building inspector, you would be hiring a man for a boy's job."

Mr. Taylor concluded the discussion on the motion by saying that he hoped they would not deny the outlying districts the right for a good building inspector.

Motion defeated with

Mr. Taylor and Mr. McKamey in favour. Mr. McKinnon, Mr. Watt, Mr. Boyd and Mr. Shaw opposed.

Mr. Taylor moved, seconded by Mr. McKamey, that in the opinion of Motion Council, the Administration is respectfully requested to make every No. 28 effort to ensure that proposed legislation respecting Local Improvement Districts in the Yukon Territory, be prepared for presentation at the fall session of the Yukon Legislative Council.

Mr. Taylor, speaking on the motion, said "Mr. Speaker, this is of course the result of the same motion I think we proposed when I first dropped into this Council chambers representing Watson Lake district and like many of our other motions this went down the drain. The motion again speaks for itself. We need the legislation so that we can proceed in these communities with local economy."

Mr. Shaw asked Mr. Taylor to explain.

Mr. Taylor said he was not sure how it would work. A local improvement district is the first part of a three stage development, and his understanding of the local improvement district in some of the provinces was that you receive a redirection of tax dollars to be used in the community for services and so forth. He said they elect a Reeve, and possibly two or three Aldermen and went ahead and started to decide upon their own destiny in a very minor form, while the Administration more or less ruled but in matters of local nature the community decided what they wanted.

Mr. Shaw asked if it would be something like they had in Porter Creek and if so could Mr. McKinnon explain how it works.

Mr. McKinnon replied that it was not, but added as far as he understood there were local improvement districts in effect in the Northwest Territories.

Mr. McKamey said, "Mr. Speaker, the delay in the Yukon is that we have incompetent staff, I will repeat, it is because we have incompetent staff. This is why we have delays in the Yukon and they are too myopic to realize that this is the ills what we have and this is facts. I know that five years ago that previous Council went on record and asked for this type of legislation and we have not got it today. The reason we haven't got it is because we have nobody in this building that is capable of providing it. And the reason they cannot provide it is because they are incompetent. That is the reason. As far as improvement districts are concerned, this is the stage where you crawl before you walk and I submit Mr. Speaker none of our costly problems in the Yukon Territory today -- and one of the reasons we are suffering is because this has never happened. We have two municipalities here that did not know how to crawl before they walked, they jumped out of the crib onto the top of the ladder. We are paying dearly for it through the nose."

Mr. Boyd wondered if Mr. Taylor fully realized that they are asking for some authority to spend their tax dollars. He presumed he meant property taxes. There is not too much difference between Watson Lake and Porter Creek and that the snow removal in Porter Creek cost \$9,000.00 but they collected \$5,600.00 in property taxes. He wondered what tax dollars at this stage of the game, Watson Lake was spending.

Mr. Taylor said that Watson Lake was the second largest, the fastest growing community in the Yukon Territory at this time. He said it was progressing very rapidly. He said, "As far as this legislation goes, I don't know what this legislation is going to be - no more than Councillor Boyd, Councillor McKamey, Councillor Livesey, or any other man at this table because they won't give it to us. Once they give it to us, we will know what we got and we have asked as Councillor McKamey has pointed out. Until this legislation is provided and it seems to me I can certainly concur with Councillor McKamey that it is merely incompetence or inability or something right here in this Federal Building. It is getting ridiculous everytime you ask for professional people they turn you down. The Administration upstairs turns you down. Maybe they don't want professional people, maybe we want little empires in our Administration in this Territory, maybe this is what we are after. Maybe we want a couple of little Caesars to stand among the ruins some day in another four or five years until somebody does something - unless somebody does something. I don't know what we want."

Motion Carried.

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Mr. Watt directed the following question to the Administration:  
"Is the speed limit of 15 m.p.hr. on the 4th Avenue road realistic? Was the Territorial Administration responsible for the placing of signs and the setting of these speed limits?"

Question  
No. 15

Mr. McKinnon directed the following question to the Administration:  
"In view of a question of administrative incompetency raised by the Honourable Member from Mayo concerning the non-implementation of legislation to incorporate local improvement districts; could the administration advise what steps have been taken since the adoption of the five year plan to have such legislation tabled before Council?"

Question  
No. 16

Mr. Taylor asked the Clerk if there was any provision in Vote 1 for fees to aid in drafting Member's Bills.

Clerk-in-Council replied that to the best of his knowledge there was not.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions, Sessional Papers and matters relating to the Correctional Programme.

In  
Committee  
of the  
Whole.

Motion Carried.

In Committee of the Whole:

Committee proceeded to discuss Bill No. 11, Vote 8, General.

Discussion  
Bill #11.

Mr. MacKenzie, Territorial Treasurer, attended Committee.

Mr. Watt asked about the increase in salaries.

Mr. MacKenzie replied that the increase was due to the transfer of one stenographer and two increases for two individuals.

Insurance - General:

Mr. McKinnon asked what staff fidelity insurance was?

Mr. MacKenzie replied it was staff embezzlement and it covered the risk of \$2,000.00 per employee with higher rates for certain specified individuals. He added that there had been only one loss of \$100.00 in cash and that it was never recovered and was paid by the insurance.

Mr. Watt said that in the minutes of the Financial Advisory Committee they said they did not feel it would be worth to have tenders called.

Mr. MacKenzie explained that it was a major operation to prepare for calling of tenders because every building involved would have to be described accurately in certification attached to the invitation to tender.

Mr. McKamey disagreed with Mr. MacKenzie and said that if the Company had already insured this would not have been done blindly. He said he had a motion requesting this information.

Mr. MacKenzie replied that he had not seen the motion.

Mr. McKamey asked the Clerk to explain it.

Clerk-in-Council said there had been a reply to the motion asking for further information and that Mr. McKamey had not answered it yet.

Yukon Museum \$1,000.00:

Mr. Livesey asked if this was the only contribution they made to the museum?

Mr. MacKenzie replied this was correct unless any funds were obtained out of the Yukon Development Grant monies.

Mr. Livesey commented that the museum was deserving of further interest.

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

Monday, April 13, 1964.  
2:00 o'clock, P.M.

Discussion continued on Bill No. 11, Vote 8, with Mr. Delaute and Mr. MacKenzie in attendance.

Discussion  
Bill No. 11

Emergency Measures Organization - \$1.00

Mr. Livesey wanted to know why the Administration wasn't doing more about Emergency Measures than just merely bringing in a vote of \$1.00. He realized there had been a lot of discussion on the subject within the Administration, with regard to certain internal operations and possibly decisions in the formation of various ideas pro and con, but he thought in emergency measures it is the education of the public at large, that they are dealing with here in the budget. He said Council has stated on a number of occasions that they want to see an active organization ready and prepared for possible emergencies, and he wanted to know why they haven't come up with some concrete conclusions as to the position of the Territory as far as fallout is concerned, the question of Strontium 90 and other matters that are detrimental to health. He wondered if Mr. Delaute could give any information on this.

Mr. Delaute said, apart from hearing any more specific questions, that Commissioner Cameron made a reply in a Sessional Paper the other day.

Mr. Taylor said he also received an answer to Question No. 10 as he was the one who put forth the question, but he was not satisfied with the answers. He had proposed a motion in the Fall of 1961 stating that information be provided in the local newspapers relating to emergency measures, that pamphlets be circulated through the post offices and that an Army man be sent to communities throughout the Yukon to give lectures. He stated that this motion was carried and he wanted to know if this had been complied with.

Mr. Delaute replied that no newspaper columns had been published but they had acquired the pamphlet "11 Steps to Survival" but it had not been distributed as they couldn't figure out the best method of distribution. If they put them in the mail boxes they would end up on the Post Office floor or in the watepaper baskets. They could make it known that anyone who was interested could write in for a copy. An Army man was not sent to communities to lecture because they are not assigned the duty of publicizing emergency measures. Other information was given in Sessional Paper No. 5 of 1962 and this is still in effect depending on whether it should have to cope with an emergency measure arising out of war or one arising out of a civil disaster. He said that Commissioner Cameron reported in his letter that this Emergency Measure Organization still exists and that Mr. Atkins came here to examine our setup and he felt they were amongst the few to have done as much as they have. He informed them that in time of war there would be certain controllers appointed under the War Measures Act, which would mean they would be under Federal Jurisdiction and this emasculated the Yukon Emergency Measures to some extent. However, for a civil disaster the organization is still in effect and in fact it has expanded to a point where many more people are involved. When the Cuban crisis took place there was a large meeting held in the Commissioner's office, not only of the basic organization, but included about 26 people. The Alaska earthquake was another reason for public opinion to be aroused to do something and last Friday a meeting was held. The men in this organization are in various activities, not only governmental, but private business as well, and they have concluded that they would meet in a months time and discuss the situation again and thereafter they would meet at least every three months or so during the year. He added that the municipalities have been given the E.M.O. booklet, which sets out what an ideal Emergency Measures Organization would be for a municipality, and it is up to them to organize themselves. Regarding the \$1.00 item in the budget, he said this should not be taken as indicative of what would be spent.

Mr. Taylor noted then that nothing had been done in respect to his motion to Council in the fall of 1961 and also no action had been taken on a motion passed the First Session of 1962. He appreciated that the Administration knew what they would do in the case of an emergency, but he wondered what the people were going to do. He felt a Civil Defence Organization was needed and read a letter, addressed to the Editor of the Whitehorse Star by a citizen, saying that if a system is set up the public should be told about it.

Mr. MacKenzie said it is impossible to put any firm sum of money in Vote 8 for E.M.O. because nobody in this world can say what is going to be needed. You can only put in a nominal sum to indicate that they are alert to this need and that is sufficient for the expenditure of any sum of money, within the total of the vote, for any purpose connected with the E.M.O.

Mr. Boyd said he was on the committee of the E.M.O., as a representative of Council, and he agreed with Mr. Delaute that the organization is set up to take complete control in case of an emergency. There are not that many people that they cannot be guided and looked after without too much trouble. He said that as far as the pamphlet information was concerned, only one out of fifty would be at all interested.

Mr. Taylor did not agree and referred to Sessional Paper No. 9, 1961 - Third Session where it said the Army would be ready to take over in case of an emergency. Now the Army was leaving the Territory so who would look after it. He thought provision should be made in the line of communications, and he didn't think it should be confined to the "All Steps to Survival" which deals with nuclear war, but should include any other type of disaster. What does the housewife do, run in the back yard and bury her mixmaster, or what. He mentioned the chaos that took place in 1958 when the forest fires came down on Whitehorse because people did not know what to do until the Mayor of the town got on the radio and explained what was going on. He thought it was a poor show and that it was up to the elected representatives of the people to do something about it if the Administration wouldn't.

Mr. Livesey said that is exactly what he was talking about. You can have a meeting all day and all night but this never gets out to the public. The greatest problem anybody would have to face would be the fact that they haven't educated the public. He felt they should get something going so that the people themselves would become active participants, and the only way you could do this would be to take the people into their confidence so that they would have confidence in their own government.

Mr. Delaute said the Yukon Emergency Measures Organization, as set out in Sessional Paper No. 5, 1962, is a public document and is available to the public but whether it was given publicity at the time it was tabled he could not say. He said that on the larger committee, of which Mr. Boyd is a member, the editors of the News Advertiser and the Whitehorse Star are invited to the meetings and they can publicize anything they hear. He mentioned that the Dawson City meeting had been publicized in the local press.

Mr. McKamey wondered what action had been taken in the Mayo district.

Mr. Delaute replied that there was none, to his knowledge.

Mr. Shaw thought Mr. Livesey was supposed to be a representative of Council on the E.M.O. committee and he had made a trip outside and gathered information. He said that not all of the laxity in emergency measures can be blamed on the Administration as it has been his experience that when a meeting is called only half a dozen people show up, such as at the meeting in Dawson. He understood that as far as communications were

concerned the Department of Transport had provisions, through their shortwave broadcasting facilities in various parts of the Yukon, to inform the people what was going on, but added that he thought some sort of mechanism could be fitted into the low power repeater stations of the CBC so that when the land lines went out one could get direct communication to the people. He said that rather than criticisms there should be some concrete suggestions made and he would like to suggest that since the Army was moving out some funds should be made available to the Yukon Regiment to train and be prepared to meet emergencies that might occur.

Mr. McKamey supported the suggestion.

Mr. Livesey commented that apparently he was to have been a one man committee on E.M.O. but something must have gone wrong with the protocol. His suggestion was that someone should be appointed from the various local areas in the Territory and that the main committee in Whitehorse should keep in contact with the representatives in the areas and keep them fully informed as to what was going on. In his opinion this would be one way to get the ball rolling and would be much better than the body in Whitehorse having a meeting and saying that everything was under control.

Mr. McKinnon commented that this Council had not appointed a member of Council as a member of the E.M.O. committee, it was the Council previous to this one.

Mr. Taylor wondered whether the legislative programming committee were entertaining the idea of Civil Defence Legislation for the Territory.

Mr. Delaute referred to Sessional Paper No. 5, 1962 - First Session, which dealt specifically with that question, and said that this was the basic document for the Yukon Emergency Measures Organization.

Mr. Taylor said he would reserve comment on that until he saw Sessional Paper No. 5 of 1962 - First Session, because he said "In the spring of 1962 we were waiting for legislation".

Mr. Shaw asked Mr. Delaute what he thought of the suggestion regarding the Yukon Regiment.

Mr. Delaute replied that the Commissioner would be prepared to look into it.

Mr. Taylor asked Mr. MacKenzie if funds could be found to provide for the circulation of literature on civil defence and civil defence programs and information relating to the "11 Steps to Survival" and as to the Territorial setup.

Mr. MacKenzie replied in the affirmative.

Mr. Taylor asked Mr. Delaute if he felt the Administration would agree to circulate this information or would a third motion be required in addition to the two already made.

Mr. Delaute said he would take this as notice.

Fitness and Amateur Sport - \$59,114.00

Mr. McKinnon said he would make a report on this Saturday morning and suggested discussion be deferred.

Agreed.

Alaska-B.C.-Yukon Conference - \$3,000.00

Mr. Livesey commented that he had heard the conference would take place this September and he wanted to have that confirmed.

Mr. Delaute said he believed the Commissioner had tabled a letter stating the date of the Alaska-B.C.-Yukon Conference as September 14, 1964.

Special and Unforeseen - \$5,000.00

Mr. Taylor wondered what type of unforeseen expenditures this would represent.

Mr. MacKenzie replied it would be for unusual emergencies which could not be foreseen.

Mr. McKamey asked what portion had been spent on that item last year.

Mr. MacKenzie replied that \$7,290.26 was spent last year but he would have to check the accounts to give the specific items.

Mr. Livesey, in connection with Territorial Public Service, referred to the minutes of the sixth meeting of the Advisory Committee on Finance held in Whitehorse on February 4, 1963, concerning the policy of employing more than one member of the same family in the Territorial Public Service, and asked if an examination of the policy had taken place and if so, what were the results and what is the current policy?

Mr. MacKenzie said that in the Yukon one could not be as selective as one could be outside because there was not the same labor market to choose from. He said that they tried not to do it but pointed out that because two people were related it did not mean that they were going to be in collusion to defraud the government or anything of that kind. He said those people who were on the payroll and were related were doing, individually, a very good job of work.

Mr. Livesey commented that he thought the Council had made themselves very clear in the recommendation.

Mr. Delaute said there was nothing in the Public Service Ordinance to prevent the Administration from appointing a person from the same family and there was nothing in the Civil Service Act of the country. He said the whole thing was based on the fact that every person over the age of 21 in Canada was a person in his or her own right, whether brother, sister or wife, and that is why relatives could hold jobs in the same government.

Mr. Livesey said he did not want to elaborate on it but assured them that in his opinion it was not a good policy.

Mr. McKamey said that they heard a lot of great hues and cries from the general public concerning unemployment and he also heard the government condemned every day concerning unemployment. He said that if they were to take a step in the right direction and amend the Public Service Ordinance so that it would read that not two of one family will hold office jobs in the same building, they would be setting a new pace in the direction of correcting the unemployment situation.

Mr. Shaw said that he agreed where it concerned husbands and wives, but when it came to a father and son or daughter, it could not be applied in the same sense. He said it could happen that husband and wife are holding two jobs while another family doesn't even have a job between them.

Mr. Livesey said that in his opinion it was a question of policy and not a personal matter. He said "No matter what we say we have got to realize that blood is thicker than water and under those circumstances you can figure it out for yourself". As a general policy it was far better to cut out hiring more than one person from one family where possible,

Mr. Taylor commented that this should apply to people in the Public Service in the Territory, who were already pensioned off. He said "We seem to be getting fairly top heavy with pensioned policemen holding down jobs and getting pension to boot!"



Mr. Delaute and Mr. MacKenzie were excused from Committee.

Committee proceeded with discussion on the Correctional Facilities Program with Mr. Duncan Clark, Corrections Officer, Department of Northern Affairs and National Resources, in attendance.

Discussion  
Correctional  
Program

Mr. Boyd asked Mr. Clark if he had anything new to say that would be encouraging to pass on to Committee.

Mr. Clark pointed out that what he had to say could not be accepted as official because he did not officially represent the Department of Public Works, but he anticipated Council's concern and had checked with them before he left Ottawa on what might be termed the status of the Whitehorse Prison. This is a balance of factual and contemplated information. According to the Department of Public Works officials, a letter had gone forward to the commissioned architects and the architects are a Calgary firm seeking confirmation of the fee that they would charge to duplicate the working drawings and specifications they are preparing with respect to the Yellowknife institution. They have already met with this architectural firm and had what they call a briefing meeting and the appropriate representation was there and they also were given a brief sketch that the Department of Public Works outlined as their interpretation of what is needed in this prison. With this information the architects go out and prepare the working drawings and specification. The thing is in their hands, but they know the matter is to be expedited and the happiest thing he could report is that last week, in Edmonton, he was informed by the D.P.W. people that preliminary drawings have already been completed and are in the mail to the D.P.W. people in Ottawa. If he were there he would see them and would be requested to comment on them so they could be rushed back to the people in Alberta, approved or with the recommended changes and they would go on to the next phase. He said he has therefore made on the spot arrangements to go to Edmonton, on his way back from Vancouver next Monday, to look over these preliminary drawings then and this will in effect save a considerable amount of time. He said that brought them right up to date. Returning to his conversation with the Public Works people, it was not definite that they can anticipate anything specific until such time as the Yellowknife drawings and specifications have been approved, which is what is going down to Ottawa now. There is no use of them talking about the Whitehorse specifications until they know the Yellowknife ones are going to be approved. At the same time however, any subsequent drawings and specifications for the Whitehorse prison would follow very quickly once approval has been given and the Public Works officials still believe that tenders for the Whitehorse contract will be called this year and as if to add support to this, they emphasized that as Whitehorse is easier to service and enjoys a longer construction season than does Yellowknife, it is reasonable to anticipate that despite what appears to be, the Whitehorse prison will be completed as soon as, if not actually sooner, than the Yellowknife institution. He said that is the status of the Whitehorse prison as obtained from the senior Public Works people in Ottawa, and he was able to add to it in Edmonton with the knowledge that the preliminary drawings, they were waiting for, have been completed and were gone to Ottawa. Mr. Sivertz, former Director and now Commissioner of the Northwest Territories, met with the architects personally and everybody involved directly or indirectly is recognizing the fact that there is an emergency here, not just because the institutions are needed, but because this has been going on much too long and people are going to start becoming impatient. He said as he interprets the information, he would think that both institutions will hit the road some time late this summer or early fall.

Mr. Boyd asked if this means it will start in time to pour the cement without danger.

Mr. Clark said he could not speak for the Department of Public Works and this is now out of their hands, that is the division for which he works. The consultation period is now marking time and they have turned this over to D.P.W. who are officially in charge of the next phase and he certainly could not commit them. He said as a layman he understood the engineers could devise a way of pouring cement even after the frost starts.

Mr. Watt asked if a location was definitely established for the Whitehorse institution.

Mr. Clark replied that on their last trip to Whitehorse they took a visual survey by helicopter. He said he was very glad they were forced out of the site behind the hospital because, as convenient as that site is and as encouraging as the economic factors involved were, they would never get away from the reluctant acceptance on the part of the medical people. They could see their problems and finally cancelled it out in favor of other sites and from the air he could see it was a good thing because the area was not big enough. The area selected looked good from the air and it was later 'tramped' and he has also seen it dotted out on a map.

Mr. McKamey asked if it was for monetary reasons Ottawa took both the Yellowknife and Whitehorse institutions into consideration and planned them along the same lines or did something else enter into it.

Mr. Clark said the part he played in this design was consultation based on a principle of prison management that applies anywhere. Then you adjust the design of the building to the climate. Therefore it shouldn't be surprising if the Whitehorse and Yellowknife institutions are identical although they will be different perhaps in foundations because of the subsoil. If both institutions can be the same then it follows they can expect savings in that they can order duplicate machinery and facilities to equip the institutions, but there was nothing significant about the fact that there was an attempt to make both institutions on the same plan. Other than that, if it is what is to be recommended in one part of the Territory, it should be recommended for the same reasons in another part of the Territory.

Mr. Watt asked if Mr. Clark could indicate the cost bracket the institution would fall in.

Mr. Clark said he had a draft of a sessional paper which was to be presented to the Northwest Territories Council in June and it would be appropriate here. This would give an overlook at the background, understanding that when this thing finally comes from the architect there is still the one thing that has to be done, and that is go before the Treasury Board in Yellowknife. They have approved what Ottawa proposed but they still have to give final approval. Under the terms of the 1962-67 Financial Agreement the Penitentiary's Branch of the Department of Justice was to design and build, with Federal funds, a jail in the Yukon Territory and to operate it at Territorial Government expense until the Territorial Government could assume direct responsibility for the administration of this institution. The original cost of construction was to be \$350,000.00 but the estimated costs, by the time the original project had reached the blueprint stage, had increased to \$715,000.00. This is what was holding things up, not just austerity. He thought austerity was a good thing because it forced a stoppage and allowed a lot of discussion and as a result they are now in the stage being discussed today. There was so much pressure to get the institutions built that he thought they might have gone into the \$715,000.00 deal, just by the force of that pressure, and it would have been a mistake. However, the agreement provided the Northwest Territories with \$175,000.00 per year to meet the operating costs. As a result of further study by all concerned it was subsequently proposed that the project be developed under Territorial auspices as soon as possible, indeed from the inception of the system, if the Territorial Government would be in a position to administer it. A reference for advice was submitted to Council in March of 1963 and approval in principle was given to a corrections program, which was to include the following:

- a) the early implementation of a probation service,
- b) a minimum security institution estimated cost of construction \$450,000.00 plus an operational cost of \$140,000.00 a year.

That was the prison that was being proposed in the place of even the maximum type of institution that had originally been proposed. The third point in the corrections program, as approved



in principle by this Council, was a minimum security work camp at an estimated cost of construction of \$90,000.00 plus an operating cost of \$60,000.00 per year. The fourth point approved in principle for the corrections program was that juvenile institutions should be built as required in harmony with the hostel idea, which is already accepted tradition in the north. He said when they involved the Treasury Board in the approval in principle business, they expressed quite a bit of surprise about the juvenile institution and camps - no-one had told them about anything but a prison. Now they have got used to the idea and know what they are talking about. They know it isn't a new type or an additional program, but instead of the \$715,000.00 institution, a much cheaper medium institution, a working institution, in conjunction with camps. Together they represent what was formerly going to be one institution plus the probation service. The juvenile institution was something he himself stuck in because he didn't want them to be approached next year or the year after with something new and he felt it was his responsibility, as a corrections consultant, to push a program instead of an institution. This is what Council has okayed in principle. He said B.C. is no longer able to offer the Yukon institutional accommodation for juvenile offenders, Alberta has stopped doing it, and also Manitoba is just about finished as far as the Northwest Territories is concerned and in the next two years the Territory is going to be faced with a dilemma - you are going to have a child who must be confined and you are going to have no place to put him. This was put in very deliberately knowing the Territory would have a responsibility for juveniles in the same way they have accepted responsibility for the adults.

Mr. Shaw said it was hard for him to conceive a \$450,000.00 institution for such a small population as there is only a regular turnover of about ten or twelve people.

Mr. Clark said that when they are figuring costs of an institution they figure it out per person and the minimum figure is \$12,000.00 per inmate, just to put the institution on the map. The institution they are getting will hold a maximum of 40 inmates - 20 men, 10 women, 8 maximum security men and two maximum security women. Taking the \$12,000.00 figure and multiplying it by forty you get \$480,000.00. He said it would look as though they are below the Canadian figure because the prices in the Yukon should be higher.

Mr. Shaw said it is hardly conceivable because you can build a house for \$12,000.00 that would accommodate a family and he suggested that it was going to be fancy.

Mr. Clark said this is not a fancy institution they are buying and it was to be remembered that in the \$12,000.00 house you don't have a medical facility such as is a must in an institution like this and you don't have a maximum security basement. He thought maximum security would be a minimum figure in the Yukon but you have to plan for even one eventuality. This is what was wrong with the original plan. In contemplating this everybody was going to be treated the same way and this was the mistake. He could not see why over 90% of the inmates should be exposed to the same type of care and all the harm that such maximum security can do. The big emphasis in this program is on that over 90%, the the people in for three months, but you have to be realistic and still provide for this eventuality. You have an administrative unit for three institutions, if you had the money you would have three institutions but instead you have the three under one roof. The architects have realized this and plans are so you come in the front door and turn right to the minimum security institution for men, left for the minimum security institution for women and straight ahead to a maximum security institution for men. He said you are providing here an experiment without too much risk, a pilot project which will be looked at from afar because it is something that really hasn't been done because others haven't had the opportunity to start from scratch.



Mr. Shaw thought a two story building would be more economical to heat and service and asked Mr. Clark if this had been taken into consideration.

Mr. Clark said the engineering people and the public works people have done their best to meet the type of requirements Mr. Shaw mentioned and he has spent his last two years resisting it simply because he believes these are three institutions and he wants them to be as far apart as possible. The architect has approached the thing with a most intelligent interpretation and has come up with what he calls a finger plan type of building, which is simply an attempt to give you three buildings under one roof. This is believed to be an acceptable compromise to having three buildings, but when the chips are down they are still going to have to see what the commissioned architects are going to do. Getting back to economics he said he has always been realistic and the facts are they are dealing with human beings and these people need certain types of care. You can't give them all the same type of care because they are all individuals and ideally you should have a separate program for each individual, but this is not being practical, so you try and come up with the best possible and economical compromise. He said he would hesitate to make the halls any shorter because what they would save in heat they are going to have less success as far as the program is concerned and if they don't succeed in the program they are going to have a repeat in their population which is all too popular across Canada. If you rehabilitate inmates you are going to save money. He cited two case histories to substantiate this fact and said if you call a classroom or vocational training shop a frill, he is in the wrong business.

Mr. Shaw said he was merely referring to the cost to the Territory when they take it over.

Mr. Livesey said he enjoyed listening to Mr. Clark and they certainly need some improvement as far as incarceration is concerned. He wondered however, whether they were building this bastille type of operation or not. He was also wondering why they need eight maximum security cells and if, in the history of the Yukon, they have ever had a woman as a maximum security risk. He said it seems that the question of incarceration today is changing its course and those who are sticking to the same lines and methods are making more maximum security prisoners than ever. He didn't think institutional care for the north was good although, to a certain extent, they would have to accept this but it would be a big mistake to consider it on the same basis as what they consider it in New Westminster. He thought what was needed was a proper building with about as narrow a margin for maximum security prisoners as possible, but with a greater emphasis on education, rehabilitation, the elimination of idleness during incarceration and maximum interest on work and activity. He said they should take a look at the whole aspect of the gross percentage of those prisoners who are not maximum security and try to deal with it in an intelligent fashion through education and he hoped Mr. Clark could assure him that this is what they are going to do.

Mr. Clark said he has always found it a pleasure to have Mr. Livesey express himself on corrections because he gets to feel as though you don't need another consultant around here as they speak pretty well as of one voice. In answer to some of the points Mr. Livesey brought up - this is definitely not intended to be a bastille and he didn't think the Department of Justice had originally planned a bastille except it would have seemed almost inevitable because they were talking about an institution rather than a program. In regard to capital punishment he felt personally that they would never see a hanging in the north. There is no facility in this institution to take care of capital punishment. Were it necessary to hang someone in the Territory, they would build a temporary scaffold. In answer to the question if capital punishment is a thing of the past why do

they have maximum security, the facts are that up until a person has been proven either not guilty or sentenced to life and transferred to a penitentiary system, you are dealing with the unknown and you must treat him as though he were potentially a capital case. If the sentence is one of murder and the possible end result is death by hanging, you must provide the custody that goes with it knowing the chances are that he will not hang. This comes with the support of the R.C.M.P. and he said he was very happy with the way they have cooperated with this from the beginning, they are a part of this whole scheme and have given it their blessing as far as the design of the security facility itself is concerned. The figure of eight is one that they themselves have proposed. As far as women are concerned, there will be two maximum security rooms immediately adjacent to the minimum security women, and these would be supervised by the same matron, so really there is only one institution for women. There are two institutions for the men, one for minimum security and one for maximum security. As far as the future was concerned, he said he would go along with Mr. Livesey's confidence in the future of the Yukon and he could perceive the time when the probation service will be sufficiently successful, and they will become sufficiently adept at the use of minimum camps, that he could visualize this institution being empty. Mr. Shaw would probably suggest that this is an awful lot of money to spend on an empty institution but if they empty this institution and it were built like a bastille, it would be useless to them but if it was built with the treatment philosophy in it that is in this proposed plan, he could see it being switched over to a children's receiving room, home for the aged or a vocational training school. As presently visualized this could be any type of an institution, and this is another reason for building an institution in town. If the corrections program was as successful as it could be, they might want to use this institution for something else. As far as the institution is concerned it will be built on a program of work, interest and leadership and for this they are going to insist that the staff be professional in rehabilitation. Up to now the staff has been trained to deal with punishment but in the future they are going to have treatment staff not turnkeys.

Mr. Livesey said he appreciated Mr. Clark's remarks as he seems to be the only link they have with Ottawa in connection with the institution. He said they were all very interested in it but he didn't think they had very much to say about it and the only problem is they are probably going to pay for it in the long run. This is being done at a time when the Yukon is in an intermediary phase, between being receivers of administration to the day when they will become a province. It seems during the process they should evaluate the matters being done for them because the future may depend on just how many debts they get hung around their neck. In the problem of justice the Federal Government departments were getting closer to the thinking of the interest that the north is going to have to take in justice, as part of its responsibility, though to him it still seemed a long way off. He felt they needed a closer relationship with it than they are willing to give because it is a part of the future and should be a part of the normal planning. He felt Mr. Clark had done his best to keep Council informed and appreciated this effort.

Mr. Clark said he would like to reassure Mr. Livesey that the greatest distance is a matter of miles rather than a matter of minds. It may be difficult sitting here in Whitehorse to visualize this but the people in Ottawa have convinced him that what they have attempted to do, they would do whether sitting here or in Ottawa. In terms of spirit this is a program of which he is not ashamed and he is not ashamed of the part the other people in Ottawa have played in it.

Mr. Clark was excused from Committee.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of  
Committee Committees, reported as follows:  
Report

"Committee convened at 11:20 a.m. to discuss bills, memoranda, motions, sessional papers and matters related to the corrections program. Mr. MacKenzie attended Committee to discuss Vote 8, Bill No. 11. Committee recessed at 12:00 o'clock noon and reconvened at 2:00 o'clock p.m. Mr. Delaute attended Committee to discuss matters related to the Emergency Measures Organization. Following a short recess Mr. Duncan Clark attended Committee to discuss matters related to correctional facilities and the program. I can report progress on Bill No. 11."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m., Tuesday, April 14, 1964.

Back

Tuesday, April 14th, 1964  
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 Question no. 9, Revenues from British Columbia (Set out as Sessional Paper No. 36)

Sessional  
Papers:  
No. 36

Mr. McKinnon gave a report on Physical Fitness and Amateur Sport (Set out as Sessional Paper No. 37)

No. 37

Mr. McKinnon said that one could see from the report that the majority of the projects had been approved and he asked Members of Council to notify the organizations in their constituencies to contact the office of Mr. Delaute, the Executive Assistant, with requests for aid under the Physical Fitness and Amateur Sport programme. He said the requests would be forwarded to Ottawa immediately and that it could be a very successful programme for Whitchorse and the outlying communities.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 18, An Ordinance to Amend the Game Ordinance.

Introducing  
Bill #18.

Motion Carried.

Mr. McKamey moved, seconded by Mr. Taylor, for leave to introduce Bill No. 19, An Ordinance to Amend the Liquor Ordinance.

Bill #19.

Motion Carried.

Mr. Watt asked Mr. McKinnon how much money was left in the Physical Fitness and Amateur Sports fund.

Mr. McKinnon replied there was nothing left for this year - it lapsed at the end of the fiscal year, but there was a budget of \$59,000.00 for this year.

First and Second Readings were given to the following Bills:  
Bill No. 15, An Ordinance to Amend the Bills of Sale Ordinance  
Bill No. 16, An Ordinance to Amend the Public Service Ordinance  
Bill No. 17, An Ordinance to Amend the School Ordinance.

First &  
Second  
Readings:  
Bill #15  
#16 & #17.

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers:

In  
Committee  
of the  
Whole

Motion Carried.

In Committee of the Whole:

Mr. MacKenzie, Territorial Treasurer, and Mr. Vars, Superintendent of Liquor, attended Committee.

Committee proceeded to discuss Motion No. 20, regarding Liquor prices.

Discussion  
Motion #20.

Mr. Boyd said Council was interested and rather suprised to see the overall increase in the prices of spirits as of April 1st. He asked what the minimum and maximum increases were and also if increase in the cost to the Territorial Government warranted the increase to the consumer.

Mr. MacKenzie said there was justification for the increases and he listed them as follows: (a) the distillers of hard liquor in Canada had reported that the price to the Territorial Government of their product had been increased from one to five percent commencing February 1st; (b) the shipping Companies had written and told them that freight charges on the run from United Kingdom

to Vancouver have been increased by ten percent from the 1st of April; (c) overseas producers of hard liquor and wine had reported that the price to the Territorial Government of their products would be increased up to twentyfive percent commencing February 1st. He said "we have increased hard liquor by 2 1/2% and wines by 5%". He added they had done this by applying an increase of 15¢ per quart bottle and 5¢ per flask on all brands rather than apply the percentage.

Mr. Vars replied to a question by Mr. Boyd, by saying that there were only, to the best of his knowledge, two different Canadian distillers who had not increased their prices. He said that one was McGuinness from whom they did not carry any large selection and the other was the Alberta Distilleries who had requested a listing for a cheaper brand of liquor.

Mr. Boyd commented that their brands of liquor had been increased to the consumer also in spite of the fact that the cost to the Government had not been increased and he wondered why.

Mr. Vars explained that it was felt that probably it was more beneficial for the general public to put a small percentage markup price right across the board than to increase the various brands the 5% which was required, which would mean a lot higher price on particular brands.

Mr. McKinnon wanted to know if the increase mentioned by Mr. MacKenzie came all of a sudden.

Mr. Vars said, "Canadian Distillers all notified the Boards that this increase would come into effect by the first of February." He thought the information was received by the boards not later than the 15th of January. He added that with respect to the various provinces, some liquor boards had done exactly as they did here in the Yukon, taken an overall increase right across the table.

Mr. Shaw commented on the competitive system of business and was wondering what the people would say that had not increased their cost to the Territorial Government but the Territorial Government had increased their prices to the consumer on their products just as much as they increased the prices on a product that had been increased in cost to the Territorial Government. He said this took the initiative away from the manufacturer.

Mr. Taylor now raised the point that in his opinion the liquor figures should appear in the estimates of the Yukon Territory and be controlled by the Legislative Council.

Mr. MacKenzie pointed out that the reason liquor was not in the estimates was because it was especially provided for in the Liquor Ordinance. He added that they had to keep liquor profits up because they needed the money.

Mr. Taylor (with Mr. Shaw in the Chair) said that he disagreed with Mr. MacKenzie and felt that there was a definite need for the liquor vote to be in the budget.

Mr. MacKenzie commented that if Council felt that way they were welcome to propose an amendment to the Ordinance.

Mr. Taylor commented that they were told they could make recommendations and that they had made recommendations that it be in this budget last spring.

Mr. MacKenzie commented that if he would look at the Votes and Proceedings for the time mentioned he would find that the question had been settled. He said "If you feel otherwise, you are permitted to make a motion or suggestion for an amendment to the Ordinance."

Mr. Taylor said "This was never settled to my satisfaction and the people I represent."

Mr. McKamey wondered what the net profit for sale of liquor was last year.

Mr. MacKenzie said he could not give those figures until toward the end of May.

Mr. Boyd referred to the recent markup and asked if it would be safe to say that the Government Liquor Stores would be making a larger profit now than they were before April 1st.

Mr. MacKenzie replied that they would just have to wait and see. He said it might even be proved that this addition in the price was not enough to cover the added cost.

Mr. Taylor said that it was a general recognized fact that in the Yukon Territory that the prices of liquor is far in excess of anything in the provinces. He said he believed one could drive to Atlin, B.C. and buy a bottle of rye a dollar cheaper.

Mr. MacKenzie said that they were dealing with two different provinces and that the sales in the Yukon were low so they had to have a high markup.

Mr. Taylor now said that in his opinion the Yukon Territory had the most expensive liquor of anywhere in Canada and he wondered why they should be taxed heavier on liquor than anyone else.

Mr. MacKenzie replied that it was because the budget of the Territory requires it.

Mr. Taylor asked what the Territorial Government liquor pricing policy was.

Mr. MacKenzie replied that it was 100% on hard liquor and from 47 to 80% on beer and ale.

Mr. Shaw said that it wasn't quite clear to him why the cost of a product from the Government to the consumer should be increased in price when it had not been increased in price to the Government. He said "Put the markup where it belongs".

Mr. McKamey said "Mr. Chairman, it seems to me when in Rome you do as the Romans do, and when you are in the Yukon, you do as the Yukoners do." It seemed to him as an elected representative of the people, that they should be the ones that laid the policy. He said "This is the time to go on record." He remarked that he did not know if Mr. Vars knew it or not but it was a fact that in the district where he lived practically everybody was making home brew, whether they had a permit or not. Mr. Vars might be able to classify it as beer but they were making orange and lemon gin and they are selling it. This is the problem. You can ask why people are doing this but it is because they cannot afford to buy liquor and if they keep on increasing prices one would find a greater decrease in the sale of liquor and in profits to the Territorial Government. He said that he was prepared to stand all day and argue this point as far as as people making home brew and not only consuming it themselves but selling it. It is out of control and he blamed the Administration for being shortsighted in putting this increase on the sale of liquor. He said that he was prepared as a representative of the people to ask them to reduce and not increase.

Mr. MacKenzie pointed out that it was the Commissioner that fixed the prices of liquor because it was the way it was laid out in the Ordinance.

Mr. Livesey commented that he could not help but notice that the Territorial Government was a monopolist. He thought competition was the essence of business and helped to keep prices down and not raise them. He said that because the Government was in control of the sale of liquor, there was no reason why they should not try to keep within the bounds of a reasonable business attitude towards the sale of liquor. He did not agree that the

prices should be raised across the table because one or two suppliers had increased their prices. He concluded by saying that he was afraid this would create a great deal of criticism.

Mr. MacKenzie referred to the three reasons he had given earlier.

Mr. Livesey said "I do not believe this!"

Mr. Watt asked when liquor prices had last been increased in the Northwest Territories.

Mr. Vars said that he thought it was two years ago and that their liquor was more expensive than liquor in the Yukon Territory.

Mr. Shaw came back to the point of increase on Canadian products and increases on overseas products and said that in his opinion it appeared that the Canadian producer was suffering for the cost of the overseas producer.

Mr. McKinnon asked how much more difficult it would have been to have added the actual increased cost from the distiller to the Government instead of this overall increase. He thought that would be much fairer as Councillor Shaw had pointed out.

Mr. Vars repeated that it had been accepted that it should be an overall increase.

Mr. Shaw said that if the Canadian product could be sold at a better price it should be encouraged. He said that as far as the overseas markets were concerned and if the people wanted to pay the price, it was o.k. with him but if the Canadian product could be sold cheaper it seemed to him to be good competition.

Mr. McKinnon said his question had not been answered with respect as to how difficult it would be to apply to actual increase on any product to the cost to the consumer only.

Mr. Vars commented that it would not be too difficult.

Mr. Boyd commented that what Mr. McKinnon had suggested namely to increase each brand by the exact increase in cost to the Government was a very good idea, and that was the answer to the situation.

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

Tuesday, April 14, 1964,  
2:00 o'clock, P.M.

Committee proceeded with discussion on Motion No. 20 - Liquor Control with Mr. Vars (Superintendent of Liquor) and Mr. K. MacKenzie (Territorial Treasurer) in attendance.

Discussion  
Motion  
No. 20

Mr. Taylor (with Mr. Boyd in the Chair) said that during the lunch hour he had taken the liberty of contacting the Chairman of the B.C. Liquor Control Board in Victoria to find out how they had coped with the liquor situation in B.C. The only information he was able to get was that; 1) they increased only the retail prices on those individual commodities actually increased by the distiller, that they did not make an overall across-the-board increase. 2) The increases amounted only to correspond with distillers price increase and not beyond. In other words they never went beyond the actual increase from the distillers and, 3) The increased prices did not exceed 15¢ but ran in three categories 5¢, 10¢ and 15¢. There was nothing in excess of 15¢ in British Columbia. He said that he also queried about the 10% freight increase from the United Kingdom on all overseas imports and he stated that the 10% freight increase had not affected retail prices on imported commodities and no increase was forecasted unless freight charges increased further. In other words on all their import items they had not raised the price at all.

Mr. MacKenzie said it was interesting to know how B.C. were doing it but he said that in the Yukon they had to look after their own affairs and not necessarily follow in the footsteps of B.C. or anyone else. It seemed to him that that was the program Council preached themselves.

Mr. Boyd asked if either Mr. Vars or Mr. MacKenzie could tell him what was going to happen in the cabaret and cocktail lounges with regard to prices.

Mr. Vars replied that the Territorial Government never interfered with the pricing structure of licensed outlets. The only time the Territorial Government had ever interfered in price structure as far as licensees were concerned, was on the sale of beer in taverns when they suggested that all taverns should sell at .50¢ a bottle.

Mr. Watt asked Mr. Boyd, Chairman of the Liquor Committee, if Mr. Vars, Superintendent of Liquor Control, had anything to do with the Liquor Committee, and if so, what.

Mr. Boyd said that in the first committee that was established, Mr. Vars sat in on all hearings, but made no recommendations.

Mr. Watt said: "If Mr. Vars sat in on all the hearings he must have known there was going to be a recommendation that the committee lower prices". He wanted to know why he didn't inform the Committee that prices were gradually rising and that they were going to raise the price of liquor in the Territory.

Mr. Vars said that he was on the committee over a year ago and at that time it was impossible to know that the distilleries were going to increase their prices.

Mr. Watt said that this put them in a rather embarrassing position because a committee, appointed by the Territorial Council, had just come down with a recommendation saying that prices of certain commodities of liquor should be reduced. He continued by saying, "Just a matter of hours or days later the Administration turns around and ups the prices. If you go down the street today you will hear people say - Who is running this Territory; the Territorial Council, Territorial Government, the Commissioner or Mr. Vars!" He concluded by saying that he did not know whether this was planned or not but if it was planned to embarrass the Territorial Council it was certainly successful.



He asked Mr. Vars if he knew, when the Liquor Committee was sitting, that they would have to increase prices.

Mr. Vars replied that it was not obvious that the prices would have to be increased until some time during January.

Mr. MacKenzie commented that they were completely off the track because the Liquor Report talked about reducing the price of beer and now they were talking about an increase in the price of hard liquor. In his opinion it was two quite different things.

Mr. Livesey wanted to point out that his reference to the question of figures brought to Committee's attention by the Territorial Treasurer was strictly in relation to the principle and ethics and had absolutely nothing to do with the quality of the figures. He said that he would not like to hear the question of increasing prices discussed at all, even if the prices from the distillers or the source of supply were increased. He pointed out that his opinion was that if one made costs too high, no matter what the cause was, legitimate or otherwise, one might lose the price of the increase in costs if the consumers refuse to purchase one's goods. He asked if the Administration had considered that aspect when they increased the cost of liquor prices. He said: "If we are going to lose what we attempt to gain by making these increases across-the-board, this would appear to be futile".

Mr. MacKenzie commented that liquor profits had increased annually over the past three years and in his opinion this seemed to indicate that they were not overpricing the commodity. He said that he had mentioned earlier, about the recommendation of the Liquor Committee, that the price of beer be reduced by up to 20%. The effect of that would mean the loss in revenue of over \$300,000.00.

Mr. Livesey commented that this was only theory.

Mr. MacKenzie said that they had to theorize what the effect of a price increase would be until they could see how they made out.

Mr. Livesey wanted to know what the Administration had taken into consideration and asked if they, on one hand, were trying to reduce the amount of alcoholic consumption in the Territory because of alcoholic problems or did they want to increase the consumption of liquor or did they want to increase the profit on liquor. He said: "Do they think liquor has brought in as much profit as they need and want to hold it down, and are therefore willing to increase the costs? Or are they just taking the view that the cost of liquor has gone up and they should therefore follow suit?"

Mr. MacKenzie replied that they were not out to increase the liquor profits. He said that they did not want it to be higher, but on the other hand, they did not want to lose.

Mr. Watt said that Mr. MacKenzie had told them that it was only beer that was recommended to be reduced in price by the Liquor Committee and he pointed out that recommendation No. 21 recommended the reduction in price of wines as well. He said that in his opinion Mr. Vars must have known this was going to be done when the Committee was making its report and he could not see how a recommendation like this could have been included in the report if full cooperation were given to the Liquor Committee.

Mr. MacKenzie said that when he mentioned beer only he was going by the paper attached to the question of Council asking about the effect on liquor revenues from the implementation of the recommendations of the Liquor Report, and he could not recollect that being in the paper.

Mr. Watt agreed but said he was going by the Liquor Report.

Mr. Boyd said that for Mr. Watt's clarification, he would like to say that Mr. Vars had no idea of what was in the Liquor Committee's Report until the day it was tabled in Council. He further said that he understood the total sale of beverages amounted to two million dollars, approximately, and that half of that was beer sales. He said that if one decreased that profit structure by 20%, taking the maximum figure, the loss should be approximately \$200,000.00 and he wanted to know how Mr. MacKenzie could arrive at \$300,000.00.

Mr. MacKenzie said that he should have added that the recommendations of the Liquor Committee included more than the reduction in price of beer, and altogether they totalled up to \$300,000.00. He said: "You want more inspectors, you want the liquor outlets open twelve hours a day, you want a chairman and a couple of members travelling around the Territory. All this costs money".

Mr. Boyd said that he felt Mr. MacKenzie was including a lot of suppositions because he said: "So far there has been talk of inspectors but nothing has been said within the Council that they want them yet. Also they were just asking that the liquor stores be kept open for the same hours as they are open today".

Mr. MacKenzie suggested that the question of the recommendation of the Committee should wait until they receive his reply to the question, then they would be able to talk figures rather than generalities.

Mr. McKinnon asked Mr. MacKenzie if the price structure remained the same in the Territory as it is now and the increases he had mentioned in the three different methods all went into effect, what would be the loss in revenue to the Territory over a fiscal year?

Mr. MacKenzie replied that they hope the increase they had put in, of .15% per quart bottle and .05% per flask, would cover it. He added that he was not unduly disturbed if the increases did not cover it.

Mr. McKinnon wondered if it could be estimated with a little work.

Mr. MacKenzie felt it would entail a great deal of work but probably Mr. Vars would be able to comment on it.

Mr. McKamey referred to the Liquor Ordinance where it stated that the Superintendent of Liquor should supply the Commissioner with a statement of the bottles of liquor sold at the end of each month in every liquor store in the Territory and felt that it would not be too much of a problem if they had those figures to give them an idea of what it was going to amount to.

Mr. MacKenzie said that what Mr. McKamey referred to was probably where it said that "Once each month the Superintendent should give to the Territorial Treasurer, a statement showing the types and numbers of bottles of liquor from which surcharge was collected, etc. etc. ".

Mr. Vars commented that that was not based on the dollar value of the liquor, it was for tax purposes only.

Mr. McKamey agreed but said that Mr. Vars would know exactly how many bottles were sold in each liquor store and he should be able to give them the figures.

Mr. MacKenzie replied that they would be glad to obtain the figures but the figures were not available here and now.

Mr. McKinnon said that he had two questions on two separate subjects. He said that the first question was on the Order Paper and concerned the recommendations of the Liquor Committee asking what would be the loss in revenue to the Territorial Government, or what would be the cost to the Territorial Government if all the recommendations were put into practice. His second question arose from the

discussions of Committee and it was that if the prices at the liquor store, before April 1 of this year, remained static and all the increases that Mr. MacKenzie said were going to come to the cost of the Territorial Government in buying from the distillers through the increase in liquor prices and through the increase in freight, what would be the estimated loss in revenue during the fiscal year to the Territorial Government? He said that he understood the answers to the first question were forthcoming and he wondered if an answer could be supplied to his last question as well.

Mr. MacKenzie said that the answer would have to come from Mr. Vars.

Mr. Vars said it would take considerable work and it would mean going through all the brands for the five stores.

Mr. Taylor (with Mr. Boyd in the Chair) said that, in his opinion, they had now reached a point where they required further information and he thought that one of the most significant points of this price increase in liquor, as it stood today, was that it was just going to make it harder on the consumer. He said that one operator had told him at noon that his loss over his present profit level, with this price increase put into effect, would be somewhere between \$2,000.00 and \$4,000.00 a year. He also said that if one increased the price .15¢ or .25¢ on a bottle, then the operator's charge for 1¼ oz. drink would have to be approximately .02¢ more on each drink, but he was not going to sell drinks for .12¢, he was going to increase it by .05¢ and make it an even nickel. In his opinion, they were going to give the operator another .03¢ profit per drink and actually they are legislating for the operator to the disadvantage of the consumer. He said that if it was necessary to increase prices, they should follow the philosophy employed in the price fixing in British Columbia.

Mr. MacKenzie commented that Mr. Taylor said they were legislating for an increase in the price of liquor to the consumer. He said: "That may be, but the main point is we are legislating for the accrual of substantial profits which are essential to pay for these various services which the government provides, such as hospital insurance, welfare, education and the money has to come from somewhere".

Mr. Taylor said that his intention was that they should not raise the liquor prices because, if they do, it is the consumer who is going to suffer.

Mr. MacKenzie commented that the opinions of Council were quite clear to him but said that the Administration had gone a certain road and felt they were right and that the position would remain unchanged until the accounts of the last fiscal year were finalized and they could see what the picture was. He said: "Then we can look at the prices and see what to do with them".

Mr. McKamey said that they could not accept that because they would no longer be in Council when that happens. He said that in Section 3 of the Liquor Ordinance, it says that the Commissioner may fix the prices at which the various classes, varieties and brands of liquor may be sold at the liquor stores and he felt that if Council inserted "the Commissioner-in-Council may" they would have the necessary control.

Mr. Shaw commented on the loss to the retailers, as mentioned by Mr. Taylor, and said there seemed to be quite a loss.

Mr. Taylor commented that the \$2,000.00 to \$4,000.00 figure he mentioned was the opinion of one operator.

Mr. McKinnon said that he could guarantee the maximum would be \$1,000.00.

Mr. Vars asked if it was the intent of Council that liquor should be treated as a commodity rather than a luxury item. It seemed to him that all they hear from welfare and law enforcement people is that liquor is one of the biggest problems they have in the Territory now. He felt quite sure that if the prices were such to enable them to purchase and consume more than they are at the present time all they are going to do is increase the welfare cases and police necessities.

Mr. McKamey said they were quite concerned about welfare in the Territory but in discussing this with Mr. Murphy they found that less than 8% of the budget is appropriated for welfare and in British Columbia it is somewhere in the neighborhood of 16% of the budget. He said any time you prohibit something you force someone to break the law and Council is not asking for prohibition. They are forcing people to make home brew by the high cost of liquor and people are buying this in preference to what they can get in a liquor store or canteen because they could get it cheaper.

Mr. Watt commented on Mr. Vars' statement that liquor is a luxury item. He said this is one item that adds to the cost of living in the Yukon. In the Speech from the Throne they were told there was a \$500,000.00 surplus in the Territory and all of a sudden there is an increase in the cost of liquor which helps to increase the cost of living here. He didn't think it was justified right now.

Mr. Taylor raised the question of people making home brew and said there is a lot of it going on in the Territory because people cannot afford to pay the prices. He said \$6.00 for a case of beer is out of the question. He felt that most people in the Territory drink and it should not be a luxury item but a commodity. In connection with the Liquor Committee, he said, they reviewed some provincial legislation but they didn't think about looking at European legislation. In Scandinavian countries, for instance, they have no liquor problems whatsoever, because they can get lots of it at reasonable prices.

Mr. Vars commented on the \$6.00 Mr. Taylor quoted for beer and asked if there was any reason why he could not obtain it at the liquor store where it is only \$4.50.

Mr. Taylor said the reason is that in the Territory the more remote you get the more you are penalized for living in the Yukon. There is no liquor store at Teslin.

Mr. Vars said that by filling out a proper order form it is possible to have liquor delivered in the Territory.

Mr. McKinnon said he does not consider liquor a commodity, but a luxury. He thought there were problems in this liquor price increase and he would like to see the status quo remain, and wouldn't like to even move a resolution until he knew what the loss of revenue would be to the Territory. If the services the government provides would suffer considerably, because of the loss of revenue if prices remained as they were before April 1, the only fair solution would be to pass on the increase in price to the distiller. He didn't think either one could be resolved by this Council until they actually know what the loss to the Territory would be if the prices remained the same as they were before April 1, and he said he would like to have this information.

Mr. MacKenzie said he would see that it is obtained for Council.

Mr. McKamey said he would like to see a copy of the statement provided to the Administration by the Superintendent of Liquor each month in regard to the sale of bottled liquor for the past 11 months.

Discussion was deferred pending information.

Mr. Vars was excused from Committee.

Committee proceeded with discussion on Vote 9, Bill 11.

Mr. Baker, Territorial Engineer, and Mr. MacKenzie, Territorial Treasurer attended Committee.

Head Office Supervision - \$116,938.00

Mr. McKinnon asked Mr. Baker how many engineers were now employed in the Territorial Engineering Department.

Mr. Baker replied there were three - Mr. Ray Howe, Mr. Ray McCrimmon and himself and all were civil engineers.

Mr. Taylor noted under Primary 70 there was listed another building inspector and he wondered which building inspector this referred to.

Mr. Baker replied this particular building inspector looks after the maintenance of Territorial Buildings.

Mr. MacKenzie explained this was not the same building inspector as Area Development. This one inspects the Territorial buildings and the other is concerned with the C.M.H.C. affairs and private property.

Mr. Taylor asked Mr. Baker if the volume of work in building inspections is so large that two men are required.

Mr. Baker replied in the affirmative.

Mr. McKinnon noticed there were no provisions made for this other engineer in the estimates for this year, and asked if it had been taken care of.

Mr. Baker explained that Mr. McCrimmon's salary was paid out of projects. Every construction project there is set aside a fund to cover inspections and supervision and he is paid out of this fund.

Territorial Buildings \$52,000.00

Mr. Taylor asked if the item of Teslin School included the old school and the new nursing station.

Mr. MacKenzie replied it would include all Territorial buildings whether they are mentioned or not.

Mr. McKinnon questioned Mr. Baker if the Superintendent of Education had informed him of the condition of the floor of the gymnasium at the Fredrick H. Collins School.

Mr. Baker replied he had and that he had noted where the gymnasium equipment had gouged the varnish off the floor.

Mr. Taylor asked since Brooks Brook and Swift River schools were not listed could he assume that repairs would be made by the Department of Public Works.

Mr. Baker replied that in the past the work was done by the Canadian Army and it would be expected that the D.P.W. would maintain them.

Mr. McKamey referring to Dawson school, questioned the \$5,500.00 for a paint job and asked how often the schools were painted.

Mr. Baker replied the exteriors are usually painted about every 5 to 6 years and the interiors about every 3 to 4 years. This school was constructed in 1958.

Granville Road - \$15,000.00

Mr. McKamey said it seemed to him that when this was discussed it was to assist all the placer miners in that area and he wondered why Sulphur Creek road was not included. He asked who maintains the road.

Mr. Baker replied the maintenance is done by Y.C.G.C. and he understood it used the road exclusively.

Mr. Shaw remarked the Company is complaining bitterly as it cost them Twenty to Twenty-one thousand which is five to six thousand more than the grant but the Federal Government provided \$15,000.00 because there were many miners on this road besides the company.

Atlin Road \$15,000.00

Mr. McKamey wondered if the Administration had any further information in respect to recommendations of the Financial Advisory Committee on this item.

Mr. MacKenzie said he had written to the Deputy Minister of Highways of the B.C. Government but as yet had no reply.

Duncan Creek Road \$5,000.00

Mr. McKamey referred to an "S" curve which caused many accidents, one man died as a result of injuries sustained in an accident on this corner, and he wondered if there was some possibility of eliminating that curve and during the interim period whether there would be a possibility of sanding it.

Mr. Baker pointed out this had nothing to do with the Duncan Creek Road. It was the Whitehorse-Keno road which they will undertake to survey there this year to see what can be done to easing the curve and they may be able to take some of the money which has been allocated for the Whitehorse -Keno road construction and use it there.

Takhini Hot Springs Road - \$5,500.00

Mr. Livesey wondered if this was a private road to a burnt out swimming pool.

Mr. Baker replied primarily it services the hot springs.

Mr. McKamey asked if there were taxpayers on this road, and if so how much revenue accrues from the taxes on this property.

Clerk-in-Council replied the only taxpayer was the Takhini Hot Springs and that he would get the information as to the amount.

Mr. McKamey commented that there was a beautiful hot springs in the Mayo district and wondered if a road shouldn't be built there.

Mr. Boyd remarked that he had been out to the Takhini Hot Springs a week ago and there were over thirty people in the swimming pool and all these people pay fuel tax to use the road. He felt it was well travelled by the public and to take it out of the estimates would be a hardship on the public.

Mr. Watt felt that as there is a large amount of fuel tax being paid by those travelling the road the Government had a moral obligation to keep it up.

Mr. Livesey said he would question the factual amounts of gasoline tax used on this road. He didn't think the gasoline tax collected both on the Alaska Highway and all the other highways in the Yukon combined even pays for the upkeep of the main roads which are considerably more travelled than a byway road. The question was whether this was a road to a private place of business or exactly what it was.

Mr. Taylor (with Mr. Boyd in the Chair) felt the Takhini Road offers to Whitehorse residents and to Tourists, an opportunity to get out, relax and swim. At Lower Liard Hot Springs the B.C. Government maintain a road and walkway to the springs. As long as this is being classified in the general region of recreational roads it would be a justifiable expenditure.

Mr. McKamey asked how much was appropriated last year for the Takhini Hot Springs Road.

Mr. MacKenzie replied that last year \$12,150.00 was voted for all the recreational roads and added that the expenditures to the end of February 1964 was \$4,128.45

Mr. Baker, in reply to Mr. McKamey, said he thought the Territorial Government built the road about 1950 or '52.

Mr. McKamey stated he had screamed his head off right before the very Members of Council in regard to road maintenance of a road that was serving mining companies and people that were in the lumbering industry and he had an awful time squeezing 5¢ out of Council. He was referring to the Proctor Road that goes down the South McQuestion off the Mayo-Elsa Road and he thought there was still nothing in the budget for it.

Mr. Baker stated this is covered by Establishment 332 (page 30).

Mr. McKamey noted there was \$5,000.00 for the South McQuestion Road which is 12 to 14 miles long and the Takhini Hot Springs Road has an appropriation of \$5,500.00 and thought it was around 5 miles long.

Mr. MacKenzie said the fact they put in \$5,000.00 only for the South McQuestion Road doesn't mean to say they would restrict their expenditure to that.

Mr. McKinnon said there is probably no road that serves the specific recreation purpose to the Territory and is used more than the Takhini Hot Springs Road. It is used the year round.

Mr. Watt said if Mr. McKamey considered this a private road one could also consider the Mayo-Keno road private as the whole road is built and maintained to service the mining areas.

Mr. Shaw had no objection to fixing up the roads but just to bring it in the right perspective, in the Whitehorse area we are spending around \$23,000.00 in total, and he hoped the Members in Whitehorse appreciated the recreational facilities they have in this area and enjoy them to the utmost.

Mr. Livesey wondered if they could estimate the cost of maintenance on this road as \$1,000.00 a mile.

Mr. Baker said they do use the \$1,000.00 a mile figure in estimating. In the case of recreation roads it depends on whether it is year round maintenance or whether it is just part of the season. In this particular case it was estimated for year round maintenance.

Marsh Lake - \$3,000.00

Mr. Boyd said he has had complaints from the residents in the Marsh Lake area that they had to go through a slough and he asked if the Administration was contemplating upgrading that road.

Mr. Baker replied they were unsure of the location but they would find it and do something about it.

South Access Whitehorse - \$3,000.00

Mr. Watt asked if it was planned to straighten out that road at the railroad tracks at the stop sign and if the Board of Trade had requested it.

Mr. Baker replied that they had not received an official request as yet but he understood they were more concerned with the access from the Alaska Highway.

Mr. Watt stated they were concerned with the signing of the south access road where it cuts off the Alaska Highway but wanted to know if there was anything in the estimates regarding straightening it out.

Mr. Baker replied that there wasn't.

Mr. Boyd pointed out that the road would be included in the Whitehorse Metropolitan Plan.

Mr. McKinnon asked if there had been any requests of any consideration given to maintaining the Arkell Lake Road or the Canyon Crescent Subdivision.

Mr. Baker replied in the negative.

Mr. McKamey said he didn't mind going along with providing recreational access to lakes but he thought they should consider providing access to lakes in the Yukon as a whole. He named several beautiful lakes and added that we are sending members to the States through a Vote on Publicity and we should open it up so the tourists can see all of the Yukon.

Mr. Livesey said there was Pine Lake, Pond Lake, Kathleen and the biggest lake in the Yukon, Kluane, but nothing had been done in his area. As far as he was concerned the recreational roads in the outlying areas have been neglected.

Mr. Baker stated that last summer they contacted the Canadian Army with the idea in mind that they would construct a road to Pickhandle Lake and also create a parking area. They told us it would cost roughly \$2,500.00 and that they did not have equipment in the area to do the work. Now D.P.W. are in the picture and Mr. Kellett had been contacted and he will investigate the possibility of it being done this summer. In the case of Pine Lake there is an item in Vote 20 this year. It seemed to him that the consensus of opinion at Haines Junction is that Pine Creek should be banned in order to raise the water level in Pine Lake and have access to the lake from the public campground. Perhaps the Member from Beaver Creek could inform the Administration of what should be done there.

Mr. Livesey said he was talking about whether they were getting something done or whether they were not. He agreed that the Engineering Department had looked into the question of damming the creek and had come up with an objection to the plan, but his point originally and always has been, that work should be done on that road.

Old Crow Airport \$1,000.00

Mr. Taylor asked if any part of that was recoverable and who constructed the airport.

Mr. MacKenzie replied that none was recoverable yet.

Mr. Baker said in the summertime whenever wheeled aircraft go in there they land on a gravel bar in the river and they do make an attempt to remove the larger boulders and this is called the Old Crow Airport. In the wintertime of course they undertake snow removal on the river itself so that the aircraft will have minimum trouble.

Campground \$34,000.00

Mr. McKamey asked whether maintenance of the campgrounds would be put for contract again.

Mr. Baker said no because they found in the past that doing this by contract had not been satisfactory. The plan now is to hire people who would be responsible to the park warden in the area and he will perform the maintenance under the park warden's direction. The maintenance will be done by people on Territorial payroll.

Whitehorse-Keno Highway \$360,000.00

Mr. McKamey commented that this is the very backbone of the Yukon. It provides access to the oilfields and to the producing area of the Yukon and it is going to get bigger and better.

Two-Mile Hill, Whitehorse \$10,000.00

Mr. Watt asked what is intended to be done about the bottom of the 2 mile hill and who was responsible for the 15 m.p.hr. sign and was it realistic.

Mr. Baker said they planned on fixing the particularly bad piece of pavement and that he had given directions for the 15 m.p.hr. sign to caution truck drivers to slow down hoping to salvage a few more weeks of use out of that pavement.

Mr. Watt wondered if the sudden sagging of the road from 3 to 6 inches was caused by the earthquake.

Mr. Baker replied he didn't know whether the earthquake had anything to do with it or not but rather suspected that the foundation material was supersaturated. They plan on installing perforated pipe to try to get some of the ground water away. They should then recover the strength of the foundation material and get the pavement back where it belongs.



Mr. Shaw commented that the paving of the hill didn't seem to cut down a great deal on the maintenance costs.

Mr. Baker said most of the maintenance money is spent in the winter. There are two very bad glaciers that have to be maintained and to keep the traffic moving up the hill they have to use sand and calcium chloride and this accounts for the expense.

Mr. Watt said the 2 mile hill was the best and safest he has ever seen it and asked if the 15 m.p.hr. sign applied to cars.

Mr. Baker said it would be up to the R.C.M. Police but that the sign was intended for trucks.

Mr. Watt asked Mr. Baker to have the sign clarified to say "trucks", and asked if the hill would be white lined to 3 lanes this year.

Mr. Baker replied that it would - two up and one down.

Dempster Highway \$83,000.00

Mr. Livesey wondered if this was the man who got involved with Fox y.

Mr. Shaw explained the Dempster Highway is named after an old Royal Canadian Mounted Policeman and he was the person that rescued the lost patrol on the ill-fated Fitzgerald expedition. Dempster was one of the pioneers of the country, particularly in the Mounted Police. Usually we look on pioneers as people who dug for gold but these early day mounted policemen were certainly pioneers. This was one. Where this started was the Yukon Order of Pioneers and old time Yukoners made a request from the Federal Government that in view of the services that had been performed by Cpl. Dempster, who still happens to be alive, that they name the road after him and that is how it came about and it is very well named.

Mr. Taylor asked where the road terminates at the present time.

Mr. Baker replied Mile 78.

Mr. Watt wondered if any thought had been given to constructing that bit of road into Old Crow.

Mr. Baker replied they had looked into the matter and it was estimated at \$50,000.00 which they felt wasn't justifiable.

Mr. Shaw referred to a remark made on the red herring part of this particular road, and said "These are facts we deal with, not suppositions." A large oil company has utilized this road for a year and a half and their average expenditure has been close to Twenty-five thousand each day on exploration and they intend to increase this. That is a lot of money coming into the Territory. Millions of dollars have been spent in this particular area on exploration and this is the road they utilize to get their supplies up this 79 miles of road, beyond that they have constructed hundreds of miles on their own. This is part of the Government's contribution.

Mr. Taylor said it was he who termed this road a red herring and until somebody could show him why it isn't he would continue to call it that. He felt there was a more reasonable, logical and economical route and that was the Wind River route. He felt that if they shut down and left it as a tourist or recreation road and carried on with the other route which they should have done in the first place, they could now be serving Crest and other big mining deposits as well as the Peel Plateau and Eagle Plain.

Nahanni Range \$35,000.00

Mr. McKamey noted this was 100% recoverable from the Federal Government but wondered if it is maintained winter and summer.

Mr. Baker replied it hasn't been during the past year and the item should

read summer - \$35,000.00 as that is only adequate for summer maintenance.

Mr. Livesey stated that before leaving the road section he had a question concerning the Haines Road where it traverses through British Columbia. He hoped this road would be used quite extensively all year round in the future and a problem arises concerning hunting and fishing licenses. He wondered if this question could be discussed with the B.C. Government in order to prevent embarrassing a lot of tourists who might be caught in that area without a B.C. licence for fishing or hunting or any laws of B.C. where we don't have the facilities to provide their needs.

Mr. Taylor (with Mr. Boyd in the Chair) pointed out this is the result of the motion passed by Council at this session.

Mr. Watt asked if the area west of 8th Avenue was in the City limits as he was concerned with the maintenance of the roads.

Clerk-in-Council said most of the houses west of 8th are in the City but a few are not.

Mr. Watt asked who was responsible for the roads as they need maintenance and the City were of the opinion that anything west of 8th was not their responsibility.

Clerk-in-Council suggested that the new map of the City boundary be checked.

Mr. Watt asked Mr. Baker if he would get a map with definite boundaries as it would aid in negotiations between the City and the Territory.

Mr. Baker replied that he would.

Mr. Baker and Mr. MacKenzie were excused from Committee.

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

Motion Carried.

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

Committee  
Report

"Committee convened at 10:30 a.m. to discuss Bills, Memoranda, Sessional Papers and Motions. Mr. MacKenzie and Mr. Vars attended Committee to discuss matters related to motion no. 20. Committee recessed at 12 noon and reconvened at 2 p.m. with Mr. Baker and Mr. MacKenzie attending to discuss Bill No. 11. I can report progress on Bill No. 11."

Council accepted the report of the Committee and adjourned until 10:00 o'clock A.M. Wednesday, April 15th, 1964.

Wednesday, April 15th, 1964  
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:

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|--|-----------------------------|
| (1) Regarding National Park for Yukon (Set out as Sessional Paper No. 38)  | Sessional Papers:<br>No. 38 |
| (2) Regarding Fire Protection-Haines Junction (Set out as Sessional Paper No. 39)  | No. 39                      |
| (3) Reply to Question no. 12 - Sunday Sports (Set out as Sessional Paper No. 40)   | No. 40                      |
| (4) Reply to Question no. 14 - Earthquake Participation (Set out as Sessional Paper no. 41)                                | No. 41                      |
| (5) Regarding Motion no. 6, Yukon-B.C. Conference on Boundary Problems (Set out as Sessional Paper No. 42)                 | No. 42                      |
| (6) Reply to question no. 11 - Members of Community Planning Group (Set out as Sessional Paper No. 43)                     | No. 43                      |
| (7) Reply to Question no. 1 - Territorial Revenues re Liquor Committee recommendations (Set out as Sessional Paper No. 44) | No. 44                      |
| (8) Regarding Emergency Measures Organization pamphlet (Set out as Sessional Paper No. 45)                                 | No. 45                      |
| (9) Regarding Dog Control - Whitehorse Metropolitan Area (Set out as Sessional Paper No. 46)                               | No. 46                      |
| (10) Regarding Fire Protection - Whitehorse Metropolitan Area (Set out as Sessional Paper No. 47)                          | No. 47                      |

First and Second Readings were given to the following Bills:

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|--|--------------------------------------|
| (1) Bill No. 18, An Ordinance to Amend the Game Ordinance      | First & Second Readings:<br>Bill #18 |
| (2) Bill No. 19, An Ordinance to Amend the Municipal Ordinance | and #19.                             |

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker leave the chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers.

In Committee of the Whole

Motion Carried.

In Committee of the Whole:

Mr. Holland, Director of Vocational Training, and Mr. MacKenzie, Territorial Treasurer attended Committee.

Committee proceeded to discuss Bill No. 11, Vote 10, Administration \$47,608.00

Discussion  
Bill  
No. 11

Mr. Shaw commented he understood the electrical instructor had left and asked when he would be replaced.

Mr. Holland replied that this was correct and said that he would be replaced on the 22nd. of April.

Mr. Shaw asked if it was difficult to get instructors.

Mr. Holland answered in the affirmative and added that it was not only difficult here but all over Canada. He added it is hard to ask a man to leave a trade where he made eight to nine thousand dollars to take a job for five or six thousand dollars as an instructor.

Mr. Watt asked if he could give them a rundown of the first year's activities - how many graduated etc. etc.

Mr. Holland replied that they had not yet had any graduates but they had to send some people out because of the great demand - persons he felt who were sufficiently advanced to take the offered positions. So far they had released approximately 18 into employment, out of those there were seven or eight cooks; three to the electrical trade, three from heavy-duty motor mechanics, and one from the cabinet making shop.

Vocational Training School \$179,391.00

Mr. Taylor (with Mr. Boyd in the Chair) said that he had heard the building was giving some trouble and he wanted to know if this was so and to what extent.

Mr. Holland said the building was not falling apart. They had had some minor troubles but those had been repaired by the contractors.

Mr. Taylor said that he had heard there had been a reasonable turnover of native students and he wondered if the problem was a lack of good solid academic background or was the problem one of a social nature.

Mr. Holland replied that he had expelled two natives but before he expelled them he went further than he would have done with white. Of students leaving the school there had been two natives and eighteen whites, and the reason for those drop outs was lack of basic education. He said when the whites, who have only grade 7 or 8, were told they would have to take certain remedial mathematics, english and science, they wouldn't do it, but the natives would. He cited an example of a boy from Old Crow, who when he came he could not understand but now we can talk to him. The students at the Vocational School have to write examinations and they have to describe things and as far as natives were concerned they are more satisfactory than the whites.

Mr. Shaw said that when one graduates from the Vocational Training School he has a certain amount of training but he needs some years of training as an apprentice. He asked Mr. Holland if he felt that some legislation concerning apprenticeship would be desirable in the Territory.

Mr. Holland commented that he could not see how they could operate a Vocational School without an Apprenticeship Act. About 90% of the trades deal with apprenticeship and that there was an apprenticeship agreement between the Yukon Territory and the Federal Government signed in 1952.

Mr. McKamey remarked that he remembered about two years ago there was a motion passed by Council requesting the Administration to draft and present to Council an Apprenticeship Ordinance.

Mr. Shaw asked Mr. Holland if there was any programme to place the students on jobs when they graduate.

Mr. Holland explained with the exception of possibly one or two classes there was no such thing as graduation but that each student would be presented with a booklet showing exactly what he had accomplished.

Mr. McKamey asked what effect the reduction of the \$32,710.00 would have on the operation of the school.

Mr. MacKenzie replied that he could not tell whether it would have any effect but if it was necessary to spend more money than was voted to maintain the standards of the school, money could be covered by a supplementary estimate.

Mr. Holland commented that in his opinion the school was not big enough and that the Commercial Class should be handled in this school rather than the High School. He said that most of the students were coming from outside of Whitehorse and that they were not getting the numbers from Whitehorse that they had expected to get. With respect to the dormitory they were about twenty beds short right now and that they had some people in the hostels but they were not happy and wanted to move into the school.

Mr. Watt asked if there were any particular reason why the Vocational School did not attract the young people around Whitehorse.

Mr. Holland answered in the affirmative and said that he had one person in his office who informed him that he was leaving the Vocational School and when asked why he wanted to quit he answered "I quit school". Mr. Holland then explained to this person that one can quit school but one cannot quit education. He mentioned another example where one boy had told him that one could not divide one inch into 64ths, because there wasn't room enough.

Mr. McKamey said he knew they were doing a good job at the School but he mentioned the problem of waitressing and he felt that this was very poor. He felt this was a setback for the Yukon and that since the Territory is pushing the tourist industry he wondered if the School should teach the art of waitressing in the eating places of the Yukon.

Mr. Holland said he had discussed this problem with Mr. Neill of the Unemployment Service and that they were contemplating putting on a three weeks course for waitresses. This course would be a course put out by the Dept. of Education of B.C. under the supervision of the Restaurant Association. This was a three weeks course only but they would have difficulties in finding the waitresses. He said that this course would be conducted but as yet they had not decided whether it should be a night course or a day course.

Mr. McKamey recommended that they should go outside the Territory if necessary to get some good waitresses to instruct as in his opinion this would mean a lot to the tourist industry, and he added that instruction should be given not only to the waitresses but to the managers on how to manage these places.

Mr. Holland said the management course was a longer course, it was approximately a six weeks course. He gave an example of a restaurant he had visited in Mayo, the waitress had an eighteen months baby under her arm, there was a dog and about three other children running around the restaurant. He said "This takes your mind off the food."

Mr. McKamey asked if there was a booklet they had put out on the management of eating places that could be distributed.

Mr. Holland said he would find out.

Mr. Boyd said that maybe the sanitation inspectors could get involved with this course and suggested that the Administration consider that.

Mr. McKamey disagreed.

Mr. MacKenzie suggested this question be raised with Dr. Kinloch since sanitation inspectors are under his control.

Mr. Shaw commented that in his opinion there must be a number of people that would be interested in improving their establishments if they knew how to do it. He wondered if it would be possible to write to all restaurants in the Territory and ask them if they would be prepared to send people to a course on waitressing.

Mr. Taylor (with Mr. Boyd in the Chair) said he agreed with the course but said the problem was not just in training alone but also the fact that many of the waitresses were working for substandard wages. He said, "You won't have people taking an interest in their job unless you pay them well. If you want a good waitress, you will have to pay for a good waitress. As long as this situation exists, I cannot see how all the education in the world can change it. You only get what you pay for."

Mr. McKamey commented that he would not hesitate to tip well provided he received good service.

Mr. Watt asked if they had had many requests for students to fill jobs.

Mr. Holland replied that they had and that Mr. Neill of the Unemployment Office had sent out a questionnaire on their behalf the other day asking some questions one of which was, "Have you any objection to Natives?". He said that these questionnaires came back very well and approximately 90% had answered no to that question. He added that they would be putting on another course within the next few days and this was the Service Station Attendant course.

Mr. Watt asked Mr. Holland if they planned on increasing the entrance qualifications from grade 8.

Mr. Holland said they hoped to within the next 3 or 4 years have them up to grade 10 and that eventually they would get to the standard of grade 12.

Mr. Watt asked if one student was particularly good in his trade was there any way he could get training beyond what is supplied here.

Mr. Holland replied in the affirmative, that arrangements could be made with B.C. or Alberta to attend a technical institute.

Mr. Watt asked if there was any financial aid offered by the Government. Mr. Holland said there was.

Mr. McKamey asked if students from the outlying districts came in to take a course would there be a possibility of providing accommodations and what would be charged for a course such as the waitresses course.

Mr. Holland said there would be no charge for that course and no charge for the accommodation if they could accommodate them. He added that if they did not have accommodations and they were unemployed they could assist them.

F.H. Collins Secondary School, Commercial Courses Day \$20,258.00

Mr. Shaw said he understood it was the intention to take this commercial course and put it in the Vocational School.

Mr. Holland said this would be the ideal situation.

Mr. Holland was excused from Committee.

Committee proceeded to discuss Vote 11, Yukon Hospital Insurance Salaries \$10,885.00

Mr. Shaw wondered if the amount voted last year had run close to the estimates.

Mr. MacKenzie replied it had run under the estimates.

Mr. Shaw asked if there was an agreement with respect to a person who was chronically ill for a lower rate per day.

Mr. MacKenzie replied in the affirmative.

Mr. Shaw said that in the event a person is hospitalized under normal conditions it cost \$25.00 a day which the Territory pay and they get back approximately 47%. He said if we have a different arrangement whereby there is a lower cost for these chronic patients and we pay \$15.00 a day it would actually cost the Territory more or would there be some recompense for this.

Mr. MacKenzie said the recompense was 50%

Mr. Livesey asked where they applied for the cost of hospitalization if a person became sick before the person had lived for 3 months in the Yukon Territory.

Mr. MacKenzie said he had never run across a case where they had not been able to nail down a particular province for responsibility.

Mr. Boyd said he had attended a Hospital Board Meeting recently where this had been discussed. He said that while there are some outstanding accounts they will be all paid. There appeared to be no problems except in one case of an Army person but this will be paid as it has been straightened out.

Mr. Livesey said he believed in the original agreement covering Yukon Hospital Insurance, Army personnel were considered whereas their wives and children were considered as Territorial. He said that when the Army now leaves the Territory, it appears to him that **Federal** occupancy of the hospital will go down and he wanted to know how this would effect them.

Mr. MacKenzie said there was a firm understanding that the Territory pay the Whitehorse General Hospital nothing more than \$25.00 a day no matter what it would cost to run the hospital. He said with the Army gone the costs definitely would be higher and this might effect the rate of \$25.00 a day and he would not be suprised if the Department of National Health and Welfare asked for a more fairer rate. He said that the cost of a patient in Whitehorse was appreciably greater than \$25.00 and that they were doing very well with \$25.00 a day.

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

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Wednesday, April 15, 1964  
2:00 o'clock P.M.

Committee proceeded with Bill No. 11, Vote 11, Yukon Hospital Insurance Service, with Mr. MacKenzie (Territorial Treasurer) in attendance.

Discussion Salaries - \$10,885.00  
Bill No. 11

Mr. Taylor (Mr. Boyd in the chair) said that because of lack of hospital and medical facilities in outlying areas of the Territory such as Watson Lake it was sometimes necessary to engage charter aircraft service to Whitehorse, and unless the patient is of native status it was difficult for the operator to recover payment for the trip. He stated that one aircraft operator in Watson Lake undertook seven such trips and was only able to recover payment for two. He wondered if possible some system might be set up under the Department of Yukon Hospital Insurance Service. In his opinion it would be desirable to have the transportation to hospital by ambulance or air ambulance considered as an expenditure under this item, but possibly in the interim they could arrange a system whereby a health nurse authorized a flight the money could be paid by the government to the transportation organization concerned and the government then collect from the individuals responsible.

Mr. MacKenzie said that he was entirely in favor of the suggestion except that they would try to have the individual pay if he was able before the government became involved. He informed Council that provision had been made in this years estimates for the first time and that it was the intention to put this arrangement in effect this year on a trial basis. He said that if the amount of money involved was not too substantial they would carry on with it, but if it involves the Territory heavier than they bargained for they would have to restrict it.

Mr. Taylor asked whether, if in view of this, the full cost of air transport would be paid for a flight authorized by the nurse.

Mr. MacKenzie replied provided the individual concerned had not the money himself.

Mr. Taylor wondered if it would be paid in any event by the Yukon Hospital Insurance Service.

Mr. MacKenzie replied that transportation was outside the bounds of the Hospital Insurance Service and that is why the provision was in the Health vote. They did not want to make it a blanket arrangement where by the Territorial Government would pay automatically and then start recovering. They wanted to try and make the transportation companies recover if they could and if they can not the government would pay. In either case there would be no delay in his opinion in getting the patient to the hospital by any means of conveyance available.

Mr. Shaw pointed out that at the present time the Department of National Defence had an agreement with the Department of National Health & Welfare concerning paying for their hospital requirements here. He said that the Army was leaving the Territory and people working for D.P.W. would come in so he was wondering if the \$830,000.00 now in the budget could possibly assume a proportion of a million dollars.

Mr. MacKenzie replied that he did not think so. He said that the trend of patient days in Whitehorse General Hospital was down over the years and also that the downward trend applied to the other hospitals in the Territory.

Mr. McKinnon asked why the vote for the YHIS had increased by \$3000,000.00 over a 4 year period if the trend of patient days was down.



Mr. MacKenzie replied that the figures in the estimates were taken precisely from the figures in the 5-year Agreement and when the agreement was worked out in 1960-61 it was calculated the trend would be up in hospitalization in the Yukon, but to the contrary it is down.

Hospitalization \$813,025.00

Mr. Livesey asked if Mr. MacKenzie could explain the cost increase.

Mr. MacKenzie replied that when the figures were calculated for the 5 year Financial Agreement, which are the figures being discussed, it was estimated that the population would increase year by year which would result in a greater number of people going into hospital. As far as he could remember the percentage increase was 4% per annum.

Mr. McKamey, referring to primaries 2 and 3 respecting St. Mary's Hospital, Dawson and the Mayo General Hospital, said that population seemed to be greater in Mayo but nevertheless patient days shown there was 300 less than in Dawson and he asked for the reasoning behind this.

Mr. MacKenzie replied that patient days were based upon past record and would probably be out of date now. He added that the patient days for Mayo and Dawson didn't mean very much because they were both Territorial hospitals and they had to pick up the tab for the full operating costs.

Mr. McKinnon asked Mr. MacKenzie if it would be correct to say he would be very surprised if he needed the \$813,000.00 this year to provide hospitalization in the Yukon.

Mr. MacKenzie said he wouldn't go so far as to say that because it would be impossible to forecast the effect of the D.P.W. invasion, but would expect that figure to cover it.

Committee proceeded with discussion of Vote 12 - Travel and Publicity with Mr. Gibson (Director of Travel and Publicity) and Mr. MacKenzie (Territorial Treasurer) in attendance.

Mr. Watt said at the last session he had asked a series of questions with regard to trying to tap off the flood of tourist traffic up the coast, and wondered if Mr. Gibson had any figures for the committee concerning this matter.

Mr. Gibson said that a few weeks ago he met with representatives of the departments of the B.C. and Alaska governments as they were all directly involved with what has been happening with the Alaska Ferry Service. He said that at the moment almost every community along the Panhandle was working to gird itself to haul as many passengers off those ferries as they possibly could before they even got close to the northern end of the line, and it appeared to him that every community along the Panhandle had the world's largest of something. His department had been promoting the Yukon Territory as a whole and he felt that the individual communities should be doing a little more to attract people.

Mr. Watt referring to Mr. Gibson's remark that communities should be doing more to attract tourists, wondered what they had been doing to attract tourists to Whitehorse or the Yukon.

Mr. Gibson said that first of all they had been replying to a tremendously increased number of enquiries. He also told Committee that magazine advertising had expanded considerably and had done so under careful study and in consultation with the Canadian Government Travel Bureau. He said that enquiries for the first 3 months of this year are now 20% above the same 3-month period of last year. The theme they have been using is "Travel the trail of '98 to Golden Holiday Adventure". He further said they expected to go after increased Alaska business in May and June particularly, and advertise in Alaska newspapers and over radios attracting our neighbors from Alaska.

Concerning the new travel poster introduced which shows Yukon Bud Fisher panning gold and there seemed very fine comments and they had been distributed to automobile clubs particularly because they had so many automobile travellers, they had also gone to Canadian Pacific Airlines offices, travel agents and wherever they felt they would be effective.

Mr. Watt said that he felt that with information concerning the traffic on the ferry system they should be able to make a projection of the dollar value that could accrue to the Whitehorse area if the Whitehorse-Skagway road were built. He said that the figure that he had of the number of tourists going up to Lake Bennett the year before last was 30,000 and this was not too far away from Whitehorse. He said that he did not feel like voting this money requested here until this assessment had been made because this project could be of more benefit to the Territory than all the rest put together.

Mr. Gibson pointed out that the number of travellers going to Skagway to Bennett and return were predominantly passengers on cruise ships who are travelling on a package plan. In his opinion there was very little they could do to encourage the tour operators to lay their ship over in Skagway for a sufficient length of time to get those people by road to Whitehorse and back again.

Mr. Watt disagreed and said that he was not prepared to vote for these monies because he felt that the department had not spent enough time looking into the possibility of getting the tourists into the country. He said that in his opinion it would not be too difficult to figure out how many would come down with the extra hours travelling time to visit Whitehorse.

Mr. Boyd wondered if Mr. Watt realized that the travelling time to Whitehorse would be about 5 hours some days, a full day's trip. He added that Mr. Watt was talking about getting results but he didn't have any facts himself.

Mr. Watt replied that he had facts and also that he realized that it sometimes took 5 hours by train. "But", he said "if there were a road from Skagway to Whitehorse we would get a good many of these people". He continued by asking Mr. Gibson if he had ever gone to the operator of these packaged tours and asked "would you be prepared to extend this tour into Whitehorse if a road was there and you could do it in the same length of time as the stop over".

Mr. Gibson replied that he had never made any specific reference to this approach but felt that the operators logical answer would be. "You put a road in there and I will see what I might consider doing about it".

Mr. Taylor said that he had listened to this particular discussion for the second time in Council. He felt the matter was clear and that Mr. Gibson had spelt it out. On the other hand he appreciated the effort made by Mr. Watt on behalf of the Skagway road as council had encouraged this project and would continue to do so. He repeated his statement that he thought this was one of the few departments of the Territorial government Administration that made money for the Territory.

Mr. McKinnon was interested to know just what a copywriter's job would entail.

Mr. Gibson explained that he had the same number of staff members when the department was formally organized two years ago. In the mean time work load had expanded and increased tremendously and he said that he was now seriously requesting consideration for one additional employee in his department to help cope with the work load.

This person should be a qualified copy and publicity writer and in addition to his duties of writing articles and stories should have the responsibility of keeping up the photo files library and work in the publicity field. In his opinion this would be a very valuable employee for the department and would certainly relieve enough pressure from him, as director, so that he could sit and give a little more constructive thinking to some of the things they were trying to do.

Mr. Taylor wondered if Mr. Gibson felt they had within the Territorial Administration or the Territory the calibre of individual required for this position, and had he anyone in mind.

Mr. Gibson replied that he was not familiar with everyone in the Territory but felt that the type of person they needed was not available in the Yukon. He was looking at the possibility of going to the schools of journalism at the University of B.C. or the University of Alberta and obtain a highly qualified graduate from either of those schools and bring the person up here and train him into their way of thinking.

Mr. Livesey asked Mr. Gibson if his department had considered some action concerning the part of the Yukon Territory that did not belong to the lower central portion of the Yukon around Whitehorse. He felt that where roads enter the Yukon Territory from Alaska and from British Columbia attention should be brought to the travelling public by proper signs and said they were missing a lot by not drawing their attention at the border and at Pleasant Camp, Lower Post, Iron Creek and Beaver Creek, as to what we had to offer in the Territory. Good fishing, good hunting, recreation grounds and the availability of supplies and various trips and places of interest to the travelling public such as Dawson City.

Mr. Gibson replied that on each highway entering the Yukon Highway there was a huge sign welcoming people to the Territory and he added that on the border crossing points the custom houses had been provided with quantities of pamphlets to present to the people when they come into register. He mentioned that a number of communities were looking for a central location for distribution of information as suggested and he told Committee that Dawson City had such a centre. When people came over the 60 mile road they could find in the City of Dawson a central location where they could obtain the information they desired on that area as well as the rest of the Territory. He said further that in Whitehorse there were two such centres, one on the Alaska Highway and one down town. At Watson Lake they are preparing an information centre that will be of great value to the traveller as he comes north on the highway and with respect to Haines Junction, he mentioned there was a store that did a good job in making pamphlets available to people but he would like to see one information centre developed in that community. Coming back to the border points he felt perhaps that suitable information centres should be established at the community closest to the border crossing point and with respect to Mile 1202, Beaver Creek might be the place.

Mr. McKamey suggested that perhaps an information centre could be established at Tok Junction, Alaska.

Mr. Gibson replied that Tok Junction did not have the material and as a matter of fact was quite a problem. They had learned last year that the people at Tok Junction advised travellers not to drive the 60 mile road because it was said to be dangerous and that people would not make it. On two occasions his department had wired Tok Junction correcting the information that was being given out. He went further by saying that they had two points giving them trouble last year, mainly Tok Junction and Fairbanks, because these two points gave out information that people should not try the 60 mile route to Dawson City. They had planned for the Fairbanks News Miner, the daily newspaper, a series of articles and photographs on the 60 mile road but once again there was not time to sit down and write an article and illustrate it.

Mr. McKamey suggested perhaps a film could be made of the 60 mile road.

Mr. Gibson felt that this could be advisable but it would be a very expensive project.

Travelling and Living Expense - \$2,200.00

Mr. Shaw noted the travelling and living expense of \$1,000.00 in connection with Yukon Bud Fisher's tour of the United States and Canada, and felt that a brief resume from Mr. Gibson would be quite interesting.

Mr. Gibson informed Council that on January 27th, Bud Fisher left on tour which was expected to last about 2 months or less if his money ran out. They were given an allowance of \$1,000.00 to send Bud on a tour of the United States and Canada. This presented a problem and took a lot of planning. Bud travelled first of all to Vancouver, then down the West Coast to Seattle, Portland, San Francisco, Los Angeles, Phoenix, Albuquerque, Dallas, Kansas City, Indianapolis, Cleveland, Rochester, Toronto, Chicago, Calgary and back again. He said he has in the department office a panel board showing a chart of his route and as many newspaper pictures and stories as they have had returned to them to date. It is quite an impressive display. Last week he measured up each space which was devoted in the newspapers to pictures and stories about Bud and at the present time they have 510½ inches of space and going through the advertising directories they have in their office if this was assessed at the cost of the current advertising rates we now have over \$4,100.00 worth of newspaper space of pictures and stories on Bud Fisher in the Yukon Territory. He has done a tremendous job. They are about to begin the draft of Bud's hour by hour activities outlining the number of T.V. appearances he made, the number of radio appearances, addresses at service clubs and schools and personal appearances he has made. The television time alone is fabulous. The national average cost for television time in the United States is \$150.00 per minute. Bud had hours and hours and hours of T.V. time which was presented absolutely free. In fact the T.V. stations were fighting over him, everyone wanted him on their T.V. stations. In Los Angeles alone there was a very popular T.V. show, Bud was quite impressed with what was happening and when the show was over he said to the program director if there was any way of estimating how many people watched this show, and about five minutes later he was given the listener rating of approximately two million viewers. This was on one T.V. show in one city in the United States. Multiply this by all the other appearances and we can't even estimate the millions of people that Bud was exposed to. Bud Fisher has told us that one of his biggest problems was trying to walk down the street and one of the contracts in Rochester said it took Bud one hour to walk a block in their city because every other step someone said "You're Bud Fisher, we saw you on T.V." and they would want to stand and chat. He said they have no idea of the tangible or intangible results that will result from this tour. He said Bud came back about a week ago. Mr. Gibson said he is tremendously pleased with the success of the tour, but said it took a great deal of time to organize, in every city Bud had to have a key contact, a radio and T.V. station lined up, newspaper interviews lined up and hotel reservations made, and this was done city by city and hour by hour. The purpose of Bud's trip outside was this - you will all agree that the image of the Yukon Territory outside is badly warped. Bud was out to give a factual presentation of the Yukon Territory, to invite visitors up here, to describe the attractions and the things they would see when they did arrive and distribute pamphlets. He said he is convinced no-one could have done a better job than Bud Fisher in the two months he was away. In each place Bud visited he distributed a return coupon requesting the kit on the Yukon. These coupons are now flooding into the department. He didn't know how many of these people would come and visit, no doubt some of them will come this year, some next year and some may not come for five years but he did know that millions more people know more about the Yukon Territory now than they ever knew before and a good many of these people have been inspired and want to visit with us. If anyone could suggest to him a project that would present better dividends for such a small investment he would like to know what it is.

Mr. Shaw felt that the department and Bud Fisher should be commended for the large amount of publicity he was able to get for the Yukon Territory at such a bargain rate.

Mr. McKamey also expressed that Mr. Fisher should be commended.

Mr. Taylor voiced on behalf of his constituents, the appreciation for the work done by Mr. Fisher, and asked if they had any plans to repeat this.

Mr. Gibson replied that since this was such a successful trip they naturally were looking for something similar for next year.

Mr. Taylor asked if the Yukon would have a booth at the World's Fair, New York, this year.

Mr. Gibson replied that he could not recommend spending any money on this particular 1964 World Fair. First of all any participation would be very costly and also because the State of Alaska would have a very impressive exhibit there and would be doing a king-size job of attracting travel this way. He also pointed out to Committee that the New York World Fair was not an official fair and that the official international world fair would be held in Montreal in 1967. His department had received correspondence from Montreal advising him that there will be one particular area devoted to the various sections of Canada and they had been asked to give consideration to having a display or exhibit in that area. He believed this had been referred to the Centennial Committee because it would be tied in close with the Canadian Centennial of 1967.

Mr. Shaw suggested that negotiations be entered into to find out if the Federal Government might consider providing free space to the Territory for a booth at the Montreal World Fair.

Mr. Gibson said in the correspondence there had been no mention of cost for the exhibit space but at the same time they had not been told that it would be cost free. He pointed out that any exhibit would require personnel to man the booth, at least two working split shifts, as the fair would continue for a number of months it would be quite a substantial sum needed and he would like to see where funds could be provided.

Mr. Taylor (with Mr. Boyd in the Chair) felt that they should boost tourism and also provide industrial advertising as well through this world fair. He said the Lions Club was having a convention in Toronto and the club at Cassiar would be handing out mounted pieces of asbestos rock and fibre which had been donated by the Company at Cassiar. He thought that possibly something like this could be done with the co-operation of one of the mining companies in the Territory.

Mr. McKamey supported Mr. Taylor's recommendation and said that the words he would like to hear from Mr. Gibson were that he would start preparations to try and arrange finance and find out what the Chambers of Commerce and mining exploration companies could do to help finance it.

Mr. Gibson said that he was prepared to discuss it and to get as much information as possible but it was not for him to decide if they were to participate or make any recommendations until the Territory had officially agreed to do so.

Mr. McKamey drew to Mr. Gibson's attention the fact that he was sitting right with the policy makers of the Yukon Territory.

Mr. Taylor said he would be only too happy to consult with his Honorable colleague from Mayo and present a motion or resolution for the consideration of Committee in this regard tomorrow morning.

Grants \$4,000.00

Mr. Livesey asked Mr. MacKenzie what caused the reduction.

Mr. MacKenzie thought the \$6,000.00 was the Klondike Visitors Association for last year which would appear in the Supplementary Estimates for this year.

Mr. McKamey in respect to tourist revenue asked Mr. Gibson whether he knew how much money was left behind in Alaska, the Northwest Territories and British Columbia and the Yukon by the Tourist Industry.

Mr. Gibson said that he could not give totals on any of the areas but knew from reviewing the survey of Alaska and British Columbia that the average daily expenditure per visitor is very similar in all three areas. He said the total expenditure was based on the number of visitors you obtain and the length of time you keep them in your area. He said that the figures were available though he did not have them at hand. Mr. Watt asked if he had the figures for the Yukon.

Mr. Gibson replied that during June, July and August of last year they estimated the total amount of tourist dollars spent in the Territory was approximately 2¼ million dollars. Mr. McKamey asked if it appeared to be any problems with respect to accommodation in the next year or two and if they should make some attempt to provide incentive or encourage motels and hotels in the Territory.

Mr. Gibson replied that he had some concern about accommodation. The traveller volume and visitor volume is increasing, however he sighted a number of increases in accommodation and he felt that it might keep pace with the increase of the number of visitors.

Mr. McKamey said that he had been told that the Federal Government put emphasis on promoting tourist industry in Canada. He felt they should use a little foresight in the Territory and provide some incentive for hotels to expand by providing a tax concession to hotels along the Alaska Highway. For example relieve them of property tax for a period of five years providing the money was poured into hotel expansion.

Mr. Gibson and Mr. MacKenzie were excused from committee.

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

Motion Carried.

When Mr. Speaker resumed the chair, Mr. Taylor, Chairman of Committees reported as follows:

"Committee convened at 10:30 a.m. to discuss Bills, Memorandums, Sessional papers and Motions. Committee first discussed Vote No. 10 of Bill No. 11 with Mr. Holland and Mr. MacKenzie in attendance, and following, considered Vote No. 11 with Mr. MacKenzie. Committee recessed at 12 noon and reconvened at 2 p.m. Following discussion on Vote No. 11 Mr. Gibson attended Committee to discuss Vote No. 12, Travel and Publicity. I can report progress on Bill No. 11."

Council accepted the report of the Chairman of Committees and adjourned until 10 a.m. Thursday, April 16th, 1964.

Committee  
Report

Book

Thursday, April 16th, 1964  
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:

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|--|-----------------------------|
| (1) Regarding Motion no. 1 - Corridor and Free Port in the Alaska Pan Handle (Set out as Sessional Paper No. 48) | Sessional Papers:<br>No. 48 |
| (2) Regarding Motion no. 26 - Insect Control (Set out as Sessional Paper No. 49)                                 | No. 49                      |
| (3) Regarding Motion no. 5, Road from Porter Creek to garbage dump (Set out as Sessional Paper No. 50)           | No. 50                      |
| (4) Reply to Question no. 15, Speed Control (Set out as Sessional Paper No. 51)                                  | No. 51                      |
| (5) Regarding Bill No. 18, Amendment to the Game Ordinance, (Set out as Sessional Paper No. 52)                  | No. 52                      |
| (6) Regarding available land in lower Whitehorse (Set out as Sessional Paper No. 53)                             | No. 53                      |
| (7) Regarding Squatters in Whitehorse area (Set out as Sessional Paper No. 54)                                   | No. 54                      |
| (8) Regarding Building Lots in the City of Whitehorse (Set out as Sessional Paper No. 55)                        | No. 55                      |
| (9) Regarding Motion no. 11, Resurveying of Lots (Set out as Sessional Paper No. 56)                             | No. 56                      |

Mr. McKamey moved, seconded by Mr. Watt, that Council requests the Administration to produce a document covering the annual financial statement pertinent to Liquor Control. Production of Papers No. 7

Motion Carried.

Mr. McKinnon presented the following question, "Could the Administration provide Council with the reasons why the Department of National Defence has cancelled the 1964 airspray operation for fly control in the Whitehorse area?" Question No. 17

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers: In Committee of the Whole

Motion Carried.

In Committee of the Whole:

Mr. MacKenzie, Territorial Treasurer, and Dr. Kinloch, Chief Medical Health Officer, attended Committee.

Committee proceeded to discuss Bill #11, Vote 5, Health.

Veneraal Disease Control \$1,490.00

Mr. Livesey asked if the figure was sufficient to carry on the programme of combating this.

Dr. Kinloch said that a large amount of work required in Venereal Disease control did not appear under the establishment under discussion but rather covered the amount of time spent by staff working on it. In the Territory they did not have any personnel specifically set aside to do that kind of work and it was rather a matter of a large number of persons, each putting a small amount of time on it.

Tuberculosis Control - \$41,540.00

Dr. Kinloch said that they would find a decrease in this establishment of \$10,000.00. This year they intended to provide a more intensive survey than had been carried out in any other year and it was quite conceivable they could pick up enough tuberculosis to double this. He said they needed a reserve when they put in the T.B. control for the simple reason that the cases could be doubled.

Mr. McKinnon asked if the T.B. x-ray service was provided solely by the Yukon Health Service and he wondered if it was associated with the T.B. Society.

Dr. Kinloch replied that it had not up to this year but this year the survey was going to be carried out as a joint effort between the Southern Yukon T.B. Association and the Northern Health Service. He said that as a part of the extensive programme they had set up for this year, it is hoped that they would be able to amalgamate all these societies in the Yukon to the Yukon T.B. Association with a member from each community attending an annual meeting and participating in the programme.

Mr. McKinnon asked if the T.B. Association gave any financial help to the Yukon with the cost of x-rays.

Dr. Kinloch said they had not so far but that it was hoped to have them contribute this year.

Cancer Control \$16,775.00

Mr. Shaw wanted to know if the large increase in cancer was a result of this programme.

Dr. Kinloch replied that it was more a question that they were becoming aware through the programme of the number of cancer cases that they did not know about. He said that of the 25 new cases during the last year, 7 were early cases of cancer and as a result of the early detection they were able to cure them of the disease. He said this was going to be an ever expanding programme because there is a considerable amount of malignancy. He said "As our Health Service improves we are going to find more of this." He concluded by saying the treatments on the disease were becoming more refined and expensive and this is going to be reflected.

Mental Health Services, \$57,850.00

Dr. Kinloch explained that the large sum involved included hospitalization for patients in institutes for the mentally ill outside the Territory. He said that under the existing provision a person has to be certified insane by the court and taken out under R.C.M. Police custody but now they propose to include voluntary committal which meant they could send people out for treatment if the person's physician felt the patient to be mentally ill and the person agreed they were mentally ill and wished to seek further treatment. This would in the long run, in his opinion, cut down the expenditure by treating the illness at its onset rather than waiting until they had to be committed and sent out.

Mr. Watt asked what percentage of these were permanently committed.

Dr. Kinloch replied that more than half of the people were permanent residents of the institutions and he said that one person had been in for more than 62 years.

Mr. Taylor said he noticed there was provision for 16 committals and he wanted to know if this was the average.

Dr. Kinloch answered in the affirmative.

Disease Prevention - Sanitation \$11,740.00

Dr. Kinloch explained that this concerned the Territorial Sanitary Inspectors - covering salaries, travelling expenses, etc.

General Health Services \$107,386.00

Mr. Livesey remarked that there seemed to be an increase over the past year totalling \$26,990.00 and he asked that the Committee be advised concerning the reason for the increase.



Mr. MacKenzie replied that the major factor was the new programme in schools - this accounted for \$15,500.00 of the \$26,000.00

Mr. Shaw asked if the Arctic Zone came under that category.

Dr. Kinloch replied that they had taken over administration of the Arctic Zone but some medical services would be provided by Inuvik.

Mr. Shaw asked Dr. Kinloch to explain the exact programme concerning dental care for children.

Dr. Kinloch replied they had now nearly completed the first year of the pilot project of the dental programme. During that year they had accepted into the programme approximately 300 children. All children were grade 1 students in Whitehorse, Porter Creek, and Carcross and they had received dental inspection, dental cleaning and application of fluoride to their teeth. He explained that any work required was referred to the Whitehorse Dental Clinic at no cost to the parents. In addition the school dental nurse had carried out a programme of instruction in all schools. During the next school year they proposed to carry on with the incoming grade ones plus grade twos and this would help to get some estimation of cost concerning primary years where there has been very little previous treatment and secondary year where most of the work had been done. They had found that the amount of dental decay in the Territory was not worse than B.C. and as a matter of fact, it appeared to be slightly better than B.C. They had also found that the cost including the salary of the school nurse, cost of all materials and all dental repairs had worked out to approximately \$30.00 per child. In other words the cost of this programme for one year would be in the neighbourhood of \$9,000.00. From this they would find that if they carried on this programme covering the total school population of 3,000 it would be a bit on the high side or about \$90,000.00 for the complete program. He concluded by saying that they intended if they were able to carry this programme on and to have a Territorial wide dental programme in 15 years.

Mr. Shaw commented that it appeared to be an excellent move and he wondered whether the programme concerning the grade one children would be extended to the other areas of the Yukon this year.

Dr. Kinloch replied that because of difficulties in staff and also the fact that they were still in the pilot programme, they would not be able to extend any further this year. He said that once the programme was accepted on the basis of the pilot programme then they proposed to extend it to include Carmacks, Haines Junction and Teslin. Concerning the suggestion of hiring a dentist to do the job, he said that was the major problem but added that the dental clinic had been successful in obtaining a third dentist and if he decided to stay then the dental clinic would be in a position to handle the volume of work they could give them.

Mr. Shaw commented that in the Commonwealth they didn't seem to have much trouble getting doctors and dentists from other countries but in the Yukon it seems to be almost impossible.

Mr. Livesey said he agreed wholeheartedly with regard to the supply of dental services to the public of the Territory. He felt that it was time the Administration fully believed that the people of the Territory were entitled to services that were available in the southern parts of Canada but not available in the northern areas. He said that if the north was going to go ahead they had to deviate from things that might look orthodox elsewhere. In his opinion the public was making sacrifices as far as many services were concerned and he did not think it was necessary. He agreed with the idea of training of dental nurses and said that if private enterprise cannot supply the services necessary, the Government would have to supply them. He said "In the north country we are in a different area other than anywhere else in Canada, we are on the last frontier in the unpopulated areas. This has to be taken into consideration."

Mr. Shaw said that he had confidence in Dr. Kinloch in carrying out his programme and he would be very pleased to await results of any negotiations.

Mr. Watt said he agreed and that he felt that Dr. Kinloch knew how to carry on with it and if he needed help he was sure they would be glad to pass a resolution in the fall to give any assistance he might need.

Mr. Taylor (with Mr. Shaw in the Chair) asked how long it would be until they could extend the dental programme to Watson Lake and the outlying areas.

Dr. Kinloch replied that as he had said before they were still in the pilot stage and that they were still deciding whether they were going to have the programme, but as soon as the approval came they can extend services.

Mr. Taylor commented that he would certainly like to see the programme.

Mr. Livesey said that he was going to submit a motion asking the following question "Exactly how much of an expansion will there be in this vote 5 for the 1964-65?"

Mr. Taylor (with Mr. Boyd in the Chair) said that he had noted they over expended their estimates in the first fiscal agreement by some \$11,000.00 and he wondered when construction was going to begin on the Watson Lake Hospital.

Dr. Kinloch replied that there would be no construction and that it had been deleted.

Mr. Taylor commented that in his opinion this was an agreement and he was not aware that the Government could go along and delete something every time they chose to do so. He said he had asked many times for this hospital and had also proven the need for it and he had been very quiet on the subject because in all good faith and on behalf of the people in his district he went before the Royal Commission on Health Services and gave his proposals to them and he had been waiting for the recommendations from the Commission. He did not think Watson Lake could wait any longer for this facility. The nursing station was functioning and the volume of traffic was fair. They had a large staff and felt they now require the hospital. He also made reference to a motion passed last year where Council proposed to have a senior official of the Northern Health Services come before them each year and discuss matters such as the one under discussion now. He said that they had put \$500.00 in the budget to make sure that there would be enough money for the plane ticket for this man to come from Ottawa and now he noticed this amount had disappeared from the budget. He added that he had another question, namely the question of a morgue at Watson Lake.

Mr. MacKenzie said that concerning the question of people coming from Ottawa to discuss health matters it was felt that the Yukon Zone Superintendent would be quite capable to deal with Council on any future health matters.

Dr. Kinloch said that both his predecessor and himself felt that Watson Lake did not require a hospital especially as they did not have a resident physician. They felt that the nursing station at Watson Lake was capable of caring for the population. He added that the dental clinic had provided an excellent service down there and at one time they were making visits for one week on alternate weeks. The number of patient days at Watson Lake Nursing Station during 1963 were 682 - just under two patients per day, and he did not feel there was any expansion warranted particularly with no resident physician. Should there be a resident physician the situation would have to be reassessed.

Mr. Taylor said that he had suggested that they set up their own Territorial Health Department without Ottawa sitting back and telling them what they needed and what they did not need. He wanted to point out to Dr. Kinloch that when they discussed the fiscal agreement in 1961, third session, it was moved by Councillor McKinnon, seconded by Councillor Taylor that "a senior official of the Northern Health Services should appear before Council each year to discuss matters of mutual benefit in relation to the Health Plan." They passed this motion with the purpose in mind that they wanted to meet with somebody at the upper level of Administration in Northern Health Services and he submitted that the needs of the people as set forth in the motion should be respected. He also asked Dr. Kinloch how they can expect to have a doctor if they did not have a hospital to work in. He said that if they had a hospital in Watson Lake they would have a doctor.

Dr. Kinloch pointed out that the moment a resident physician moved into Watson Lake the nursing station there would in fact become a hospital.

Mr. MacKenzie said that concerning Council's motion it had been taken up with Ottawa and the view of the Department of National Health and Welfare was that answers to questions could well be given by the Zone Superintendent. He said that was their view and it should be respected.

Mr. Taylor said that was their view but as far as he was concerned he had stated in his reply to the speech from the Throne at the Fall Session that this senior official come. He did not think that anybody in the Administration ever paid any attention to their Throne Speech replies. He said "I sincerely hoped that the Director of this Department could find time to come to the Spring Session of the Legislative Council to discuss all problems throughout the Territory related to health and welfare. Funds for this purpose was set aside following consideration of the Health Plan as under the Five Year Fiscal Agreement." He went on to say "We have asked by motion and in Throne Speech replies, we have asked and asked and asked and we are not getting anything. As far as I am concerned I have no faith in Doctor Percy Moore and I have stated this many times. He may be a very good representative of the World Health Organization and very highly qualified, but I do not think that he is giving the consideration to the Yukon Territory and its problems under Northern Health that it deserves and that is my frank opinion and that is the way it stands."

Mr. MacKenzie said he did not agree, speaking for the Administration.

Mr. Taylor asked Dr. Kinloch, if there was a provision for a registered nurse at Teslin this year in the budget.

Dr. Kinloch replied not for a resident but there will be the same operation as there has been for the past year - visits from Whitehorse.

Mr. McKamey asked Mr. MacKenzie if in respect to establishment 185, Whitehorse General Hospital \$25,000.00 if he could explain that.

Mr. MacKenzie said this was an agreement whereby the Territorial Government would pay to the Whitehorse General Hospital the amount of all patient accounts on the Whitehorse Hospital books that are unpaid after 90 days.

Mr. McKamey asked if this was an increase or decrease or was this taken from the figure for last year.

Mr. MacKenzie said that it was based on an estimate given to him by the hospital.

Mr. Watt asked if this would also include cases where a referee hasn't approved of an item.

Mr. MacKenzie replied in the affirmative.

Mr. McKamey asked what portion of this expenditure would be the result of the referee's decision.

Mr. MacKenzie replied that he did not know yet.

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

Thursday, April 16, 1964  
2:00 o'clock P.M.

Committee proceeded with discussion of Motion #23, re Trespass of Cattle Ordinance, with local lawyers Messrs. Collins and Enderton and Big Game Guides Mr. W. Desrosiers, Mr. A. Van Bibber and Mr. A. Davis in attendance.

Mr. Livesey told the five gentlemen present that they had been asked to come here as a result of his motion in council in connection with the problem of certain outfitters in the Yukon Territory who had businesses which included the keeping of livestock, and questions relating to the problem of trespass on highways. He further said that the House had agreed that it was felt advisable to discuss the question together with the legal counsel for the outfitters, Mr. Collins, in a recent court case, together with as many outfitters as possible.

Discussion  
Motion  
No. 23

Mr. McKinnon said that in a brief presented to Council the outfitters said that there were three ways the problem could be solved. He noted that the first mentioned was to appeal the Davis vs. May case further and he asked the counsel for the outfitters whether this was contemplated at present.

Mr. Collins, counsel for the outfitters, replied that a notice of appeal had been filed in the Davis vs. May case. He said that the primary purpose of doing so was to ensure that an appeal was filed within the time allowed by law and that the question of whether or not they would proceed with the appeal had not been determined. He said the reason they had come to council recommendation concerning the legislation was that it was possible that Mr. Justice Parker's judgement concerning the Davis and May case did establish the law as it existed in the Yukon Territory. The outfitters had come here in an attempt to convince council to the view that automobiles on the highway were the foreign object not cattle and horses and people. He said "Any time anybody gets behind the wheel of an automobile he is handling what is a dangerous instrument, and that this being so he has a duty to the community to exercise due care and this is set out in the law very clearly. Why shouldn't he have to exercise due care in respect of animals, domestic as well as wild, in the same manner that he does for people." He went on to say "Are you going to lose an industry because you are reluctant to impose on the operator of a motor vehicle that should be, if it isn't already, the law. The obligation of taking care when driving on the highway." He said that he felt the outfitters could persuade Council that horses would be found in certain areas of the highway only and only at certain times of the year. He said that the situation now was that the horse owner was responsible in case of an accident even though he could be fifty miles away. He said that the horse owner could find himself, in the case where one of his horses was run down by a car, liable to the extent of thousands upon thousands of dollars because of injuries that could have resulted directly from the fact that the horse had strayed on to the highway. He said that he did not think that any outfitters in the Territory could afford this. He went on to say that insurance was not the answer but that there were alternatives that could be suggested such as setting up grazing areas such as they have in the other provinces. He said that it may be that in years to come when the Yukon was populated one would have to legislate against animals being on the highway but today it was not required for the reason that there was not a big enough population nor heavy enough traffic on the highway. He also reminded Council that the highways in the Yukon were built through the outfitters grazing lands and that they never had complained about it but now they find themselves in a situation where they have to complain.

Mr. Boyd commented that Mr. Collins had intimated that the day may come when the population improves and horses will have to be kept off the highway. He said in his opinion the highway was populated and very much so because something like 20,000 cars coming from the ferries went through 1016 last summer. He also said that Mr. Collins had told him that the outfitters had the grazing grounds before the road went through.

In his opinion they did not have the ground but probably they used the ground, it did not belong to them they were merely using it as they were using the highway. He said there was two sides to any story and both sides had to be considered. He said he had all due respect for the outfitters position that he did not want to start looking at the situation from a one sided point of view. He said that he wanted to see both people taken into consideration the people that got hurt and the people that owned the horses and the cattle.

Mr. Collins said that each outfitter paid taxes on their grazing leases and that they also paid 5% an acre to the Federal Government for leasing the land.

Mr. Boyd asked if the horses on the highway were on the grazing lease.

Mr. Collins replied that they probably have wandered off to the edge of them and admitted that in some instances they will not be on the grazing lease. He said that the point that he was making was that the outfitters pay certain taxes and rent in respect to the grazing lands they hold.

Mr. Boyd said that he appreciated Mr. Collins point but his point was that they did not keep their horses on the grazing lands. He said that they had a complaint right now concerning the fact that they were not using their grazing land but that they were using the highway as a grazing land on which they paid no taxes.

Mr. Hughes (Legal Adviser) attended Committee.

Mr. Watt said he would like to hear the other side of this question from Mr. Enderton.

Mr. Enderton said that he was not certain that council understood the effect of Mr. Justice Parker's order because he had the impression that perhaps council thought that the judgement said that the owner of the horse is liable in a situation where it was in an accident with a car. He said that this was not the effect at all. All that his judgement did was to say the ordinary rules of negligence apply in a situation of this nature and that in the Davis vs. May case the magistrate made a finding that May had acted in a reasonable manner and indeed had taken more caution than would be expected of a reasonable man. He said that this was the reason that the owner of the horse got the judgement against him. Judge Parker had also said that in future cases the ordinary rules of negligence would apply and he would look to the fact whether the horse owner or the car owner had been the more negligent and whichever one was, would pay. He concluded by saying that in his opinion the type of legislation proposed would be of a discriminatory type because it said that one class of individual had greater rights on the highway than another class.

Mr. Boyd said that one could drive across country from Winnipeg to Vancouver and not find one horse on the road and there must be a reason for that because it was not all populated area.

Mr. Collins, in answer to Mr. Enderton said that the outfitters in no way had attempted to mislead the members concerning the effect of Mr. Justice Parker's decision. He said that Mr. Parker's decision simply stated that Mr. Davis was negligent in permitting the horse to stray on the highway, and that Mr. May was not negligent in the operation of his motor vehicle, and therefore found Mr. Davis responsible for the accident. He said that in his opinion the obvious conclusion would be that in 99% of the cases this would be the result of an action wherein a horse was on the highway and was struck by an automobile. With respect to Mr. Enderton's statement that this was discriminatory legislation he invited him to look at the B.C. and Alberta legislation where he would find similar legislation. With reference to Mr. Boyd's statement about the 20,000 cars he said that if all the 20,000 cars pass along the highway during a five month period it would be an approximate average of 2 cars per hour and in his opinion this did not represent heavy traffic.

Mr. Boyd said that the 20,000 cars he referred to were cars that landed off the ferry and did not include all the other cars and trucks in the country.

Mr. Shaw said the problem should be looked at from all angles if possible. He said that in driving on the highway that people usually felt when they went around a corner at night time or approaching a hill that they were quite safe unless they saw a light. With respect to horses he said, particularly when they are going in the same direction as the person was travelling one could easily run into them and it would in fact be quite a thing to avoid them and in his opinion it made it very hard for the person. He further said that he could see that if it was left up to a judge to determine by the evidence who was at fault and who was not it was irrefutable that since the man could give his case and the horse could not that the breaks would be very much on the side of the driver of the car. In his opinion the perfect situation would be as is outlined in the proposed ordinance but he wondered if the person who proposed the ordinance gave any thought to the actual cost of fencing about 1500 miles of road. His suggestion was that this could be solved by putting signs on certain sections of the road every mile or so for a distance of say 5 or 10 miles clearly indicating that this was grazing range, and that the outfitter who made the request of a certain range of specified shape and distance be obligated to see that the signs were put up by special arrangement. That particular section the onus would be on the person that was driving the vehicle, not on the horse. In submitting this suggestion he said he was taking into consideration the fact that to put a sign at each end of the Alaska Highway and the same on Territorial roads, would be placing too much of an onus on the driver of a vehicle because when covering a great distance he is going to travel the maximum speed allowed. He said that this would be a compromise that would be reasonable to the motorist because he would have to take due care, and it would give the horse owner the responsibility of keeping the horses within the restricted area. In his opinion the sign should be placed according to the movements of the horses as they find adequate grazing, that is, they need not always be on the same places on the highway.

Mr. Desrosiers commented that to attempt to fence the horses in and restrict them to a certain area would be impossible because the horse could not survive he had to travel and find the grass where it is. He said that he would be only too glad and willing to assist in putting up signs in areas which would be hazardous to a driver if he were given permission.

Mr. Shaw concluded from Mr. Desrosiers remarks that the posting of signs in certain areas would be about the only workable solution to the problem.

Mr. Collins asked if Mr. Shaw was suggesting that these areas that are fenced along the roads would be areas where the owner of the horse would not have to concern himself about liability in the event that a motorist ran into a horse.

Mr. Shaw replied that is exactly what he meant. Mr. McKamey asked the Legal Adviser if it was within Council's jurisdiction to pass any ordinance that pertains to Crown land.

Mr. Hughes replied that in his opinion that legislation was needed to cope with the problem and would think it was within the jurisdiction of the Territorial Council. He said that he could not say what D.P.W.'s views would be but he felt sure that they would cooperate.

Mr. Watt asked the Legal Adviser if they could limit the amount that the horse owner could be sued for.

Mr. Hughes replied that the limitation of the right to sue was a pretty far reaching step because then we are predetermining the rights of an injured party.

Mr. McKinnon wondered whether time was of the essence and whether legislation could be drafted at this session. He asked the Legal Adviser if there would be any trouble now that D.P.W. had taken over the highway in getting the signs placed. He said that he knew it was very difficult when the Department of National Defence had control over the highway.

Mr. Hughes said that he felt that something could be worked out but he would not recommend a removable sign because a motorist who having hit a horse could find it very easy to move the sign and then say that the sign wasn't there. Personally he would like to see the signs dug in very well. He further said that his mind was running on designating of areas by Commissioner's order under the Motor Vehicles Legislation or something along those lines. He felt sure to get them over the summer something could be worked out in the form of signs with D.P.W. and the Territorial Engineering Department and he wished to assure everybody present that Commissioner Cameron was in sympathy with this thing and asked him to tell the Councillors anything they could do to overcome the problem they would do. He concluded by assuring Councillor McKinnon that he felt confident that they could get up signs for this summer.

Mr. Shaw asked the Legal Adviser if it would be possible during this session to draw up enabling legislation to cover the matter in principle and with provisions for the Commissioner to make regulations governing certain sections of road as became necessary during the year.

Mr. Hughes said he may be moving too fast and too confidently but he would produce for presentation by a member of Council a piece of enabling legislation, though he would need the assurance of the Commissioner that he will consult with the outfitters on the particular areas to be designated. He thought they could beat the problem this session.

Mr. Livesey said he was very happy to hear that and wished to ask the outfitters if they would indicate before they left how they felt generally about Council's approach to the problem. He said "Are we going in the right direction or can they assist us further?"

Mr. Davis said that in his opinion it was a very good idea and he was prepared to go all the way with Mr. Shaw's suggestion, and wished to thank Council for the trouble and pains they had taken.

Mr. Desrosiers said that he wanted to thank the Councilmen for having them there and that he felt sure they could work along the lines of cooperation and get something satisfactory to everyone.

Mr. Van Bibber replied that he was very satisfied and that it took a load off his mind.

Mr. Collins, Mr. Van Bibber, Mr. Desrosiers, Mr. Davis and Mr. Enderton were excused.

Mr. Shaw asked if the Legal Adviser required any further direction before he drafts the enabling legislation.

Mr. Hughes replied that the test would be to see if he could bring down a draft legislation of what he thinks will reflect the thinking of Council.

Mr. Boyd commented that he was very concerned about getting this thing too one-sided and said he did not want to see that take place.

Mr. Shaw commented that he felt the same way as Mr. Boyd did but that they had to come up with some kind of an answer. He said that he would leave it in the capable hands of the Legal Adviser to come up with something that would be fair and not take anyone's rights away but defines limited areas of responsibility.

Committee agreed to defer the matter until the Legal Adviser had produced a draft for consideration.

Discussion  
Bill No.11

Committee proceeded with discussion of Vote 16, Bill 11, Public Administrator, Mr. Hughes in attendance.

Professional and Special Services \$520

Mr. Hughes speaking as Public Administrator explained that the item was a \$10.00 a week figure put in to cover the costs of somebody going



out and collecting the personal effects and so on. Mr. Livesey assumed then that to a certain extent it could be very recoverable.

Mr. Hughes replied that it could be very recoverable.

Mr. Shaw said last year they were given a brief pointing out the tremendous expenses incurred by the Public Administrator department and he asked Mr. Hughes to comment on that.

Mr. Hughes said it is the first year and he would expect it to run somewhere between \$6-8,000.00.. He said that the main outlay was the salary to the person who assisted him in the office. Concerning revenues the basis of fee charging is 10% on an estate up to the first \$5000. The next stage was 5% on the estate gross up to \$20,000.00 and beyond that it was 2%. He said so far they have had only two estates of any dimension and the fees from those amounted to some \$2500.00, while the other 30 odd estates yielded fees of about \$500.00. At the moment he would say their fee return was around \$4,000.00 since taking it over last July so it didn't quite break even, but would expect it to over a full year.

Mr. Watt asked whether 10% was taken out of life insurance that was left to a beneficiary.

Mr. Hughes replied that if there was a nominated beneficiary payments were made direct to the beneficiary and did not form a part of the estate. However, if it is nominated to be paid to the estate then it becomes part of the estate for the purpose of calculating percentage.

Mr. McKamey wondered if the office of Public Administrator operates under any ordinance.

Mr. Hughes replied there were two ordinances namely the Judicature Ordinance and the Insane Persons' Ordinance.

Mr. McKamey asked whether it would be advisable to have an ordinance under the Public Administrator.

Mr. Hughes replied that he had no difficulty working under the present arrangement, except how to calculate percentage of a long term case, such as the insane person who had been shut away since 1905, but he was waiting for the Order from Auditor General's representative to give him advice on this point.

Mr. McKamey asked whether there was a guide for the disposal of property.

Mr. Hughes replied no, he said this is an area in which you have to give it an honest try. Mr. McKamey cited a case where a Public Administrator had sold property of an old minor prior to his will and executor showing up and this is why he had asked the question. He said he was very happy to see this office back in the hands of the government but in the event it ever got out of the hands of the government again he would like to see some ordinance protecting the rights of people.

Mr. Hughes was excused from committee.

Mr. Boyd moved seconded by Mr. Watt that Mr. Speaker 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 Report

"Committee convened at 10:30 a.m. to discuss Bills, Memorandum, Motions and Sessional Papers. Committee first discussed Vote No. 5 with Dr. Kinloch and Mr. MacKensie in attendance. Committee recessed at 12 noon and reconvened at 2 p.m. Committee then



discussed matters related to Motion No. 23 with Mr. Collins, Mr. Desrosiers, Mr. Van Bibber, Mr. Davis and Mr. Enderton in attendance. Mr. Legal Advisor was instructed to review the matters related to Motion No. 23 and return on Monday next with draft legislation. Committee then discussed Vote No. 16. I can report progress on Bill No. 11."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m. Friday, April 17, 1964.

..... / 199

Book

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

Sessional  
Paper  
No. 57

Mr. Speaker tabled a memorandum from Commissioner Cameron regarding Motion no. 18, Burning and Refuse Areas. (Set out as Sessional Paper No. 57)

Mr. Boyd moved, seconded by Mr. Shaw for leave to introduce Bill No. 20, An Ordinance to Amend the Municipal Ordinance.

Introducin  
Bill #20.

Motion Carried.

Mr. Taylor gave notice of Motion respecting Yukon Participation in 1967 World Fair.

Motion  
No. 29

Mr. Watt gave notice of Motion regarding the Forthcoming Territorial Elections.

Motion  
No. 30

Mr. McKinnon presented the following question, "Would the Administration provide Council with the amount of money remaining in each electoral district's Community Development Fund?"

Question  
No. 18

Mr. Taylor presented the following question, "In view of assent not being given in the House to Bill No. 9, the Interim Supply Ordinance 1964, would the Administration advise Council under what authority the Administration continues to function financially, and when such assent is to be given in the House?"

Commissioner Cameron attended Council.

Mr. Watt, addressing Commissioner Cameron, said he had noticed in the Votes & Proceedings of the Northwest Territories Council 1963, they spoke of a Public Utilities Commission being formed for both the Northwest Territories and the Yukon, and he wondered if there had been any enquiries.

Commissioner Cameron replied that this had been discussed but it was felt that a permanent public utilities commission was not required and the finances would not be justified. because of the number of utilities - water, sewer, communications and power.

Mr. Watt asked Commissioner Cameron if he had been approached as to a commission for all public utilities or for power only.

Commissioner Cameron replied that it was for all public utilities.

Mr. Boyd asked about business men being the utility commission, if it was intimated or inferred by Commissioner Cameron that these people would choose to bring in an expert at their own expense or would it be at the expense of the Government.

Commissioner Cameron replied that this would be a Government expense.

Mr. Boyd asked if the commission would require the services of a specialist would it be with the consent of the Administration or the Government.

Commissioner Cameron said this would depend on the terms of reference.

Mr. McKamey said that he noticed in the Northwest Territories they had local improvement district legislation in effect. He said the advisory committee on finance have recommended this in their five year financial agreement and it had been requested by the Territorial Council for a number of years that such legislation should be provided in the Yukon Territory and he asked if they could ever expect to get it.

Commissioner Cameron said he would take the question as noted and find out where it stands at the present time.

Mr. Taylor asked that the Commissioner note that the Northwest Territories had gone one step further in that they had village status legislation and possibly in consideration of the item on local improvement district he could look into that particular aspect as well.

Commissioner Cameron was excused from Council.

Question No. 20 Mr. Livesey (with the Deputy Speaker in the Chair) directed the following question to the Administration, "In view of the fact that residents in outlying areas should be encouraged to obey the laws of the land and make every effort to prevent fires in bush areas, follow health regulations, and keep premises clean and tidy, whether they are businessmen or private citizens, is it the policy of the Administration that residents on the North Alaska Highway in isolated areas are of no financial concern of the Territorial Government?"

Mr. McKinnon asked Mr. Livesey, in view of the many disappointed T.V. viewers last night watching "Citizen's Forum", whether the Honourable Member from Carmacks-Kluane received an invitation to appear on this program and if so why did he not reply.

Mr. Livesey replied that he did not feel this was a question that should be raised here and he believed it to be a private matter relating to his activities outside the House.

Mr. McKinnon disagreed and said this was the direct result of matters brought up in the House.

Mr. Taylor, Deputy Speaker, said the House was not acquainted with the particular item that Mr. McKinnon was raising and it was not a matter of interest to the House. He ruled the question out of order.

Mr. McKinnon said he thought it was a matter of interest to the House and he appealed the Deputy Speaker's ruling.

Mr. Taylor, Deputy Speaker, said that his ruling had been appealed and asked that the question be called on the ruling.

Mr. Shaw asked if this was a letter sent to the Territorial Council or an individual. In his opinion if it was sent to the Council of the Yukon Territory, then it would be Council's business, but if it was sent to the individual then it was the individual's business.

Mr. Taylor, Deputy Speaker, said he did not recall any item of business to the House relating to appearing on T.V.

Mr. McKinnon said this resulted from the unanimous decision of the House. He said "A decision which would not have been unanimous if I had been here. The invitation was sent to the Chief Executive of the House to explain why this motion was passed unanimously. The Chief Executive chose not to even have the courage to reply."

Council sustained the Deputy Speaker's ruling with Councillor McKinnon opposed.

Mr. Speaker resumed the Chair.

Mr. Boyd moved, seconded by Mr. Taylor, that Mr. Speaker now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Motions, Memoranda and Sessional Papers.

Motion Carried.

In Committee of the Whole:

In  
Committee

Dr. Kinloch, Chief Medical Health Officer, attended Committee.

Vote 5, General Health Services, \$107,386.00

Mr. Taylor asked Dr. Kinloch if he had been given any indication when the recommendations of the Royal Commission on Health Services may be brought down.

Dr. Kinloch replied that he had not but that he would inquire and would be pleased to furnish Council with copies of the recommendations.

Mr. McKamey referred to the child guidance clinic in Whitehorse and asked Dr. Kinloch to explain.

Dr. Kinloch explained that funds had been provided for visits by a team from the Alberta Child Guidance Clinic. This was a private arrangement between the Territorial Government and the individuals concerned, with the permission of the Director of Mental Health Services for the Province of Alberta. The funds involved were for transportation, maintenance and salaries. The purpose of it was to assist parents who have retarded or emotionally disturbed children prior to school age with their management. It was to assist the physician in caring for such children and to assess children for admission to a school for retarded children which is soon to be set up and to assess children for possible admission to opportunity classes in the regular educational programme. It was further to assess adults where the physician was in some difficulty concerning their management, and he felt that this was a very inexpensive way of providing this service they otherwise could not get.

Mr. McKamey asked if this would be extended to the outlying districts.

Dr. Kinloch replied that they would be in Whitehorse but that it would be open to any resident in the Territory and all physicians had been notified, all teachers had been notified, and all public health nurses.

Mr. McKamey asked how long the team would be in the Yukon.

Dr. Kinloch replied that they would be here for four full days from May 20th to May 24th.

Mr. McKamey asked if it was felt that this would be sufficient to handle the whole of the Territory.

Dr. Kinloch replied that it would not but it would give them a good start.

Child Welfare Services \$17,300.00

Dr. Kinloch explained that child welfare services related only to medical expenses for children in and under care of Welfare. He said that the same applied to social assistance. They were only medical expenses related only to those persons who received social assistance.

Whitehorse General Hospital \$25,000.00

Mr. McKinnon said it would be interesting if Dr. Kinloch could enlighten the Committee on what would be the status of the hospital now that the Army was leaving the Territory.

Dr. Kinloch said that with regard to staff, the only military staff who were at the hospital were two laboratory technicians and one x-ray technician. These will be replaced by departmental persons. He said they would lose all three D.N.D. physicians but he believed the Airforce would be contracting with the medical clinic to provide services to them. With respect to the patient days the number of D.N.D. persons and their dependants who were in hospital at any time was seldom in excess of five so this would amount to a loss of

about 150 patient days per month out of a total of about 2,000 patient days. He added that they might have some difficulty in replacing personnel with persons equally well qualified.

Mr. McKinnon said that although there may have been only five beds utilized by D.N.D. dependants while they were here, were not 60 beds the responsibility of D.N.D. and who would now have the responsibility of those beds.

Dr. Kinloch said that the original estimate for the hospital called for a submission for the number of beds D.N.D. were likely to need and it was estimated at 60. In effect these 60 beds have not been the responsibility of D.N.D. because they have not been paying for 60 beds and only using 5. He said this was going to affect their operation in no other way than they will lose 5 beds per day.

Mr. Livesey asked with respect to ambulance service on the Alaska Highway, if Dr. Kinloch could assure him that this service was receiving their attention. He wondered if Dr. Kinloch had thought of this question as a Territorial matter.

Dr. Kinloch replied that he had but that the financial implications of such a take over were rather staggering and he said he would prefer to see an arrangement whereby D.P.W. would maintain highway ambulances and some of the solution be found for local ambulances in Whitehorse.

Mr. Shaw asked what the provisions were for having a person brought down who was hurt at Beaver Creek.

Dr. Kinloch replied that the means of transportation was open to whether you flag down the next car that came along, chartered an aircraft or called an ambulance. It all depended on the circumstances.

Mr. Livesey said there was an ambulance at Beaver Creek and also at Destruction Bay. This was a service paid for by the people on the Alaska Highway as private individuals. He wondered what was the Territorial Governments thinking concerning this matter.

Dr. Kinloch replied that the matter of payment of ambulance service was included under the same provision as air transportation under the ten thousand dollars that had been provided. He said one did not have to specify the mode of transportation, but whether or not the Territory would take this over and say "we will pay for all emergency transportation regardless" could not be decided because they did not know how much money would be involved. For the moment they had to insist that the transportation charges were the responsibility of the individual unless he was unable to pay in which case the Territory would pay.

Mr. Taylor (with Mr. Boyd in the Chair) referred to a motion concerning the purchasing of two inhalators resuscitators, one to be placed at Ross River and the other at Teslin. He asked Dr. Kinloch if he would be in a position to give his support to such a proposal.

Dr. Kinloch asked what type of resuscitators Mr. Taylor was speaking of because he said some would be unsuitable and would require trained personnel to operate them but there were types that were equally successful but did not require a trained operator. He felt this was a good idea with the provision that the proper type of equipment was provided.

Mr. Taylor said the type of unit would be the type normally used by fire departments.

Mr. Watt asked what would be the usefulness of an air ambulance.

Dr. Kinloch replied that he did not think there was sufficient volume of work to justify this.

Dr. Kinloch was excused from Committee.

Commissioner Cameron attended Committee to discuss matters relating to the Centennial Programme.

Commissioner Cameron asked Committee how they felt a committee should be set up to head the centennial programme for the Yukon Territory. He thought that most communities had some sort of a committee but felt that a main committee should be established and they should ask each of the community committees to submit one member to the main committee which could meet possibly twice between now and 1967 to look at the overall picture. He asked the Members if they as Councillors would like to contact the people concerned or would they like to see it advertised in the newspapers.

Mr. McKamey said he had already discussed this with the community clubs in his district and they have their plans all made up. From the Keno Community Club he had been asked when they were going to get the green light, and he had been holding off because he had not heard anything from the Administration as to what was proposed here. He was wondering whether Ottawa had accepted Council's recommendations.

Commissioner Cameron replied that a letter had been written the day they discussed it and reached an agreement but he still had not received the okay back.

Mr. Shaw said that they had a group in Dawson and they had had a meeting and proposed certain plans. There was nothing clear and concise about this and he felt that they **should** receive directions from Ottawa as to what projects would be acceptable. He thought that the suggestion from the Commissioner to have a representative from each community was a very sound one but he felt that before it was done a more definite information would have to be acquired so that when the people came to Whitehorse they would have something to put their teeth into.

Commissioner Cameron agreed **but** said that he would like to tie up any loose ends if they could right now so that if they do get the green light they will be able to say "we will contact so and so and so." Then they could get together and look at the projects and decide what could be done and how much money would be needed. From there each individual could take it back to the community which he lived.

Mr. Taylor (with Mr. Boyd in the Chair) felt it was a good thing that this is kept at the community level rather than soliciting requests from every little organization around the Territory. He asked that the Administration endeavour to keep them informed after they leave Council of every little development.

Commissioner Cameron asked if each Member could give him a name that they could contact who was either a member of the community club or the representative group.

Mr. Livesey said that it seemed to him that what the Administration was asking for was Council's direction as to how to proceed and having received this direction, they may then feel that they have the confidence of the Council. He asked Commissioner Cameron to give him an answer on that.

Commissioner Cameron replied that he felt this was part of the funds that they were spending, and agreed to spend, in order to get additional funds. Therefore he did not think they should have any group set up here in Whitehorse and say who they should pick but he would like them to say the organization they could contact or the individual.

Mr. Livesey asked if it would not be sufficient for the Administration if they made a draft of Council's proposals with regard to this Centennial matter and included in the proposals such recommendations as the representatives from various community clubs throughout the Yukon saw fit to make. They could make these recommendations to the Administration in more or less a formal manner so that everything is laid down on paper and there would be no question

of problems arising from not knowing exactly what was proposed.

Mr. Taylor said that he felt that rather than placing the onus on the Councillors to submit these projects they should come from the communities themselves. He felt that the Councillors' function was to work with their communities as elected representatives and give them all the guidance they could on how to prepare and so forth.

Mr. Livesey said that what he was referring to was the decision of Council in connection with the formation of the committee to cover centennial questions. His reference had nothing to do with what could come from that committee to cover their decision.

Commissioner Cameron said he would appreciate any written suggestions and recommendations in the formation of the committees.

Motion  
re Cent-  
ennial  
Advisory  
Committee.

Mr. Shaw moved, seconded by Mr. Livesey, that action be taken in line with Mr. Livesey's proposal that they should submit to the Commissioner their suggestions as how to set up this centennial advisory committee.

Mr. Watt asked Commissioner Cameron if this would apply as far as the Whitehorse Area was concerned or whether he was clear on what was going to be done in Whitehorse in connection with the centennial year.

Commissioner Cameron replied that concerning Whitehorse, City Council and the three Whitehorse area Councillors would get together on that. It is fairly well defined in the Whitehorse area.

Motion Carried.

Mr. Boyd asked Commissioner Cameron if he felt he had received from this group what he required.

Commissioner Cameron replied in the affirmative and added that he was satisfied.

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

..... / 205.

Friday, April 17, 1964.  
2:00 o'clock P.M.

Committee proceeded with discussion of Bill No. 1.

The Chairman: Mr. Legal Adviser, do you have any information for us on this Bill?

Discussion  
Bill No. 1

Mr. Hughes (Legal Adviser): Councillor Boyd I think had inquired whether people would be double charged and then asked the question if some people would in fact escape charge for connections. Now it appears that these people who are connected are to be charged the frontage. As I indicated before it amounts to a total of about \$150 per property spread over the 20 years. In the case of these properties which are not connected at the moment there are connection charges at the same rate and these charges accumulate while connection is deferred. The idea is that the annual charge be carried forward until they come to be connected. If they went 5 or 12 or 19 years until they ask to be connected, they are going to have to pay the back log even though they haven't enjoyed the use of the sewer. This is their privilege, they can forego use of the sewer if they want to, but when they do want to hook up all those years when they were not contributing to it will be adjusted against them. That is one point. A study of the street plan shows that all the properties except two - I haven't been able to clear up why two properties are not affected - are either charged a frontage charge or will be charged connection charge when they are connected. I don't know whether Councillor Shaw has any other information. There were the two properties I couldn't satisfy myself on. Councillor Shaw, I think, had some other information.

Mr. Shaw: That is one part of the question I haven't been able to ascertain an answer to, Mr. Chairman, from the correspondence. It just seems to leave out 13 and 14, those two lots 50 x 100, and that is what I, on account of not being able, they're in correspondence, sometimes is inadequate, I can not find the exact answer to that. However, it boils down to substantially or exactly as the Legal Adviser has explained to you and the whole purpose of this is just in order that the City Council can collect this money from these people. They didn't do it in the first place as they should have done, which is a mistake. Now they are trying to rectify the mistake so they can, in a legitimate manner, collect this frontage tax. All it would mean, if for example this were rejected, that would mean that these people would have these services and wouldn't have to pay for them. And those who aren't hooked up to this, which is the minority, the majority of the people agreed to this but they didn't agree to it in the formal manner in which they should have agreed to it. So that if the by-law was not passed by Council, that would mean the persons that had the advantage of this sewer wouldn't have to pay for the sewer, the city would have to pay for it. So all it is to bring in line something which really should have been done about three years ago, to make a legal basis for collecting this amount of money. This amount of money, namely the \$3.12 a foot frontage, is based on the actual cost of the sewer and is not what I thought at first per year, that is the total cost amortized over a period of 20 years. Now I made inquiries, Mr. Chairman, to recede by-law No. 83 and by-law No. 88, and as far as I could ascertain, what has happened is that this was made with the object of passing it. Well, when they made the by-law they passed the by-law and later on someone came along and said - 'You did not have the authority to make that because you should have made that before.' So that made that by-law inoperative, naturally, so we make one that will be inoperative that hasn't been passed - see this 83 was passed by the City Council to correct this. He read 'First reading June 13, 1963, session 2nd, 3rd, 4th,' and so on. Well when they sent that to their legal adviser he informed them that the proper formalities had not been complied with and therefore it was illegal, so they said well what are we going to do. Well, he said, you will have to apply for an enabling ordinance to do this in, when you should have done it the first year, to enable you to do it in the third year instead of the first year and of course that will require another by-law to do that.



So here is the by-law, here is the proposed by-law, here is the one that of course is ultra vires so that goes out - No. 83 - that's already passed by them but not accepted by law. Here is the new one that of course has to have the acceptance of an enabling ordinance and then of course it has to be accepted by the City Council. There you have the sum total, here is the by-law, you gentlemen can see it if you wish, but there is the necessity for having two by-laws for the same thing.

Mr. McKamey: It was lacking in the formality.

Mr. Shaw: When you put in a new sewer you ask all the people if they will accept this. Then you have to make application to find out how you can collect this frontage tax. All these details have to be made out beforehand. Instead of that they ask them all, they are all agreed, so they put it in and then about a year later they decided well now we'll start working out how we get the money from it. Well they found out this should have been worked out prior to a spade full of dirt dug up to put a sewer down. So after the deed had been done, then they were out of order, possibly you could put it that way, so my they scratched their ears - and how do we get in order? Well the only thing you have got to get permission, you must have an enabling ordinance passed by the council permitting you to collect this, from the Territorial Council, and it's purely actually an internal business, let's put it that way, that on account of not following strictly the municipal ordinance they were at fault, and now they are just trying to rectify it. Had they started in the first place on the right path we would never have heard about this, but they started in the wrong manner, and now they are bad boys in going about the wrong procedure, that was the only part that was bad, the wrong procedure, and now they are trying to rectify it and that is why it is requested that Council go along with this. Anybody who wishes to look at these by-laws they are available to look at. Would you like to look at them Councillor Livesey?

Councillor Livesey: No, it's perfectly all right.

Mr. Boyd: Well, Mr. Chairman, I am still in the dark, and as I understand the putting in of a sewer you have said that the majority of the people agreed to have the sewer put in and I must assume that they agreed to have it put in at a cost of \$3.12 per foot, and you don't pay \$3.12 a foot to hook on after the sewer has been put in. You pay the price it takes to get it from your property to your own house, this is your expense, the individual's expense, but the day that sewer goes past his property they all pay \$3.12 a foot. Now is this the way this is run, or is it different?

Mr. Shaw: Mr. Chairman, let us take into consideration two things. First there is the sewer going past the house. Second is the connection charge. The sewer going past the house is \$3.12 a foot, the connection charge is a separate item of \$167.00 (I think that's the figure) per house. So we can forget about that. All that has happened. I hope I can lead Councillor Boyd into the light on this particular thing, is that this should have been passed by the Council immediately after they agreed to it and before work started. Instead of that it was agreed to by the people that no by-law was passed after the actual sewer was installed, so that made it ultra vires as far as rules, regulations and proper procedure is concerned. It is too late once something happens like that. The correct procedure was not followed. All this is, is to rectify the matter and to give them the enabling power to carry on and collect the money.

Mr. Boyd: Well, Mr. Chairman, I hear now about \$167.00 to hook on. This is new and it's not in here and I'm not concerned with that, apparently the situation does exist. But what I did ask: Are the 2/3 of the people that agreed to have this sewer run past their door - are they paying from the date it was inaugurated that the line went by each and every one of them on that whole street where the sewer is going, are they all paying \$3.12 a foot now the same as the men that are hooked on to it?

Mr. Shaw: Yes Mr. Chairman, they are all assessed with that, with the exception of lots 13 and 14. I am not quite sure of that, but all the people are paying this and the amount that they pay, this \$167.00, is then they get hooked up they will have to pay this hook-up charge.

By the time this \$3.12 a foot or what have you it's a total of \$4,056.00.

Mr. Shaw: Mr. Chairman; this is \$3.12 over a period of 20 years. Now you divide that by 20 and you get the answer. Does that answer the question on the amount being paid?

Mr. Boyd: Could I put it this way. How is it we have a sewer being built now over the last five years and people are using it? Does this new sewer that's being built, is this covering this motion too, and that they have to charge for that, or is this something different? Is this just one sewer? But then it seems to me we have two sewer systems, we have a bill for one sewer but we are building a certain amount of sewer every year and how do we get this money into there, are we going to have another bill for the other sewer in order to assess the people at whatever price that bill will be? Why the two setups? Why is it not all included.

Mr. Shaw: Mr. Speaker, Mr. Chairman, I'm getting confused now. This is a sewer line that goes down and it passes through 1,2,3,4 and maybe half lots because the lot on that corner, Mr. Chairman, where Hougen's is on the other side there is one block. The one on that corner, that's another block, that'll have a different name, this one over there will have a different name and this one here will have a different name, but we are just running down this one pipe, we have different names because that's merely different blocks, it cuts them where you call block 13, block 14, block 12, block 11 and so on, whatever it may be. There is nothing wrong about this, this is not a matter, I would respectfully submit Mr. Chairman, that the detail of this need bother us, this is something for the city to work out. They have not complied with the correct procedure and now they are trying to rectify that. As far as us in the Territorial Council assuming to tell the City Council what they should charge for a basis to the people and providing it is within the law, providing it is not something that's victimizing any individual, I think we are perhaps stepping a little beyond that, like the Federal government telling us how to run our particular business here, providing we are staying within the concepts of the law. This is exactly what is happening here. They made a mistake which is very easy to do, some councils are not always university graduated civic engineers, there have been things and they get a little bit into jackpots from time to time. We have two municipalities, I don't think that any municipality here has the edge on making mistakes, and in fact I certainly have them myself, and you make a mistake, an honest mistake, then you try to turn around and you try to rectify it. We were in all legal means, everything all straight and above board and that is exactly what we are doing. I'm not trying to get up and defend any group of persons that are doing something out of hand, or skullduggery in any manner, Mr. Chairman, I assure you, and perhaps I can't explain every fine detail of every foot or rock in this particular section, but I am trying to get the principles out of what is involved in this particular bill.

Mr. Boyd: Is this sewer any different to the 5-year sewer plan you are using? Do they both fall into the same category moneywise and assessmentwise and so on or are we dealing with two sewer bills, regulations in the Municipality of Dawson City?

Mr. Shaw: Mr. Chairman, the bill that we discussed before in the sewer is where you take up sewers, old sewers that have been there for 50,60,70 years and you have a program of rehabilitating these sewers. This other project is where a branch sewer was put in and we want to collect from the people for the cost of that sewer or the city wants to collect from the people. They don't want the people to say, well, give me them all so we don't have to pay. That I believe has happened in this particular municipality in relation to water. This is a means of straightening up so they can say well, buster, you agreed to have this in and the charges are this way, according to the way you figure them out, and everybody pays the same, you figure your share. And they have all agreed to that, everybody is happy, all they want is some legislation so it's a legal matter, the same as you have to have legislation within the City of Whitehorse in order to collect perhaps water bills or perhaps to assure that a meter system was legal to collect from and you know various ramifications like that.

Mr. McKamey: Mr. Chairman, I think the by-law as it is laid down here puts the responsibility where it belongs and I don't think it's up to me to question this. If they are willing to pay for it, that's their problem, I agree that this is a municipal problem and apparently they have agreed to it this far, if Mr. Shaw wants to move this out of committee without amendment I am prepared to accept the question.

Mr. Livesey: It seems to me to be a very simple matter, there doesn't seem to be any problems here. What we are doing is making it legal to do what is otherwise not possible and what was not possible was done so therefore what we are trying to do is get them out of the position that they are in and put them back to where they are legal, and that will straighten up the whole situation. The actual ordinance is about one of the most simple things you could imagine. It has paragraph 1 and paragraph 2, and there is no question about it. I think the member from Dawson has fairly well stated the case, someone went off the deep end and put in a sewer line and then they wake up and find out they shouldn't have put in a sewer line and so now what are we going to do, just sit there like a bunch of poor minded people and just sit on it and say well, just let it sit there, we'll let the darn thing propagate itself. The answer is not that at all, if we've got a problem let's solve it, and about the only way you can solve it is to start getting somebody into a position whereby you can collect some money on it. If it has already been done, well, I think we can argue all night about the thing and everybody can get all hot under the collar and start telling somebody they are doing the wrong thing and that sort of thing and cast aspersions, castigations and so on, to my mind which are useless, absolutely useless. The thing to do is, we've got two paragraphs to decide, and I say gentlemen, let's get on with it, after all are we going to have now after we've got the sewer line in and we've paid out the good money to get this sewer line in, are we going to just sit there and not be able to collect on it? I say no, let's get on with a little collection, and if this will do it and do it legally I see nothing wrong with it, that's about all you can do.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 1 be reported out of committee without amendment.

Motion Carried.

Bill Nos. 2, 3, and 4 reported out of Committee.

Bill Nos. 7 and 8 deferred pending information and availability of Dr. Kinloch.

Bill No. 9 has been reported out of Committee.

Bill No. 10 pending further information.

Bill No. 11 Main Supply Bill presently under consideration.

Discussion Committee proceeded with Bill No. 13 -  
Bill No. 13

Mr. Taylor: (Mr. Boyd in chair)

Mr. Chairman, as mover of this bill, I have of course been in communication with my people at Teslin in this regard at the Easter weekend, and as you know this bill has a little history. The initial agreement when the franchise was made one year ago. At that time, and at the request of myself and the people I represent, the ordinance stated "The Commissioner is hereby authorized to enter into an agreement with the Yukon Electrical Company Limited." Now much pressure was brought to bear by the Administration at the fall session in the changing of this and reluctantly I altered it on behalf of my people who were told that this was nothing, no problem at all, so, in view of the situation, I had to agree to change it to read: "That the agreement made under this ordinance may be varied or amended from time to time by agreement between the Commissioner and the Yukon Electrical Company Limited." Consequently this spring, having had lots of time to review the subject and situation throughout the Territory, I looked into this item and I believe last year it was stated here before Council that this was quite unwieldy, the Commissioner-in-Council, that you'd have to have a council session in order to do anything with this ordinance. So I got looking over the franchise agreement we were dealing with and I found that in fact under rates, subsection (j) "Notwithstanding anything herein contained the company may charge rates lower than the maximum rates where it considers conditions justify such departure from the normal tariff."

In other words, contained in the franchise agreement concerning Teslin, and I imagine in other communities as well, this power exists, in other words they can lower the rates any time they want to but they cannot raise the rates without first coming before Council. This is the way it was and this is the way I wish it to remain. In lieu we talked of utilities commissions and so forth. I think the Financial Advisory Committee recommended that we did not go to the expense of \$10,000.00 in setting up a utilities commission at this time and I think as far as electrical utilities are concerned that Council should have an opportunity of keeping conversant with these franchises and the agreements related thereto. I think you'll find that the Yukon Electric Company are doing a pretty fine job here in the Territory, I think, however they do control electrical power in the Yukon Territory and consequently I think that the elected representatives on behalf of their people who live in these franchise areas should have an opportunity of keeping tabs on things and control on it and in effect the Council then becomes more or less a utilities commission in itself. This is why I have submitted the bill, I have seen my people and they all agree that this is fine and I feel as they do that this is a good safeguard, rates cannot be raised and so forth unless just cause can be shown why they should be raised and it also respects the principle of writing the people into a franchise agreement.

Mr. McKinnon: Mr. Chairman, to say that this bill has a history is putting it mildly and to say that it is confusing would be a pretty apt statement also. If I remember correctly at the fall session last year that the Honorable Member from Watson Lake supported the amendment of this bill so that the Commissioner could deal with the Yukon Electrical Company on day to day negotiation and make the franchise workable. I think I am correct in this statement. And this bill was passed - the amendment - so that there could be a working daily arrangement between the Commissioner and the Yukon Electrical Company. Now the reasons promoted by the Honorable Member from Watson Lake to change this bill back to its original status escape me, they really do. As far as I can understand from his remarks, that he wants the bill to come before Council if the company wishes to lower their rates in Teslin, that this should not be allowable - I am just stating what I understand from the franchise, I may be corrected on this - that as the franchise reads they can lower their rates if they so desire but they cannot raise them before going to the Commissioner, and as the bill now reads that the Commissioner has to place at the next session of Council any changes that have resulted in the franchise between the Yukon Electrical Company and the Commissioner and these then may be discussed by Council and judged as saw fit by the representatives of the people. As it stands now, I just cannot see the reason or the thinking behind a practical working solution which I thought we had reached and why it is now being changed.

Mr. Taylor: Mr. Chairman, I think in the first instance I expressed quite clearly and concisely why I took the stand I did last fall. As I stated in my initial remarks I did so reluctantly as some other members at this table will attest, and consequently I will not have to reiterate these statements. I did say last fall regretfully because the Yukon Electrical Company at that time had informed the people of Teslin that this was all fine and so forth and I had not time to proceed deeper into the franchise agreement and it wasn't until this winter that I noted that in fact there was nothing unworkable about this with regard to lowering of tariffs, departure from the normal tariff because it is spelt right out here "Notwithstanding anything herein contained the company may charge rates lower than the maximum rates where it considers conditions justify such departure from the normal tariff", but they can't raise them except, they cannot raise tariffs under this proposed bill - and this reads exactly the same way as Carmacks and Carcross at the present time - they cannot raise these tariffs unless they come before the Commissioner-in-Council. In other words this writes the people into the agreement. Now further to this I have had personal conversation with Mr. King and the president, I believe, of the Yukon Electrical Company some two weeks ago and they stated that, they had no strong feelings either way on it, and so, as I say, what I am doing here is writing the people of Teslin into the franchise agreement which exists in Teslin.

Mr. Livesey: Yes, Mr. Chairman, I wasn't able to hear the original remarks of the member from Watson Lake, but actually what this does - and I feel quite familiar with this type of thing because this is one of the items I brought to the attention of the previous council and they agreed with it -

was that it seems to me that the agreement between the company is as stated in the agreement, and this to me seems as though it should be to a certain extent if we are going to satisfy the customers - they're going to have something solid to go on. Now the only thing solid they've got to go on is the agreement. Now if this can be altered or amended at any time it's almost to me seems similar to altering or amending the bill of the Council because this is how they got the franchise agreement in the first place was because various members have discussed the question with the people in the district and the people in the district had agreed that they would go ahead and allow a 20-year franchise, and they did it on the basis of the agreement. Obviously they had to have something to have some basis on which to come to some decision or conclusion and the different people I've talked to certainly would feel that it's a lot more fair if any alteration of the agreement is discussed by the Council and the Commissioner. I don't think we are being unfair at all because the franchise agreements came into being because of an agreement between the Administration and the Council and of course the company was allowed to operate a franchise on this basis, so I don't think there is any lack of faith here, and I don't feel there has been any particular problems. As a matter of fact, I can't recall one single problem that has been brought to the attention of this Council in relation to these franchise agreements. Now, if my memory serves me correctly, I can't think of a single item that has been brought to this table whereby there is any problem in relation to these agreements, and by having the words Commissioner-in-Council rather than the Commissioner and the Company of course alteration of the agreement cannot be made unless it is made here in this house or the alteration agreed to. I think this is quite fair. This gives the public a certain amount of protection and I don't think it takes any protection away from the company. The only difference is, and a significant one, is that I think that if the company and the Commissioner can alter the agreement without Council participation, of course when it does eventually come to the Council you have what I would call the fait accompli, it is something that is already done and accomplished before we even take a look at it, which I think is a very poor position for the Council. I think the Council is in a far better position to discuss the question before it has been established and this of course is all that's required here. It isn't a question of trying to be arbitrary against the company, we need the company's assistance, we need the power, we need their wholehearted cooperation and I think we're getting it; there's no problem with these companies as far as I know, and I hope to see this carry on. But I certainly do agree that the Council participates on behalf of the people who in my estimation are going to be able to - they are the ones that are going to have to pay for the power being used, I think in this case they have some protection and the company has protection as well. Thank you, Mr. Chairman.

Mr. McKinnon: Mr. Chairman, I am at a loss to see why this Bill 13 must be changed back to its original from what it was amended to at the last fall session, and as far as I can understand the argument hinges around section (j), and I can see nothing - Mr. Chairman, if I could, could I ask for a legal interpretation of section (j) of the Teslin agreement?

Mr. Hughes: Mr. Chairman, this has some difficulty, I haven't had a copy of Bill 13 so I am not in a position to discuss it. I'm not sure that I can be very helpful. (Mr. Hughes is supplied with a copy of the bill and a copy of the Teslin agreement).

Mr. Livesey: Mr. Chairman, the member for Whitehorse North appears to have a problem and I think his problem is with the rates, and that is under section (j), and it says here "That notwithstanding anything herein contained the company may charge rates lower than the maximum rates where it considers conditions justify such departure from the normal tariff."

Mr. McKinnon: So they can charge lower rates if they want to.

Mr. Livesey: Yes.

Mr. McKamey: That's the original.

Mr. Livesey: Yes. Now this is the agreement. This is the basis from which the franchise was established. Now, in the explanatory notes for Teslin last fall it said. The Company, it was problematical as to whether they could lower the rates or not, and this was made in the opposite direction, we claim that it is not problematical at all, it is factual. They can lower the rates but it says nothing in the agreement that it says that they can raise the rates. It doesn't say they can raise them. However, if you make it possible for the company to alter the agreement without sanction of the council, you make it possible for them to do that which they now can not do. This would be the object of giving them that power. The point is that now they don't have the power, this is only one particular instance of course, it could be referred to any other section of the agreement. What it does, if you feel, and this could cause some discussion, but if you do feel like I do that the agreement is part of the bill because as far as I'm concerned without the agreement there would be no bill - this is a technical point of course - but I still feel that alteration of the agreement to my mind without consent of those who created this, who made it possible, for the agreement to be established is putting the Council in a rather peculiar position and whereas what we do now is that we do not take away the power of the Commissioner at all, the power of the Commissioner remains the same as far as I can see, only what it does is, the words Commissioner-in-Council, brings the Council into it. In other words, the representatives generally speaking of those who are participants of this franchise they are the ones who pay, these are the people who pay for the power, now they enter into the agreement through their representatives of the Council and this is all it's for. It's not to challenge the company nor is it to challenge the Administration. All it does is prevent a raising of the rates or creating any obligation which would be against those who pay for the power between sessions, that's all it does, this gives them that protection.

Mr. Taylor: Mr. Chairman, yes, the prime reason for bringing this back to conform with the Carmacks and the Carcross ordinance and the original form that this ordinance was in is to bring them all back into line and write the people into these franchise agreements and this is purely and simply it. It offers a form of control, now as I stated I have discussed this item with Mr. Dale, who I believe is president of Yukon Electric, and Mr. King, and they are quite easy either way on it so they have no hard feelings on the issue and I cite this on behalf of my people in Teslin, and I would ask that you give me support in passage of this piece of legislation.

Mr. Shaw: Might I ask a question, Mr. Chairman? I have no strong feelings none whatever, as far as this is concerned, and the reason I say that is because where I live they also have a franchise so you possibly see what that franchise is maybe worth to you. If the company decided it was necessary to raise their rates, apparently they can lower them any time, and if they wish to raise them they will have to bring it before Council and the Commissioner to get the necessary permission. I believe that's correct. (This was confirmed by Mr. Livesey). If for example the company has a real legitimate reason or claim to raise the rates and it comes before the Commissioner-in-Council to accept this or reject it, and you have about ten people that you are going to have to agree to this, at least you are going to have seven Council members and the Commissioner, that will be eight, because this is a Commissioner-in-Council proposition, you have eight people to satisfy that this is justified, and of course there will be different viewpoints on the matter; we all know it is harder to convince eight people than it is one or two, and they cannot possibly operate profitably, there must be a profit involved, and they are rejected from raising their rates so they have to operate at a loss or a profit that isn't commensurate with the amount of money invested. What would happen in that event? Could I have that question answered, Mr. Chairman?

Mr. Taylor: Mr. Chairman, I think it is quite evident that if, as I cited before, under this proposal as it now stands with Carmacks and Carcross, the agreement between the Commissioner-in-Council and the Yukon Electric Company establishes Council as a more or less quasi utilities

commission as far as electrical franchises are concerned in those two communities because no change, as you state, can be made without consideration of the Commissioner-in-Council. I think if Yukon Electric certainly ever came up, for instance in the case of Teslin, before Council with a proposal to increase their rates and I think that they could show Council any just cause or reason why this rate increase is required, then I think that I would have no doubts at all that Council would agree with it, but the big important thing is the member representing Carcross or representing Carmacks, or the member representing Teslin, would be present at these discussions and I believe that this franchise will relate to other communities in the Territory too, they all have an opportunity of knowing what is going on; however this group and this group of franchises and in effect we are establishing ourselves as a more or less quasi electrical franchise utilities commission.

Mr. Shaw: Mr. Chairman, a following question is that if I were representing a particular area and a raise was imminent I think I would naturally be somewhat biased perhaps and say, well, this shouldn't be raised on account of this, that and so forth and what not, would I then be in a qualified position or would other members of the Council be in a position of where they would be qualified, - I understand they are qualified for creating legislation, that is our function or it is supposed to be - but would we be qualified to determine the profits and losses and etcetera etcetera, line losses and anything you might call it in electrical power - would we be qualified to provide a very judicial answer to this in a quasi manner of an electrical utilities commission?

Mr. Taylor: Mr. Chairman, I would like to answer that question. I would say yes to that question, by reason of the fact that we would have to weigh the situation as we do in any other situation really, in the House, on the basis of its merits as it's laid before us, as a judge would weigh a case. If we felt in any field that, for instance labor is a good example, if we felt that we did not possess the necessary information to deal properly with labor legislation we would get a labor expert to come and join with us, but I submit, Mr. Chairman, that this does accord us control and it also accords us the people of part of that franchise agreement.

Mr. Livesey: Well, this question of qualification of course is a hard one to decide. We are qualified to send people to misuse incarceration because of misdemeanor, we are qualified to make legislation, the elections ordinance qualifies the Council to do numerous things including spending 8, 9, 10, 11 million dollars. This seems to be well established, it is part democracy. Now the question with relation to the technical aspect of any matter in connection with this thing, of course, what do we usually do, why, we bring in an expert that's what we do - usually, if there is some part of law we don't understand, why we bring in an expert; if there is some part of law we don't understand, we ask the legal department and if there is anything else we don't understand we admit we don't understand it and we ask for certain information to be brought to our attention, and I don't feel, in view of the fact that these matters have carried on for so long without apparently any problems having been thought sufficiently important to bring them to our attention ever since these matters were established I don't think there is any need to get jittery about it and I think that if there is going to be any problem at all I am quite sure that the company would be quite capable of bringing any problem that they feel that they have which faces them, I think they will be quite capable of bringing them to our attention in a very capable and efficient manner and I have no fears in this regard, none whatsoever. I think that they have provided electrical power in several areas of the Yukon Territory where possibly without them there may be no electrical power at the moment. They have certainly done this and done it well, and I have no problems or complaints there at all and neither do I have any problems in relation to their efficiency to bring to our attention any particular matter which may be upsetting. I don't think there is any trouble there at all, none whatsoever.

Mr. McKinnon: Mr. Chairman, this Bill No. 13 which is now before us. Section 2 of this amendment says: "The agreement made under this ordinance may be varied or amended from time to time by agreement between the Commissioner-in-Council and the Yukon Electrical Limited. I would like



to ask Mr. Legal Adviser a question. Does this mean that under the agreement which is now between the Commissioner and the Yukon Electrical Company any aspect of this agreement that would be changed would have to come before Commissioner-in-Council if this bill goes through:

Mr. Hughes: That is correct, Mr. Chairman. Despite what the agreement itself says the ordinance overrides the agreement, and even though the agreement says the agreement may be changed in the downward direction on rates, the effect of this limitation, now being purposed will be to override that. And you will have, therefore, to invite the company, you have to give them really the opportunity of tearing up the existing agreement. I should perhaps, if I may, deal with the early history. In the first instance, this bill, which was prepared in Ottawa, was presented to the Council in the form where there was no reference to the Commissioner-in-Council. The question arose as to the effect of adding the Commissioner-in-Council, the legal adviser directed a letter to the chairman of the committee considering the matter and that letter was read, that letter was to advise against the change on what the legal adviser considered good constitutional reasons, namely that you would have to come back and consider the agreement when changes were needed. This would have made the arrangement inflexible. However, the committee decided to amend and it was passed with a reference to Commissioner-in-Council. No agreement was signed by the hydro following that passage of that amended ordinance. It was not signed until after the passage of the ordinance at the last session. In other words, after the words '-in-Council' had been taken out and a little more flexibility given to it. Now Councillor Taylor, out of the chair, was referring to conversations - now it will be for the chairman of the committee to rule on the amount of evidence he will allow members of the committee to give instead of calling witnesses. There is a basic rule of course that the best evidence should always be brought. I am not directing the committee chairman but there is a slight inconsistency in the reported attitude of the hydro company. There has been a modification there I believe, but they did not sign it until the amendment was carried through at the last session. I bring this to your attention because you may not be aware of this. The only valid way in which one can assess the effect of the change is to go through clause by clause of that agreement and see where the difficulties will come up, not just perhaps to single one clause out, but as practical men you might like to look at it. Now, while there is a history of this amendment, you will remember that the Dawson Light and Power ordinances which were recently disinterred that the reference there was to the Commissioner-in-Council for amendments and so on. The result is for one reason or another over a period of 60 odd years the matter never seems to have been reexamined. Obviously somebody was at fault either way, whether it's Commissioner-in-Council or Commissioner by Agreement you may over the years find informal arrangements creeping in. This is where the human factor comes in. It is not a vital constitutional question, but it is a matter of good business practice. Nobody is trying to fetter the hands of the Council to examine what has been done. It is true that in certain circumstances some of the matters will be fait accompli, but on the other hand there may be very good reason for quick action on a particular matter and the Administration feels that with this change when it was introduced last time the thing was simply made more flexible. Let's not inflate this thing into a vast constitutional issue when it doesn't really exist, it's trying to make a working arrangement.



Mr. Taylor took the floor and said, "Mr. Chairman, we're not inflating anything into a vast constitutional issue, all we are doing is putting this back to where it properly belongs, just where we had it when we started because I state that last year it was changed over and the only reason I consented to it, and there was a vote taken and it was a very close vote, and the only reason I consented to it was because I had not the opportunity to fully explain this to my people in Teslin, and of course the company did, and talked to major consumers at that time, it was new at that time, into accepting it, and since, as I say, I have been down and seen my people, explained it, gone over it in all its aspects and I've come back and I wish it to remain on behalf of the people of Teslin as the Carcross agreement now exists and the Carmacks agreement now exists, as Commissioner-in-Council and this is what they want and consequently this is what I want. This writes the people into franchise agreements where they belong because I've seen too much happen with franchise agreements at this table and I cite the former Council. I came and sat in the gallery one day when they were handing a franchise out to another party and many of the Members were innocent of this deal. But one man, one member of this Council, presented to the rest of Council a franchise agreement with the idea that everybody in Watson Lake agreed with this franchise - it was of course our Watson Lake franchise - until eventually some of the other members on learning that this was not so deferred the subject until we could get organized, otherwise we'd have been in the same position as Dawson City is today - with a franchise for a flat two bits a kilowatt, this type of thing. As long as Council has control of these franchises then the people have control, and this is the way - we're working in conjunction of course with the Administration and this is the way I asked that it remain and I would ask that Council support the Bill. I might also say I realize that this from the remarks made by Mr. Legal Advisor, that there was some difficulty in getting the sign sort of thing - I realize the Administration don't want this change because it was the Administration who fought the big change last fall. I'm quite clear on that, and I'm quite clear on the fact that Mr. Legal Advisor will recommend everything in the book against this change. However, we want this change, and as far as the agreement goes "the agreement made under this Ordinance may be varied or amended from time to time by agreement between the Commissioner-in-Council and the Yukon Electrical Company", I feel, my interpretation of that is that the agreement may be altered by agreement and between the Commissioner-in-Council and the Yukon Electrical Company Limited."

Mr. Hughes left the Council Chambers.

Mr. Taylor said "Mr. Chairman, may I know where the Legal Advisor has gone?"

Mr. McKinnon: "Mr. Speaker, I certainly would take Mr. Legal Advisor's, on a legal point, I'd certainly take his interpretation over the Honourable Member from Watson Lake's."

Mr. Taylor: "Well, Mr. Chairman, I would submit, I am placing my interpretation on this before the table."

Mr. McKinnon: "I'm saying that this is wrong."

Mr. Livesey: "Order."

Mr. Taylor: "Mr. Chairman, I will continue"

Mr. McKinnon: "Its a direct insult to the Legal Clerk of this "

Mr. Taylor: "Mr. Chairman, may we have order?"

Mr. McKinnon: " committee direct!"

Mr. Livesey: "Mr. Chairman, how many people (here several people spoke)

Mr. Boyd: "Mr. Speaker will you take "

Mr. Taylor: "Order"

Mr. McKinnon: "On a point of order, there's an apology owing to the Legal Advisor of this Committee."

Mr. Boyd: "Sit down, Mr. McKinnon. Mr. Speaker will you take the Chair?"

Mr. Speaker: "I will now call Council to order. There is no report needed from the Chairman of Committees. We will now deal with the question raised in Committee."

Mr. McKinnon: "Mr. Speaker, I rose on a point of order, there was a legal interpretation asked by myself from the Legal Advisor who is the legal clerk of this Committee and of this Council. Mr. Legal Advisor gave me a legal interpretation. Mr. Legal Advisor has graduated from a university and has practised for years and I think this qualifies him as an expert in the interpretations of legislation. He is the legal clerk of this Council. The Honorable Member from Watson Lake rose and chose to defy that interpretation that Mr. Legal Advisor had given this Committee. I think that in all respect and in all fairness that the Honorable Member from Watson Lake owes the Legal Advisor of this Council an apology."

Mr. Speaker: "I wonder if you could repeat to me and before the House the words used that were offensive?"

Mr. McKinnon: "Mr. Speaker, I would ask them to be read back by the stenographer, by the Council stenographer."

Stenographer: "I don't think I can. I wasn't following exactly what Mr. Taylor was saying."

Mr. McKamey: "It will be on tape".

Mr. Speaker: "I would ask the tape be taken verbatim and that the actual words be presented before the Members of Council."

Mr. Taylor: "Well, Mr. Speaker, I cannot agree on this point of order and during discussions on this item Mr. Legal Advisor was asked by the Honorable Member from Whitehorse North for his interpretation of a part of the Ordinance. Now I don't think we're all here to agree with everything each gentleman says in Council or Committee, we're here to place our views on the table for the consideration of all Members. I feel that there is no point of order in this regard, Mr. Chairman, because in my subsequent remarks I was pointing out what my interpretation was on this particular section of the Ordinance and I feel that a servant of the House, Mr. Legal Advisor, who is, in effect a servant of the House, who is here to guide Council, Mr. Chairman, as specified under the rules of Council. "It is the duty of the law clerk of the Council to assist Members of the Council in drafting legislation, to prepare Bills for assent after they have been passed by the Council, to approve the printing" and so forth. It is the duty of this man to help us in these Bills. Now this man, I respectfully submit, it is not his duty, even though I, as a Member and not a Member of the Legal Profession, Mr. Speaker, if I stand up and place my interpretation which may be subject to discussion, if I place my own interpretation on any section of any Ordinance in this House, I am fully within my rights and I would submit that there is no apology forthcoming, Mr. Speaker, I would submit that if there was an apology forthcoming I would certainly give it. However, I do not feel there is one forthcoming and I feel that Mr. Legal Advisor is the one who should apologize to the House for his display in leaving the House while sitting as a requested Member of the servant of the House. Thankyou."

Mr. Speaker: "On this question, Gentlemen, I don't feel that we can properly assess the situation without actually having the words before us to decide. I would like to hear those words used, and under the circumstances, Gentlemen, I will reserve my decision until I have received the words which may come at some later time from the Clerk of the House, and that will be my decision. Mr. Taylor will now take the Chair in Committee."

In Committee of the Whole:

Mr. Chairman: Councillor Shaw?

Mr. Shaw: Well, I'm lost, I haven't had a chance to say a word.

Mr. Chairman: Well gentlemen, I'll declare a short recess for tea, and possibly Mr. Clerk can get that verbatim information.

Committee reconvened: Messrs Watt and McKinnon absent.

Mr. Chairman: We are dealing with Bill No. 13, and how do you wish to proceed at this time?

Mr. Shaw: Well, Mr. Chairman, we only have 5/7 of the amount of people here to go through these things now.

Mr. Livesey: That's a quorum, Mr. Chairman.

Mr. Chairman: How do you wish to proceed with this bill, gentlemen?

Mr. Livesey: I will move, Mr. Chairman, that the bill be reported out of committee without amendment.

Mr. McKamey: I will second the motion, Mr. Chairman.

Mr. Chairman: Any discussion on the motion?

Mr. McKinnon returned to the Council Chambers.

Mr. Chairman: It has been moved by Councillor Livesey, seconded by Councillor McKamey, that Bill No. 13 be reported out of committee without amendment. Are you prepared for the question:

Mr. McKimmon: No.

Mr. Livesey: Question.

Mr. McKinnon: Speaking on the motion, Mr. Chairman, I don't know what this motion was, some kind of an attempt to railroad this ordinance through the Committee chambers when I was not present, like another motion that went through this House. The Committee hasn't got the courage to let a man speak on something that he's entirely convinced is wrong.

Mr. McKamey: Mr. Chairman, I rise on a point of order.

Mr. Chairman: Order, please, gentlemen. Will you state your point of order. Mr. McKamey?

Mr. McKamey: Mr. McKinnon made a statement here a moment ago that we railroaded things through this House when he wasn't here. Now, if he's tardy and he does not get here when Council opens, should we hold up the whole affairs of the Yukon Territory until he decides to appear before Council I would like to know.

Mr. McKinnon: Speaking on the point of order Mr. Chairman, there have been occasions, many occasions in this House when we have known that people have wanted to speak on certain motions and certain matters. We have left these matters in abeyance until the members who were then absent could be present and discuss them. The House does not have to do this, but it has always been the common courtesy of this House since I have been a member that this has been done. I submit that in the case of this Bill 13 at the table at this moment that members at this table knew I had further discussions on this and that during the tea break, because I didn't return promptly from it, put the question because there was a quorum present.

Mr. Chairman: Mr. McKinnon, for the edification of the Honorable Member from Whitehorse North, motion was made in reply to an answer as to how we should proceed with this bill and it was seconded and we were prepared to

ask the question upon your arrival here today and it was for your information that I reread the motion upon your arrival in the House and there certainly is no or was, to my knowledge, no intent of railroading or anything of this nature, and this is the motion before Committee and that is the way the matter stands at the present time.

Mr. McKinnon: May the motion be reread, Mr. Chairman, I am a little disturbed.

Mr. Shaw: Mr. Chairman, prior to Councillor McKinnon arriving in this chamber I brought up the matter that there were only, I think the exact words, 5/7 of the members present to continue with this bill in which it will not permit the other members to discuss the matter and I was informed that there was a quorum present.

Mr. Livesey: That is correct, Mr. Chairman, there is also another member missing here and has been missing all afternoon and we have no idea where he is, and couldn't possibly say whether he is going to return or he isn't going to return. As far as I'm concerned we can discuss this again tomorrow if the member so wishes.

Mr. McKinnon: Mr. Chairman, what is the question before the Committee right now, the motion?

Mr. Chairman: The motion before the Committee - It has been moved by Councillor Livesey, seconded by Councillor McKamey, that Bill No. 13 be reported out of Committee without amendment.

Mr. McKinnon: If I may beg the indulgence of this Committee, I have not a copy of the Teslin franchise agreement before me. To discuss this bill intelligently and to answer questions that I want to ask of the Legal Adviser - and as an elected member I think I have every right to ask them - that I want the Legal Adviser present and I want a copy of the Teslin franchise agreement before me and further to have further discussions on this bill. And I would move, Mr. Chairman, that this question before the Committee be not put until Monday following the further discussions on Bill No. 13.

Mr. Shaw: I will second the motion, Mr. Chairman.

Mr. McKamey: I want to ask a question. I would like to know if I am right in my recollections of the last fall session of this Council. We had an amendment to the bill before regarding the franchise agreement for Teslin. Did we have the franchise agreement before us when we amended that bill? No. And if I may point out Mr. Chairman, Councillor McKinnon did not request that the franchise agreement be placed before him or the Council when he amended the bill last fall, but now he requests that this be placed so he can discuss it intelligently. Well, now, I submit Mr. Chairman, I don't know how it could have been discussed intelligently last fall without the franchise agreement.

Mr. McKinnon: Mr. Chairman, I knew the agreement had not been signed because the way the bill read before it was amended it couldn't be intelligently in agreement.

Mr. Chairman: Would you care to have my copy back again, Mr. McKinnon?

Mr. Livesey: Well, Mr. Chairman, the switch of course was rather an unfortunate one. I think perhaps emotions are a little high this afternoon and the amendment last fall of course was simply a switch in the amendment that we made in the previous spring, and now this is amending it back again, that's all this is doing, and I certainly agree with the member for Mayo that last fall no copy of the franchise agreement was submitted for discussion in Committee and Committee proceeded with no objections to proceeding in that manner towards the amendment at that time, but as far as I'm concerned if the member wishes to have the franchise agreement before him, why, by all means, I don't see anything wrong with that at all. If this is the case, why, I believe most of the agreements are the same in form and texture and substance, and if this is the objection why I certainly

raise no objection to looking over the agreement or any other document if it's necessary.

Mr. Boyd: Mr. Chairman, I wonder if I could ask a question. Does anybody in this room know if the agreements have been signed for points north for which we have bills here? I think Kluane Lake is one of them, I forget what the other one is, maybe 1202, I'm not sure. Are there agreements signed for those?

Mr. Livesey: Mr. Chairman, we are not discussing franchises of Beaver Creek or Destruction Bay to the best of my knowledge and belief. We're not. And there are no bills so far as I know in regard to either one of these places.

Mr. Chairman: Yes, for the edification of Committee, the two bills referred to are Bills 5 and 6 which relate also to the changing of the Carcross agreement and the Carmacks agreement to remove the clause Commissioner-in-Council which we are endeavoring to provide in Bill No. 13.

Mr. Boyd: Well, Mr. Chairman, I'm at a loss and I'm not fully convinced of what this Bill 13 really does mean. I don't know and so far it's never, as far as I'm concerned it has not been thoroughly explained, but if I knew whether agreements were signed for those other two points I'm getting at is if the electrical company went ahead and installed these installations on the basis of the agreement as it exists now, it would seem it was satisfactory and this is what the people accepted. And I'm wondering why it should be necessary, immediately after the installations, to request a change, my point is, how much effect is it having or is it apt to have really, truly what is the actual effect going to be if the agreement remains as it is written, namely with Commissioner-in-Council. This is the point I'm not clear on.

Mr. Livesey: Well, Mr. Chairman, if I might answer that. The one for Carmacks and the one for Carcross was changed to Commissioner-in-Council in the year 1960 and I have the bill in my possession, and the bill originally read: 'An ordinance to authorize the Commissioner to grant a franchise to the Yukon Electric Company Limited for the distribution of Electrical power in the area of Carmacks in the Yukon Territory.' Now we're not discussing this at this moment but I am just merely bringing this to your attention as an example of what you are discussing. The bill was 'The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory enacts as follows: 1) The Commissioner is hereby authorized to grant a franchise to the Yukon Electrical Company for the distribution of electrical power in the area at Carmacks in the Yukon Territory, upon such terms and conditions as the Commissioner considers satisfactory. The Commissioner himself calls a franchise granted pursuant to section 1 to be tabled at the first session of the Territorial Council following such grant.' You get a copy of the franchise after you have granted the franchise through the bill. Now, this was held up in the course of proceedings as far as Carmacks was concerned. We had several meetings of the people of Carmacks on it, and the following spring I submitted a private members' bill to authorize a franchise to go ahead because the people of Carmacks were satisfied upon certain matters that they questioned previously, and since that date to the best of my knowledge and believe, both Carmacks and Carcross have been operating satisfactorily. At least we have discussed no questions here in the House in relation to either one of these places and in my discussions with my people in my area they are very satisfied with the Yukon Electric and they certainly are very happy to have this service. Now, there has been no problem brought to our attention and this is what the Commissioner-in-Council would need, and if there was a problem it would come up before the Council. This is the sum and substance of it and as far as I know no problems exist. Now, if we can carry on from 1960 to 1964 and have no particular grief with it, it seems to me that it's working all right and if it doesn't work of course that's a different proposition altogether, but it seems to me it's working all right, and it doesn't seem to me that there's any need to change it.

Mr. Boyd: Mr. Chairman, I take it then that Council granted the Commissioner the right to enter into the franchise with the electrical company and that this agreement for Teslin is identical to the one in Carmacks, we'll say, and this is the agreement under which the franchise was granted by the terms of this agreement. Would this be correct?

Mr. Livesey: The bill authorizing franchise in 1960 to Carcross reads: "The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory enacts as follows: 1) The Commissioner is hereby authorized to grant a franchise to the Yukon Electrical Company Limited for the distribution of electrical power in the area of Carcross in the Yukon Territory upon such terms and conditions as are approved by the Commissioner-in-Council". This was the bill authorizing franchise for Carcross which seems as I say the same as Carmacks to have been operating very satisfactorily. This is the position for these two areas. Now, what the member for Teslin is doing is merely bringing his area into line with these two others, and as no problems have been brought to our attention from either one of these areas to the best of my knowledge and belief, I feel that it is working satisfactorily, and objections I think should be raised, if there are any objections, well this is the situation, I don't think that people are being happy about it and I don't think the company have brought any particularly hard problems to our attention, and I think even if they did we would certainly try to assist them in every way shape and form. That's what we would do, this Commissioner-in-Council, as far as that goes all it means is that the agreement won't be altered or amended between sessions then the Council will not know what amendments have taken place, that's what it means. It's just as simple as that. It means that the amendments if they are made will be made at the following session of the Council. Now when the Council granted the franchise in the first place, and I don't think that on the basis of the history of either one of these places there is anything to complain about.

Mr. Shaw: Mr. Chairman, I am very sorry to see the events of this afternoon in its various sequences. Speaking personally, I have no strong views one way or the other. I cannot say as it would make very much difference either way if we had agreements under both of these type of things under Commissioner-in-Council and under Commissioner it works very well. The Dawson area is under the Commissioner-in-Council so you know how well that worked, so if that's a criterion it isn't very much. However, as I have stated, my feelings aren't very strong one way or the other because I think it's a mountain out of a molehill sort of a proposition. However, other members have different views it's very obvious. The Legal Adviser in his summation, I may not use the exact words, but he pointed out that there were no constitutional difficulties that he could see in changing this. He said it is more like a matter of facilitating the actual operation under the terms of the agreement and so on and so forth. Now there might have been something else there, I'm not elaborating on this. However, one thing I have noticed, Mr. Chairman, the members' high feelings at this time and I think it would be a good point to put this to one side so everyone could recollect their thoughts in a stable manner and proceed with this as the motion is required set out by Mr. McKinnon.

Mr. Chairman: Any further discussion on the motion, gentlemen? I have a substantive motion which takes precedence over the first motion and the substantive motion reads that Councillor McKinnon moved, seconded by Councillor Shaw, that the question be not now put and be deferred until Monday morning next.

Mr. Shaw: Question.

Mr. Chairman: The question has been called. Are you agreed?

Motion Carried.

Committee proceeded with discussion of Bill No. 15. Mr. Chairman read the bill.

Discussion Mr. Boyd: This is another one of these bills to conform with Canada-Bill No.15 wide, and I would move that the bill be passed out of Committee as written.

Mr. Shaw: I will second the motion, Mr. Chairman.

Mr. McKamey: Mr. Chairman, I would like to ask Councillor Boyd who does this affect?

Mr. Boyd: I don't think it really affects anybody too much. There's a long preamble there that seems to be nothing but confusion and where the 35 at the bottom of the ordinance puts it into something that's understandable.

Mr. Livesey: Mr. Chairman, I wonder if the Clerk of the House could assist Committee?

Mr. Clerk: Yes, Mr. Chairman, I think I could, the Bills of Sale Ordinance, the registration done under the Bills of Sale Ordinance are done in my office and this amendment merely brings the ordinance into line with our present practice of working a 5-day week. Under the ordinance as it is written now we really should be open on Saturday mornings to accept registrations of documents, but we don't work on Saturday and that's what this first amendment is for. It also affects the Clerk of the Magistrate's Court and the Clerk of the Territorial Court's office, for the same reason, but not necessarily under this ordinance. This is bringing them all in line, This particular one does affect the registration clerk in my office.

Mr. Shaw: Another thing, Mr. Chairman, they can be told to go home for dinner under the new one and they couldn't before.

Chairman: Any further discussion on the motion, gentlemen? It has been moved by Councillor Boyd, seconded by Councillor Shaw, that Bill No. 15 be reported out of committee without amendment.

Motion Carried.

Discussion Committee proceeded to Bill No. 16. Mr. Chairman read the bill.

Bill No.16 Mr. Boyd: Well, Mr. Chairman, this is another that's to me quite simple. The teachers had a complaint where a teacher landed in here and hadn't accumulated any holiday pay the first two weeks or three weeks they were here, they had to pay their own bill and they didn't have the money with which to pay it - as a rule they were broke. So this simply says that their holiday pay is credited to them ahead of time and it gives us the right should they be overdrawn at the end of the last pay cheque, the overdrawn sick leave will be deducted from their last salary. It's just a case of where somebody gets sick a few days after they land in here and they are destitute and no means of money.

Mr. McKinnon: I wonder if as a suggestion Mr. Chairman, if you read Bill No. 17 now, the explanatory notes, the two coincide so closely that I think they could be understood quite easily.

Mr. Chairman: Do you wish these read? We haven't reached this bill yet but the explanatory notes related to Bill No. 17 state: "That in the course of discussion with the Salary Advisory Committee representations were made that the provisions of Section 88 (1) of the School Ordinance should be revised so that a teacher in the initial year of employment by the Territory would be credited with a full years sick leave from the beginning of the school year.

The objective behind the suggestion was to give newcomer teachers a feeling of confidence and to let them know that they would not be marooned."

Mr. Boyd: Mr. Chairman, I move that Bill Nos. 16 and 17 be passed out of committee as written without amendment.

Mr. Shaw: Is this in accord with the representative of the Council on the School Board. Is this quite in order and are you satisfied with it?

Mr. Boyd: Yes, Mr. Chairman, I'm quite satisfied, it's a practice carried on in other provinces, it has to be all over Canada I think.

Mr. Livesey: Mr. Chairman, one point baffles me and that is it seems to me that an employee is entitled to so much sick leave per year. Well then, if he's only entitled to that much, how is it that he could collect to an extent where he owed the Commissioner anything? How does that happen? Could I have that explained?

Mr. Clerk: At the present time our sick leave accumulated at the rate of a day and a quarter per month but nobody is allowed to take any sick leave for the first six months under the present setup. Now the only thing this bill and the following bill does is amend the two ordinances so that the Commissioner may grant sick leave to people who haven't actually earned it during the first 2-3 months of their employment. Then if, when they get back to work, they earn the sick leave in the usual manner and the sick leave that they've already taken is deducted from their credits they build up in future, if you follow me, but if they terminate before they have earned the sick leave they have already taken, then the Commissioner may deduct it from their termination salary. That's exactly what this amendment means. The Commissioner can't do it under the present ordinance.

Mr. Shaw: It would be what you would call a sick leave credit union.

Mr. Livesey: Then Mr. Chairman do I understand it that as long as we have been operating the government here in the Yukon Territory, and I imagine that is something like 60 some odd years, that it has been possible that more sick leave than was coming could be obtained by an employee but there was no enabling legislation to retrieve it? Is this correct?

Mr. Clerk: I don't believe I got that straight, but, I might repeat that up to now the Commissioner couldn't grant anybody sick leave except the amount of sick leave they had actually earned. Now if I had just commenced working for the Territorial Government and I had only been working for them for three months I wouldn't get anything because now under the present ordinance he cannot give you any for the first six months. It still accrues to your credit but he can't give it to you. But under this amendment even in your first month he could grant you 4 or 5 days sick leave even though you hadn't earned one day actually up to that point, because you only earn your sick leave at the rate of a day and a quarter per month or shall we say three weeks in a year.

Mr. Livesey: Now I ask, Mr. Chairman, we are not getting to the meat of the turkey. Now he can do what otherwise he couldn't do even though it was on the books he still couldn't do it or didn't do it. In other words, it was possible for an employee to take sick leave when he was sick, and before he couldn't do this at all, he could only retrieve from the Territorial Government the exact amount for the time covering the exact period in which he was sick, not for the period where it had been allotted to him so much sick leave based on a certain formula. Now he can take the formula and he can be sick any time he wants and he can collect on the formula as laid down, but if he collects more than is coming, he will have to return it. Is this right?

Mr. Clerk: He will not have to return it under this. If he collects more than is coming to him the Commissioner can still grant it to him and allow him to earn it when he gets back on the job again. But now he can not, now he can only grant him a sick leave which he actually has to his credit. In other words, he can make him a loan of sick leave time and then when he does get to work take them from his future earnings.



Mr. Livesey: Mr. Chairman, if I might direct another question to the Clerk of the House. Would you consider this to be an advisable situation as far as the government is concerned?

Mr. Clerk: I would most certainly consider it to be advisable because I know there have been cases in the past when people have been sick during their first six months of employment and they've had to take leave without pay rather than be granted sick leave.

Mr. Chairman: Might I ask one question from the chair? New subsection 4 of the bill states that no employee is entitled to sick leave during any period he is on leave of absence without pay or on suspension. If an employee was under suspension, possibly pending a decision, and it was found that the employee was in fact innocent of whatever he was suspended for, would the sick leave time be accumulated back again if it was found that in fact he was innocent?

Mr. Clerk said yes, if he is cleared of any blame then he will not lose any sick leave.

Mr. Livesey asked whether subsection (4) to this amendment was in the existing ordinance.

Clerk-in-Council said no, this is an addition.

Mr. Boyd, moved, seconded by Mr. Shaw, that Bill No. 16 be reported out of Committee without amendment.

Motion Carried.

Discussion  
Bill No.18

Committee proceeded to Bill No. 18 which was read by the Chairman.

Mr. Shaw drew Committee's attention to a memorandum from the Commissioner in relation to this bill in which he raised certain objections, and thought it would be very appropriate to accept the suggestions. He was in accord with the principles of the bill but felt they should leave its preparation in the hands of the Commissioner because of the fundamental objection in relation to money.

Mr. McKamey thought the only objection was that the bill deals with the amount that will be charged for a license.

Mr. Shaw said he would personally respect the wishes of the Commissioner.

Mr. Livesey said actually the objection is a technicality and felt that the question of withdrawing a bill is, without unwarranted criticism or any intention, something that should come from the House itself. He read Section 24 of the Yukon Act which states "It shall not be lawful for the Council to adopt or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue of the Territory, or of any tax or impost, to any purpose that has not been first recommended to Council by message of the Commissioner, in the session which such vote, resolution, address, or bill is proposed." The technicality he is referring to is the letter and the letter reads: "It is proposed that should this reciprocal agreement receive favourable consideration at the next session, to suggest a rate of \$2.00 for each bird licence issued to holders of Alberta or British Columbia resident bird licences wishing to hunt birds in the Yukon Territory." this was signed by Commissioner G.R. Cameron. It seemed to him it could be looked upon that the recommendation has already been made, complete with signature, that this would be the proposal of the Administration if the question was decided. When you return to the bill you see that the mover of the bill has moved an identical situation where he says .....

"2. The said Ordinance is further amended by adding to paragraph (c) of section 1 of Schedule A the following:

"(ii) a non-resident pursuant to subsection (b) of section 36.....\$2.00". so it is exactly the same thing. What the Administration has proposed in this letter is incorporated in the bill, it seems this already has been signed, that this is their intention and this has been incorporated in the bill.

Mr. McKamey asked if they could have Commissioner Cameron attend Committee. He said he would like to know the reasoning why in one memorandum he says one thing and in another he says no, it is gone, and both memorandums are signed by the Commissioner of the Yukon Territory.

Mr. Chairman wondered whether the other members wanted the Commissioner at this time.

Mr. Livesey thought Commissioner Cameron could assist them a great deal as he would be familiar with the aspect of the situation in question.

Mr. McKinnon said there is one line which bothered him in the letter from the Commissioner. He said it has been suggested before this Committee table the bill, the only objection to the bill is that it deals with money, however there is another objection raised that not all the drafting problems have been overcome, and with due respect to Councillor Taylor's fine legal interpretation he requested another legal opinion on why all the drafting problems had not been overcome on this bill.

Mr. Chairman asked Clerk-in-Council if he would ask the Legal Adviser and Commissioner Cameron to attend Committee.

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

Motion Carried.

When Mr. Speaker resumed the chair, Mr. Taylor, Chairman of Committees, reported as follows:

Committee Report

Committee convened at 10:35 a.m. to discuss Bills, Memorandums, Motions and Sessional Papers. Dr. Kinloch attended Committee to further discussions on Vote 5, Bill 11. Commissioner Cameron attended Committee to discuss matters related to Sessional Paper No. 11, Centennial Projects. It was moved by Mr. Shaw, seconded by Mr. Livesey, that Council submit to the Administration Committee's proposals reference the formation of a Centennial Committee to clarify the position of Council as guidance for the Administration. Motion Carried. I can report progress on Bill No. 11. Committee recessed at 12 noon and reconvened at 2:10 p.m. to discuss bills. It was moved by Mr. Shaw, seconded by Mr. McKamey, that Bill No. 1 be reported out of Committee without amendment. Motion Carried. It was moved by Mr. Livesey, seconded by Mr. McKamey, that Bill No. 13 be reported out of Committee without amendment. Mr. McKinnon moved, seconded by Mr. Shaw, that the question be not now put and be deferred until Monday morning next. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. Shaw, that Bill No. 15 be reported out of Committee without amendment. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. Shaw, that Bill No. 16, be reported out of Committee without amendment. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. Shaw, that Bill No. 17 be reported out of Committee without amendment. Motion Carried. I can report progress on Bill No. 18. It was moved by Mr. McKinnon, seconded by Mr. Shaw, that Mr. Speaker do resume the chair and hear the report of the Chairman of Committees. I can also report that there is a matter pending before Mr. Speaker on an item of disorder in the House this afternoon.

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m. Monday, April 20, 1964.

Monday, April 20th, 1964  
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 concerning street lighting in subdivisions. (Set out as Sessional Paper No. 58)

Sessional  
Paper  
No. 58

Mr. Livesey (with Deputy Speaker in the Chair) gave notice of Motion concerning twenty-four hour C.B.C. radio service.

Motion  
No. 31

Mr. Watt gave notice of Motion concerning a public utilities commission.

Motion  
No. 32

Mr. Taylor moved, seconded by Mr. McKamey, whereas it is recognized that Canada's Centennial year will be highlighted by the World Fair in Montreal in the year 1967; and whereas it is recognized that all provinces of confederation will participate in the World Fair by providing information centres, etc.; and whereas it is recognized that participation by the Yukon at such a World Fair would be both desirable and beneficial to the Territory as a whole; now be it therefore resolved that in the opinion of the Yukon Legislative Council, the Administration is respectfully requested to initiate a complete study of all matters related to the possible participation of the Yukon Territory in the World Fair to be held in Montreal, Quebec in the year 1967; and be it further resolved that such studies should take into consideration representations from all or any industries or agencies in the Yukon Territory and programmed with a view towards promotion of Tourism, Industry and all phases of Resource Development in the Yukon Territory.

Motion  
No. 29

Mr. Taylor, speaking on his motion, said that the resolution was a result of a discussion in the House some days ago and it gave the Administration the guidance and assistance of Council in that respect. He felt the resolution was self explanatory.

Mr. Shaw said that one thing to consider when spending money on a World's Fair operation was what value it would give them. As far as the Yukon Territory was concerned the industry to exhibit would be the tourist industry in order to attract people. In his opinion if the World Fair was to be held in San Francisco or someplace in the west they would get a real dollar value from it, but it would be difficult to come from the east to the west and then all the way up north. He said that careful consideration should be given to the amount of money spent on this particular project in relation to what they could expect in return.

Mr. McKamey said that he had seconded this motion and was in full accord with it. In his opinion the Yukon as it stood today had a very good future, the mining industry was picking up and the tourist industry was picking up. He disagreed to a certain extent with Councillor Shaw's remarks and felt there was a good possibility for a secondary industry. He could visualize where they could have a display of different types of minerals such as asbestos and silver. He could also visualize to promote the tourist industry they could put Bud Fisher in charge of a booth having slides of the Yukon with him. Due to the fact that this is the last of the frontiers, they could create a lot of interest and it would pay large dividends. He was in full support of the resolution.

Mr. Shaw commented that he was not talking against the motion, he merely felt that caution should be displayed.

Motion Carried.

Motion No. 30 Mr. Watt moved, seconded by Mr. Boyd, it is respectfully requested that Council be furnished all available information with respect to dates and procedure for the forthcoming Territorial Elections.

Mr. Watt, speaking on the motion, said he felt it was self explanatory.

Motion Carried.

Question No. 21 Mr. McKamey asked the Administration the following question; "That the Administration contact the Manager of C.B.C. and find out why there was no announcement prior to Mr. Pearson speaking on the C.B.C. as there had been when Mr. Diefenbaker was the Prime Minister."

First & Second Reading Bill #20 First and Second readings were given to Bill No. 20, An Ordinance to Amend the Municipal Ordinance.

THIRD Reading Bill # 1. Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 1, An Ordinance Respecting the Corporation of the City of Dawson, be given THIRD reading.

Motion Carried.

THIRD Reading Bill # 2. Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 2, An Ordinance to Amend the Yukon Housing Ordinance, be given THIRD reading.

Motion Carried.

THIRD Reading Bill # 3. Mr. McKamey moved, seconded by Mr. Boyd, that Bill No. 3, An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance, be given THIRD reading.

Motion Carried

THIRD Reading Bill # 4. Mr. Boyd moved, seconded by Mr. McKamey, that Bill No. 4, An Ordinance to Amend the Disabled Persons Allowance Ordinance, be given THIRD reading.

Motion Carried.

Discussion Point of Order Re Legal Advisor Mr. McKamey said that there was a problem of misunderstanding that had to be solved this morning and he asked if it could be done at this time.

Mr. Speaker said the question arose on Friday and he believed they had verbatim reports before them. He said that he had thought the matter over during the week end quite seriously and as the Speaker of the House he would make every attempt to be as eminently fair as possible regarding any settlement of any question that would arise either between Members or between Members and the Staff. He said the question was somewhat unusual when it rose between a Member of the House and a Staff member. In giving consideration to this, he felt that the proper way to go about this would be not to try to judge what had not been stated but to try and judge what had been stated. He said "Up to this point although we have heard a statement that there was a grievance, we have not heard exactly what the grievance was from the party concerned". He therefore felt that the House should make no attempt to deal with a question that had not been stated. He further felt that if the grieved party would state the words to which he objected to they would be in a position to adequately deal with the question from that point on. He asked for Council's concurrence in the matter.

House Agreed.

Mr. Shaw said the objections came from the floor of the House, namely from the Honourable Member from Whitehorse North. He said "How would they resolve this, is the complaint from the Legal Advisor or is the complaint from the floor of the House"?

Mr. Speaker said the way he looked at it was that it seemed that in order for the House to proceed, the House was entitled to legal advice as well as other forms of advice, and it was the legal advice

that was no longer here. His understanding was that the Legal Advisor would not return to the House until an apology was forthcoming. He did not feel at the moment that they could discuss the question until they had heard from the party grieved, just what the trouble was. He felt as soon as they heard this from the gentleman concerned then he thought from that point on they could discuss and think it over. Otherwise they had nothing to discuss and that was the point he was dealing with at the present moment.

Mr. Taylor said in reviewing the verbatim statement of that particular discussion he found that the point of order raised by Councillor McKinnon was that the Member from Watson Lake should apologize to the Legal Advisor because he had placed a different interpretation on a section of the Ordinance than the Legal Advisor did. He believed that this was the actual point of order raised by the Member from Whitehorse North which of course he disagreed with.

Mr. Speaker said he was not particularly dealing with that aspect at the moment as much as he was dealing with the fact that someone had left the House because of a grievance, and after a point of order. He wanted to be fair and said that if there were words that were objected to then those words should be stated before a decision could be suggested. He believed that the only person that could state those words was the person that felt he had a grievance. If he did so then they would know what they were dealing with, otherwise they would not.

Mr. McKinnon said that when he rose on a point of order on Friday afternoon he was aware that some remarks had been made by the Honourable Member from Watson Lake that did cause a grievance to the Legal Advisor. However before he had this verbatim report before him he could not recall exactly what those remarks were. He had this report now and he could find remarks that he felt would bear a grievance against the Legal Advisor and he felt it would be fair if the Legal Advisor was allowed to explain his grievance before Council.

Mr. Speaker said this was the position he felt should be taken and asked if the House agreed.

House agreed.

Mr. Speaker asked the Clerk-in-Council to communicate with the Legal Advisor and find out when it would be possible for him to appear before Council. In the meantime he thought they should proceed with ordinary business until the requested information was available.

Mr. Shaw moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers.

In  
Committee  
of the  
Whole

Motion Carried.

Committee proceeded to Discuss Bill No. 11 - Vote 20 - Capital Account

Mr. MacKenzie, Territorial Treasurer, and Mr. Baker, Territorial Engineer, attended Committee.

Discussion  
Bill #11

Education - Furniture & Office Equipment - \$19, 193.60

Mr. MacKenzie told Committee that a question had been asked why the repeated buying of school furniture. He said that he had a letter addressed to himself signed by Mr. Harry Thompson, Superintendent of Schools dated February 18th, 1964, which read as follows:

"The reasons for appropriating money in our estimates each year for new furniture and equipment fall under one or other of the following categories:

- 1) Increased enrolment. It should be pointed out that over the last ten years the enrolment in the Yukon schools has increased by over 200%.

- 2) Changes within the enrolment picture. A few years ago the enrolment at the primary grade level was very heavy while at the intermediate and secondary school level it was rather light. Today, however, the pupil population is more evenly distributed throughout the grades. As an example, in the Whitehorse Elementary School we have this year four Grade 8 classes compared with only three Grade 1 classes. The result is that we find students in the intermediate and higher grades sitting in desks which are too small for them.
- 3) Furniture and equipment becomes obsolete and/or worn out. Many of the desks found in schools such as the Whitehorse Elementary School are of the old drawer type purchased 15 or so years ago. These desks are not as satisfactory as the newer types of desks which we have purchased for our schools in recent years. Also in many cases, of course, they are in somewhat dilapidated condition and in time should be destroyed."

He said this was a partial answer to the question raised in the Finance Committee and if it was not satisfactory he suggested that the Committee question Mr. Thompson.

Mr. Boyd commented that this was acceptable to him,

Mr. McKinnon said he noticed a sound projector for the Whitehorse Elementary School and he asked if they did not have one already.

Mr. MacKenzie said they would have to ask Mr. Thompson.

Mr. McKinnon suggested this vote be left until a member from the Department of Education was present.

Health - Furniture & Office Equipment - \$270.00

Mr. McKamey asked if this was not shareable with the Federal Government.

Mr. MacKenzie replied that Dr. Kinloch handled a number of health problems that were not shareable under the health plan on a 70/30 basis. He said that T.B., V.D., Public Health, Cancer and Mental Health were not shareable but they are administered by Dr. Kinloch and to do this he needed staff and office equipment.

St. Mary's Hospital - Dawson - \$48,579.20

Mr. Livesey asked Mr. MacKenzie to explain this.

Mr. MacKenzie replied this resulted from the setting up of the Yukon Hospital Insurance Services. When this was done the rates the hospital could charge were fixed by the service and the hospital could no longer charge a rate that would reimburse them for the expenditure incurred and invested in equipment. All they could get back from Y.H.I.S. was the operating cost of the hospital exclusive of depreciation of equipment, so they agreed to pay them in full for full value of their equipment. He said they had paid two payments on this and now he wanted to pay the balance. It was perfectly fair because they had the equipment and were using it.

Mr. McKamey asked in regard to the Watson Lake Nursing Station, if there was any arrangement with B.C. on that.

Mr. MacKenzie replied that B.C. responsibilities were assumed by B.C. He added that the same thing applied in the welfare field.

Mr. Taylor wondered if B.C. had paid anything to date.

Mr. MacKenzie replied that they were continually billing them for welfare and health and there was very little outstanding on the books.

Municipal and Area Development Administration - Fire Fighting Equipment  
\$5,290.00

Mr. McKamey asked Mr. Baker if he was aware that water used in Mayo from the fire hall well turned black. He felt some consideration should be given to the water source.

Mr. Baker said he was not aware of this.

Furniture and Office Equipment - \$795.00

Mr. MacKenzie said that Mr. McCall, Supervisor of Lands, was working on Territorial lands and needed Territorial staff so he was being provided with this furniture.

Mr. Shaw said it would be interesting to know how many pieces of property were turned over by the Territorial Government in a year.

Mr. MacKenzie said he believed the land spoken of was that in the subdivisions.

Mr. Boyd asked if each lot bought in Riverdale was a sale completed.

Mr. MacKenzie replied in the affirmative and said this was sold between Mr. McCall and Mr. Spray.

Mr. McKinnon asked if the Municipality of Whitehorse had ever billed the Territorial Government for frontage tax on unsold lots in Riverdale.

Mr. MacKenzie replied that to the best of his recollection the Federal Government paid a lump sum to the City in 1958 and that sum represented the computation of the front footage to be paid year by year of lot owners over there in respect to sewer and water.

Mr. Watt asked if it was true then that no frontage tax was paid in Riverdale.

Mr. MacKenzie said he was not concerned. This was a municipal affair and the Member should ask the City Clerk.

Station, Teslin - \$5,000.00

Mr. McKamey asked why two garages.

Mr. Taylor (with Mr. Boyd in the Chair) said this was to provide for a fire hall in Teslin to house a fire truck and possibly a water truck.

Fire Station, Keno - \$500.00

Mr. Boyd asked what this was.

Mr. McKamey said the people built their own fire hall.

Moving Squatters - Whitehorse \$125,000.00

Mr. McKamey asked if this could be used to overcome a problem that had been created in the Wells Subdivision, namely the problem of flooding each year. The reason people built down there was because they could not obtain land in Whitehorse and when they wanted to build they had to build there.

Mr. Shaw asked Mr. Baker if this particular subdivision could be dyked.

Mr. Baker said it would be possible.

Mr. McKamey said the problem was more that the water came up through the ground. It was a gravel pit at one time and is quite a bit lower so that the basements flood. The only way to overcome this is to lower the level of the river.

Mr. McKinnon asked if the use of dynamite had been looked into.

Mr. Baker said that when they had a winter flood there it was usually late in the day, dark and quite a bit of fog on the river and he would never order a man to go out on the river under those conditions because of the safety to himself. Also we had to bear in mind that if one did any dynamiting down

there all the material thrown up from the river had to go somewhere. One also had to bear in mind that the ice that causes these dams is frazil ice, this is a conglomeration of ice crystals in the water, slush, and is almost impossible to dynamite because as fast as one gets rid of it, it is redeposited.

Mr. Boyd asked who owned the land in the area.

Mr. Baker said that as far as he knew the land was owned by Mr. Wells and the people that had bought land from him.

Mr. Boyd asked who owned the land in the surrounding area.

Clerk-in-Council replied that it was owned by D.N.D. and White Pass & Yukon Route.

Mr. Watt asked how much of this money was used last year.

Mr. MacKenzie replied that in the year ending the 31st of March 1963, \$29,000.00 was used.

Mr. Watt asked if the cost was still running what it did last year - just under \$1,000.00 per house.

Mr. Baker replied that the cost was running less than \$1,000.00 per unit.

Mr. McKamey asked if it would be possible to use any of this money appropriated to solve the problem in the Wells Subdivision.

Mr. MacKenzie said they could not without the prior approval of Ottawa. The money had been given for a certain purpose and to deviate from that purpose would be asking for trouble.

Mr. McKamey asked if the Administration had given any consideration to solving the problem through the method he proposed.

Mr. MacKenzie said he could not say - they would have to take it up with the Commissioner or Mr. Spray, Area Development Officer.

Mr. Shaw asked Mr. Baker if he had any ideas on what could alleviate this problem.

Mr. Baker thought the simplest solution would be to move the people off the area.

Mr. Watt asked if Mr. Wells was still selling lots.

Mr. Baker said he could not say.

Mr. McKinnon said there was nothing to stop him if he wanted to.

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



Monday, April 20, 1964  
2:00 o'clock P.M.

Committee proceeded with discussion on Vote 20, with Mr. Baker (Territorial Engineer) and Mr. MacKenzie (Territorial Treasurer) in attendance.

Riverdale Subdivision - \$5,000.00.

Discussion  
Bill No. 11

Mr. Watt asked if these were 44 new lots.

Mr. MacKenzie said that the question had to be referred to Mr. Spray (Area Development Officer).

Mr. Shaw said that he assumed that this was allotted to fix up the lots and then sell them, and it would therefore be recoverable.

Mr. MacKenzie said the intention was to charge a price for the lots which would reimburse the Territory fully for its expenditure.

Mr. Watt said he gathered from this they were going to open up a new subdivision.

Mr. Baker replied that the lots were located on existing streets. The lots were already surveyed and the money was required to provide services for those lots already in existence.

Porter Creek Subdivision \$15,225.00

Committee agreed that Mr. Spray (Area Development Officer) should be requested to attend Committee.

Mr. Spray (Area Development Officer) attended Committee.

Mr. Boyd speaking on the \$15,225.00 in the budget for the extension of lots in Porter Creek asked Mr. Spray if this was essential at this time of the year. He wanted to know whether they were crowded there or if there were still lots available for people.

Mr. Spray replied that there were 84 lots available. The \$15,000 had been placed in the budget to open up an additional 83 lots if they were needed.

Mr. Boyd asked whether Mr. Spray would consider them after say for example 60 lots were sold or otherwise.

Mr. Spray replied that they would have a good idea early this spring as soon as the building season commenced and the lots were requested. They would only open up the lots only as they were needed.

Mr. Boyd asked what size the lots would have.

Mr. Spray replied that the lots had already been surveyed and are 100 x 200'.

Mr. Shaw wondered in view of opening up new lots whether the means of subdividing these particular lots would be such that they could get the maximum service for the minimum amount of space.

Mr. Spray said the lots were larger than required. He said that they could be sold with an easement held back for a lane-way which would enable them at a later date to subdivide the lots.

Mr. Shaw pointed out that this question arose from the fact that certain mistakes had been made in the past. He thought perhaps a resurvey would be in order to bring the size of the lots down to what was more sensible and in his opinion the cost of a new survey would be nothing in comparison to what the additional maintenance cost would be later on.

Mr. Spray said it is possible but would require expenditure for a new survey.

Mr. McKinnon could not agree with Mr. Shaw that this was a mistake and felt he was suffering under the illusion that there were going to be requests from the citizens of Porter Creek for fully serviced lots. He said that this was never intended and that it would never happen.

He said that the people of Porter Creek desired these lots so they would have room for privacy and they were not going to come to Council and ask for serviced lots. In the light of those facts he could not see the advantage of re-surveying the lots.

Mr. Shaw said that he understood that there was limited space in Porter Creek area and he felt that the lots should be limited to a certain size, probably 75 x 100' as recommended to allow more people to build in that area in the future.

Mr. Boyd thought that Mr. McKinnon was looking far beyond his own life time the way he was describing what the people in Porter Creek were apt to ask for. He said that he was one hundred percent for correcting something that could be corrected and as Mr. Shaw pointed out the resurvey would be in order and in order today when there was nobody living on the land. He felt that the people should be allowed to have as many lots as they wished, that at least they could sell them when the time came to pay for services they could not afford. He thought that this was only common sense and not being selfish and not picking on anybody.

Mr. McKinnon replied that he failed to see how Mr. Boyd could say it was not picking on anybody, unless the Area Development regulations were changed. He would go along with it if the Area Development regulations were changed but otherwise not.

Mr. Boyd said that he would move that this money should not be spent until due justification had been given to the resurvey of the lots into 75 x 100' size.

Mr. McKamey said that his opinion was that the lot situation should be looked at very closely and some control should be put on the size of them.

Mr. McKinnon said that he would like to ask the opinion of the other members around the table whether they felt the Area Development regulation should remain the same, that is, on each lot you buy, \$3,500.00 of improvements had to be put on within 2 years. He said "On the one hand you are saying let them buy as many lots as they wish, but then on the other hand you are saying well actually we are still going to limit the number of lots by the price of improvements we are going to make you do on your property in a year or two."

Mr. Taylor took up Councillor McKinnon's request for opinions and stated that the requirement of \$3,500.00 should not be forced upon them.

Mr. Watt asked Mr. Spray if the Territorial Government was under any moral or legal obligation to provide minimum services such as roads and street maintenance in subdivisions such as Porter Creek.

Mr. Spray said he could not off hand say whether anything was written into the agreement for sale but felt that they had a moral obligation to maintain the roads.

Mr. MacKenzie said that he thought that it was generally agreed that they should try and achieve a uniform size of lot and do away with the varying sizes now in existence throughout the Territory. Particularly do away with the large lots which invariably mean a high cost of services. He said it was only a question of time until they could agree on an actual size of say 75 x 100', with the frontage being 75 and no more, and felt that the suggestion that this expenditure be deferred until justification could be provided is quite sound.

Mr. McKinnon was of the opinion that it would be impossible to ever arrive at a standard lot size in the Yukon Territory because there were different communities that lent themselves to different types of development. He felt that the idea of putting a standard lot size for the Yukon Territory was just "A pipe dream and could never be achieved because there were different types of subdivisions necessary."

Mr. Taylor said that he would agree that they could not standardize the size of the lots in the Territory. He felt that rather than make a nasty move in the case of Porter Creek considering that it was a developed subdivision they should respect the community itself and let the people decide before they embarked on the 75 x 100' revision in lots.

Mr. Livesey asked what effect the subdivision of lots would have on the construction of the streets. He wondered if it would not be possible to make the streets no matter what size the lots would be.

Mr. Baker replied that a resurvey would effect the streets if it were decided that the lots were to be 100' deep it meant that the block would be something around 200' deep but if the lots were allowed to stand as they were now which was 200' deep the block would be approximately 400' deep.

Mr. Taylor, (Mr. Boyd in the chair) wondered if they were to resurvey the Porter Creek area would this not retard the development by two years.

Mr. Spray replied that if the Surveyor General could have the resurvey done this summer the plans of resurvey would be available to them the summer of 1965.

Mr. Taylor said that he noted the word "if" was used and said past experience had shown that is what retarded the development of a community by two years waiting for survey and processing of documents in Ottawa.

Mr. Boyd suggested perhaps some people in Porter Creek would be willing to have a lot 75 x 100' and wondered if Mr. McKinnon would agree to the lots being subdivided to 75 x 100' providing they were allowed to have 2 lots but were only required to build on one lot.

Mr. McKinnon said that this sounded fine theoretically but they were going to hold up the development of the subdivision and the development of available land in the immediate Whitehorse district for two more years and he did not feel they could afford to do this at this time.

Mr. Watt said that he would have to oppose any motion that would delete this item from the budget.

Mr. McKamey said that each subdivision had a problem but one would find in Section 45 of the Yukon Act that it was the responsibility of Commissioner-in-Council to decide on the size of the lots in the Yukon Territory. Therefore it was up to the Council to decide with the Commissioner what size the lots should be. He said that it might be that four years from now Porter Creek would have to put in a sewer system and with large size lots and less users contributing to the operating costs could mean a terrific expenditure for the Yukon Territory as a whole. He therefore suggested that a committee should sit down with the Administration and work out a lot size for each subdivision they were concerned with in the budget.

Mr. Taylor (Mr. Boyd in the chair) said that he could not agree with the suggestion. He said that he would not be able to talk for his constituents until he had discussed the situation with them and would have no part in such discussions.....

Mr. McKinnon agreed with Mr. McKamey that they seem to have a lot of problems in the subdivisions and assured that they went along quite well until Council sat and then the other members from the district come and tell them how many problems they have. He felt that people living in the subdivisions were quite concerned and quite capable of guiding their own destiny.

Mr. McKamey pointed out that today they had a squatter's removal program of \$125,000.00 in the budget as a result of lack of planning.

Mr. Watt said he could not agree with Mr. McKamey's suggestion of a "smoky hotel room discussion". He felt that they should follow the Commissioner's suggestion that it be discussed in Council with a member of Administration rather than making it a "secret" session.

Mr. McKamey said that he would like to put on record that when he was referring to a meeting he wasn't referring to any secret session but was referring to a session of the Territorial Council from 8 o'clock until midnight if necessary to arrive at some sensible and sane proposition to solve the problem of lot sizes.

Mr. Watt replied that he was willing to spend the time but the reason that he wanted it held in Council was so that their words would be on record.

Mr. Taylor (Mr. Boyd in the chair) said that he was quite prepared to do almost anything but he was not prepared to decide what size lots were the right for the various subdivisions because he felt the people living in them should decide.

The Chairman drew Committee's attention to a motion outstanding as follows: "It has been moved by Councillor Livesey, seconded by Councillor McKamey, that Bill No. 13, An Ordinance to Amend 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, be reported out of Committee without amendment". At that time Councillor McKinnon moved, seconded by Councillor Shaw "that the question be not now put and be deferred until Monday morning next," and asked them how they wished to proceed.

Discussion Bill No. 13 Mr. McKinnon moved seconded by Mr. Watt that this question be not put until Wednesday morning.

Mr. Boyd asked Mr. McKinnon to explain.

Mr. McKinnon said that his reason for delaying the motion was that he had some questions he wished to ask on Bill No. 13 before he would be able to make an intelligent decision on how to vote. To answer these questions he needs the services of the law Clerk of the House and there was a point of order before the House as to whether Mr. Legal Adviser would be present before Committee or Council in the near future and would like this question settled before the bill is discussed. He said he was just asking Council's indulgence that they have the question not put until Wednesday or until the point of order is decided in the House.

Motion Carried.

Committee proceeded with discussion of the budget Vote 20 with Mr. Spray (Area Development Officer) and Mr. MacKenzie (Territorial Treasurer) in attendance.

Discussion Bill No. 11 Transient Area Subdivision - \$4,000.00

Mr. Watt asked how many lots were available there.

Mr. Spray explained that there were 120 lots available at the size of 30 x 60', but they were leasing two lots together giving an overall size of 60 x 60'. He said they did not use septic tanks in this subdivision, they have a trucked water delivery system and use privies pumped out by sewage eductor.

Mr. Boyd said that he understood that the Municipality were doing away with the sewage eductor before long and wondered whether the Territorial Government would have to go into the business.

Mr. MacKenzie replied that they were in the business right now and had their own sewage eductor which was used throughout the Territory.

Mr. Watt wondered how many homes there were in that whole area and whether they were going to survey more lots there.

Mr. Spray replied there were at the present time only one family living there. There were 25 lots now serviced with roads but they wanted funds provided to construct all roads because they need more lots on the squatter removal program this year.

#### Canyon Crescent Subdivision.

A lengthy discussion followed here during which it was explained that an item of \$500.00 under Vote 6 had been deleted. The \$500.00 was in the operating and maintenance budget to keep the road in the subdivision clear. Mr. MacKenzie was of the opinion that the money should be left in and the expense should be left to the discretion of the Administration, while Mr. McKamey thought that it would set a dangerous precedent because it would mean that they were voting \$890.00 for one house and possibly three and he could not vote for this \$500.00 because of this. He said that he could give examples of road houses between Whitehorse and Haines Junction, Beaver Creek, Watson Lake, Mayo and Dawson that provided up to \$14,000.00 a year revenue for the Territorial Government that they had had to fight to even get the snow plowed off during winter time. In the course of the discussion Mr. MacKenzie expressed his view that the Administration had encouraged people to go there and Mr. McKinnon referred to the Area Development where it said that the Commissioner could declare in the area a subdivision under the Area Development Ordinance and he had declared the Canyon Crescent area such a subdivision. The Council however saw fit to eliminate the growth of the subdivision and since the people had moved in good faith he was asking the Council to consider putting the \$500.00 back in the budget. Mr. Livesey said he could assure Committee he had been trying to get driveways cleared out on the Alaska Highway ever since 1949 and other areas since 1958, and still did not have any satisfactory solution. Mr. Baker (Territorial Engineer) attended Committee during the discussion and explained to Committee that the road in the Canyon Crescent was supposed to be serviced by a grader that came from Whitehorse.

#### Watson Lake Subdivision \$7,250

Mr. Boyd said he was clear on the subject and he said it should be left in the hands of the Administration and he wanted to be sure they knew his sentiments.

#### Teslin Subdivision \$750.00

Mr. MacKenzie explained that if they sell a lot in Teslin now the cost for installation of culverts \$65.00 was included in the price.

Mr. Spray added that it was included in the sale price the same as any other subdivision.

He added that the prices for a lot ranged from between \$250.00 and \$350.00.

Haines Junction Subdivision

Mr. McKamey thought there was a recommendation on Haines Junction.

Mr. MacKenzie said it was just one with the common problem of the size of lots.

Mr. Boyd said he didn't think it was.

Mr. Livesey said that it was a false accusation against the people of Haines Junction. He said he had stated at the meeting of the Financial Advisory Committee that he had worked with associated Engineers for a day in Haines Junction, and they told him that Haines Junction was one of the best areas in the whole Yukon Territory when it came to sewer and water with regard to the size of lots. However this question still prevails and he still wasn't sure whether this point had been put across but apparently it wasn't and the facts are in Haines Junction the lots are 50 x 100'. This is what everybody says is perfect. There were a few exceptions on the corner of a street where the street bends, but surely this is nothing to create an objection, however Haines Junction is still at the bottom of the list. As far as sewer is concerned they are in a good position because they have natural drainage. They have a situation as far as water is concerned and cost is concerned these are facts and he said anyone who doesn't believe the facts should look at the map for themselves.

Mr. Boyd said the question is not sewer and water at all. This is an extension to open up another block in Haines Junction for the construction of new streets.

Mr. Livesey didn't agree because the question was the size of the lots in Haines Junction and they were not prepared to go ahead with any street construction if the size of the lots needed a resurvey. That was the situation on Haines Junction and Haines Junction needs no resurvey because they have a pattern laid down which is clear all over the subdivision that the lots are 50 x 100'.

Mr. Boyd said Haines Junction isn't even in the shuffle for sewer and water this year, it is a toss-up between Mayo and Watson Lake so they are not discussing sewer and water. They are discussing \$17,000.00 for the construction of streets in a place that is at the moment uninhabited. He asked Mr. Spray how many lots there were surveyed with streets in Haines Junction available for sale.

Mr. Spray informed him there were 18 lots for sale. He said there are 422 lots in Haines Junction, 177 lots sold as at March 31, 1964, 227 lots are withdrawn from sale or are not serviced by roads and there are 18 lots available for sale.

Mr. Boyd asked how many of the 227 are serviced with roads.

Mr. Spray could not say off hand because this includes the whole subdivision which is covered by 2 plans of survey.

Mr. McKamey wondered how many lots were inhabited.

Mr. Spray couldn't say but there were 127 lots sold.

Mr. Livesey said the original townsite was a rather unfortunate situation, it was Federal and the Federal Government, instead of turning over the subdivision to the Territorial Government before the lots were sold they turned it over after the lots were sold, so you are up against a problem there that you aren't in many other places as far as finances are concerned. This situation means the money from the original townsite is not available to the Territorial Government so in order to get

services in the townsite they had to put out a subdivision and take the money from the sale of the lots of the outside subdivision in order to work on the townsite. This is the result. And this is what you have to think about so you are one subdivision ahead at all times because they are one section behind because the Federal Government has the money from the original townsite. He defied them to show him a parallel anywhere else in the Territory. He said that's what they have in Haines Junction and they have to face it. He said if they are going to keep the Haines Road open and look for any type of development down there they should make property available to the public.

Mr. Spray said they would provide access to approximately 70 of these lots. He said when he refers to 227 lots withdrawn this means the greater percentage have never been up for sale. He said they do not open up the whole subdivision but try to open it up in an orderly manner to keep the road and maintenance costs down and they now wish to construct roads in the north-west section of the subdivision and will place this on sale if necessary.

Mr. Livesey said there is another reason also. When you take a look at the plan of sewer and water you see that the Associated Engineers figure on putting the main of the sewer on the west side of the Alaska Highway, and sewer no different than water if it is going to be maintained is going to need people living on it and will certainly need to be serviced. The people will have to pay for the expansion of it and the more contributions and contributors there are on that line per block the easier it will be to install any sewer or water in that area.

Mayo Subdivision \$17,300.00

Mr. McKamey informed Committee that there were no lots available in Mayo at the present time.

Mr. Spray said that in the new subdivision there would be 47 lots available in the North section of the townsite, which was not yet opened up.

Mr. McKamey raised the question concerning sewer and water proposals for Mayo and said that he had taken the three proposals down on the plane with him to Mayo and discussed it at an open meeting. The people felt that the sewer system proposed by the Administration was not what was required in Mayo because there was only one who would be willing to connect. He said that there was a definite requirement for water.

Mr. MacKenzie said that the position about the sewer and water in the four communities discussed would be taken up in Ottawa by himself next month. He said that they did not oppose the installation full sewer and water for Mayo or anywhere else because it would have to go in eventually but he said they would have to take with them their other paying partner which was the Federal Government and one should not prejudice their feeling on the matter.

Mr. McKamey said if Mr. MacKenzie was going to discuss this in Ottawa he would appreciate it if he would point out the recommendations as they were drafted out by the people of Mayo.

Mr. MacKenzie said it actually depends on what Treasury Board feels on it.

Mr. McKamey said he would leave it in the hands of Administration and see what they suggest because he wouldn't advise the Administration to tie up this kind of money in developing property they would not be able to use.

Mr. MacKenzie said the money should be voted without any strings or struck out as it could always be put in the supplementary estimates in the fall.

Mr. McKamey said if there is any possibility of anything happening on a water installation in Mayo he would leave it in and Mr. MacKenzie when he completes his discussion in Ottawa with regard to this, could use his own judgement.

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

Motion Carried.

When Mr. Speaker resumed the chair, Mr. Taylor, Chairman of Committees reported as follows:

Committee  
Report

Committee convened at 10:45 a.m. to discuss Bills, Memorandums, Motions and Sessional Papers. Committee then discussed Vote No. 20 of Bill No. 11 with Mr. MacKenzie and Mr. Baker. Committee recessed at 12 noon and reconvened at 2:00 p.m. at which time Mr. Spray also attended Committee. It was moved by Mr. McKinnon, seconded by Mr. Watt, that the question related to Bill No. 13 be not now put and deferred until Wednesday next. Motion Carried. I can report progress on Bills No. 11 and 13.

Council accepted the report of the Chairman of Committee and adjourned until 10 a.m. Tuesday, April 21st, 1964.



Tuesday, April 21st, 1964  
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 Question no. 19, regarding Assent to Bill no. 9, (Set out as Sessional Paper No. 59)	No. 59
(2) Regarding dates etc. of Territorial Election. (Set out as Sessional Paper No. 60)	No. 60
(3) Reply to Question no. 20, regarding refuse and burning areas. (Set out as Sessional Paper No. 61)	No. 61
(4) Reply to Question no. 17, regarding, airspray operation in Whitehorse area. (Set out as Sessional Paper No. 62)	No. 62
(5) Regarding Private Members Bills nos. 18 and 19. (Set out as Sessional Paper No. 63)	No. 63

Mr. McKinnon gave notice of Motion regarding Canyon Crescent.	Motions:
Mr. Taylor gave notice of Motion regarding Lifesaving Apparatus.	No. 33
	No. 34

Mr. Livesey (with Deputy Speaker in the Chair) moved, seconded by Mr. McKamey, that in the opinion of Council, the Chief Executive Officer of the Territory, Mr. Gordon Cameron, should be respect- fully requested to approach the Canadian Broadcasting Corporation through the appropriate Federal Government Department for the purpose of obtaining a twenty-four hour continuous type of radio service similar to that now supplied to LPRT outlets throughout the Yukon, for the municipality of Whitehorse and its environs.	Motion No. 31
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Mr. Livesey, speaking on the motion, said that the reason he brought this to their attention this morning was that he felt that they had a lopsided picture as far as broadcasting in the Yukon was concerned. As he lived outside of the Municipality of Whitehorse, he took great pleasure in feeling that if the motion was passed they would be assisting the people of Whitehorse and the surrounding areas with this more rounded service of the C.B.C. It would cover 24 hours rather than the way they had it today. He said that in the small community where he resided they now have the C.B.C. and it is much appreciated but after the twelve o'clock sign-off they were automatically connected with Vancouver. He found it very convenient and felt sure the other areas that had the service through the LPRT installation found it helpful and he thought it would be quite a help to those who work night shifts. He felt the people of Whitehorse were entitled to this type of service and also that the Administration should proceed with it. He hoped the Council would agree with him.

Mr. Shaw said he had checked why this wasn't done and said it was a question of having LPRT or having a radio station. With the LPRT all they had to do to get 24 hour service was to throw a switch. In Whitehorse however, it was different because with a powerful radio station it had to be manned, and attended at all times.

Mr. Livesey said that if it had to be attended he thought there were ways of getting around the problem if it was necessary. All they would have to do was to install one of those LPRTs and he could not see why C.F.W.H. could not be maintained 24 hours. He said it should be necessary to have this station on a 24 hour service especially when they consider the discussion they had on Emergency Measures Organization. He could not see where these extra 6 hours would cost so much as all the facilities are there and in operation and he thought it high time they took cognizance of the fact.

Mr. McKinnon thanked Mr. Livesey and Mr. McKamey for bringing this before the House and felt it would not be any great cost or trouble to provide this 24 hour service.

Mr. Shaw wondered how the Members representing Whitehorse felt.

Mr. Watt replied that he thought they all felt the same as Mr. McKinnon. He said that it had been brought up before when discussing it for the outlying areas and they suggested Whitehorse be included but then they thought it might jeopardize the outlying areas from getting their's at the time so they were glad to see it come up again.

Motion Carried.

Motion  
No. 32

Mr. Watt moved, seconded by Mr. McKinnon, that it is the opinion of Council that a public utilities commission be appointed to investigate the cost of production and distribution of power in the Whitehorse area.

Mr. Watt speaking on the motion, said he was sorry to see the Financial Advisory Committee delete an item out of the budget to allow for the establishment of this committee. He wondered if the members of the Financial Advisory Committee were familiar with the Votes and Proceedings of the Northwest Territories where this commission could have been set up in conjunction with them. He read from the Northwest Territories Votes and Proceedings where this was discussed. He brought this up in the question period the other day to see if they had been approached on the matter but the answer he received was confusing. It was the intention of this motion that this commission be set up to investigate the power rates. He did not know what the position of the Northwest Territories was right now, whether they wanted an answer from the regarding this joint commission and if they did he urged Council to vote for this motion to have this commission to investigate the rate charged in the Whitehorse area and possibly in other areas where there is a need for it. He said that the distribution system in Whitehorse is pretty fair but the rates were out of line and there was no way to properly investigate this to determine whether they were justified or not and this would set their minds at ease in the Whitehorse area. He did not think it should be brought up at the Municipal level as the franchise went out of the limits of the jurisdiction of Whitehorse so he urged the Members of Council to vote for this motion so they could have these rates investigated by a government commission.

Mr. Taylor drew Council's attention to Sessional Paper No. 19, the Financial Advisory Committee's report on this item and said he believed it was self explanatory why the item was deleted from the budget.

Mr. Shaw said he could recollect that when he was on the Financial Advisory Committee and was in Ottawa, he thought it would be a good thing because a commission would understand everything about electricity. He agreed it would be a good thing for this to be set up in conjunction with the Northwest Territories and perhaps a group from Alberta would be qualified to act as this commission. He was not against this but to him the reasons given by the Financial Advisory Committee were not valid enough to throw out the money but it has been thrown out of the budget and in relation to this motion he thought it was too late to do anything about it at this stage of the game.

Mr. Watt said he could see nothing wrong with the motion and it was possible the people in the Whitehorse area were criticizing unfairly the producers and distributors of power and he would like to have this established.

Mr. McKamey said he was on the Advisory Committee when this \$10,000.00 was deleted from the budget and he thought that in the future if careful when passing legislation they will not require experts and commissions to try and rectify the mistakes or find out why something is costing the tax payers too much. He said they could get ten utility commissions in here but they would all come up with the same answer namely you invest so much money in a business and you are entitled to so much profit, and he didn't doubt for a minute that Wukon Electric were getting a reasonable return on their investment and he didn't think they should spend more of the taxpayers money covering up their mistakes.

Mr. Taylor agreed in part with Mr. McKamey but said that if experts were required he would assume that the same experts were available to the Administration would be available to Council but there seemed to be a division of responsibility. In respect to the motion he thought the production end of it would be involved with a Crown corporation, the Northern Power Commission and the distribution would be the problem of Yukon Electric and further the municipality would come into it because certain areas were within the municipal boundaries and then you also have the Territorial responsibility. He wasn't quite clear how to deal with it. He said that if a power problem existed he thought it should be properly initiated by the City of Whitehorse who had the franchise agreement with Yukon Electric and if it was outside of the municipality it would be a problem between the Commissioner and Yukon Electric, by the terms of the franchise. In his opinion the only way to deal with it was to amend the bill to read Commissioner-in-Council, then they would be in a position to do something about it.

Mr. McKamey said he was opposed to the motion because it would create additional costs to the taxpayers of the Territory.

Mr. Watt said that this Public Utilities Commission could save the people in and around Whitehorse thousands and thousands of dollars. With respect to Mr. Taylor's suggestion that this should be brought up at the municipal level, he said that the local distribution company was allowed to distribute because of a franchise agreement with the Territory so he asked members to support the motion.

Mr. Taylor said that he could not support the motion although he agreed with the principle involved. He referred to a memorandum from Commissioner Cameron dated April 7, 1964 to Council and said this was a municipal problem over which they had no control.

Mr. Watt said he was asking for the support of the motion so that a Public Utilities Board could be set up in conjunction with the Northwest Territories and he did not think it was a problem of the municipalities.

Mr. Shaw commented that he thought that it should emanate from the municipality of the area and the fact that it had not would lead him to believe they were satisfied.

Motion Defeated.

Mr. Taylor wanted to know what two members bill. were referred to in the Commissioner's memorandum dated April 21st and wanted a reply either oral or written.

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 Bills, Memoranda, Motions and Sessional Papers.

Motion Carried.

Discussion followed on Vote 20 Bill No. 11 - Municipal and Area Development Administration with Mr. Spray (Area Development Officer), Mr. MacKenzie (Territorial Treasurer) and Mr. Baker (Territorial Engineer) in attendance.

In Committee  
Discussion  
Bill No. 11  
Vote 20

Sidewalk Construction Grant - \$25,230.00

Mr. McKamey asked if there was provision made for this in the Financial Agreement.

Mr. MacKenzie replied there was.

Mr. Spray was excused from Committee.

Carmacks Garage - \$2,500.00

Mr. McKinnon asked Mr. Baker what was wrong with the heating system in the garages in both Establishment 570 and 571.

Mr. Baker said the present system was floor mounted and it is to install a suspended heating system from the ceiling.

Mr. McKinnon asked if this was standard practice.

Mr. Baker said it should either be suspended or removed entirely from where gasoline fumes can accumulate.

Dawson Liquor Store Apartments - Renovation - \$3,500.00

Mr. Shaw asked Mr. Baker to explain.

Mr. Baker said the plan was to develop an apartment for the Public Health nurse upstairs. The Department of Education felt the Health Nurse should have her own apartment to avoid conflict.

Marina Development - \$550.00

Mr. Taylor (Mr. Boyd in the Chair) said that during a former Council Session it had been decided that Marina Development would be extended to all areas in the Territory. In the outlying areas they were supposed to get two boat ramps but now he noted they were only going to extend the two existing ramps and he was wondering if the Administration planned to continue with the provision for those loading ramps in the recreation areas in the outlying districts.

Mr. Baker replied that this was probably an oversight on his part and with the assurance of Mr. MacKenzie they could put this in the Supplementary Estimates and get it done during the year.

Mr. MacKenzie agreed.

Mr. Taylor asked if it would be in order to resubmit from those areas the site for the ramps.

Mr. Livesey said that Marina Development had been on the books a long time and he wanted to point out that there were a lot more areas that needed this type of assistance and type of development, for them to maintain the tourist traffic in the Yukon and also to provide a means of recreation for local residents in outlying communities. He said that he did not feel the way the budget was constituted at the present moment, with the one item in it in connection with that type of development was fair to the other communities in the Yukon. He felt there were other areas that needed the type of development, in his area they had Kluane Lake which had no boat loading ramp and there were lakes in the Mayo area that could have some attention as well as other places. He felt now they were working with the Department of Public Works and they should now be in a better position to contact the department and see what could be done for the people along the highway from Iron Creek up to Mile 1221. He thought there were numerous places where marina type of development could be made use of.

Mr. McKamey drew to the attention of the Administration several lakes in the Yukon Territory that were providing camping ground facilities. He mentioned Kathleen Lake and Fox Lake and said that those places were usually packed with cars in the summer time and that quite a few of them had boats. He asked if they provided a facility for the public, if the public could hold them responsible if for example someone fell off the ramp and drowned. He asked if it were possible to erect signs at the loading ramps telling people of the danger of the larger lakes.

Mr. MacKenzie replied that if anyone injured themselves or fell off in front of the ramps and drowned there certainly would be a claim against the government but they would be protected by their comprehensive insurance policy.

## Multiple Sign Standards, Alaska Highway - \$2,000.00

Mr. Livesey said he was a member of the Signs Committee and that last year they had some problems to contend with. They eventually came up with a series of suggestions which Council accepted. They were instrumental in preventing early removal of certain signs and standards in the Whitehorse and Watson Lake area, for which there was intentions to have removed prior to the fall session of Council. In the list of suggestions to the Administration it was suggested that multiple sign standards be placed especially in the Whitehorse area as a means of getting away from multiple signs. They now had a program to work on and the Vocational Training School was assisting, but he wanted to know exactly what the Administration had proposed for the Whitehorse area, and possibly the other areas, and what the money was going to be used for.

Mr. Baker said that they had the plan which was apparently satisfactory. The other day however they had had a meeting with Mr. Koropatnick of the D.P.W. and he had indicated that D.P.W. had no objection to advertising signs along the Alaska Highway except for the Whitehorse area. He said that Mr. Koropatnick had further intimated that he would not allow erection of signs within the Whitehorse Airport Reserve boundaries, approximately from 912 to 918, so he could not see the necessity for this multiple signs standard now.

Mr. Taylor (with Mr. Boyd in the Chair) referred to the Sign Committee's recommendations last fall and said this was a concern to the people in Watson Lake.

Mr. Baker said at the present time they were trying to rebuild the present sign regulations along the lines that Mr. Koropatnick suggested and in the case of developed areas Mr. Koropatnick suggested that they have no advertising signs erected between speed zone signs.

Mr. Taylor said this was the very problem he referred to in Watson Lake. He said within the community itself there were places of business that were not fronting on the Alaska Highway and they had to advertise and this was within the speed limit areas. He said that this is what brought the first signs problem before Council. It was when the Commander of the Northwest Highway System instructed the Commissioner to have the signs removed. This was the reason why the Signs Committee was created. He felt that in view of the wide width of the right-of-way that signs would present no great problem in these communities.

Mr. Baker said that in the case of Watson Lake he could see at the moment no reason why a certain number of limited advertising signs could not be erected on the Territorial right-of-way.

Mr. Taylor said that this certainly would facilitate the matter.

Mr. Baker said that if this were done it would make D.P.W. happy and the people of Watson Lake would be happy. He pointed out that they had to be very careful on the number of signs erected for the reason of safety.

Mr. Taylor said that with consultation with members of the community involved this could be resolved.

## Pine Creek Road - \$3,000.00

Mr. Livesey said that he wanted to have it clear so they would know what was going to happen this summer. The question of raising the water in the creek bed towards implementing a passage by boat traffic to Pine Lake was not feasible so it was a matter of improving the road into Pine Lake. He felt the road needed some attention and no work had been done on roads in his district since the year one, and he hoped Mr. Baker would give them all his sympathies in that regard.

## Watson Lake Access Roads - \$54,300.00

Mr. Taylor (Mr. Boyd in the Chair) understood that in discussions with the

local Advisory Committee that the matter of relocation of the Alaska Highway came into the picture. He submitted that they were unaware of any such plan. He believed there might be a plan to straighten some of the curves out within the community area. He asked that they approve this item subject to the wishes of the landowners concerned who he felt sure would agree to it.

Mr. Boyd asked if a mile and a half of the new road would be running parallel to the Alaska Highway.

Mr. Baker said this was correct.

Mr. Livesey said that he thought that it was the original idea of Department of National Defence but since the D.P.W. had taken over there could be a number of alterations and he felt that it was a question that should be rediscussed with D.P.W. to see what the position would be now.

Mr. McKamey clarified the position of the Financial Advisory Committee on their recommendation. They had been told and it had been considered, that relocation and realignment of the Alaska Highway had to take place before the Alaska Highway was paved and there was a possibility that they may by-pass Watson Lake. If they were to have a realignment they would go along the outskirts of the town rather than through the center and he could see nothing wrong with that as the Alaska Highway skirts Whitehorse and he didn't think it created any hardship. It was the same way in Mayo, the highway by-passed them by approximately a mile. It was a standard procedure all across Canada to build highways away from towns and there was a lot of good reasoning behind this. Due to the fact they had a 300' right-of-way through Watson Lake and an additional 100' right-of-way for the Territorial Government. It would appear to him if they were to wait to see what the D.P.W. decided in respect to their realignment instead of spending \$54,000.00 on the road, the Territorial Government might be able to take their stretch of land and put it up for sale and this would reduce the cost considerably for a water and sewer system adjacent to the Alaska Highway.

Mr. Taylor (Mr. Boyd in the Chair) said that the right-of-way was 300' wide and it was not being increased it was detracted from. Two hundred feet of the three hundred feet was being turned over to the Territorial Government and the other one hundred feet was under the Federal Government. Initially the reason for these access roads was for individual access to the Alaska Highway and this had held up land distribution in the area. He said that he would guarantee all members of Council that they would strongly oppose any move to relocate the highway around Watson Lake. He asked that this matter be left in the budget pending the acceptance of the people concerned in Watson Lake.

Mr. McKamey said that he suggest that this be retained in the budget and spent if necessary but wait and see before this money is spent what D.P.W. would come up with.

Mr. MacKenzie said they certainly would not spend the money without contacting the D.P.W. and finding out their wishes and the people concerned.

Mr. Taylor (Mr. Shaw in the Chair) said that he wanted this to be clear that the people of Watson Lake be involved in this to either approve it or disapprove it. They would like to hold a local plebiscite on it.

Mr. MacKenzie asked if the initiative for the access roads came from the residents of Watson Lake.

Mr. Taylor replied the initiative for the access roads did not come from the people of Watson Lake but from the Administration.

Mr. MacKenzie said they can certainly go after the Department of Public Works and as for consulting the residents of Watson Lake before spending any money that can be passed on to the Commissioner and it is up to him to take the appropriate action.

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

Tuesday, April 21, 1964  
2:00 o'clock P.M.

Committee proceeded with Vote No. 20 with Mr. MacKenzie (Territorial Treasurer) and Mr. Baker (Territorial Engineer) in attendance.

Y.F.S. - Communications System \$31,200.00

Discussion  
Bill No. 11  
Vote No. 20

Mr. Shaw asked Mr. Baker to explain.

Mr. Baker said that the Forestry Department as well as the Territorial Government had a communications problem and some time ago the Forestry Department obtained recommendations for the first stage in a communications system from the National Research Council. He said that when his department heard about this they thought it would perhaps be in order for the Territory also to get in on this planned communication system and felt that it would be the right time to consolidate their efforts and get a system to serve everybody. The person from the National Research Council that estimated the first phase of the program found that it would cost something like \$64,000.00. It was decided that perhaps the Yukon Territory could contribute 50% of it in order to have a part of the network. Subsequent to the report they also got in touch with the RCMP who also had a communication problem and now the three departments concerned felt it was getting to the stage where perhaps they should have a proper system for the whole Territory and they then asked the CNT people to prepare a report based on that idea, that is to provide a communication system for the entire Territory. He said they received the report from CNT a couple of weeks ago but since they had missed a few points they wrote C.N.T. and told them this. They then took the report and sent it to the director of Northern Affairs with their comments and asked the Director if he would not coordinate the communications problem if the people from the National Research Council agreed and perhaps give them the name of a suitable radio communications firm who could come up with some acceptable solution. He said it is quite likely the money provided in the estimates will not be spent this year because he personally felt that the communications problem was something that would take a year or two to sort out.

Mr. Shaw appreciated the difficulties and felt it would take at least one year and wondered if it was a walky-talky type of system Mr. Baker was referring to.

Mr. Baker replied that this was correct and said they would like to have complete mobile coverage for all the roads in the Yukon Territory plus whatever communication is required to points like Old Crow and Ross River.

Mr. McKamey said that he had a phone call from a mining Company in the Yukon a while ago who wanted to install a telephone line from the Mayo-Elsa road into the property and they wanted to know if the Federal or Territorial Government would provide any assistance in the installation of it. He said that the Company would be spending close to a million dollars on the property this year.

Mr. MacKenzie replied that this was something new and off hand the answer of course was no, because there was no provision for it and no money. He added that after consideration it might not be so definite.

Mr. McKamey now mentioned the very effective service provided by the Army Signals and wondered if there was a possibility of having a system such as that again so that the mining and oil companies could tie into it. He wondered if, when the communications plan was implemented, the mining companies would be able to work through the system as well.

Mr. Baker stated that the idea of the whole communications system was to service the entire Territory and they could make use of the system but whether it would be the Canadian Army Signal Corps that would provide point to point communication he could not say. He felt that it would depend on what the National Research Council recommended.

Mr. Taylor (Mr. Boyd in the chair) said that before they left Vote 20 he wanted to raise the problem of contracts with regard to the resources construction at Watson Lake with the outside contractors and the inequality that exists in bidding these contracts by reason of the fact contractors do not have to state the wages they would pay their employees before the contract is signed. He said for instance a man from Edmonton who bids on these contracts pays substandard wages and is allowed to do so he beats the Yukon contractor. He said that it had been suggested that possibly an answer to this, and as a means of supporting local enterprise to a degree, that a 5% preferential bid be accepted from a local contractor within a community as a means of encouraging these contractors to the Territory. He thought the idea had merit and it would do a lot of good in the Territory because as it is a lot of contractors come in and do these jobs and leave again taking the money out of the Territory. The other item was a matter of fuel contracts which was dealt with some time ago. He said they had four bulk plants in Watson Lake, and the lowest tender on some of these particular projects was bid by one of the local companies and yet White Pass and Yukon Route got all the fuel contracts for the schools and everything else even though they were not low tenders. He understood that they were low taking into consideration the whole territory so they automatically got the Watson Lake contract. He proposed that in a community such as Watson Lake, Mayo or Dawson where there was a substantial area these contracts could be let to the local people. He felt that one large company should not control the fuel situation in the Yukon Territory.

Mr. Baker dealing with the first question, said they have to be very careful with local preferences because 95% of all their contracts involved Federal money and everybody in Canada, regardless of where they live, were entitled to a "fair kick at the cat". With regard to the other problem he questioned the definition of a local contractor. He said one might have a contractor move in from Vancouver and registered in the Territory for the sole purpose of bidding on a job and since he was registered in the Territory he wondered if this would make him a local contractor.

Mr. Taylor replied that his normal place of business would qualify whether he was local or not, and said he was speaking strictly on Territorial contracts. He commented on the matter of Federal funds and wondered if Ottawa should be approached and this problem laid before them for their consideration.

Mr. MacKenzie thought the point was that the local vendors of fuel oils get the business even though White Pass gets the contract. He said the delivery of fuel oil to the schools and Territorial Buildings in the Watson Lake area is effected by local vendors.

Mr. Shaw commented the 5% preferential had been discussed before and he thought a Member of Parliament also pointed out that this involved Federal money and it must be applicable to all Canadians because it was their money, and he thought this was the only reasonable way you could look at it. He didn't think there would be any point in writing a letter to Ottawa. He felt perhaps on Territorial contracts it would be a different matter.

Mr. Baker presented Mr. Taylor and the Council members with regard to the local fuel contracts, a report showing the amounts of money involved in not accepting the low tenders, and he said it could be seen that by not accepting the low tender in some locations for petroleum products it had cost the Territory something like \$85.00.

Mr. McKamey spoke on the matter of competition and said that there was nothing like a little competition, that in order to have competition one had to provide



the small business man with a little business too.

Mr. Shaw agreed with Mr. McKamey that competition was necessary and particularly in freighting and oil, but pointed out that a lot of people that come in with trucks and started freighting lower the rate and many of them go broke in the process of doing so. This would in his opinion indicate that the basic charges they made were not sufficient to survive in business.

Mr. McKamey asked if Councillor Shaw was implying they should only patronize one oil company in the Territory.

Mr. Shaw replied that he was not suggesting anything but merely pointing out the fact that some of those who started up in business undercut and undercut until they undercut themselves out of business.

Mr. Taylor said he would certainly like to see a change made in the future because when you look at the statistics provided by Mr. Baker you found there was only a portion of a cent a gallon difference, this difference decided whether the man got the business or not. He said a bulk plant is a fairly substantial investment and was contributing to the general economy of the Yukon. He felt they should attempt in the future to see the low bidder of a tender got the contract.

Mr. MacKenzie suggested that if Committee felt that way they should submit a written recommendation to the Administration and it would receive the appropriate consideration. Otherwise it could get lost in the Votes and Proceedings and not receive full consideration.

#### Yukon Regional Library Furniture

Mr. Taylor asked if this vote will provide sufficient shelving to display the books in the library, and asked if it was steel shelving.

Mr. Baker said that he did not know what the librarian had in mind, but thought it would be for steel shelving.

Mr. McKamey wondered why they couldn't take advantage of the services of the trade school and have them make the shelving.

Mr. Baker said this would be worth discussing with Mr. Holland, the Director of the Vocational School, and said that the Engineering Department had some trailer lean-to's constructed by vocational training shops and were extremely pleased with the results.

#### Welfare

Mr. Boyd said he was getting worried about the space in the building and wondered how Mr. MacKenzie would explain it when he could not find room for something he knew about. He said that they seemed to have an expanding program here and asked Mr. MacKenzie if there was room left.

Mr. MacKenzie replied that room was at a premium and it was quite true to say that in Welfare they had an expanding program. He said that it was rapidly expanding and there was more to come but this space problem would be solved shortly he hoped.

#### Sr. Citizens Home, Whitehorse \$4,700.00

Mr. Shaw wondered how many people were presently living in the Home in Whitehorse and whether it was filled up.

Mr. MacKenzie replied it was not filled up and he believed there were half a dozen. He said there had been a problem of an admission policy whether they should admit the destitute or elderly people with some resources. This problem had only recently been solved. The notion is now not to restrict admission and to allow suitable elderly people to go in even if they may have some resources.

Mr. Shaw said that this had been discussed when they had first built the Sr. Citizen Home in Dawson City. He said that the policy was that the place should be utilized to the advantage of the people to their full capacity rather than just having three or four, which he had heard was the number being cared for in the Whitehorse Home. In his opinion this should not have presented any problems.

Loans for Municipalities \$40,000.00

Mr. Watt asked Mr. MacKenzie what this represented.

Mr. MacKenzie replied it was an emergency in case a municipality wished to borrow up to \$40,000.00. It was the limit provided in the 5-year Financial Agreement.

Low Cost Housing 1st Mortgage Loan \$120,000.00

Mr. Shaw wondered if this represented an apartment deal.

Mr. MacKenzie said it was personal, \$6,000.00 first mortgage, \$1,000.00 second mortgage and 10 years to pay.

Mr. Watt asked how many of these were let out previous to this year.

Mr. MacKenzie replied second mortgage loans 22, first mortgage loans 17 approved as at January 30, 1964. Total amount of loans \$93,500.00, the applications pending January 30, 1964 were 6.

Mr. Shaw thought these loans represent a large group of figures but did not mean a great deal in themselves as far as affecting the Territory was concerned. In other words not many people could take advantage of them for various reasons.

Mr. MacKenzie said the figures in the budget are ceilings they don't expect to exceed, and they would probably only lend a fraction.

Mr. McKinnon said the Honorable Member from Dawson was erroneous when he said the loans were only applicable to the Whitehorse area under the low-cost housing loans, anybody in the Territory could take advantage of them and there are no special requirements.

Mr. Shaw said there were special requirements because in the first instance under the \$6,000.00 proposition that is the maximum your house shall be worth before you can get the money. If you build a house worth more than that you are not eligible for the loan.

Mr. McKinnon said "not any more".

Mr. Shaw said he was not aware of the change then.

Mr. Taylor asked if the government was paying interest on the full sum or only that portion of the loan money that is in use.

Mr. MacKenzie said they would pay interest on the amount borrowed. He said they are supplied with the money by Ottawa to repay and with all their loans they are not out of pocket the slightest.

Mr. Watt asked Mr. MacKenzie out of the 17 approved loans in the low cost housing 1st mortgage how many of those applied for and received the second mortgage loans.

Mr. MacKenzie replied applications for second mortgage loans were nil.

Mr. Watt thought this very strange they don't apply for the low cost second mortgage loan because that is what reduces the interest. He wondered if they were discouraging the applications for the low cost second mortgage loans.

Mr. MacKenzie said not that he was aware of and pointed out that no

applications had been received.

Mr. Shaw pointed out that the maximum amount of money anyone could borrow was inadequate because if you build beyond the value specified you could not take advantage of the loan.

Committee proceeded with discussion on Vote 20 Education with Mr. Froese (Assistant to the Superintendent of Education) and Mr. MacKenzie (Territorial Treasurer).

Whitehorse Elementary School \$8,600.00

Mr. McKinnon assumed item No. 3 the new floor in the Whitehorse Elementary School gymnasium was for the provision of installing a new maple floor, and was wondering whether this was actually necessary in the elementary school.

Mr. Froese said he had taken the matter up with the teachers of the school last week and they agreed to have an inlaid linoleum with the basketball court but it would not be a maple floor.

Selkirk Street School \$4,000.00

Mr. McKamey wondered if the roof was still leaking in that school.

Mr. Froese said the leaking roof originally spoiled the floor but it seems to be all right now.

Porter Creek School \$2,125.00

Mr. McKamey asked what the \$75.00 coffee percolator was for.

Mr. Froese said it was used for P.T.A. meetings and probably for the Porter Creek Citizen's Association meetings.

Watson Lake Elementary High School \$5,500.00

Mr. McKamey asked Mr. Froese what the tape recorder was used for and have all the schools in the Territory got them.

Mr. Froese said not all of the schools have tape recorders but a large number do. They are used primarily for instructing grade 7 and 8 French where the oral approach to French is very important; they also have Shakespeare on tape.

Mr. Shaw drew Mr. Froese attention to the playgrounds at the school at Dawson and the crusty snow that is on the ground. He wondered if there was any program in existence so that this could be removed before it melts and makes a muddy playing field.

Mr. Froese said as far as he knew there was no program though they do try to keep the parking lots and driveways clear.

Watson Lake Separate School \$28,090.00

Mr. Boyd asked what the record player was for.

Mr. Froese said this is one question he wished they hadn't asked. He said they had to purchase a record player for this school last year. The record player at Elsa broke down and they didn't have funds for it so they borrowed this one and they are now replacing it.

Mr. Shaw thought it was funny they were buying coffee percolators, tape recorders and so on. He thought it was just as important that they should clean up the school yards so the children can get out and play in the spring.

Mr. Boyd wondered what the record player was used for.

Mr. Froese said they are used for music appreciation courses and for singing.

Mayo Elementary High School \$4,690.00

Mr. McKamey said the acoustics in the new auditorium are poor and wondered if any attempt would be made to overcome the problem.

Mr. Froese believed there was some problem with the acoustics but thought it would be overcome when the curtains are hung. He said the acoustics shouldn't be any different than at Porter Creek or Watson Lake and they had no trouble. He said if there was a good crowd in the hall the acoustics were good.

Mr. McKamey said at the Children's Christmas Concert last year there was a crowd of about 500 and not one of them could hear a word spoken on stage because the echo vibrated through the whole building.

Mr. Froese thought the curtains should correct this.

Mr. McKamey said they were very happy with the auditorium but hoped in the event the curtains did not solve the problem the Administration would try to overcome it.

Mr. Shaw said they had had a similar problem in the old hall in Dawson City and they made a shell on the back to throw the sound forward and it solved the problem.

Elsa School - \$50,000.00

Mr. Boyd said he had heard talk of a possibility of commuting to Mayo School and wondered if there were enough children to warrant this expenditure in view of the fact that some of the children may have left the area in the last twelve months.

Mr. Froese said they had a long, close look at the Elsa School and in view of the fact that there were several satellite developments in the community they have been investigating the possibility of putting up a trailer classroom at Elsa. They were considering a trailer 24 x 40 in two sections which could be used later on if a temporary classroom were needed at another school. He said if in a year or two the population warranted they would build.

Mr. McKamey mentioned the prefab that was scrapped at Keno and said the people would like to have the fuel oil storage tank that was used there moved to the fire hall in Keno. He asked Mr. Froese if this would be possible.

Mr. Forese said they would be needing that tank at their new trailer classroom when the time comes and they were planning to use it themselves. During the summer months there is a request by the Federal Government to use the Keno prefab school as a base camp.

Mr. Shaw elaborated on the \$250.00 for the Granville School and said last year the people spent \$619.00 out of their own pockets for playground equipment.

Motion Resurvey of Lots April 1, 1964 was allowed to die in Committee

No. 11

Discuss. Mr. Shaw asked what the jurors now get and any other information available in relation to this motion.

Motion

No. 21

Clerk-in-Council believed they had stopped their discussion at a point where he was to get some further information regarding jurors fees in the provinces and he had a memorandum from the Legal Adviser stating the following:

British Columbia - Jury Act. C.202.

s. 39 - \$8.00 per day for Oyer & Terminer.

s. 60 - Special Jury (Civil) \$8.00 per day.

Both include additional for

reasonable travelling expenses. (Checked to end of 1962. Believed changed recently.)

...../250

- Ontario - Jurors Act. c. 199 R.S.O. 1960  
s. 83 - \$10.00 per day plus 10¢ a mile both ways or actual fare.  
If required to stay overnight gets up to \$8.00 lodging. (Checked to end of 1963)
- Manitoba - Juries Act. c. 130 R.S.M. 1954  
s. 79 - This set allowance at \$6.00 per day plus 5¢ per mile if living in 10 mile radius of Court House and not more than 10¢ per mile for jurors living at quarter distance. The \$6.00 was increased to \$9.00 in 1958 First Session. c.58 but mileage allowance not altered.  
(Checked to end of 1962)
- Saskatchewan - Jurors & Juries. 1953  
s. 30 sets fees by reference to Queens Bench Act R.S.S. Unfortunately reference to Section 92 of the Queens Bench Act does not give details since the section is an empowering section. The tariff of fees and charges for witnesses and jurors is set by Lt. Governor in Council.
- Alberta - s. 47 of c. 165 of R.S.A. empowers Lt. Governor in Council to make regulations to set fees.

Our jurors right now get \$12.00 a day plus accommodation if confined and meals. There is no travelling involved as they are empanelled locally.

Mr. Boyd didn't think they would be justified in increasing the jurors fees at this time.

Mr. Watt felt the minimum wage of a laborer is roughly \$20.00 a day and a juror should get reimbursed for time lost on the job. He recommended it should be raised from \$12.00 to \$20.00.

Mr. Boyd disagreed entirely.

Mr. Livesey wondered if it would be possible for the Clerk of the House to ascertain what they are paid in the Northwest Territories as being something similar to the Yukon.

Clerk-in-Council found that the fees in the Northwest Territories are \$10.00 a day plus actual reasonable travelling and living allowances if the person is more than 2 miles away from the place of the trial and it is approved by the sheriff.

Motion Defeated.

Mr. McKinnon agreed and seconded by Mr. Watt to withdraw Motion No. 2. Motion  
Re Flooding Marwell Area. No. 2

Commissioner Cameron and Mr. MacKenzie (Territorial Treasurer) attended Committee.

#### Amusement Tax

Mr. Shaw speaking on the motion, said he had had numerous requests for this and it had now reached the stage where the Movie Theatre in his area was finding it difficult to continue because there are so many forms of the same type of entertainment. He said local groups will have a show in the local auditorium, and free shows are shown a short distance out of town. He said he would always hesitate to bring forth any means to take away one taxation system for the simple reason they do need the services the taxes provide. However, he said they have a theatre in the Municipality of Dawson from whom the City of Dawson and the Territorial Government requires a license fee and at the same time requires 15%

Discuss  
Motion  
No. 25



amusement tax. He said it could be argued that the customer is the one who pays the tax, but if they were to increase the admission they might not get as many people. He felt the small theatres should be granted an exemption on their sale of tickets, for example - tax would be paid on receipts exceeding a certain amount only. He said he had been informed that this tax had been eliminated in Ontario and in British Columbia. He said he would very much like the Administration to review this in line with the suggestion he had made and that is why he brought it up while the Commissioner and Mr. MacKenzie were in attendance.

Mr. MacKenzie said he would be glad to examine Mr. Shaw's point but didn't think it would be easy to arrive at an accurate position because it would be impossible to forecast what the increase in attendance would be.

Mr. Shaw didn't think they could expect an increase in attendance, but he said when an organization is just barely operating and making ends meet the 15% paid in amusement tax could be the difference between operating and closing down. He thought if it were reviewed with the circumstances on hand Administration could come to an intelligent appraisal and that was his request.

Mr. MacKenzie said the rate of tax is 10% not 15% and said he was not personally too favorably disposed to reducing their taxation revenue because they need it. He said they were thinking up ways and means every day of spending more money and cutting down income and it had to stop.

Mr. Shaw agreed that might be so, but he said he happened to know that the particular organization he mentioned was very shaky. The amount of tax that may be lost in a tax reduction would be better than having the business fold up. He thought it would be wise to look into the situation and see if some rebate or assistance was justified.

Mr. Taylor (Mr. Boyd in the Chair) said this matter was also brought to his attention by the theatre in his area which was experiencing the same problem. He said he feels the same as Mr. MacKenzie that they do not desire to have a tax reduction at this time but also felt that the small theatres are creating a real public service and pointed out they do not have T.V. They have line films coming through which are government sponsored and shown at the Army camps which drains off some of the market. The theatres have the additional high cost of transporting their film by air express and also to get a good picture they have to pay more money. He said all these factors should be borne in mind in consideration of this and although they might lose slightly on tax revenue he said he would urge that the matter be given thoughtful consideration and some effort made to offer relief.

Mr. MacKenzie felt the answer lies with the arrangements the cinema have with their suppliers - they are obviously being charged so much they can not make a profit on the deal.

Mr. Taylor said the film suppliers have a fixed price on film and there would be no hope of getting any reduction from them.

Mr. Shaw added there was no other business in the Territory that has more competition that is subsidized in some form or another in the smaller places and felt some consideration should be given to this particular situation.

Mr. Livesey wondered if Mr. MacKenzie could give a rough idea of what the income tax was for 1963.

Mr. MacKenzie said it was \$15,000.00 for the year ended March 31, 1964 and they estimate each year for an increase of \$1,000.00 during the life of the 5-year agreement.

Mr. Shaw remembered a number of years ago the light company at Mayo were exempt from paying a certain tax because they just did not have the volume to pay for the license fees and it was recognized by the government at that time. He said the situation with the theatre in his area is getting so acute it is not known whether it will operate or not.

Mr. Taylor said the situation is the same in Watson Lake. The management claims that if the situation continues they would have to close and in that event there would be no tax revenue at all.

Mr. McKamey said he felt bound by the financial agreement and he was certainly asking for more than the government is prepared to give at the moment in regard to sewer and water and couldn't honestly support this due to that fact. He said the best thing that ever happened in Mayo was the day the motion picture outfit there went broke. Since that date they have had very good motion pictures in Mayo. The Mayo Community Club handle the motion pictures now and make between \$3,600.00 and \$4,000.00 a year in addition to upgrading the film from what the commercial firm supplied.

Mr. Taylor asked if the Mayo Community Club pays any amusement tax to the Territorial Government.

Mr. McKamey answered in the negative.

Mr. Taylor pointed out this was another opposition industry to private industry, and this is the problem. He didn't think it would affect the amusement tax revenue very much and the loss would not be staggering.

Mr. MacKenzie agreed the loss would not be staggering but said once you start tinkering about with an ordinance and putting in exemptions you create administrative difficulties. He cited the fuel oil tax ordinance which has a dozen or more exemptions and they have to be watched and this needs more staff and more paperwork. He said he would look into it and see what he could do.

Mr. Shaw said he would appreciate Mr. MacKenzie's cooperation and asked that Administration let him know of their decision when they come to it.

Mr. Boyd said about 400 people in Whitchorse play bingo in private clubs and wondered if they are charged amusement tax.

Mr. MacKenzie said no because they are not put on for profit the same as movies are. The same applies to drama productions where they only make enough to pay their way.

Mr. Watt referred to Mr. MacKenzie's statement that any exemptions would lead to administrative difficulties. He said it was a mere \$15,000.00 anyway and the Commissioner in the Speech from the Throne had said they were in a pretty sound financial position so the government may be ahead by eliminating it altogether because the administration costs are substantial.

Mr. MacKenzie said he had been misunderstood and what he said was these exemptions lead to administrative difficulties.

Mr. Shaw could not see what the administrative difficulties would be if the theatre gave a report showing clearly the taxable income.

Mr. MacKenzie said yes, it is a complication which is not necessary. If you multiply that with all the other ordinances such as the fuel oil tax ordinance you are building up a more difficult thing to administer than a straight 10% on the price of admission.

Mr. Shaw suggested it would be preferable then, if the profit is so marginal that it made a difference between profit and loss, to shut down the organization. This would facilitate the administrative duties and they would not have anything to worry about.

Mr. MacKenzie thought you have to shut your eyes to the result of what you do at times - here we have a tax of 10% on profit making organizations and that is it.

Mr. Shaw said it depends on where you happen to be, if you happen to be in the middle of a dark place you need to open your eyes to get around, and when you are a long way away it is quite easy to shut your eyes to a problem that doesn't exist around you every day.

Motion Carried.

Discus-  
sion  
Motion  
No. 10

Mr. Commissioner was still in attendance for discussion of Motion No. 10.

Mr. Taylor (Mr. Boyd in the chair), speaking on the motion, said it is fairly self-explanatory. He said they heard today of a proposal to establish a government communication system which will include the Forestry Division, the R.C.M.P. and the Territorial Road Department. He thought this would lead to a very jammed up frequency especially during the summer months and there would be little room for anybody else. He said the motion asks in effect for the reestablishment of the Army Signals as it operated in the past. He didn't think C.N.T. could provide the service, as might be suggested, because it is usually telephone operators at the switchboard who are flooded with calls and are not too conversant with trying to get a message through under rough conditions; he didn't think the frequencies were the very best either and they are usually jammed up with "oil people" all the way down the line.

Mr. Shaw said as seconder of the motion he did not visualize the Canadian Signals Corps coming back but was thinking along the lines Mr. Baker outlined earlier where they would have Forestry and private people to have facilities that they could talk back and forth. He said right now it is very confused, C.N.T. does some, the Department of Transport does some and the whole thing seems to be "helter skelter".

Commissioner Cameron agreed with both Mr. Taylor and Mr. Shaw that it was very difficult to obtain the right information quickly regarding radio frequencies. You have certain frequencies for ground to air, other frequencies for air to air and other frequencies for ground to ground. Then you have closed private frequencies for military and police. He said he would like to see the Canadian Army Signals back because they gave wonderful service but felt that in view of the cutback in defence spending and the way they are paring their operation down, there wouldn't be a ghost of a chance of getting them back. He explained they were actually working with the Police and Forestry with the main idea of being able to cut costs, not necessarily capital costs but certainly operating costs. Right now they were all faced with obsolete equipment. The Territory had a small amount of it and the equipment of the Police and Forestry were out-dated. They felt if they all worked together they could pick out the best type of instrument and use the same make. That way they could have one serviceman or one service outlet which would give it efficient service. They would like to see if C.N.T. would do the servicing so that if they had trouble with the radios, replacements could be moved in. They have asked C.N.T. and they have submitted a plan for communications but it is not satisfactory because it only covers the Alaska Highway which is probably where they would need it least. That is where there is the greatest amount of traffic, whereas when you get beyond the roads in Dawson, Mayo and Canol you need good radio coverage and this is what they hope to get. He said they were prepared to do everything possible to get maximum coverage in the Territory and this is what is being planned at the present time.

Mr. Shaw wondered if the investigation they are doing would include frequency for private individuals also, so they would know just where they are going.

Commissioner Cameron replied to date it did not. He pointed out that a private individual can purchase a radio and operate through C.N.T. though he realized it wasn't entirely satisfactory. He pointed out that



Forestry, Police and Territorial Government would not all be on the same frequency, there would be band selection. He said the Forestry and Territorial Road crew could work together to give double coverage where the Territorial Road crew could report a forest fire while Forestry could report a bad road condition. He said they hadn't gone into full coverage yet whereby a private business or enterprise could be helped as far as the Territorial Government is concerned.

Mr. Taylor said if it was not possible, as his motion inferred, to have the Army Signals come back then his purpose would not be served and he couldn't see any such facility being provided for the bush camps and so on. The only type of organization he could see was through an organization such as Army Signals who would call a network on a common frequency in an orderly manner and also standby. He said he would be prepared to let the motion just die on the order paper or withdraw the motion if it was impossible for this to be done at this time.

Commissioner Cameron did not see anything wrong with the motion and said he would be quite prepared to push it through with the Director and if he can come back and give better light on the subject as far as signals was concerned, or another recommendation maybe as to what they have planned in the Northwest Territories. He said he just outlined what they have been doing though they have still not done anything concrete. They have not purchased the equipment and have not definitely established what type it should be and they do not know until they get started on it just what sort of coverage they are going to get. It may be possible if the system does work well that the Territorial Government and Forestry could help out private people as far as allowing them by written permission to come in on their frequency which Forestry have been doing for years.

Mr. Taylor said if the motion would help he is quite amenable to it.

Motion Carried.

#### Ross River Air Strip

Discussion  
Motion No. 24  
Commissioner Cameron said he had written to Mr. Fry, the local Indian Agent, asking if he would contact his superior and find out if possible whether there may be some financial assistance coming in the form of a specified project grant whereby some of the natives could be utilized for the hand cutting of the area in question. Should the Territorial Government find it feasible by lapsing funds on the Canol Road to use some equipment to put the dowels in there they could possibly come up with a strip. He said he was not making any promises but said they have done this to find out if it would be possible for Indian Affairs to help out and if they find they have some money left over on the maintenance in the middle of the summer, and could see they were well ahead of things and fairly well off financially they could utilize some equipment which is on that road to clear the area and level it off and make a type of air strip.

Motion Carried.

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

When Mr. Speaker resumed the chair, Mr. Taylor, Chairman of Committees, reported as follows:

Committee Report  
Committee convened at 10:55 a.m. to discuss Bills, Memorandums, Sessional Papers and Motions. Committee first discussed Vote No. 20, Bill No. 11 with Mr. Baker, Mr. MacKenzie and Mr. Spray in attendance. Committee recessed at 12 noon and reconvened at 2 p.m. Mr. Froese attended committee to discuss Vote No. 20. Committee then discussed motions. The mover and seconder of Motion No. 2 withdrew the motion and committee concurred. Commissioner Cameron attended at this time. Motion No. 21 defeated in Committee.

Motion No. 22 was carried in Committee. Motion No. 10 was carried in Committee. Motion 24 also carried. I can report progress on Bill No. 11 and Bill No. 13.

Council accepted the report of the Chairman of Committees.

Council reverted to daily routine.

Motion  
No. 35

Mr. McKinnon gave notice of motion respecting Bills No. 18 and 19.

Council adjourned until 10 a.m. Wednesday, April 22, 1964.

*Boehl*

Wednesday, April 22nd, 1964  
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 Production of Papers No. 7, regarding a liquor statement. (Set out as Sessional Paper No. 64)

Sessional  
Paper  
No. 64

Mr. Boyd moved, seconded by Mr. Taylor for leave to introduce Bill No. 21, An Ordinance to Amend the Motor Vehicle Ordinance.

Introducing  
Bill #21.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Watt, that in the opinion of this Council minimal services providing access to homes in the Canyon Crescent residence be provided by the Territorial Government.

Motion  
No. 33

Mr. McKinnon, speaking on the motion, said that this problem had been discussed in Committee at some length. He said that Council was understandably worried about the ribbon development that took place along the Alaska Highway and saw fit to leave the Canyon Crescent Subdivision at its present stage of development and not allow it to expand any further. The Administration followed up the suggestion to the point that in the Canyon Crescent Subdivision there is now only eight lots held by the public. This year \$500.00 had been put in the budget for minimal services, just access to the lots the people own in the Subdivision. He said there was one house that was occupied and one was ready for occupation and the third is under construction. When those people bought lots they had no reason to think that the Subdivision would not be developed but as it stands now there will be no further expansion allowed and he felt that by providing that minimal service for the people in Canyon Crescent they did by no means agree in principle with the Canyon Crescent Subdivision. Council were already on record as saying that they did not think the Subdivision should have been allowed to develop and they had already stated that they would under no circumstances allow it to develop further until such time it was absolutely necessary. He said that the Territorial Government took care of the south access road coming into Whitehorse which was approximately two miles from the Subdivision and all it entails was for the grader to go and plow this road out to supply access to these people.

Mr. McKamey said he understood a policy had been laid down by the Administration concerning the Metropolitan Plan, and he wanted one point clarified. He said he had been led to understand that someone wanted to extend their motel facilities in that district but he was unable to do so because no building was allowed within 700 feet of the highway. He asked if someone could clarify this.

Mr. Watt said he did not think anyone had been refused so far. If they already owned the property they would be considered as non-conformed users, and the people in the Subdivision would be non-conformed users. If the plan was adopted it did not mean that a bulldozer would go along and wipe out all buildings within 750 feet of the highway. He did not think the Subdivision, remaining as it is right now, is going to disappear if it is adopted.

Mr. McKamey said he wanted something more specific from the Administration before he could vote on the motion.

Mr. McKinnon said the lots were bought before the C.M.H.C. plan came into effect and he could not see the difficulty raised by Mr. McKamey.

Mr. Shaw felt the Government had a moral obligation here. He said that their system of Government recognizes the fact that the Government could make mistakes and it had made provisions through the Exchequer Court to deal with these. He felt that Mr. McKinnon's request was just and asked that a vote be taken on the matter.

Mr. Boyd said that if you were within an area of 750 feet of either side of the highway you were classified as a non-conformist and not wanted. One could not expand one's business or repair or have a minor expansion unless some individual indicated it was okay to do so. He said "Who is this individual, who is going to draw the line?"

Mr. Taylor said this problem had been discussed in Committee in great length and he had noted some houses further down the highway and in his opinion if their road was plowed he would say the people in this Subdivision should have their road plowed.

Mr. McKinnon said the people in Canyon Crescent had been advised that the area was not going to be developed any further but they were never advised that the Government would not supply the minimum services which they were responsible for. He said the people further down the road were not getting their road plowed because they did not develop under an orderly development of a Subdivision. They understood they would develop it and keep it clear themselves. He felt that the people in Canyon Crescent would have a good reason to believe that the Government was irresponsible if this wasn't provided for in the budget.

Mr. Livesey (with Deputy Speaker in the Chair) said it seemed to him that the question was being discussed in a Bill already before the House and that there appeared to be some confliction. He wondered if they would allow him to give it some further consideration and that it be discussed tomorrow.

Agreed.

Motion  
No. 34

Mr. Taylor moved, seconded by Mr. Livesey, that in the opinion of Council, the Administration is respectfully requested to consider the placement of portable inhalators in the communities of Ross River and Teslin during the fiscal year 1964/65.

Mr. Taylor, speaking on the motion, said that this motion arose from discussions in Committee with Dr. Kinloch several days ago and involved the placement of portable inhalators which are life saving units and are essential in any community, especially in the more isolated communities. He explained that what was in mind was a three way unit: they act as a forced breathing apparatus, provide straight oxygen, and they act as a suction unit. He said that they had bought one in Watson Lake for the fire department and eight lives had been saved. He said that following that the Army placed resuscitators in all their ambulances along the highway and finally the nursing station got one so at present they have three in Watson Lake and they have done a great deal toward saving lives. He explained that the situation at Ross River was that quite often there was children and adults who were taken ill and sometimes it involved two or three days before any airplane or any communication from outside could be established and he cited a case last year when they lost a child at Ross River because they did not have anything to keep the child alive with. He said concerning Teslin that the nearest resuscitator was at Brooks Brook in the ambulance and it had to remain in the ambulance so it was too far away when you needed it because when you need a thing like that you need it right away. He said that the people in the communities could be trained to use them as they were very easy to operate and are pretty well foolproof. Northern Health Services concurred and they only needed the motion to get this going.

Mr. McKamey said that anything that saved lives he would be in full agreement with.

Mr. Watt said that if those things were so essential in saving lives why did they not have them in nursing stations as standard equipment.

Mr. Taylor replied that he thought they did have them in nursing stations but added there was no nursing station at Ross River or Teslin.

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Boyd, that in view of some constitutional difficulties that have been raised, Bills 18 and 19 be presented to Council by the Administration at this Session. Motion No. 35

Mr. McKinnon, speaking on the motion, said there appeared to be some difficulties under section 24 of the Yukon Act as to whether those two Bills could be presented by private Members. The Administration has asked that they be allowed to present these Bills and he suggested that Council should be prepared to go along with it as it means the Bills would be presented during this session.

Mr. McKamey wondered if one could introduce a Bill twice during a session.

Mr. McKinnon said the intent of the motion was that the Bills as they are would be allowed to die on the order paper and new Bills would be introduced.

Mr. McKamey said that once a Bill is allowed to die it appeared to him in the rules it says it is dead for that session and could not be reintroduced until the following session.

Mr. Speaker said that on that point would they like him to check up on that matter and give them the information tomorrow. This would eliminate a lot of discussion.

Mr. McKinnon felt this was a matter of some urgency and he would like Mr. Speaker to arrive at a decision as quickly as possible because Bills 18 and 19 would be ready for discussion either today or tomorrow.

Mr. Speaker said the Member should realize that this was an unusual request that had never happened before in the history of the Chair.

Agreed.

Mr. McKinnon said there was a point of order before the House and it had been there since last Friday afternoon and he wondered if any progress had been made.

Discussion Point of Order re Legal Advisor

Mr. Speaker said he would speak on that later.

Mr. Taylor said they had a memorandum from Commissioner Cameron yesterday concerning assent to Bill No. 9 and he wondered if Mr. Speaker would find out if the Commissioner would be able to give his assent today.

Mr. McKamey wondered if it was the intention of Mr. Speaker to enact Standing Order no. 87, 88, 89 and 91 of the Rules of the House.

Mr. Speaker replied that the usual answer from the Chair in Parliament is that whenever an occurrence is raised in the House necessitating any revocation of any part of procedure that when the question is raised which involves or invokes such a situation then that question is raised at that time and therefore he could see no reason to give a decision on that point at this time.

Mr. Speaker referred to Mr. McKinnon's question in relation to the Legal Advisor. He believed when they discussed this question on Monday morning they gave certain directions to Clerk-in-Council and asked him if the Legal Advisor would appear to them as to what objections he had to certain words used on the previous Friday. It was felt from the Chair that the House could then make a decision on any question of offence, either of words or other matters, and that those words should be brought to their attention by the party so aggrieved. This was their decision on Monday and therefore a request was made to Clerk-in-Council to convey this question to the Legal Advisor and ask him when he would appear to inform them what the grievance was. He asked Clerk-in-Council if he had received a reply or an answer from the Legal Advisor.



Clerk-in-Council replied that he had not received a reply from the Legal Advisor. He had conveyed their message but had nothing further to offer.

Mr. Speaker said that was the situation as it now stood as far as the House was concerned.

Mr. McKinnon said, "The Chief Officer of the Yukon Territory, who is Mr. Legal Advisor's actual superior sent down a reply as to what words were exceptional to one of his subordinates and this was presented to Mr. Speaker and all Members of Council and it was made quite clear which words were objectional to Mr. Legal Advisor."

Mr. Speaker said the matter had not been tabled yet.

Mr. McKinnon said that with all due respect he would suggest that it should be tabled.

Mr. Speaker said that it would seem to him that when they discussed the question they made a decision, the House came to a decision on a question, and the decision was that they would ask the Clerk-in-Council if the Legal Advisor would appear and tell them what words were objectionable and they would then be able to proceed upon a logical decision as to whether the objections were reasonable and had grounds. This seemed to him to be the position. The question of the paper which had not been tabled as yet, seemed a different course of action and that is the only reason why he had not tabled it yet, in the hope that whatever the House had decided could be accomplished. However, if this cannot be done he would inform them, he hoped later today, that they would be able to discuss the question on some other form of approach and that was the only reason it had not been tabled.

Mr. McKinnon said if the Commissioner saw fit to reply for one of his staff he could see nothing wrong with this and he thought the memorandum should be tabled.

Mr. Speaker read from a section from Section 86 on page 80 of Parliamentary Rules and Forms and said that this was the position he had followed so far. However if the House decided to move in some other direction he hoped they would bear with him in the statement he made this morning in order they could solve whatever difficulty they had before them in a proper orderly and dignified manner. If they would bear with him in that particular instance he would do everything in his power to settle this question on that basis.

Agreed.

Mr. Taylor moved, seconded by Mr. Watt, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Memoranda, Motions and Sessional Papers.

Motion Carried.

In  
Committee  
of the  
Whole.

Discuss  
sion of  
Bill #13.

Motion  
Re Bill  
No. 13.

The Chairman asked how they wanted to proceed with Bill No. 13.

Mr. McKinnon said he had some questions he wished to ask the Legal Advisor concerning the Bill but he understood he was out of town at present and he moved, seconded by Mr. Watt, that the question on the motion be not put until Friday.

Mr. Boyd wondered if Mr. McKinnon felt that the Legal Advisor would be prepared to answer the questions by Friday so they could deal with the Bill.

Mr. McKinnon said he hoped the Legal Advisor would be available by that date to answer his questions and if not he would ask the courtesy of Council to put this over until such time as he would be able to answer his questions.

Mr. Taylor (with Mr. Boyd in the Chair) thought this was getting to a point of being ridiculous, it appeared they had no Legal Advisor and the Bill had been discussed through three sessions so far and he thought they were all quite clear with the importance of the matter and he could see no additional requirements for asking for further legal consultation on it and suggested they put the question on this matter and be done with it.

Mr. Watt said that on seconding the motion he did not want to deprive any Member of Council from asking questions of the Administration and as the Legal Advisor was out of town he felt they would save a lot of time by waiting until he came back.

Mr. Taylor asked the Member from Whitehorse North if his question was one of running a blockade on this.

Mr. McKinnon replied no. He said he had questions concerning the franchise itself and he needed a legal interpretation to his question and he did not believe any of them could give a legal interpretation and as the Legal Advisor was out of town he wanted Council to allow him to clarify himself on these matters when he returns.

Mr. McKamey asked Mr. McKinnon how he arrived at the decision in voting on the Bill in the Fall Session of 1963.

Mr. McKinnon replied that he voted on the Bill because he thought it the intelligent thing to do at that time and he did not think it very intelligent to change it back and he would like further clarification before he changed his mind.

Mr. McKamey referred Mr. McKinnon to the marginal notes on the Bill at the Fall Session of 1963. He pointed out that in Standing Order no. 88 the Sgt.-At-Arms had the direction and control over all employees in the service of the Council subject to such orders as he may receive from Mr. Speaker or the Council.

Mr. Shaw enquired as to who the Sgt.-At-Arms was.

Mr. Livesey thought they should return to the question at hand and it seemed to him they had a problem here and Committee had done their best to assist the Member from Whitehorse North. They had put this off twice and perhaps it would be better to take this question up once more and delay it in order that the Member may be satisfied and if legal advice was not available they could decide at that time how to proceed.

Motion Carried.

Committee proceeded to discuss Vote 15- Administration General - \$115,256.00

Mr. Murphy, Superintendent of Welfare, attended Committee.

Mr. Boyd remarked the vote was up some \$103,000.00 over last year and it had been going up at a terrific rate. In 1961-62 it was \$243,000.00 and now it was \$543,000.00 He asked if they were running a school for those people and wondered if they were getting to a state where the people were not required to fend for or look after themselves. Did they take them in as though they were school children going to school. He thought that if they kept this up they would have nothing but one department - namely Welfare. He asked Mr. Murphy if he saw any change coming up soon that would indicate that they were at the top of the hill.

Mr. Murphy said that part of the increase was due to the new correctional program, the implementation of a probation service, part to the operation of the St. Mary's Home in Dawson and part due to the increase of the number of children coming into Care. He said that Committee had to realize that for many years the Welfare Department was very small and as a result many situations got out of control and over the past few years they were trying to develop a program of preventative and remedial service. This was a long costly program and it would be a few years before they would be on top of it. He didn't think

this was out of order and they should also consider the fact that although the population figure hadn't increased the population increases in various months when people come to the Yukon looking for high wages and high stakes and with the result of no employment they were stranded here destitute and in need of assistance.

Mr. MacKenzie, Territorial Treasurer, attended Committee.

Mr. Murphy said he would be in a better position to explain the increase as they went along.

Mr. McKamey asked if Mr. Murphy could give them the percentage based on the per capita basis of the Yukon and one of the Provinces in the amount of welfare that has been provided for.

Mr. Murphy said the total welfare expenditure which includes all aspects compared with one of the western provinces which is \$33.00 and per capita cost in the Yukon it was \$21.00 - this was the total welfare cost based on the population.

Mr. Shaw said concerning the operation cost of the St. Mary's nursing station that there might be a slight difference due to the change in administration but there was actually very little difference from previous years.

Mr. MacKenzie replied that there would be an increase in operation cost because the Sisters were doing it for love and it was their vocation but now they would be paying out money for this.

Mr. Shaw remarked that it had cost him about \$8.50 a day when the Sisters were there.

Mr. MacKenzie said that the cost now would be approximately \$14.01 per patient per day.

Dawson Welfare Office and Residence - \$3,315.00

Mr. Boyd asked how big the Dawson welfare office was.

Mr. Shaw replied it was about 30 by 30.

Watson Lake Welfare Office and Residence - \$4,545.00

Mr. Shaw noted they were renting a trailer in Watson Lake for the welfare office and he wondered if it wouldn't be better to buy one.

Mr. MacKenzie replied they were feeling their way.

Mr. McKamey asked if a trailer was the desirable thing to have.

Mr. Murphy replied that they didn't know where they were going to accommodate the welfare officer and they thought this would be a good temporary arrangement until they could find some suitable housing.

Mr. Taylor asked if they would have a welfare officer this summer.

Mr. Murphy replied in the affirmative.

Old Age Assistance - \$36,000.00

Mr. Murphy said that part of the large increase was due to the increase in pensions.

Disabled Persons Allowance \$9,000.00

Mr. Taylor asked how long it took an individual who applied for a disabled persons allowance from the time of application to the receipt of the first cheque.



Mr. Murphy replied that it should not take any longer than one month.

Mr. Livesey asked Mr. Murphy if it was true that old age assistance was 75% to Indians.

Mr. Murphy replied that he would say that 75% of all recipients of old age assistance, blind and disabled persons allowance, were Indian.

Mr. Livesey said it seemed to him that under the B.N.A. Act the Federal Government was responsible for Indians. He felt that under that Act the Federal Government was responsible for 100% what they paid out to the Indians under the Old Age Assistance and the Disabled Persons Allowances and not only 50%.

Mr. MacKenzie said there was probably a good reason for it.

Child Welfare Services \$121,785.00

Mr. Taylor had a question in relation to Primary 87, Juvenile Offenders and asked how many such offenders were sent out in a year.

Mr. Murphy replied that they sent out approximately 10 and he doubted that they would be sending out any more because they could not get accommodation in Alberta. He said they had approximately 50 offences in a year but a lot of them are put on probation and others given suspended sentences. He felt they would have to look to the Yukon for provision for their juvenile offenders.

Mr. Taylor asked if those who had been placed in a correctional institute had been straightened out.

Mr. Murphy replied that in the past year the majority of them had repeated their behaviour and have become problems again. He said that the problem is that they are not given the proper after care service that they require in the home when they do come back. He said they did not have sufficient staff to provide the proper probation service but they hoped to remedy the situation this year and prevent a lot of the children from being sent out to these institutions as it, in his opinion, wasn't the best thing, especially for the Indian children.

Mr. Shaw asked Mr. Murphy if he had any figures to show the families that have had children taken away and put under care. He would like to see a graph showing the improvement in the situation as a result of this by the actions of the parents.

Mr. Murphy said that there had been improvement in many families but he could not give the statistics on that. He could give them the number of admissions and discharges during the year.

Mr. Shaw said he wanted the percentage of improvement per family as a result of the money spent in the department.

Mr. Murphy replied that many of the children in care had been there for seven or eight years, they were permanent wards because one or the other parent deserted or was a failure as a parent. There were 133 new admissions during the last year and 128 discharges. They had placed 6 for adoption. The year before they admitted 164 children and discharged 118. This showed that there had been some improvement in the whole situation but he could not give Mr. Shaw the specific statistics he wanted, because they did not keep it that way. He said that out of 60 families there were 160 children involved.

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

Wednesday, April 22nd, 1964  
2:00 o'clock P.M.

Committee proceeded with discussion on Bill No. 11, Vote 15, Welfare, with Mr. Murphy (Director of Welfare) in attendance.

Social Assistance - \$14,800.00

Discussion  
Bill No. 11  
Vote 15.

Mr. Taylor asked if any thought had been given to education on alcoholism in the schools.

Mr. Murphy replied that the money would provide for a treatment program and an educational program. He said it would depend on the case load of the social worker and that he understood that there was a report sent in by the Alcoholic Foundation and approved by the Yukon Social Service Society who were recommending that there should be a branch agency of two social workers. One to be stationed in Whitehorse and the other to travel throughout the Territory. He felt that if there were two workers they would be able to get the educational program going very early after it was set up.

Unemployment Assistance - \$111,875.00

Mr. Boyd wondered if the money paid out would be lost or if it eventually would be recovered from the people that received it.

Mr. Murphy replied that he thought very little of it was ever collected. He added that a certain amount would be recovered from the estates of deceased pensioners but that would be negligible. He said that every effort was made by the department wherever possible to collect it.

Mr. MacKenzie (Territorial Treasurer) attended Committee.

Mr. Watt, referring to Primary 87, Item 4 - \$6,000.00 wondered why those people were not being cared for in the Senior Citizens' Home rather than being kept in foster homes.

Mr. Murphy replied that those people were placed in private homes before the Whitehorse Senior Citizens' Home was constructed.

Senior Citizens' Home - Whitehorse - \$12,559.00

Mr. Watt said that he had heard some complaints concerning the operation of the Senior Citizens' Home and mentioned one complaint concerning the closing hour. He said that he had heard that the door was locked and people not allowed in after a certain time. He wondered what the closing hours were in effect and if in Mr. Murphy's opinion this had hindered any person from getting in again.

Mr. Murphy cited a case of one old gentleman who went out and did not return until 2 or 3 a.m. and unfortunately the caretaker did not know he had gone out. He said that they had closing hours and the hours were 11 P.M. on weekdays and midnight on the weekends. He added that the occupants could make arrangements with the caretaker if they wanted to stay out later and they would be given a key.

Mr. Watt pointed out that an old timer would not have time to get home from a late show before 11 o'clock and suggested that the closing hour might be a little early.

Mr. Murphy agreed that it might be a little early but he did not think the door was locked at exactly 11 and they usually told the caretaker when they expected to be back.

Mr. Watt left with Mr. Murphy this matter of considering the installation of a buzzer system.

Mr. McKamey found this a little amusing because the old timers had never locked their cabins as long as they lived and then when they were provided with a new place called home they found themselves locked out. He felt it would be in order to provide them with a key and if there was any misuse Administration would be justified in taking it away. He asked Mr. Murphy if there were 22 units in the Home.

Mr. Murphy confirmed this and stated that 2 units were occupied by the caretaker and his wife.

Mr. McKamey said that when this home was constructed he had put up a great fight to have it chopped in half and have a 10-unit building put up in the Mayo district. He said that the Administration provided them with statistics proving that there was no definite requirement in the Mayo district that there was a definite requirement in Whitehorse for this large apartment block. He asked Mr. Murphy if the statistics were true, how come there were only 7 people living in a 20 or 22 unit apartment.

Mr. Murphy said that before they decided to build a home in Whitehorse they had carried out a survey of the number of elderly needy pensioners they thought would need that type of accommodation and at that time they had over 20. At the time the home was opened they thought they would have at least 15 residents, taking into consideration the pensioners receiving supplementary assistance. A number of them stated they did not want to go in at the time and after a few months of procrastination they finally decided they did not want to leave their cabins, so they were left with a number of vacant units which was not anticipated. He said that at the moment they were carrying out a survey to see if there were any other elderly persons who are not in receipt of supplementary assistance but who could be considered needy and might wish to apply for accommodation in the home. He hoped that the home would be fairly well occupied by this fall.

Mr. McKamey said they had been striving in the Territorial Council for a number of years to do away with centralization in the Yukon Territory. If they went back in their records they would find that it was expressed that there was a definite requirement in the North end and that is why they established a home in Dawson. He said that when it came to Mayo they were really let down and he felt that there was probably political pressure put on the Administration and that is why the home was established in Whitehorse. He said that the Council makes recommendations to the Administration but quite often they are completely ignored and felt they would have to take a different view on these things in the future.

Mr. Watt said that he knew of a couple of old timers living in their cabins and it would only be a matter of time before they moved in the home. He did not think the 22 unit home was built in Whitehorse for political reasons.

Mr. Shaw said that he agreed with Councillor McKamey that a home should have been built in Mayo when the ones were put up in Whitehorse and Dawson. He said that he went along with the construction of the home in Whitehorse because he felt it was needed. He said they still needed one in the Mayo area and if they did build one there he would be glad to approve it. Concerning the Dawson City Home he said that an Advisory Committee was formed to look after details and keep in constant and close contact with the elderly people in the home. Any problems were dealt with and solved by the Committee and he asked Mr. Murphy if such a group were operating in the Whitehorse and could advise the government.

Mr. Murphy replied that they did not have a community advisory committee but they had recently given it serious consideration. He felt there should be some community interest centred in the home to assist the occupants and agreed that the Advisory Committee in the Dawson Senior Citizens' Home was working very well and had been a great assistance to the department because the problems that arise are settled by the Committee.

Senior Citizens' Home, Dawson - \$84,067.00

Mr. Watt asked Mr. Shaw if they locked the door in that home. in the evenings.

Mr. Shaw said that as far as he was aware they did not lock the doors. He said they had a different type of people in Dawson and qualified the statement by saying it was admitted that Whitehorse had 80% of the crime in the Yukon.

St. Mary's Nursing Home, Dawson - \$84,067.00

Mr. Boyd said since Mr. Shaw had recognized Whitehorse for what it was he would like to find out something about Dawson and wondered how many people were in the building and said he understood it served a dual purpose.

Mr. Shaw replied it was a dual building and combined a hospital and nursing home. He did not know how many aged were in the nursing home but pointed out to the Committee that Dawson was the place where one would find most of the old fellows from the days of '98.

Mr. Murphy said that at the moment there were 14 needy pensioners in the nursing home at Dawson.

Mr. Boyd asked if the \$6,000.00 for fuel was a portion of the cost for fuel for the whole building.

Mr. MacKenzie explained that all the costs of running the building are charged up to the nursing home and then the nursing home billed the hospital end of it for it's share. In other words, the hospital rents space from the home and pays for facilities in the way of heat, light and power.

Committee proceeded to Vote 19 - Debt Redemption, Loans & Investments

Mr. Murphy was excused from Committee.

Loan Interest - \$266,317.66

Mr. MacKenzie explained these were the various loans that were outstanding, principally under the capital borrowing program of the Five-Year Agreement.

Whitehorse Sewer & Water Loan \$57,730.00

Mr. Watt wondered if the government had ever been approached to wipe this out altogether as he felt it was merely a book entry anyway.

Mr. MacKenzie replied that it was far from a book entry and that the money came out of the pockets of the residents and intended residents of Whitehorse. The \$57,730.00 was the average yield from the sale of lots in Riverdale over the past few years, and those proceeds were turned over to Ottawa to apply against the \$700,000.00 loan they made to the Territory to develop that area.

Whitehorse Sewer & Water Loan - \$23,769.74

Mr. McKamey said that in order to pay the loan they had to keep selling the lots and wondered what would happen if they came to the end of the line.

Mr. MacKenzie explained that the theory was that when they had sold the full number of lots anticipated they should have enough money to repay the loan. He said the cost of developing the area was estimated and therefore the actual costs would differ. The price at which they have been selling lots was based on the average estimated cost of the whole project. He thought the price of the lots would have to be raised appreciably. He said that he would take the matter up with Ottawa.

Committee proceeded to Vote 13, Department of Justice - \$469,104.00

Discussion  
Vote 13

Mr. Boyd referred to page 2 of the budget and said that the \$175,000.00 figures out at \$300.00 per month per prisoner and wondered how they arrived at that.

Mr. MacKenzie said that the cost of jails was determined by the Department of Justice at \$3,500.00 per prisoner per year.

Mr. Shaw noticed 50 people were estimated and the actual average is only 12 prisoners per year at the present time. He wondered if they would be charged the full \$175,000.00 regardless of the actual number of prisoners.

Mr. MacKenzie replied that the \$175,000.00 was an estimate. When that estimate was made it was assumed that the new jail would be in operation. He further said that they would pay for the actual number of prisoners taken care of and if there were 12 it would be 12 multiplied by \$3,500.00 a year.

Mr. Livesey said he wanted to make it clear that he was not going to make a statement about the Department of Justice with any personal implication but he was speaking about Vote 13 in relation to Justice. He felt that the expenditure of the money on Justice that the cost per person in the Territory was prohibitive. He said that with regard to the question of placing this vote before Council it was done so in a most casual manner and he did not feel it had been given to them in any sense way or form as such that they could consider that they could give ample and necessary justification to any exploration or exploratory tactic to find out just what it was all about. He did not think it was possible under the circumstances. He said what the reason could be for having it in the budget would be hard to say but his understanding was that it was supposed to be put in because they were moving towards a more responsible form of government which to his way of thinking would mean more responsibility for the elected members of the legislature and no other form. This was the form he thought they were talking about when they considered more responsible government. He thought before they could be responsible to the extent they are moving in that direction first they were going to need proper amplification and felt that this would be necessary. He did not feel that looking at hundreds of thousands of dollars without any real explanation was an education to them nor was it any move towards responsible government or even responsibility in itself. It was merely using Council as a means for projecting the notion in words that they were moving towards a more responsible form of government, which to his mind was empty and full of conceit. He did not feel that this was practical in any way shape or form and did not think at the moment there was any practical purpose. He thought it could serve a practical purpose and it should and therefore felt that in the future when both the Administration here and the Administration in Ottawa or all those parties unnamed who may have any attachment to this particular vote and to its construction and to its description before any committee in the Yukon with the thought in mind that the policy was moving towards a more responsible government. Let them so consider this question in that light, let them consider the work that was being put into the budget by the elected members of the Council of the Yukon Territory, let them consider the ideals of the individuals who put their names on the election ballot to take on this responsibility. These were the things he thought should be considered and which were not being considered and he said he would bring these matters to attention with every sincerity.

Mr. MacKenzie said as the Committee knew they had tried to obtain full information on Justice from the Department of Northern Affairs and had failed to obtain anything more than what was given in the budget. He said that if they thought about it they would conclude it is just not practical politics to obtain detailed information. He referred them to the sheet attached which followed page 3 it is shown there to explain the item of \$184,000.00 for the Police. He said that in order to understand the figure they would have to examine the R.C.M.P. accounts or estimates to verify that.

Under Headquarters and Administration, \$8 million, he said they pay half of one percent and you would have to examine the \$8 million and it would be fantastic to attempt to do so. He said they would have to take those figures for granted and to bear in mind that the money was provided for the Territory by Ottawa and the Territorial government was simply an agent.

Mr. McKamey disagreed with Mr. MacKenzie to a great extent and said nothing was given to them because when they go to pay their income tax they had to dig pretty deep.

Mr. MacKenzie said it was given them by the Department of Northern Affairs in the operating deficit grant.

Mr. McKamey replied "Yes, and they have got their hand way down in my pocket and they come back and say, here, just borrow it and we are not going to tell you what we are going to spend it on".

Mr. MacKenzie said that Mr. McKamey was looking at it from the point of view of the Federal tax-payer not from the Territorial point of view, which he should for the purpose of considering the budget. He said that they were here estimating the payment of \$469,104.00 and they were going to get the money from Ottawa, all they were doing was handing it over as paying agents.

Mr. Livesey commented that when it came to footing the bill they were more financially Canadian than financially Yukoners.

Mr. McKinnon felt that Council was entitled to more information and felt sure that in the provinces they had access to the answers to the questions that the elected representatives would ask.

Mr. MacKenzie said that he could not honestly see the difficulties unless Committee disbelieved the figures in the estimate and assume that the people in Ottawa were trying to windle the Territory.

Vote 20 - General - Centennial projects

Mr. MacKenzie explained that the 50¢ was to get the item in the estimates

Bill 11 was completed in its first review.

Discussion Committee proceeded to Bill No. 10

Bill No. 10 -

F.H. Collins Secondary School - \$91,270.00

Mr. McKamey said that he could not remember anything being finalized on the amount but in discussing it with Northern Affairs they felt the high schools in the outlying districts should be provided with the same service and facilities as the F. H. Collins School, in order to put all students in the Yukon Territory on the same bases. He wanted to know where this was reflected in the budget.

Mr. MacKenzie said that the intention was to provide the equipment to the outlying points but the budget had not yet been changed for that because it was not necessary and it would go in the supplementary estimates. He said they could ask Mr. Thompson, Superintendent of Schools who would be rearranging the installations.

Mr. McKamey said that he felt they should have something firm from the Superintendent of Schools before they pass this bill.

Mr. Boyd said that in his opinion Mr. McKamey was unduly worried.

Mr. Livesey said that he felt they had to work for a better solution than what was presented in the budget.

Mr. Taylor (Mr. Boyd in the Chair) said that as a member from an outlying area he would like to say that this was another case where one was penalized for living in more remote areas of the Yukon. He thought they would all agree when they discussed the health budget that the new programs especially in the dental field were all aimed for Whitehorse and maybe in another two or three years they might get to the outlying districts and it appears to be the same in education. He said to his way of thinking, this was not a very suitable or desirable arrangement.

Mr. Shaw thought that the health program had been extended considerably but the dental program was very much of a requirement and could well have been experienced in a far flung area rather than where they have all the facilities available. Speaking on the vote for \$15,000.00 for equipment for motor mechanics in the electric shop he wondered if they were duplicating something they had in the Vocational School.

Mr. MacKenzie said he was not qualified to speak on it but it was necessary in order to conform with the curriculum of British Columbia schools.

Mr. McKimmon said that it seemed to him there was quite some discussion on this item with Financial Advisory Committee and he wanted to know whether further consideration was given and what the final proposal was.

Mr. McKamey said they had discussed this with Mr. Holland (Director of Vocational Training) and said that he understood from the discussion that a student under a general program would require three industrial arts courses and a student on the university program would require one industrial arts course in order to graduate. This was also required in order to put them on the same standard as British Columbia. He said they thought there was a duplication of facilities by voting this amount and providing the equipment and this was the reason they called in Mr. Holland from the Trade School and Mr. Froese the Deputy Superintendent of Schools and they arrived at the conclusion that this was a very necessary item but at that point it was only designed for the Frederick H. Collins School and they had not anticipated extending this facility to the outlying districts.

Mr. Boyd said at the present time they have several men with aprons on learning to cook in order to get over the restriction placed on them.

Mr. MacKenzie remembered this matter had been discussed in Ottawa and it was there brought out that whilst a space problem existed in Whitehorse there was an equipment problem in the outlying areas and it seemed to him then that that solved the whole problem.

Mr. McKamey said the Financial Advisory Committee had pointed out to the Department of Northern Affairs, Education Branch, that all high schools in the Yukon should be extended the same facilities and they had agreed that this should be.

Mr. Taylor asked Mr. MacKenzie if they were bound to accept the British Columbia curriculum in all its aspects or could they deviate and establish their own curriculum.

Mr. MacKenzie said they could deviate if they wished but he understood that it was an established policy they would adhere to the B.C. curriculum a few years ago in the Financial Committee.

Mr. McKamey said that the reasoning behind this was to be sure that the grade 12 graduates would be accepted at the University of British Columbia. He said the only way they could overcome this would be to establish their own university in the Yukon and thought this might be a good idea.

Sewage System - Mayo - \$64,625.00

Mr. McKamey wondered if he had got the request of the citizens of Mayo across to Mr. MacKenzie or would he require it on paper.

Mr. MacKenzie replied that there was no need for it to be on paper. He understood that the citizens of Mayo wanted a piped water and sewer system and if not that a piped water system. He then proceeded to talk figures.

Mr. McKamey said that the people of Mayo conducted a door to door survey with respect to sewer and water and he gave the results as follows:-

The number of people interested in immediate connection on the sewer line that is proposed by the government is .. 1

The number of homes good water .. 24

The number of homes with bad water .. 26

The number of homes with no water .. 14

Total 64

This is excluding the indian homes.

Number of homes on existing sewer line. is .. 13 and he thought this to be practically all Territorial Government.

Number of homes with private sewers was .. 36 with septic tanks with which they have no trouble.

Number of homes with no sewer was .. 15.

He said that one got all the facts and figures down on paper it was obvious there was a definite requirement for water. He said one of the Mayo hotel operators paid \$2,600.00 for insurance on \$25,000.00 and he said this was pretty steep, and the people were willing to pay fire protection as well. He said the other hotel was twice the size of the first one so it would most likely pay insurance in the neighborhood of \$5,000.00. In discussing this on an open meeting in Mayo they went over the three plans and felt the first one was out completely the second one was dealing with a straight sewer which was only going to provide service for one home, but that there was a definite requirement for water. He said this was the direction he got from the people in Mayo as a result of meetings and surveys and so forth.

At Mr. MacKenzie's request Mr. McKamey gave him a copy of the figures compiled by the Mayo people to take with him to Ottawa.

Mr. MacKenzie said he had explained the proposal for a full water system which was the minimum the Mayo residents seem to request.

Mr. McKamey raised a point regarding fire hydrants which he pointed out on the street map of Mayo prepared by Associated Engineering. He said the people of Mayo thought the cost of the system could be reduced considerably if some consideration were given to putting one main line down centre street which would cover all the government investment plus all the commercial businesses and hotels. He thought the insurance companies gave a special reduction if one was within 500 feet of a fire hydrant. If the one main line was put down it would allow you to tap it with a hose and go down either way and hook on a fire truck to boost the pressure and by doing this you would eliminate the cost of putting in the big line of fire hydrants and reduce the cost considerably.. He thought it was a very valid suggestion but did not know whether they would have to go back to Associated Engineers or not. He thought it could be done quite easily right here in the Yukon and the people would be very happy and would accept it if this were possible.

Mr. MacKenzie reiterated so he would be quite clear that Mayo request a change in the plan proposed by Association Engineering by removing the hydrants except from the centre street.

Mr. McKamey confirmed this.



Mr. MacKenzie said he should be glad to take a look at the plans again and see if it would be possible to work out here the costs of the hydrants which they will, on paper, remove, and see what effect that has on the final cost. He proceeded his review of the proposals. The recommendations of the Department of National Health and Welfare were a piped sewer system and water from wells and by truck and there was a different set of figures. The piped sewer system would cost the user \$99.00 per annum and water by truck or wells estimated at \$15.00 a month. That means \$180.00 a year which was a total of \$279.00, 50% subsidy was \$139.50 which compares with \$106.95 for the piped water system, so the recommendations of the Department of Health and Welfare cost more per annum than the wishes of the residents of Mayo insofar as the piped water system only is concerned. Capital-wise the Federal cost would be \$22,625.00 for the piped sewer system. There again that might be out of line with the ideas of the Federal Government because their charge for trucked water and sewer was \$30,000.00 for both and for just piped sewer \$22,000.00 which was most of the \$30,000.00 and leaves very little for water. However, he said that was a matter he should take up with Ottawa. The fourth proposal was the full system of piped water and piped sewer system. There the front footage rate works out to \$3.00 per front foot per annum and the Federal contribution based on the front footage is \$47,103.42 which is way out of line with the ideas of the Federal Government. He said that the users expenditure under the plan for a 30 foot lot would be \$90.00 per annum and operating costs 12 months at \$14.00 a month - \$168.00 making a total of \$258.00 per annum unsubsidized. Assuming a 50% subsidy one arrived at \$129.00 per annum. He said now they had the picture and it all depended on the point of view that Ottawa would take because they were being roped in for more money both capital-wise and operating-wise and no one could say what view they would take.

After a short discussion Mr. Taylor said that he wondered what would be required to lay this before Ottawa in a fairly firm manner.

Mr. MacKenzie said he would be sending in the report he had prepared and when he was in Ottawa he would discuss it with them and point out the points of view of the residents of Mayo and Watson Lake.

Mr. MacKenzie was excused from Committee.

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

Motion Carried.

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committees reported as follows: Committee Report

"Committee convened at 10:55 a.m. to discuss Bills, Memorandums, Motions and Sessional Papers. Committee first discussed Bill No. 13 It was moved by Mr. McKinnon, seconded by Mr. Watt, that the question on Bill No. 13 be not now put until Friday next. Motion Carried. I can report progress on Bill No. 13. Committee next discussed Vote No. 15, Bill No. 11, with Mr. MacKenzie and Mr. Murphy in attendance. Committee recessed at 12 noon and reconvened at 2 p.m. I can report progress on Bill No. 11. Committee then discussed Bill No. 10 with Mr. MacKenzie."

Council accepted the report of the Chairman of Committees.

Council requested Commissioner Cameron's official assent to Bills No. 9 and 14. Assent Bills No. 9 and 14

Commissioner Cameron gave his official assent to Bills No. 9 and 14 as presented to Council and passed by Council.

Council adjourned until 10:00 a.m. Thursday, April 23, 1964.

Thursday, April 23rd, 1964  
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. 16 regarding Beaver Creek Airstrip and Landing Field. (Set out as Sessional Paper No. 65) | Sessional Papers:<br>No. 65 |
| (2) Regarding Motion no. 25, Teslin Well. (Set out as Sessional Paper No. 66)                                       | No. 66                      |
| (3) Regarding Motion no. 31, respecting C.B.C. 24 Hour Service. (Set out as Sessional Paper No. 67)                 | No. 67                      |
| (4) Regarding Motion no. 34 respecting Lifesaving Apparatus. (Set out as Sessional Paper No. 68)                    | No. 68                      |

Mr. Speaker read a letter dated April 20th, 1964 addressed to him and received from Governor Egan of Alaska thanking Council for the expressions of sympathy publicly extended to Alaska as a result of the Good Friday Earthquake and Tidal Wave.

Mr. McKamey gave notice of Motion regarding Flat Creek Playground. Motions: No. 36

Mr. Watt gave notice of Motion regarding student assistance. No. 37

Mr. Boyd gave notice of Motion regarding lands in Marsh Lake and Tagish Areas. No. 38

Mr. Speaker said there were two outstanding motions, nos 33 and 35. Regarding motion no. 33 he felt it had the possibility that it would be in conflict with a question that was going to be decided by discussion of the Main Supply Bill and when they were discussing this question he felt some serious conflict could come about by proceeding any further with the motion due to the fact that it seemed to him that if the Main Supply Bill was concluded in one way and if this motion was decided in another way there would be some conflict between the two. Therefore, he felt the motion should be ruled out of order but if the Member considered his remarks on the question, he would withdraw the motion and that would be the best and simplest way of removing the objection. Discussion Motion No. 33

Mr. McKinnon said he would have to go along with this ruling and he would withdraw the motion.

Agreed.

Mr. Speaker declared the motion withdrawn. He then referred to Motion No. 35 which was presented by the Member from Whitehorse North with reference to Bills 18 and 19. He said he would deal with Bill 18 first, which was an amendment to the Game Ordinance and they have had notification from the Administration that it incurs a question in relation to the Yukon Act. The section referred to is Section 24 which he read and said that the objections were strictly technical because a copy of a letter was tabled in connection with this Bill and also in connection with a sessional paper describing the objection and he quoted the letter saying this appeared to him to be a recommendation from the Administration during this session that they would agree to the rate of \$2.00 as a bird licence fee and this is precisely what is in the private members bill. Discussion Motion No. 35

Mr. McKinnon remarked that the Bills were not in question but his motion.

Mr. Speaker stated Mr. McKinnon's motion was in relation to the Bills as to whether they should be allowed to stand as they are or be turned back to the Administration because they appear to be out of order.

Mr. McKinnon said the question was raised because these Bills have already been introduced once. If they were given to the Administration to introduce, he thought there were many precedents in Beauchesne, this would be a perfectly legitimate way of doing things.

Mr. Taylor said as the sponsor of Bill 18 he was going to suggest that this motion be withdrawn. He would then propose a motion which would in effect ask the Administration to assume sponsorship of Bill 18 for consideration at this session. He would also suggest that the mover of Bill 19 do the same thing by another motion and in this manner the situation may be resolved.

Mr. Speaker said he did not think they could decide on a Bill by a resolution of the House. If it was their decision to proceed he didn't believe this motion was necessary and he thought their best plan would be to follow the advice given on page 273 of Beauchesne which states clearly what can happen. He thought they should withdraw both Bills and turn the matter over to the Administration for further consideration and that is all that is required.

Mr. McKinnon withdrew his motion with the agreement of Mr. Boyd the seconder.

Agreed.

Mr. Speaker asked if the gentlemen sponsoring Bills 18 and 19 would agree to withdraw them in favour of a further submission of both.

Mr. Taylor said as the mover of Bill 18 he wished it withdrawn and the Administration be respectfully requested to assume sponsorship.

Agreed.

Mr. McKamey also wished Bill 19 to be dealt with the same way.

Agreed.

Motion Re Bills 18 & 19. Mr. Taylor moved, seconded by Mr. McKamey that the Administration be respectfully requested to assume sponsorship of Bills no. 18 and 19 for presentation at this Session now assembled.

Motion Carried.

Discussion re Point of Order Legal Advisor

Mr. Speaker now referred to the question with regard to the absence of the Legal Advisor.

Mr. Shaw said they have a document from the Commissioner in respect to this matter and asked if a document from the Commissioner has to be tabled or can that be considered as a secret document.

Mr. Speaker said it isn't a question of a secret document as related to a question in Beauchesne because the House is the master of its own proceedings. He read a section from Beauchesne on page 57. He said one of the reasons he didn't bring this to their attention was that he thought it was a rather stiff document and there was a possibility that they could approach the situation in another way and make provision for an easier form of settlement. He then reviewed the case up to where they had asked the Clerk-in-Council to ask the Legal Advisor to appear and when he asked the Clerk if there was any reply the answer was that there was no information to that effect available. Rather than proceed with this question of non attendance and in view of the seriousness which he attached to the message from the Administration, he called on Commissioner Cameron and asked him if there was any way in which they could proceed to an amicable settlement of the question and they had quite a friendly meeting, there didn't seem to be any problem of dissention, they discussed the question fully and he was given to understand that there was no other way of getting around it and he was himself not going to allow the Legal Advisor to attend Council unless an apology was forthcoming. In matters of difficulty he has always felt that perhaps there may be still some opening left that they may reconsider or get reconsideration so he visited the Commissioner a second time to see if there had been any changes and he was sorry to inform them that he was told there was none. As another point he pointed out that in the submission of the verbatim report that it is verbatim but only to a point insofar to the best of his knowledge and belief there was more than what was included in the document. He took this question up with Clerk-in-Council and was informed that there were some

difficulties with regard to the tape recorder, which could be feasible and he knew a tape recorder was very difficult, when there is a lot of noise, to hear exactly what has been said. He was quite sure when Mr. Hughes left the chambers, when he passed his Chair, that he stated that he would not be back until he received an apology, or words to that effect. He thought that should be entered into the record. The question that faces them now is that they have no Legal Advisor under the circumstances which may pose some difficulty and now that the Council has made a decision, asking that he appear, and it has been refused, he wondered if they would direct him under these circumstances because it seemed to him that this is something that affects the entire House and is now a public matter.

Mr. McKinnon said it didn't seem too difficult to him. They have the verbatim report taken from the tape recorder and they have the memorandum sent from Commissioner Cameron who stated the objectionable words to the Legal Advisor. He felt Mr. Legal Advisor had, quite correctly, construed this as an attack upon his professional integrity and left the House asking for an apology and he for one believed that an apology was due to Mr. Legal Advisor from the Honourable Member from Watson Lake.

Mr. Taylor said he would like to clarify this situation on his position. In his opinion he thought they were dealing with a point of order in the first instance, as stated by the Member from Whitehorse North who said, "Mr. Speaker I rose on a point of order, there was a legal interpretation asked by myself from the Legal Advisor, who is the legal clerk of this committee and this Council. Mr. Legal Advisor gave his legal interpretation. Mr. Legal Advisor has graduated from a University and has practised for years and I think this qualified him as an expert in the interpretation of legislation he is the legal clerk of this Council. The Honourable Member from Watson Lake rose and chose to defy that interpretation that Mr. Legal Advisor had given this committee." For this he concluded, "I think that in all respect and all fairness that the Honourable Member from Watson Lake owes the Legal Advisor of this Council an apology." This is the question that was a point of order. In this regard, as he stated further in his remarks, that it is not only his privilege as an elected Member to the Yukon Legislative Council to place interpretations on any part of any Ordinance. He submitted that it was his duty to do so. Experience has shown that even the experts in any field can be wrong, no-one is that good. He is only a layman and has only stood 3 years in this Council but his understanding of his position as an elected representative of the people was that he was to come here and to the best of his ability interpret and place any meaning which he chose to on any ordinance. That is why they are here, to deal out legislation on behalf of the Administration and the people of the Yukon Territory. He couldn't see therefore that his placing an interpretation which was opposite to an interpretation placed by the Legal Advisor before Committee, that he owed an apology in view of his remarks. A study of the verbatim copy of the address will show that possibly Mr. Legal Advisor was offended. Possibly, as indicated by the Member from Whitehorse North and further indicated by a point which states, "Mr. Hughes left the Council Chambers and Mr. Taylor said Mr. Chairman may I know where the Legal Advisor has gone." He stated he was unaware of any comment made by Mr. Legal Advisor at that time by reason of the fact that he was in the middle of an address to Committee. He stated the Legal Advisor has certainly directed no request to him whatsoever asking for an apology. There has been a questionable memorandum from the Commissioner seeking an apology which quoted the objectionable part as, "I realize the Administration don't want this change because it was the Administration who fought the big change last fall". He said this first part was true and submitted that he had documents that would verify that. The Votes and Proceedings will verify it. The second part said, "I'm quite clear on that and I'm quite clear on the fact that Mr. Legal Advisor will recommend everything in the book against the change". This was an opinion and one which has been expressed before possibly in another manner. He quoted what was said in the first session 1963 regarding the words "Commissioner-in-Council" and pointed out that there was no offence taken. It has been suggested by some Members of the Administration that such remarks that he had created a direct insult to the man's integrity, honesty and profession. He could only say in this regard that this was not so, absolutely, positively not so. It was never considered in that light. It was never intended in that light and consequently this is his position in the matter. He knew

that offensive words, when intended to be so can be very dangerous and unnecessary and as an example he cited two short passages from Hansard dated April 10th, "We have been subjected to the unusual evasion . . . . as far as this Government is concerned", and dated April 9th, "I suggest to the Members of this Committee it is hateful to see the evasion of the truth to which this House has been submitted". These words were spoken by Mr. Eric Nielsen, Member of Parliament for the Yukon. He thought they were offensive words and yet at no time did one of two hundred or three hundred members of Parliament rise on their feet and call a point of order. At no time did Mr. Speaker or Mr. Chairman or Mr. Deputy Speaker rise on a point of order. The words he expressed were not offensive, they expressed an opinion so consequently he would submit that no, and he emphasized no, intent to insult a man's integrity, honesty and profession was intended by the Member from Watson Lake and he did not feel an apology was required and no apology would be forthcoming in this matter.

Mr. Watt thought he could speak with authority because he had apologized to more people in the House than anyone has in the history of the Territorial Council. He had apologized to the Member from Watson Lake and to the Member from Mayo several times and he had to withdraw statements and possibly rightly so. He had made the statements in the heat of debate as a fellow gets worked up sometimes. By the very nature of the parliamentary setup they have in the Yukon Territory the Administration and the Territorial Council do not see eye to eye on all issues. He remembered what it was like to sit in Council before they had a Legal Advisor and they certainly missed him and he didn't think the Legal Advisor should have left them because they needed him and he would like to see him return. He felt that the things said in Council reflect upon the Council as a body as well as individually and he didn't like to leave it up to any individual to speak for the House as a whole unless it is authorized by the House and is done through the usual channels.

Mr. Shaw said that in discussing particular words that have been said, Mr. Taylor quoted certain sayings that have been said in Parliament, he thought they should consider that when words are spoken among the Members of Parliament or Members of Council, the Members have ample opportunity to get up and object to or argue their particular point. However from time to time they have witnesses as well as Council staff and they are in a slightly different position as they do not have the same latitude of discussion which the Members of the Council have. They are at a peculiar disadvantage. They have a situation in this case where a person has to answer certain questions, not say what he wants, he's requested or ordered to answer a certain question, not to debate on the matter, a privilege which the Members have. He felt the matter they have before them should be decided by the Council on the rightness or wrongness of the case. In looking at the evidence they have, the very words that were spoken, it would appear to him that the remarks made, particularly "That Mr. Legal Advisor will recommend everything in the book against the change" is certainly an insult in his books to a man's integrity. His viewpoint was that this was an insult to a man's integrity and he felt it wasn't deliberate, they were spoken in the heat of debate but it still doesn't alter the words that were spoken. He thought that was something that the Council must decide, whether the person has been offended or has not been offended.

Mr. McKinnon said the Honourable Member from Watson Lake has said he was stating an opinion in this matter and he would like to know what is clearer than this, "I'm quite clear on the fact". This is an opinion that the Member from Watson Lake took to be as fact that Mr. Legal Advisor would color his interpretation of the Ordinance because of Administrative pressures and he couldn't see how anyone else could construe this as anything else but a direct insult on the Legal Advisors integrity.

Mr. McKamey asked if he might be allowed to refer back to the liquor report of last fall. He felt this had a great bearing on what they were judging because they were placed in the same position then.

Mr. McKinnon rose on a point of order saying he couldn't see the relevancy.

Mr. Speaker ruled no point of order.

Mr. McKamey said this is the motion as it read (1962 first session motion no. 22) "It is the opinion of Council, that a commission be appointed by the Commissioner to make full enquiry and to make findings and recommendations consistent with the public interest and the general welfare of the people of the Yukon Territory with respect to the whole field of relevant facts, matters, issues and legislation relating to the sale, distribution and consumption of spiritous, vinous and malt liquors within the Yukon Territory and to report the findings and recommendations of the commission to the Yukon Legislative Council with reference to the matter comprised within the enquiry." He supported this motion and thought it was a very good motion. The Committee was comprised mostly of civil servants. They drew up the terms of reference and he read term of reference no. 12, which was item no. 1 to the report, "The Committee should make its report to the Commissioner and not to the Yukon Territorial Council." He submitted that the Public Service of the Yukon Territory are tampering with the fundamental rights of the elected representatives of this House which is a House of Parliament. This was defined by Judge Parker of the Territorial Court and upheld by three appeal court judges. It was stated in Judge Parker's opinion that whether it be right or whether it be wrong the decisions of the Territorial Council were not for him to judge because it was outside his jurisdiction. He would like to submit that he could not approve of the Civil Service or the Public Service of the Yukon Territory tampering with the democratic right that has been fought for, has been protected through elections and defeatings of Governments from the turn of the century.

Mr. Speaker thanked Mr. McKamey and said with regard to relevancy he would read a section of Beauchesne. He then asked Mr. Boyd for his opinion.

Mr. Boyd said he felt the Legal Advisor was hasty but he also saw some merit in the words he had taken exception to. Using his own reasoning he remembered some words "I'm going to pass this way but once - any good I can do, let me do it now, if I have offended anybody - let me apologize, it won't cost me my arm nor my leg." He said when he was 20 years old he wouldn't apologize but he was a little older now and didn't take it too seriously. He would apologize if a man took offence at what he had said if it was done as stated, unintentionally. He thought there was room for argument.

Mr. Speaker said yes he thought there was. He felt there was a number of serious things to consider. One of precedence as it included problems which may arise in the future and he didn't feel that this manner of leaving the House as happened on Friday should be encouraged. If Members or even Officers of the House object to matters, these matters should be taken up with the Chair and possibly discussed through the Chair with the House. If they agree with this sort of protest they would perhaps be leaving the way open for Members to do the same thing, so this has to be taken into consideration. Consideration also had to be given to the words as they were used and although he thought they were strong in flavour he didn't believe, after hearing the Members statement, that there was any intention on his part to insult anyone. He wanted them to bear in mind also that when they are considering a question which may invoke a demand on the Member that they also consider that any precedence which they set here regarding freedom of speech must also be taken into very serious consideration.

Mr. Shaw stated he felt that any person other than a Council Member, in any terms whatsoever, are something that should be given much more consideration than given to a Member. A Member can defend himself very easily. Here they have a situation that casts a reflection on a man's integrity and in his opinion, as Councillor Boyd has stated, if you have done something wrong, say you apologize for it, He thought it would make a man

rather than the other way around. He referred to the words, "I'm quite clear on the fact" and that is a definite statement and regardless of whether the Legal Advisor was right or wrong in taking off he thought that a very debatable point but that doesn't alter what happened prior to that particular point. He thought they were two different things entirely in relation to this. One is whether this is or is not an insult or can be considered as such and that is the question. If he had said that he could assure them that he would be very glad to say he was sorry.

Mr. Speaker said there was no other point he would like to bring to their attention and that is he didn't think it was to be considered conclusive that all officers of the House normally agree with the Council. He thought they had every right to disagree but he didn't think the fact that someone states something with which he objects, or doesn't believe in, can always be considered insulting. He didn't think this was insulting so much but as a point of disagreement. That is what the Honourable Member has stated as being the case.

Mr. Taylor said he wanted to clarify one point and that is the matter of the word "character" being used in debate the other day. He said he took no offence to this and never indicated at any time that he had. Mr. McKinnon stated that there was some means of coloring the interpretation by the Legal Advisor and this is not so. He rose to give an interpretation he placed on it which was given to him by the Legal Advisor himself on the 19th of April 1963 and the document is signed by him personally. They would have to go back into the debate fully to understand the import of this but it referred to a bill and said "of course for practical reasons the agreement was capable for variation by agreement between the Commissioner and the Yukon Electrical Company Ltd," and so forth. The inference he got from the Legal Advisor's remarks prior to his address was that he had taken the reverse stand in this situation, in view of the fact that they were taking a different stand in the bill at the time. He had another document that cited the Administration's particular position as explained by the Legal Advisor who is really the representative officer of the Administration and therefore expressed their feeling and opinion in the matter, which was proper and reasonable. He also had Bill No. 15 of the 1963 Second Session of the Council relating to the same Teslin Franchise. There is a whole page of marginal notes reflecting the opinion of the Administration and as he stated in his words, which were not designed to be offensive in any way, shape or form, he would repeat, that he was quite clear that this was the position and in reflecting the position he was reflecting the position of the Administration in relation to the bill which is true it is documented there, and not on the Legal Advisor personally. He felt he should make one point grossly clear and that was, if at any time an officer of the House was to come under question, such as Mr. Legal Advisor, before this table, then possibly he would have other opinions, but they were dealing with a point of order at the present time. If he had sincerely intended any remarks to discredit any Member of Servant of the House, he would withdraw them and apologize for them. The words he stated and when he stated these words in debate, he meant them and he still meant them and his position had not changed one iota because he was stating what he felt in his opinion to be a fact and he had documents to support them. This is the position taken by the Administration and he as the sponsor of the bill had taken the opposite position. As no intent was being made to slander the Legal Advisor then no apology was required and this was his stand.

Mr. Boyd said he couldn't see too much difference whether you hurt a man's feelings when you are mad or whether you intend to hurt them. If you had done it under any of the circumstances an excuse is no answer. He would not want to take refuge in Beauchesne. He would not want to hide behind that kind of stuff, it doesn't make the situation right. As he had said if he had hurt someone whether he meant to or not, if he didn't mean to and didn't



know he had done it, he would be glad to apologize. He thought they were wandering away back to justify something that doesn't need justifying. They must stick to this one thing and he suggested that Mr. Speaker try and conclude the discussion or they would be there until tonight.

Mr. McKamey thought Councillor Taylor had every right to protect what he had been accused of. He referred to last year's bill and said there was something he would like to point out for the benefit of Council. There were marginal notes with the bill when it was presented at the Fall Session of Council and Mr. Legal Advisor stood at his table and said he didn't think it was possible for Yukon Electric to reduce the rates at Teslin under the present agreement. The reason Mr. Legal Advisor made this statement was due to the fact that no Member of the Council had a franchise agreement before them in the Council and they couldn't contest this statement. After going home after Council was prorogued they were able to dig out this bill and found this was erroneous, absolutely erroneous. It was stated in this franchise agreement quite clearly where they could reduce the rates but they could not increase the rates without consulting the Commissioner-in-Council. He pointed out again that men have fought and died for freedom of speech and he would hate to see this Council destroy that.

Mr. Shaw said it was a question of what one called freedom of speech. He said a person may give his advice, he had done so and stated things that were wrong and he thought all Members of the Chamber had stated things at some time that were wrong, but he didn't think it was a case of freedom of speech because they have that. But they must also consider that the other person has feelings and when they feel that they are wronged whoever it may be, they have the right to appeal until the wrong is adjusted. He thought this was nothing more or less than a statement that was made that a person objected to and asked for an apology. They have discussed this at considerable length and he didn't know what Mr. Speaker's policy would be in settling the matter but he felt the words used were offensive. He had his opinion and the other Members have theirs. He asked if it would be Mr. Speaker's decision or would it be a decision of the House as to whether they thought by majority if these were offensive statements or otherwise.

Mr. Speaker said therein lies the issue and there are a number of matters that are extraneous to the issue and yet are very important. One is the fact that they are facing an ultimatum from those outside the House. Also the officer that the House asked to appear to tell about the offensive words had not appeared. He also left the House and caused a great deal of embarrassment to the institution which he didn't feel anyone of them should do and that they should deal with each other in absentia which places the House in a very difficult position. The Member has definitely stated that there was no intention on his part and as an Honourable Member of the House he must accept his words in this matter.

Mr. McKinnon said the Honourable Member from Watson Lake also stated that he would not withdraw the statement at all because he still believes that the interpretation the Legal Advisor gave him was colored by pressures from the Administration. He referred to the Legal Advisor's experience and that he is the Legal Advisor of this House, that he will give to the House as fair and objective an interpretation of legislation as he can. The Honourable Member from Watson Lake states that this is not so and he will not change the statement of this fact either and he thought they had reached an impasse that must be ruled on.

Mr. Speaker thought personally that the position of the Member from Watson Lake is that he disagrees, not to the extent he is imparting a slur on anyone's character but with the way the Legal Department has dealt with this specific issue. He felt that he was either in agreement with what the Legal Department have done or he isn't and he had disagreed. The words he said were strong and would have been better stated in a much milder language but he didn't see any abusive, foul or unparliamentary language in his statement. He saw a statement of an opinion and Mr. Taylor has stated that there was no intention of insult and he must accept what he said.



Mr. McKinnon said he could only see it one way and that ~~was as~~ an allegation against a professional person's integrity who has no way of defending himself. He agreed with Mr. McKamey that they were a parliament and were Masters in their House but to say it was right to insult, this would be shirking their responsibility for good manners and common courtesy, these would be going out the door if a person could get away with it. The day when common courtesies and good manners are superceded by the powers that the elected representatives have, he felt sorry for the House.

Mr. Taylor said he wanted to point out for the edification of the Honourable Member from Whitehorse North that a lawyer can plead either side of a case in a courtroom. Any two Members at this table can take opposite views to any particular subject and this is what in fact occurred on the day in question. Mr. Legal Advisor gave one interpretation, he attempted another and had not the opportunity of concluding his remarks before Mr. Legal Advisor walked out of the House. If he had remained then possibly he would have gotten the full import of his meaning in his discussion and there would be no problem such as there is today. He wanted to make it quite clear that he was not coloring any interpretation. He was placing interpretation that he had from the gentleman himself signed, sealed and delivered and as he pointed out a different interpretation than he had formerly given him and he had placed some question on it. He wished to make it clear that he was not coloring any interpretation that the Legal Advisor had given, he was merely placing his own interpretation before Committee. Another point he wished to clarify was that if Mr. Legal Advisor had taken offence to any particular words as being an insult and so forth, he has never displayed this to Council. He felt that if Mr. Legal Advisor had remained in his seat he would have had ample opportunity to say so and he was quite sure the Chairman of Committee at that time would have given him every opportunity to do so and if at that time it was ascertained that he had taken this as a direct insult he would certainly have accorded him an apology. He said there was no intent, in any way shape or form to run down the man as an individual.

Mr. Speaker thought they had had enough discussion on this and it seemed to him that there were several matters, possibly with wrongs on both sides, and it was something very hard to decide. There were some points that had to be taken into consideration and one was that the House had requested the Legal Advisor to appear. This was a decision of the House that he appear and tell them the words he objected to. This he chose not to do. Point number two was that the Legal Advisor left the House under most unusual circumstances upon which he didn't think the House should agree because it could set a precedent for all other Members to do the same thing. Thirdly he felt that in order that they may properly judge any case here, within the four walls, they should have both parties present. He thought the question could have been much better resolved had Mr. Legal Advisor appeared. The fact that he has not appeared is showing a certain amount of contempt for this institution and he didn't think they or he should do this to the elected body in the Yukon. They were at the crossroads in a good many ways and must proceed in the right direction. He also felt that under the circumstances that the situation had been made further incompatible by the demand by the Administration to the House for an apology which he didn't believe was sound in reason. To accept this, he thought, would be wrong. He believed it had been amply shown, both in law and by judgement, that this House has every right to decide its own procedure. And rightly or wrongly these are the things they may do, as humans make mistakes, they all make mistakes. He thought perhaps the expression of the Member from Watson Lake was a strong expression and he only wished it were otherwise. However the member has stated in this House as an Honourable Member, that there was no intention

on his part to insult anyone and they have not heard from the other party concerned and he has, he took it, more or less refused to come there and discuss the question and he therefore in his ruling, although it is a difficult one and one which he didn't wish to be misconstrued, he must give the benefit of the doubt to the Honourable Member from Watson Lake and he would so rule on the situation.

Mr. Shaw asked Mr. Speaker if he could say a word or two.

Mr. Speaker replied the matter had been concluded.

Mr. Shaw asked if they had no opportunity to protest.

Mr. McKinnon said because he felt so strongly that an apology was due from the Honourable Member from Watson Lake to Mr. Legal Advisor, that it was with regret that he appealed Mr. Speaker's ruling.

Mr. Speaker said it can only be done by a substantial motion.

McKamey said that in view of the time he moved they adjourn.

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

*Book*

Mr. Speaker called Council to order.

Mr. McKinnon under Standing Order No. 7 of the Rules of Legislative Council of the Yukon Territory appealed Mr. Speaker's ruling that an apology was not due to Mr. Legal Advisor.

Point  
of Order  
re  
Legal  
Advisor.

A vote was taken and Mr. McKamey, Mr. Taylor and Mr. Boyd were for sustaining Mr. Speaker's ruling while Mr. Shaw, Mr. McKinnon and Mr. Watt was against.

Mr. Speaker declared that his ruling was upheld.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole to discuss Bills, Memoranda, Motions and Sessional Papers.

In  
Committee  
of the  
Whole

Motion Carried.

Mr. MacKenzie, Territorial Treasurer, attended Committee and gave information previously requested by Committee on the number of Territorial lands sold in Mr. McCall's office to justify the employment of a Territorial employee as follows: Sales April 1st, 1963 to March 31st, 1964 - 53 lots; Payments on agreements of sale - 56 lots; Fees for extensions - 30 lots; and Fees for 45 agreements of sale.

Mr. Boyd felt the issuing of 56 receipts in one year should not require the year round services of a stenographer and said it could actually be done by a person in one day. He expressed concern that Administration was getting top heavy in staff and suggested amalgamation of the two offices to eliminate the necessity of duplication of staff.

Mr. MacKenzie suggested that in order to get the full story Committee call in Mr. McCall, Supervisor of Lands.

Discussio  
Bill #10.

Committee proceeded to the Sewer and Water proposals for Watson Lake

Mr. MacKenzie explained the position on Watson Lake. He said there were two proposals, one is the trucked sewer-trucked water provided for in the five-year agreement which is inadequate and was simply shown as a basis for the money they have to work with. The second was the proposal for a piped sewer system and drawing water from wells as has been recommended by the Dept. of Health & Welfare and he believed it had been approved by the residents of Watson Lake.

Mr. Taylor said it will be approved by the people of Watson Lake.

Mr. MacKenzie reviewed the cost proposals and said that the Federal share of the capital cost was going to be \$8,000.00 which was very low because they have small responsibilities there and felt it would not cause any difficulty in Ottawa. Under the trucked sewer-trucked water Ottawa's share was \$30,000.00. He said the cost to users based upon units, a unit being an average dwelling described by Associated Engineering, would be \$104.55 per unit per annum without a subsidy, which was a total annual cost of \$14,114.25 divided by 135 units. Applying a subsidy of 50% it came to \$52.78 per unit per annum subsidized. He asked the Member from Watson Lake whether he considered these charges out of line.

Mr. Taylor said he thought the charges would be in line but asked what a hotel would be classed as.

Mr. MacKenzie replied that a hotel was classed as 13.3 units which he said was quite arbitrary. He said a hotel would pay \$1,390.00 per annum and subsidized by half one would arrive at \$700.00. He said the proportion may be high but it was taken from the Associated Engineering report.

Mr. Taylor asked how you would separate a large hotel from a small one.

Mr. MacKenzie replied they did not have the full details and took the the figures from Associated Engineering's proposals and worked it out from that.

Mr. Taylor drew Mr. MacKenzie's attention to the fact that under federal costs there was a resource building and a dwelling that had not been included in the Federal contribution which would have to be added, and it was possible there would be another federal building. Under Territorial costs he said in addition to the school there were two teacherages, a local store and several other units that would also be considered. He felt the Federal and Territorial contributions would be greater than \$8,000.00.

Mr. MacKenzie said the figures were taken from the Associated Engineering report, he thought the 15 units for the Territorial school included the teacherage. He said this was just something to talk about to get basic agreement subject to review on final figures being worked out.

Mr. Taylor thought with revision of possibility for hotels large and small and with proposal laid before the people of Watson Lake, they would be in favor of it. The cost figure was what they were concerned about. He could see nothing wrong with it in principle with the exception they would like to see it on 30 year amortization plan.

Mr. MacKenzie made note of the 30 year amortization request to present it in Ottawa.

Mr. Taylor (Mr. Shaw in the Chair) raised the point about the lagoon the Army had put in on the top of the hill in Watson Lake and explained that the Army had put in a sewage lagoon with the intention that the system fill into this lagoon. They did however set it back far enough over the hill. He said that down below there was a kind of crushed basalt rock broken up to keep it empty, but it was the contention of the townspeople of Watson Lake that when it empties it is not going down the Liard slope where it should but is flowing back into the community. He knew that the water count in the Army camp had gone up another two degrees and could not be drunk without being boiled. He wondered if Mr. MacKenzie, in his consultations with Associated Engineering, would bring this to their attention and have a recommendation instituted whereby they take the lagoon over the hill where there is no danger of the fluid going back into the town. He also recommended that if they build a lagoon it be fenced so that children could not fall in. Right now the lagoon there was very dangerous. He stressed the importance of this matter.

Mr. MacKenzie took note of the request.

Porter Creek Sewer and Water Proposals.

Mr. MacKenzie outlined the two proposals. The basic one was trucked water and sewer and the second recommended by the Department of Health and Welfare of piped water system and existing septic tanks, which fits in with the wishes of the residents of that area.

Mr. McKinnon confirmed this.

Mr. MacKenzie reviewed the proposals. He said that in this case the Federal contribution is very low, only \$1100.00 on practically \$300,000.00 so they were well within the limit. He said the users expenditure for an average 100 foot lot would be \$231.20 at a foot frontage rate of \$1.12 which would produce \$112.00 per annum which would cover the capital requirements. Operating costs would amount to \$119.20 per annum per 100 foot lot, for a total of \$231.20. He said that is purely for water and they have to take into account the fact they would be using the sewage eductor unit which costs \$30.00 per annum once a year, so one would have to add \$30.00 to the \$231.20 and get \$261.20 unsubsidized, \$130.00 a year subsidized 50%.

Mr. McKinnon understood from the reports of the Engineering Department and the Department of National Health and Welfare that the ground itself in the Porter Creek area lends itself so well to septic tanks that the sewage eductor unit was not used there or maybe once in five years.

Mr. MacKenzie said the use of the eductor unit was quite voluntary and if it was not needed it need not be used. That would knock the price down to \$231.20.

Mr. Boyd wondered if the amount of \$20.00 a month per family was based on the assumption everybody in Porter Creek would use the system.

Mr. MacKenzie said the figure was based on 75 lots which he believed to be the number of lots in use now.

Mr. Livesey noticed on the other pages that hotels and private dwellings, commercial and residential were all separate to the detriment of hotels and motels especially in places like Watson Lake and Haines Junction. In Porter Creek they seemed to have lumped the whole matter of residential and commercial costs altogether under 72 lots. He wondered if it wouldn't be the same in Porter Creek as other places that the hotels, garages and commercial organizations would be paying more than the average residential lot.

Mr. MacKenzie said it could be so but this is on a different basis. In the case of Porter Creek they were arguing by the 100-foot lot. In Watson Lake they were arguing on units regardless of the size of the lot. However when they get down to brass tacks, he said, they would have to differentiate between residential and commercial establishments.

Mr. Watt asked Mr. MacKenzie if, when he comes back from Ottawa, he expected to have information on when all the plans can be accepted.

Mr. MacKenzie replied he would try to work out a program of when the four places could be serviced.

Mr. Livesey asked with regard to lots that were now empty in Porter Creek or other places, does this plan envisage the contribution of the sewer line going past an empty lot that is sold to someone that they are contributing to the cost of the sewer pipe. He wondered if that had been included in the formula.

Mr. MacKenzie said that in the case of Mayo every lot in the place that fronts onto the water line is assessed. In the case of Watson Lake they are dealing in units and the capital costs figured on the projected figure of 162 when in reality the present number is 89.

Mr. McKinnon thought the simplest way to deal with the question would be to put it to plebiscite before the people and if 2/3 of the people ruled in favor of the money being spent it could be made compulsory for everyone to hook onto the system.

Mr. MacKenzie confirmed this and said once the basic money question is settled in Ottawa and if the answer is favorable the next thing is to put it to the people and they cannot accept less than what is recommended by the Department of Health as a health measure.

Mr. Taylor asked what would be the earliest time they could expect a reply from Ottawa, and could they expect the projects to get under way this year.

Mr. MacKenzie said they might but certainly not before the end of May.

#### Haines Junction Sewer and Water Proposals.

Mr. MacKenzie said that here again they were faced with 2 proposals. The first one trucked water and trucked sewer and the second one, which the Department of Health and Welfare recommended, of a piped water system with existing septic tanks. He thought the second proposal was in line with the wishes of the residents of Haines Junction.

Mr. Livesey confirmed this.

Mr. MacKenzie reviewed the second proposal. He said the Federal contribution was \$24,000.00 which might be considered out of line because it was simply for the water system. He said the user would pay \$2.13 for a front foot and on a 50 foot lot that would work out to \$106.50 per annum. The operating costs worked out at \$14.50 per month which totals \$174.00 per annum. The total would be \$280.50 per annum unsubsidized. He thought the \$14.50 to be an arbitrary figure. He pointed out they had to produce the figure of \$5,500.00 a year to meet operating costs and if they charge \$14.50 for a domestic dwelling they produce that amount.

Mr. Livesey assumed when they were talking about costs per annum they were talking about capital and the only thing the empty lot will contribute is to the actual capital cost of the pipe. He said they had not talked yet of any other contributions from a person who owns a lot. He wondered if this was included in the Haines Junction plan. Another question he noticed in Watson Lake the Department of National Defence, or as it was now the Department of Public Works was included but in Haines Junction it was not and he wondered why because there was quite a Department of Public Works installation in Haines Junction and in fact one of the main camps on the line.

Mr. MacKenzie explained the reason probably was because it did not appear in the report of Associated Engineering.

Mr. Livesey suggested perhaps this was the situation when D.V.D. had the highway but with the D.P.W. they would have the extra users.

Mr. MacKenzie acknowledged that as a change in the proposal for Haines Junction. He stated the cost as presently shown was \$280.00 a year without subsidy purely for the water and on top of that there would be the annual one time charge of \$30.00 for the sewage eductor unit if needed making \$310.00 altogether.

Mr. Taylor spoke about fire protection in connection with the water system. He felt there was a reluctance on the part of either Associated Engineering or Health & Welfare to put both pipes in one ditch so one would have a 2-pipe system. He said it was agreed one should not use your water source as your fire water source because the water was chlorinated and fluorinated and so on. It appeared they did not want to confuse the two, so he concluded if they expected fire protection in the communities they were going to have to deal with a third main and wondered if this could be laid at the same time as the sewer system to provide fire protection.

Mr. MacKenzie questioned that being so because he remembered Associated Engineering provided for fire hydrants along the mains they were putting in for water.

Mr. Taylor said he noticed in the proposals for Watson Lake when they proposed water with sewer they made no provision whatsoever for fire hydrants and wondered if Mr. MacKenzie could mention it when discussing the sewer and water proposals.

Mr. MacKenzie took it Mr. Taylor's understanding was for a fire hydrant system they would have to have a separate set of lines.

Mr. Taylor said he felt they should have the fire hydrants on the water line the same as everybody else does in Canada but he understood it could not be done here. He actually did not know why if not for the reasons he just explained. He produced a copy of the amended version of a proposal for Watson Lake and there was not one hydrant on it and the reason they gave was they could not pump the same water into the fire hydrant as they could into the house. He said the initial proposal had provisions for fire hydrant for every 500 feet.

Mr. MacKenzie agreed that was a point that should be settled very definitely.

After a short discussion it was agreed that the people in all the sub-divisions should be given an opportunity to say through a plebescite whether they wanted the suggested systems to be constructed or not. If the majority of 2/3 were in favour this system would be put in.

Mr. Shaw felt Mr. MacKenzie had done a tremendous job and should be commended because he had to work out a lot of figures he called arbitrary and so on.

Mr. Livesey added his request came at a little later date than other members and he thanked Mr. MacKenzie for his very kind attention and action in getting the figures that were required.

Mr. McKamey thought Mr. MacKenzie had dug up some pretty good facts and figures and expressed his appreciation.

Mr. Taylor conveyed his thoughts along the same lines.

Mr. Chairman wondered if the Bill should be amended, but Mr. MacKenzie suggested it be voted as is because it will be adjusted in the Supplementary Estimates; if you strike it out you create confusion.

Committee proceeded with discussions on Liquor Prices - Vote 20 with Mr. Vars (Superintendent of Liquor) and Mr. MacKenzie in attendance.

A lengthy discussion followed in which all Councillors participated and Committee more or less agreed that Liquor prices in the Territory should be increased only on those brands whose prices had been increased to the Territorial Government by the Distiller and only to the actual extent of the increase. It was further agreed that a motion would be put forward the following morning.

Following the discussion Mr. Vars (Superintendent of Liquor) was excused from Committee and Committee continued to discuss the memorandum from Commissioner Cameron dated April 7, 1964, concerning a grant for the Yukon Federation of Home and Schools and requesting Committee's direction.

Mr. Taylor (Mr. Boyd in the Chair) said he had discussed this in brief with a representative of the Home and School organization in Watson Lake and apparently the Yukon Council of Parent-Teachers Associations was a body representative of all the small P.T.A. groups throughout the Territory and they had combined to form this association and every province in Canada had one. They were all affiliated with a national group and did meet once a year to compare notes and bring back to their communities new ideas respecting education and he felt they should make this \$500.00 grant to them. Discussion Grant Yukon Federation of Home and Schools

Mr. McKamey felt that the Territorial Council should appropriate at least \$500.00 to the group.

Mr. Shaw did not see the effect of this in the Yukon so far and said the government is paying \$1,076,000.00 to educators and felt they must have sufficient brains to direct the schools on the right course in education. He felt the advisory boards that now existed in every school where the parents were sufficiently interested should serve the function that might be intended by the group under discussion.

Mr. Livesey expressed his agreement with the grant.

Mr. McKamey moved seconded by Mr. Watt that in the opinion of Council a grant of \$500.00 be provided for the Yukon Federation of Home and School Associations.

Mr. Boyd asked Mr. McKamey what they used the money for and if Manitoba gives \$350.00 why should the Yukon spend more.

Motion  
Re - grant  
Yukon  
Federation of  
Home and Schools

Mr. McKamey thought it would probably provide for meetings, rent, operation and maintenance and transportation fees depending on where they met in Canada and a representative might be required to go to Ontario or some other province.

Mr. Boyd thought it might be something to be dealt with by the Department of Education and included in the education budget.

Mr. MacKenzie said definitely it should be attached to education and thought the one justification for it was the other provinces go in for it and they are not subscribing for nothing and must see some sense in it and on those grounds it could be supported to a very moderate extent. He thought \$500.00 would be the limit in his estimation to cover the cost of attending the inevitable conference in the east.

Mr. Livesey said he had been informed in correspondence with the President of the Yukon Federation of Home and Schools that if and when they discussed the question the Association would be very happy to provide any witnesses that may be desired in Committee. He suggested if any Members were worried they could get the proper information from the source.

Mr. Shaw said if the amount was stated as "up to \$500.00" it would be acceptable to him because he felt in principle Administration wanted to know Council's ideas but they should leave the amount up to them. He stated that because he notes Manitoba is giving \$350.00 and B.C. is giving \$500.00 but they have a population of one and a half million so he would like to leave some latitude for the Administration to work out an amount that was compatible with the amount of funds necessary.

Mr. McKinnon asked Mr. MacKenzie if a grant of this nature was given would accounting of the way the money was spent be presented to Administration.

Mr. MacKenzie replied not necessarily.

Mr. McKinnon said there were several groups receiving grants - The Yukon Historical Society, Boy Scouts, Girl Guides and now the Yukon Federation of Home and Schools. He said there were a lot of bonafide organizations in the Yukon he would think had just as legitimate a claim for a grant before this Council and wondered just how far they could go before they cut the strings.

Mr. McKamey thought it was the prerogative of the Territorial Council to consider each one on its own merits.

Mr. Taylor (Mr. Boyd in the Chair) said it occurred to him that all the grants they do provide are all Territory-wide projects and did not relate themselves to any given community.

Mr. Shaw again asked the amount be shown as "up to \$500.00" in order to give the Administration some latitude in the matter.

Mr. McKamey said he had no wish and no intention of amending the motion as he felt the organization had the intention of serving a very useful purpose and did not think \$500.00 was too much.

Mr. Boyd said that before the Chairman call the question on the motion he would like to hear the views of Mr. Thompson or Mr. Froese as representatives of the Department of Education on the matter because he felt they had the ability right here in the Yukon and thought it was not necessary to have parents dictate to the teachers. He said if the Department of Education does not back it he would like to know why before voting money for it.

Mr. McKamey said this should not even be considered by the Department of Education. He said the reason the Parent-Teacher Association did not function properly was because they were in most districts controlled by the School Administration. He felt this should be a separate issue and the people allowed to work and make recommendations to their district representatives or to the Territorial Council and would be opposed to the Department of Education having anything to do with it because for the 6 years he had been here they had been striving for more autonomy and



and this was providing it and giving the people of the Yukon a chance to have a voice in what should be taught to their children.

Mr. Shaw thought the voice was going down to Ottawa not local.

Mr. McKinnon asked Mr. McKamey whether in his opinion should money be given this organization, and an accounting for the use of the money should be presented to the Territorial Treasurer.

Mr. McKamey thought they would bend over backwards to provide anything the Council might require in regard to accounting or anything else.

Mr. McKinnon said it seemed to be establishing a dangerous precedent to give grants to the various societies and have no control over them.

Mr. MacKenzie said that grants would be governed by the Societies Ordinance under which they were required to produce a set of financial statements every year and they were on file for investigation.

Motion Carried.

Mr. MacKenzie was excused from Committee.

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

Motion Carried.

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

"Committee convened at 2:10 p.m. to discuss Bills, Memorandums, Motions and Sessional Papers. Committee first discussed Bill No. 10 with Mr. MacKenzie. I can report progress on Bill No. 10. Committee then considered Motion No. 20 related to liquor prices with Mr. Vars and Mr. MacKenzie in attendance. It was moved by Mr. McKamey, seconded by Mr. Watt, that in the opinion of Council a grant of \$500.00 be provided for the Yukon Federation of Home and School Associations. Motion Carried." Committee Report

Council accepted the report of the Chairman of Committees and adjourned until Council adjourned until 10 a.m. Friday, April 24, 1964.

Friday, April 24th, 1964  
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 with a reply to the telegram to Governor Egan of Alaska regarding recent earthquake. (Set out as Sessional Paper No. 69)

(Sessional  
Paper  
No. 69

Mr. McKinnon gave notice of Motion regarding Liquor Prices.

Motion  
No. 39

Mr. McKamey moved, seconded by Mr. Taylor, that in the opinion of this Council, the Administration is respectfully requested to clear and level a playground in the Flat Creek community Elsa area, providing United Kano Hill Mines relinquish all their surface rights of such playground to the Territorial Government.

Motion  
No. 36

Mr. McKamey, speaking on the motion, said he had received a letter from the Elsa-Flat Creek Programme Committee asking for financial support for the promotion of a playground for preschool children. He said that the letter also stated that United Kano Hill Mines Ltd. had given the people there a suitable piece of land for the project. He said that the Flat Creek settlement was approximately half a mile from Elsa camp and there were approximately thirty homes in that small community. The children had no place to play except for the main highway and it was the desire of the people to have a playground levelled off so they could keep their children off the highway. In his opinion this was a project the Territorial Government should contribute towards. Also the United Kano Hill Mines would be prepared to relinquish all the surface rights for the land designated for the playground if the Territorial Government would contribute towards the cost of bulldozing and clearing.

Mr. Shaw said he thought Mr. McKamey's request was reasonable and he was all for it.

Mr. Boyd asked if the land was covered with tress or was it a case of levelling off ground or were there hills.

Mr. McKamey said he thought it was reasonably level and it would be a matter of bulldozing the muskeg and the overgrowth.

Mr. Boyd asked how far away from the school the playground was or whether there was a school playground.

Mr. McKamey said that the school was situated half way between Flat Creek and Elsa so it would be a quarter of a mile from the settlement. He added that the school playground was very small, approximately a quarter of a block.

Motion Carried.

Mr. Watt moved, seconded by Mr. McKamey, that it is the opinion of Council that children of residents who attend highschool away from the Yukon be reimbursed for the amount that the Territory will be saving by their absence or a sum of not greater than \$350.00 per year. This sum to be paid to the parent or guardian of the student on completion of a successful school year by that student.

Motion  
No. 37

Mr. Watt speaking on the motion said that he had heard that it cost the Territory approximately \$1,000.00 per year to educate a highschool student. He said that there were quite a few students now outside attending school and it cost their parents approximately \$1200.00 to \$1500.00 a year to send them out. He figures they saved the Territory \$500.00 or \$600.00 for each student and he felt the parents should be assisted. He requested that the Administration consider it and if they found it was not going to be feasible then they were in a position to turn it down but if it was feasible he felt the Administration should co-operate with them on this.

Mr. Boyd commented on the motion and said he would certainly not vote for it and said he considered it backward thinking.

Mr. McKinnon said he did not know of a motion that could be presented to the House that he would be more opposed to than this one. He said to vote for the motion would almost be a vote of nonconfidence in the Educational System as it is in the Yukon Territory.

Mr. McKamey said that as Mr. McKinnon expressed it might be a vote of nonconfidence, but he felt that if Mr. McKinnon was to get out into the hinterland where they have highschools and schools and see how the education system stacks up against the education system in Whitehorse. In Whitehorse they have a lot to offer to a teacher, T.V., cabaret lounges, one could walk into any one of those places anytime of night and see school teachers. They have curling, bowling and everything in Whitehorse so there is an incentive for a teacher to leave the hinterland and move to Whitehorse. As a result a lot of the good teachers move to Whitehorse but the hinterland suffered. It cost him \$75.00 a month to keep his own daughter here in school and if she was to stay in Mayo in grade 11 she would have been the only one in that grade. The parents of the children who are sent out are paying school taxes and the Government should contribute to their education where ever it may be.

Mr. Shaw said there was nothing sound in the economic theory of sending children outside from here and save money. It would cost more money because it would cost more per capita for the people that were here.

Mr. Watt said that the students should be given the best opportunity the Yukon could offer. If it was felt that sending a child outside was the requirement then they were helping that child to become a better Canadian and not just a better Yukoner.

After further discussion the question was called.

Motion Defeated with Mr. Watt and Mr. McKamey in favour.

Motion  
No. 38

Mr. Boyd moved, seconded by Mr. Shaw, that Administration do now arrange to have all lands in the Marsh Lake, Tagish Lake and Lake Lebarge areas released from the present holding status in order that property owners may acquire title to the ground they occupy.

Mr. Boyd speaking on the motion said that the land along the lake shores was put in a holding status some time ago in view of the fact that there might be a power scheme developed whereby lakes would be raised and flooded and nobody could acquire title to any land. It appeared now that the plan had died but the holding order still existed. There are approximately 200 homes or cabins in the area and people were living there and paying taxes and rent for the ground and could not obtain the title. He said that the result might very well be the same as what happened to the squatters. They could be told after spending a lot of money and been living there for years that they had to clear the ground. He felt that the people that lived there and spent money and paid taxes were entitled to some security and he suggested that titles should be arranged for those that wanted to buy the ground they lived on. He said he hoped Council would give him their support.

Mr. Taylor said he had nothing but wholehearted support for the motion.

Mr. McKamey said he was unalterably opposed to the motion. In his opinion the Government should maintain the right to this ground - it could be detrimental to the future development of the Yukon.

After some discussion the question was called and the

Motion carried with Mr. McKamey  
opposed.

Mr. Taylor moved, seconded by Mr. Shaw, that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing Bills, Memos, and Sessional Papers.

Motion Carried.

In  
Committee  
of the  
Whole

In Committee of the Whole:

Discussion took place on Bill No. 13, Teslin Franchise Agreement.

Discussion  
Bill #13.

Mr. McKinnon said he felt it only sensible, workable and practicable that all these franchise arrangements should be worded as the Teslin Franchise is now. That is to say that the Commissioner may enter into arrangements with the Yukon Electrical Company to provide for day to day operation of the franchise and agreement. That any changes in the agreement between sessions should be presented to the Council at the next session following for their approval or disapproval. The reason he said this was because in the agreements there were many instances where if it was written in "Commissioner-in-Council" it would be unworkable and unwielding. As an example he quoted the Teslin Franchise agreement, "under Terms and Conditions subsection (2). This Franchise is granted subject to and upon the following terms and conditions: (a) the poles, wires and other equipment installed by the Company shall be so placed as not to obstruct, interfere with or impair in any way the use by the public of any roads, rights-of-way, highways or bridges, and where wires are laid under a highway or other ground, such highway or ground shall, after such installation, be returned to the same or improved state of repair as existed before the installation, and all poles, wires and other equipment installed by the Company shall not interfere with other poles and facilities already erected with the consent of the Commissioner and where practicable the Company with the consent of the Commissioner will co-operate in the joint use of pole line facilities, with a view to minimizing the number of poles erected in the area to be served". He further stated that after seeking expert legal opinion he had been informed that if the Ordinance was changed to read Commissioner-in-Council, in essence this would also mean the agreement would read Commissioner-in-Council. This would mean that "the Company with the consent of the Commissioner-in-Council will co-operate in the joint use of pole line facilities, with a view of minimizing the number of poles erected in the area to be served." This would mean that if C.N.T. or a television cable moved into the Teslin area, and the people wanted these facilities, they could not have them until the Council Session sat. This to him was unpracticable, unwielding, unworkable and would cause a hardship on the people. Another instance, under section (c) of the terms and conditions, this would read Commissioner-in-Council and would mean that any time it was practicable that a pole should be closer to the highway than a distance of ten feet from the boundary right of way, a Council Session would have to be called and the Council decide whether these pole should be moved so that it would not interfere with this right of way. These are a few instances to show that the way the franchise agreement reads now is the sensible, practicable and workable way that it should be. He couldnt see the sense in changing this back. and stated that he would not vote for this.

Mr. Livesey said he did not see it in that light at all. The situation is that where this agreement is concerned it is the bill that gives affect to the agreement. Without the bill the agreement cannot exist. Therefore when the bill is passed by this House, the bill is passed in connection with the agreement and he would say they were one and the same thing. He said he failed to see where Commissioner-in-Council was going to alter any matter which was in the agreement. It means Commissioner-in-Council has created this agreement. When discussions took place about the franchises in the first instance, with the various people in different districts, it was on the basis of this agreement, that the users said they would allow the 20 year franchise to stand. He did not feel that, if it is the case. that the House decides on the bill and the bill is hooked to the agreement, that anyone or any person other than the Council and the

Commissioner, which is Commissioner-in-Council, should have any right to alter any question involved in a 20 year franchise. As far as he was concerned the words Commissioner-in-Council alters no matter within the agreement. If there is a question contained in this agreement that should be altered, he thought it should be within the power of the House to consult with the Commissioner and the Company to make what ever changes may be necessary. He could see no problem, but he could see a problem if someone wanted to change this agreement without the Council's consent. He felt he had a responsibility to his constituents in this regard. All Commissioner-in-Council does is protect the public to the extent that it would be discussed with the representatives of the people of the Yukon.

Mr. Shaw said he could see the pros and cons but if the Commissioner-in-Council had to operate under this agreement it would create some time lapse in little matters that don't really amount to anything. By nature of the agreement the Commissioner has to agree and if this is changed to Commissioner-in-Council it will mean that they cannot be changed until there is a sitting of Council. He felt this absolutely unwielding. He could also understand the Members that take the opposite view as they are concerned with the rights of their particular constituents. If we wish to have a working agreement for all practical purposes it should come from someone that is available at all times as the need arises. He thought a means of solving this to everyone's satisfaction would be very simple. The power company can raise the rates on these people by agreement with the Commissioner and all this would require in the original agreement is an additional clause to the effect that any raise in cost to a consumer above schedule would be placed before the Commissioner-in-Council. In that way we would have a fairly sensible agreement to work with and it would allay the fears that any Members might have. It would give them an opportunity to present the views of the people in case the people had to pay any additional amounts and in so doing he thought it would solve the question. He said he could not agree that every little item on this should have to be referred to the Commissioner-in-Council. He did agree that in the matter where it is going to cost the people of that particular area more money for something, certainly there is a valid point for discussing that amongst the Council, Commissioner-in-Council, because they were the ones that agreed to the franchise. He said at the moment he could not agree with either side.

Mr. McKinnon said perhaps Mr. Shaw was not aware that as the agreement now stands the Company cannot arbitrarily raise the rates. The only thing they can do arbitrarily is lower the rates.

Mr. Shaw asked if they could, at the present moment with the agreement of the Commissioner, raise the rates.

Mr. McKinnon said yes, with the agreement of the Commissioner.

Mr. Shaw remarked that the concern of the various Members seemed to be that this could happen and it would be to the detriment of their people. He thought a clause whereby you have to have the agreement of the Power Company and the Commissioner-in-Council would alleviate that particular scare.

Mr. Boyd said in the first place the people have signed a note good for twenty years. He agreed with Mr. Shaw that if they use this bill except there shall not be any increase in rates unless agreed to by the Commissioner-in-Council, then he would vote for the bill. He said he didn't like franchises in the first place and has always been leary of them. He referred to the deal at Carcross and said if they'd had something where it could not have been changed without the consent of the Commissioner-in-Council that change would never have been made.

Mr. Taylor (with Mr. Boyd in the Chair) said this was a private members bill and what he was attempting to do was put it back where it was when it started, before he got talked into an amendment last fall. He felt they should either write the people into these franchise agreements or failing that abandon all franchises in the Yukon Territory. However where a company is going to make a substantial

investment they want a little security and require a franchise. It is the people granting the franchise through their elected representative not the Administration. He said he would not be content to have anywhere in his district a franchise which did not write in the people. He would like to see this bill passed as it stands and he could see nothing unworkable in this agreement. The agreement states clearly that an agreement made under this Ordinance may be amended from time to time by an agreement between the Commissioner-in-Council and the Yukon Electrical Company Limited. Mr. Legal Advisor at the last session advised in a document addressed to himself that in the present case you have a form of agreement set out in schedule - this is the way it reads now - of course for practical reasons the agreement is capable of variation by agreement between the Commissioner and the Yukon Electric Co. Ltd. but this is designed to make the agreement reasonably flexible. He felt it was just as flexible to do it at a Council Session as it was to do it from day to day at the whim of the Company or the Commissioner. This agreement may be amended upon agreement with the Commissioner-in-Council and the Yukon Electric. He felt Council should give this bill all the support it can and then if the Yukon Electric Company wished to amend the agreement in any manner it can be amended by the Commissioner-in-Council.

Mr. Shaw said he could not vote for the bill the way it was. He felt the position he had outlined was very clear, very workable, very sensible and takes the interest of the people into consideration and the interest of the Members representing the people.

Mr. Livesey said he did not think it would. He thought the people had taken this agreement as their Bible for the next 20 years and if unknowingly without their consent and knowledge it could be changed at any time, surely this was giving a carte blanche means of upsetting the agreement and almost reversing it if necessary. This was not right. The idea was not that he was opposed to any change, it was a question of being informed on the change and being able to discuss it. If the agreement is part of the bill, which in his opinion it was, then no-one should have the power to change the law without the Council changing it. He said he had talked the situation over with a number of his constituents and they were quite happy with the way it is now in Carmacks and other areas where they have Commissioner-in-Council on the bill and he had heard of no problem or disagreement. He has informed his constituents that this is a 20 year franchise, but they wouldn't have much faith in what he said if he now has to inform them that he has agreed to someone else being able to change it without his consent, or without anyone else's consent as far as the representatives of the people are concerned.

Mr. McKinnon said he hadn't the happy facility of some of the Members of this table of being able to look through one of these legal agreements and interpret it right off hand. He had asked for what he considered expert legal opinion as to the interpretation of this agreement. If Commissioner-in-Council is written into the Teslin Franchise agreement under the terms of the agreement, every time poles had to be moved or used for another purpose this would entail a decision of Council. He thought this just wasting the time of the elected representatives. Under the agreement as it now stands, "The agreement made under this Ordinance may be varied or amended from time to time by agreement between the Commissioner and the Yukon Electrical Company Limited" and "The Commissioner shall cause any variations made to the agreement pursuant to Section 2, to be tabled at the first session of the Territorial Council following such variations", the crux of the situation seems to be on the rates. That the Honourable Members are extremely worried that through the Commissioner and the Company the rates are going to be raised of which they and their constituents are not aware. He thought the longest period of time before the Council would have an opportunity to debate such a rate change would be in a proximity of four to five months. And for all the benefits that are gained from the workable day to day arrangements which work under this agreement as it now stands, he could not see the sense and the need for the change of this ordinance at this time.

Mr. Watt said he voted last fall for this change, to give this power to the Commissioner and at that time he thought the Council and the public were adequately protected by inclusion in the budget of a public utilities commission responsible to the Council. To make this change now, to include "Council" in this agreement may make the operation of the power

company so unwieldy this coming summer that it may not be able to function properly. As Mr. McKinnon has pointed out, there are different legal opinions and he could not pass a legal opinion himself as he was not sufficiently learned enough to do so. There are other questions that could arise, for example power rates, you can change a light bill without changing the power rates. There are two Territorial buildings a few blocks from the Federal Building that are charged on different rates. He thought it would take Council two days to solve this whereas a public utilities commission or possibly the Commissioner could do it, but the seven of them together to decide which rate should be charged would be so unwieldy it would tie Council up most of the summer. He could not vote for the change in the agreement. This franchise has been operating the last six months with the Commissioner and he thought it could operate another six months until the new Council gets legal advice.

Mr. Taylor said this franchise agreement provided many things. It provided contrary to what Mr. Legal Advisor had given Council last fall, where he stated that, "it would be unthinkable to delay a benefit for consumers in those franchise areas" and where he also stated "and consequently without a bill the passing of an Ordinance with the Yukon Electric Co. Ltd., seems to be technically wrong in reducing the tariff rate"; where it states, "notwithstanding anything herein contained, the company may charge rates lower than the maximum rates where it considers conditions justify such departure from the normal tariff;". As far as the raising of rates was concerned it stated in the bill quite clearly that the agreement may be amended from time to time. It seemed to him to be quite clear and basic and required no great legal interpretation. It also stated in this franchise all the charges that are going to be placed on the people in this franchise area, street lights, demand charges, pages and pages of charges, fees, energy charges, residential, commercial rates, etc. This is what this franchise agreement means and this is part of the bill. He would submit that they, as representatives of these people, are very justified in asking that we form a part of this agreement in view of the fact it is a contract with the people. By turning the extensive right of agreement with a private utilities concern over to the Administration you take the people right out of the agreement. Even though the bill stated that any departure at the present time made in the agreement would be tabled at the next session he could not go along with that as he had found that most everything that is tabled at this table has to be asked for. If you don't think enough to request these things you don't see them at this table. Consequently he felt the people should be written into these agreements and could see no problem. If there is a rate increase proposed at the session and there was no justification for this, this is fine. The people then have an opportunity of knowing instead of waking up in the morning and finding something has been done which they could not do anything about until the next council session. We should be part of this agreement. He asked that Council support this bill. There is a big principle involved here. He asked that they look at this from the principle of writing the people into this agreement. He suggested that the other Members from areas where franchises exist have their franchise agreements amended accordingly.

Mr. Livesey asked that the Members whose constituents were not bound by these agreements give consideration to the words of those Members whose constituents are bound by these agreements. These questions are related to specific areas but each franchise is separate one from the other. He said he hadn't heard any one complain about power supply except the odd person who feels maybe the rate is too high and you will find that anywhere. He felt Council should be reasonable about this situation as far as the users are concerned. Until such time as a separate authority other than the Council is set up to look after these various questions in relation to franchises, the bill should read Commissioner-in-Council so that someone representing the public will have some say on their behalf.

Mr. Taylor said he didn't think this situation involved itself with the raising of power rates. He pointed out that the agreement stated that the rates as set out in Schedule A, "shall during the term of this agreement or any renewal thereof, shall be subject to review annually

by the Commissioner following the expiry of one full year of operation and for the next four years and there after at intervals of three years" etc. In other words they have to be reviewed and he could see nothing wrong with having these reviewed during the Council session. The agreement itself is between the Commissioner and the Yukon Electric Company and this would operate between the Commissioner and the Yukon Electrical Company. If the agreement is amended then they will have to come to the Council. This involves itself with much more than raising of rates. He appealed to Committee to give this consideration and vote in favour of this bill.

Mr. McKamey said last fall this bill was amended to read between the Commissioner and the Yukon Electric Company. He has always maintained in the Yukon Territory that we have the Commissioner and we have the Territorial Council and the Federal level of Government. He did not think anyone sitting around the table could argue the fact that you cannot operate under two bosses and he wanted to know who was the boss. Are the representatives of the people sent here to legislate or is it the Federal Government. It seemed to him that this has been a very controversial subject. He felt that during the fall session of 1963 Council was led down the garden path. He recalled that the Legal Advisor didn't think the Yukon Electric could legally reduce the rates for the people of Teslin under the franchise agreement the way it was written up. He didn't think they would have accepted this at the fall session if they had had all the facts before them. After Council prorogued they went home and were able to dig out a franchise agreement and saw in this agreement that the Yukon Electric could reduce the rates legally but could not increase the rates without the consent of the Commissioner-in-Council. That is the way it should be. He said he would always fight for the rights of the people who elected him to represent them in Council. The people of Teslin have asked their representative to amend this bill and he has done so by a private members bill. This is the wishes of the consumer and they as elected representatives have no right to deny them of this.

Mr. Shaw said the boss is always the party who pays the bill. With reference to the statements that it was their duty that they should support this amendment because it came from the Member and for the people, and they would be failing in their duty if they didn't agree. He said he could recollect that the Member from Watson Lake had brought matters before Council about getting a school at Watson Lake and this or that and at that time the Member from Mayo turned down the particular request as not being required. In analysing something like this he did not think it should be looked on in that particular way. If this is essential it can also make hardships on those people. There are so many ways of taking any particular thing. He was quite in accord with protecting the people's rights in that area and he had made a proposal that would protect these particular rights and not make this unwieldy. Most of the problems there are now adays can be usually solved with a compromise.

Mr. Taylor said he did not think one could compromise the rights of the people.

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



Friday, April 24th, 1964  
2:00 o'clock P.M.

Committee proceeded with discussions on Bill No. 13.

Mr. Taylor (Mr. Boyd in the Chair) commented they were dealing with a Discussion matter of principle affecting Council's legislative powers in the Bill No.13 Territory and submitted that presently all through the Yukon Act it states the legislative powers of the Commissioner-in-Council respecting roads, corporations of companies, etc. He said this is the power of the people in conjunction with the Administration. By considering this Bill as it stands to read the Teslin agreement, whereby this particular agreement read the Commissioner-in-Council and Yukon Electrical Company, you keep the people in the agreement, by not doing so you are handing away a portion of the legislative rights of the people through their elected representative in cooperation with the Administration and did not think this a proper thing to do. He said the people of Teslin are consuming the power and should have a right to say in the first instance who they are going to get power from, who the franchise will be granted to and this was done, so consequently when you concede the fact that they should have the right to be a part of the agreement. He felt this places the assurance there would be no rate increases without the people first being notified. He said this accords the same protection Mr. Shaw referred to this morning. He did not feel this is an unworkable system with Commissioner-in-Council included and certainly could not agree that they should amend the Bill. He felt that all Bills should be a common Bill reading Commissioner-in-Council. However, he said, at this time they were only dealing with one Bill which is in his constituency and he asked support of Committee.

Mr. McKinnon said he was glad they finally got to the real crux of the matter so he wouldn't be accused of putting words in anybody's mouth he took it down exactly as the Honorable Member from Watson Lake said it, "It is a matter of principle affecting our legislative powers". He said he did not see the Bill that way. He thought the Honorable Member from Dawson made a very valid practical suggestion as a compromise that would allow the people to decide if a change in the charges for electricity would be made but it would also allow practical day to day working arrangements between the Yukon Electrical Company and the Commissioner. He thought this was sensible and said it was the way he was voting on the Bill, so that everyone would have the satisfaction that they could derive from it, and that the franchise agreement went on without any trouble, that the everyday workings of the franchise would not be held up by the Council and it would work to everybody's benefit and everybody's betterment. Now he said he finds out that this is not what they were discussing at all but that it is a matter of principle affecting Council's legislative powers and he said he could not see it in this light but just saw it as it is now as being sensible and workable and he would agree with the Honorable Member from Dawson's amendment but if they could not have an amendment to the Bill he said he would not vote for it.

Mr. Taylor said it would be sheer folly to amend the Bill to include such a thing if they do not amend all the other Bills because they would be creating another little monster they would have to deal with some day. He did not know why they could not have a common agreement like they have now reading Commissioner-in-Council.

Mr. Shaw wondered if the Member from Watson Lake would agree to the protection of the people insofar as a clause protecting them from raising charges be acceptable to him.

Mr. Taylor submitted that Commissioner-in-Council does that very thing.

Mr. Shaw said it states in Yukon Act, Clause 4 - "The Commissioner shall administer the Yukon Territory under instructions from time to time given him by the Governor-in-Council or the Minister." He said the function of the Commissioner is to administrate the Territory and the function of the Council is to create the legislation.

Mr. Livesey said the legislation is made by the Commissioner-in-Council not by the Commissioner nor by the Council and he quoted from Section 16, "The Commissioner-in-Council may, subject to the provisions of this Act and any other Act of Parliament of Canada, make ordinances for the government of the Territory in relation to the following classes of subjects.....". He said the absolute power is defined in the 'Commissioner-in-Council', in a combination of the two. If the Commissioner and the Administration have submitted a Bill to the House and the Council agrees it becomes law. He said this is the same thing with the Bill and irrespective of the feeling against the matter of legitimate legislation he did not feel they had the power to include a third party whereby any part of a Bill or Ordinance may be amended without the consent of the Council. He felt it could be argued that when a Bill is made out such as this with reference to an agreement that the agreement is part of the legislation and did not feel that any third party could take the power away from the Council or take the place of the Council to amend legislation made in the House. He felt the way these things were written that each franchise in the Yukon was a franchise affecting only these parties who subscribe to it. In other words the franchise granted for Carmacks is an agreement for Carmacks through their representative on the Council, the same as the franchise for Carcross, and as the franchises only affect these areas so will the Teslin franchise only affect Teslin. He said this is what the people of Teslin agreed to, not something somebody else had been given the power to amend. He said the Carmacks franchise is working satisfactorily under the same situation as is proposed for Teslin. He felt the people of Teslin should at least have the right to discuss it and see what it is all about. He said if they were good enough to start with to agree to a 20 year franchise they surely must have known something about it or they would not have agreed to it. He felt these things were a matter of mutual consent, not a matter of arbitration or arbitrary moves by anyone. He thought if the people of Teslin wanted something different than what they have got, the normal thing to do would be to take the thing up with the company and with the Council and see if they could come to some agreement on it, but to turn around and say they give power to any source to change the agreement without knowing what they are going to change would not seem to be a right solution in the slightest.

Mr. McKinnon said it seemed to him some Members around the table were worried that they are losing some of their legislative powers and they have chosen Bill No. 13 to fight this battle on and the Yukon Electrical Company has become the unwilling and the unwitting third party in the battle. The only way he could see the Bill as it now stands was that it provides a sensible working arrangement for the benefit of all concerned. However, if an amendment had been proposed by Councillor Shaw he would have gone along with it, but as he sees the Bill now it is more sensible in the form it is than it would be if it were amended again.

Mr. Taylor brought to Committee's attention the Ordinance as it presently reads, "That the Commissioner shall cause any variations made to the agreement pursuant to Section 2 to be tabled at the first Session of the Territorial Council following such variations." He said this means absolutely nothing except that they are on the table and Council could do nothing about it. He said they could ask the Administration to make changes or say no we do not agree with this but they could not do anything about it and cited as an example their vain attempts to change prices at the liquor store. He said they can propose motions from here to eternity but if Mr. MacKenzie and the Administration choose not to respect these motions they do not change the liquor prices and this could be dragged right out to the possible franchise agreements. In other words that Section of the agreement, as far as he was concerned, does more to pacify than it does in practical application because it doesn't help the situation any. He said it was a private Members Bill proposed by himself and as he stated earlier the Administration was reluctant to see it passed through and he noted a letter written by the Legal Advisor to the Yukon Electrical Company last fall, a copy of which he had received, which read in part "I think the most expeditious way of getting the matter before Council now is for Councillor Taylor to introduce a Bill. A copy of this letter

is going to him and I note for his information that if he gives notice of introduction of a Bill in the same form as the one presented last fall I think the matter can proceed through the normal Council readings. We are therefore leaving it to Councillor Taylor to take appropriate action but if he requires any typing or other assistance we will be pleased to help him." He said this was to get him to change the Bill from the Commissioner-in-Council to Commissioner which was done last fall reluctantly. He said now there is a complete reversal of attitude and somebody does not want this change for some reason, what he did not know. He repeated they must protect the people of the various areas by writing them into the agreements.

Mr. Shaw pointed out that the people of Teslin had accepted the present Ordinance as it is and his proposal of writing a clause to the contract would give the people protection. He said he would not introduce it because it should be introduced by the Member representing Teslin if he so wants it, but he said he would be glad to support such a motion.

Mr. Taylor asked if this would also provide for someone coming and setting up a telephone pole in a person's back yard and wondered what protection people would have in that regard.

Mr. Watt pointed out that even though only one area is involved if a dispute arose all seven Councillors would be involved to consider the points and could be done at least until a Public Utilities Commission or equivalent was set up to assist in the operation of the franchises. He referred to Mr. Livesey's remark about passing on power to a third party and said he would need a lot of legal advice before he could know what the score was in order to vote on this change.

Mr. Livesey noted that on page 2 under Terms and Conditions, it reads, "This franchise is granted subject to and upon the following terms and conditions" and said if it isn't granted on the following terms and conditions what do they have the franchise for in the first place. He said this was what the people of the area figured the terms and conditions of the franchise were and if there was going to be any alteration they should be told about it.

Mr. Taylor agreed with Mr. Livesey and said for the edification of Councillor Watt they have no power whatsoever to negotiate any change in the franchise agreements unless they approve this Bill, as far as the Teslin agreement is concerned, and the Administration have full control.

Mr. Boyd thought they had discussed this long enough and also there were two Bills in here which were obviously not going to receive any clarification at all, he thought there would have to be clarification and he felt whether they deal with Teslin now or in the fall was of little concern. He felt that all franchises should read the same. He said they would have to put trust in the Company in such matters as where they were going to put the poles and felt Mr. Shaw's proposal would give protection to the people and if Administration was satisfied, accept this kind of reasoning. This was the protection the people needed and he could see nothing more to it than that. He suggested they leave the whole issue in abeyance for further clarification until Council in the fall can get a crack at it.

Mr. McKamey thought if they were planning such a move they would be prepared to put the cards on the table and stand up and be counted on an issue like this. He said it is obvious and the rest of the Councillors know it that Councillor McKinnon had no intention of running in the fall Session because he had told them so. He felt this was why Mr. McKinnon was sticking his neck out and went on further to say that if this was a two-party system of government the Government in power would be defeated over such a move as this. He thought it should be either up to the electorate to decide or to the representatives of the constituents to support their rights and the only way to support their rights was to protect them in the form of legislation. He thought this was going to have a great bearing on who was going to be elected to the fall Session of Council.

Mr. McKinnon said "Then it is a political issue."

Mr. McKamey said, "Apparently Mr. McKinnon is making it a political issue". He said this was typical of what you find in the House of Commons and he was dragging it right into the Territorial Council.

Mr. Livesey said before the question was called and before they had to go back and tell the people in the various constituencies outside of this area that they no longer had any power over their own franchises he thought the Committee should at least allow him to attempt to get some legal advice on the question, from whatever source possible in Whitehorse, because he felt it could be argued on an entirely different basis and rather than set any precedents he thought they should be careful of what they are doing.

Mr. Watt said he was elected to this Council not to represent any political party and did not want Mr. McKamey to think he was there to represent a political party and he said he would vote the way he felt would best help the constituents in Whitehorse West. He said he would support Mr. Livesey in his bid to try and get legal advice.

Mr. McKinnon commented it was interesting to note that everybody was against his trying to delay the question and now it seems other parties want the question delayed.

Mr. Taylor (Mr. Boy in the Chair) said they seem to be back on the old track of legal advice again. He said some time ago they had demanded that Ottawa send them a Legal Advisor to assist them with the Bills, and they finally got one. He said now they did not have a Legal Advisor and it occurred to him that this was a bad situation because he was not aware that servants of the House controlled the House and felt that if the Legal Advisor could not provide the service, by whatever authority some legal service should be provided, as the legislative body of the Yukon Territory is entitled to it.

Mr. Shaw said he was not aware of anything in the budget saying they paid the Legal Advisor and if they do not pay anyone he could not be a servant but must be a slave and thought that was worthy of some consideration.

Mr. Livesey pointed out as a point of clarification the Speaker was a servant of the House and does not consider himself a slave and had no different monetary qualifications than anyone else.

Mr. McKamey wondered about Mr. Commissioner and asked who he was paid by?

Mr. Shaw suggested that he was paid by the Federal Government and was not a servant of the House but a servant of the Crown.

Mr. Livesey said they were getting off the subject and not creating any useful qualifications towards settlement and said all he wanted was to be granted the favor to be able to get legal advice.

Mr. McKinnon suggested he put forth a motion.

Mr. Boyd reiterated that by doing nothing with the Bill at this time they were not changing anything that exists and maybe the Council in the fall will be able to come up with something more concrete, and concluded he had nothing more to say on the matter.

Mr. McKamey said by leaving it to the fall was not going to solve anything as there was a possibility all seven Members will be back at the fall Session and would be faced with it then. He felt the time to solve the problem was now and this would have a great bearing on who would be back in the fall Session, and that he would certainly see that the rights of the people were protected.

Mr. Shaw thought it would get a little more careful consideration in the fall because there won't be an election coming up. He felt they were getting no place and stated they must have argued over this Bill for at least two days and it must have cost one or two thousand dollars to the taxpayer and that should be taken into consideration.

Mr. Taylor (Mr. Boyd in the Chair) asked the Member from Dawson if he felt they should just rubber stamp this legislation and go home and save the taxpayer money. He said as far as he was concerned if this Bill was refused it would deny the people of Teslin the right to be a part of their own agreement and they would just pay up and shut up.

Mr. Livesey moved, seconded by Mr. Watt, that the question be not now put until Saturday, April 25th, and that time be allowed for the Member for Carmacks-Kluane to obtain legal advice covering implications with respect to Bill No. 13.

Motion Carried.

Committee proceeded to Bill No. 20 which was read by the Chairman

Discussion  
Bill No. 20

Mr. Boyd moved, seconded by Mr. Shaw, that Bill No. 20 be passed out of Committee without amendment.

Mr. McKamey asked for an explanation from Mr. Shaw on the proposed change.

Mr. Shaw referred Members to the explanatory notes accompanying the Bill and said it was a matter of bringing Subsection 1 of 232 of the Bill in line with the first Section, for example-reducing the waiting period after a tax sale to six months from one year. This would prevent any future legal difficulty insofar as there was conflicting data in the existing Ordinance.

Mr. Livesey said he had heard since their first repeal of the Ordinance that six months is highly inadequate especially should something come up in regard to litigation, and particularly where it involves owners of property who do not live in the Yukon. He said some people feel the period of a year is much more reasonable.

Mr. Shaw said the change had been requested from the municipalities. He said they hear a lot about authority and when they give it to municipalities to run their own affairs and when they request something he thought every consideration should be given them. He said it did not come from a Member of the Municipality but came as a vote of all the municipality, so he said he brought it up and if the members did not want to change it it was up to them.

Mr. Livesey said he only hoped the same principle applies to franchises.

Mr. Shaw said he considers franchises in an entirely different category and is in full accord of protecting the people's rights in every manner, shape or form whether it is a municipality or a franchise and further at no time had he ever taken a stand otherwise.

Motion Carried.

Committee proceeded with discussion of Bill No. 7 with Dr. Kinloch (Chief Medical Health Officer) in attendance.

Discussion  
Bill No. 7

Mr. Boyd asked Dr. Kinloch if all the drugs listed met with his approval and whether they would be wise to pass the bill.

Dr. Kinloch said the provisions of this amended Ordinance came into line with most provincial regulations, and the changes were to ensure that dangerous drugs were locked in a place that were accessible only to a qualified person. Further there was an inclusion of drugs which previously had been available on an over the counter sale but without any clear indication of their potential lethal character and these had been included in the Schedule so that they may not be dispensed without the person obtaining them signing the poison register. This would indicate to the person that they do have a potentially dangerous drug in their possession and he referred to the TV advertised product called Contact, a cold remedy, which contains the drug belladonna which if taken in large doses can be dangerous. He thought the provisions in the Bill

were in accord with other provincial regulations and he felt it should be passed.

Mr. Taylor asked if it placed any restrictions on 222's and so on.

Dr. Kinloch informed him preparations containing minimal amounts of codeine can be sold across the counter.

Mr. Boyd moved, seconded by Mr. McKinnon, that Bill No. 7 - AN ORDINANCE TO AMEND THE PHARMACEUTICAL CHEMISTS ORDINANCE - be passed out of Committee, as amended.

Motion  
Bill No. 7

A lengthy discussion followed with Dr. Kinloch (Chief Medical Health Officer). Dr. Kinloch explained to the Committee that in his opinion the passing of this Bill was not going to impose any hardship on anybody but it was going to instill some indication in persons purchasing the material that they were handling lethal substances, and perhaps they might be encouraged to handle them with a little more care. He said that the particulars of interpretation of the Ordinance he would have to leave to some one better qualified. During the discussion it was made clear by all Councillors that they felt that by passing the Ordinance they would impose an undue hardship on merchants, druggists and also the common man. They felt that a number of things that were in common use, for example, turpentine which was used every day in paint should not have to be signed for. It was also mentioned that wood alcohol, refills for fire extinguishers etc. should not have to be signed for but they agreed that perhaps it would be a good idea that these things be marked with a label saying that it was poison. It was suggested that perhaps the Government could supply to the merchants at costs certain supply of big labels saying poison. It was also pointed out by Mr. Taylor that the Bill said that one had to sign for nicotine other than cigarettes which in his opinion excluded all other types of tobacco products. Dr. Kinloch agreed with Councillor Taylor and said that there seemed to be a serious omission regarding that Section but that the implication certainly was not that they were to exclude pipe tobaccos and such products. On the question from Mr. Boyd asking where the Bill originated Dr. Kinloch quoted from a paper dated August 30th, 1963, "This amendment will bring the Yukon Ordinance into line with the Northwest Territories Ordinance as amended in the recent Session of Northwest Territories Council".

Mr. McKamey said that he could almost have guessed that this is how it originated. He said that in the Northwest Territories there is five appointed members and four elected so they most likely pushed it through without question or argument. Then Ottawa came to the Yukon and said that this was passed in the Northwest Territories and if it was good for the Northwest Territories it was good for the Yukon. Mr. Shaw suggested that the Ordinance be left for further study and the motion that Bill No. 7 be passed out of Committee as amended was withdrawn on an agreement by both the mover and the seconder.

Committee proceeded to Bill No. 8

Discussion  
Bill No. 8

Dr. Kinloch explained to Committee that the purpose of the amendment to Bill No. 8 was to allow the Commissioner to make regulations regarding the care of camp employees and he pointed out that a draft of such regulations was also before Committee. He said the idea was to ensure that employees of camps in relatively isolated areas were not deprived of adequate medical care or coverage and it would not be possible for an employer to abandon a sick employee. He said that the regulations were drawn up on a similar pattern to the Northwest Territories where they had been in operation for some time. Dr. Kinloch also pointed out that courses had been going on all winter in first aid for various groups and there were many qualified instructors in the Territory. He also explained to Committee that if something came up which was not covered under the existing regulations it would obviously be an exceptional case and this is the idea of the regulations being flexible whereas an ordinance was not. He said that each camp would really have to be judged on it's own

merits and a decision made whether the facilities to camp was provided with were adequate. During the discussion Mr. Livesey said it seemed to him they had a Yukon Hospital Insurance Plan and he wondered how one would differentiate between hospital type services or similar services between an employee in the bush and an employee in a populated area or an employee in an area accessible to a hospital and felt they had passed a scheme whereby each resident in the Yukon Territory came under that scheme. He wondered how they were going to enforce payment out of a man's pay cheque when he already was covered by insurance.

Dr. Kinloch explained that this was not designed primarily for hospital coverage, it was designed for medical coverage and it bears a statement in the regulations that this does not include the benefits which were obtainable through the Hospital Insurance scheme be it YHIS or BCHIs or the Alberta scheme. He also explained that it was specifically designed for persons who were denied access to the usual forms of medical care because of their employment and it was designed to protect them from being exploited by their employers or being affected deleteriously because of their isolation. Mr. Taylor pointed out that in his opinion that prospecting activities should be exempt under the Ordinance. Dr. Kinloch did not agree. Mr. Livesey brought up the question of what kind of a first aid certificate was required. He said that if he had to rely on a junior firstaid certificate he would be more scared than he would be if he didn't have any. Dr. Kinloch said that he could certainly not agree that he would be happier in the hands of an untrained person than in the hands of a person who had first aid. Mr. McKamey said the intent of the Bill was good and he liked it in one sense, but added that he was a little worried about it in another sense, but in view of the time suggested the chairman report progress on the Bill. Mr. Shaw said that in his opinion he felt that Council was pretty well in favor of the general principles but there were certain things to be ironed out and wondered if they could not approve the Bill and at the same time make recommendations in relation to some of these matters.

Dr. Kinloch said that this was what Administration would like namely Committee's approval in principle by approving the amendments, and this did not imply approval of the actual regulations.

Dr. Kinloch was excused from Committee.

It was moved by Mr. Watt, seconded by Mr. Livesey, that Mr. Speaker resume the Chair and hear the report of the Chairman of Committees.

Motion Carried.

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

Committee  
Report

"Committee convened at 11:05 a.m. to discuss Bills, Memorandums, Motions and Sessional Papers. Committee first discussed Bill No. 13. It was moved by Mr. Livesey, seconded by Mr. Watt, that the question be not now put until Saturday, April 25th, and that time be allowed for the Member for Carmacks-Kluane Lake to obtain legal advice covering implications with respect to Bill No. 13. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. Shaw, that Bill No. 20 be reported out of Committee without amendment. Motion Carried. I can report progress on Bill No. 8."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m. Saturday, April 25, 1964.

Saturday, April 25th, 1964  
10:00 o'clock A.M.

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

Motion  
No. 40

Mr. Boyd gave notice of Motion regarding Haines Road.

Mr. Watt gave notice of Motion regarding Classes for Retarded Children.

Motion  
No. 41

Mr. Watt gave notice of motion for the Production of Papers concerning Carcross Lands.

Production  
of Papers  
No. 8

Mr. Taylor asked the following questions:

(1) How many franchise agreements now exist in the Yukon between the Yukon Electrical Co. and the Commissioner of the Yukon Territory?

Question  
No. 23

(2) What is the date of signing of the Teslin Franchise Agreement?

Question  
No. 22

Mr. Taylor directed a question to the Administration as to what Members Bills were referred to in Commissioner's Memorandum dated April 21st.

Question  
No. 21

Clerk-in-Council replied Bills numbered 18 and 19.

First and Second readings were given to Bill no. 21, An Ordinance to Amend the Motor Vehicles Ordinance.

First &  
Second  
Reading  
Bill #21.

Mr. McKamey moved, seconded by Mr. Taylor, that THIRD reading be given to Bill no. 15, An Ordinance to Amend the Bills of Sale Ordinance.

THIRD  
Reading  
Bill #15.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, that THIRD reading be given to Bill no. 16, An Ordinance to Amend the Public Service Ordinance.

THIRD  
Reading  
Bill #16.

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKamey, that THIRD reading be given to Bill No. 17, An Ordinance to Amend the School Ordinance.

THIRD  
Reading  
Bill #17.

Motion Carried.

Mr. Shaw moved, seconded by Mr. McKamey, that THIRD reading be given to Bill No. 20, An Ordinance to Amend the Municipal Ordinance.

THIRD  
Reading  
Bill #20.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing Bills, Memoranda, Motions and Sessional Papers.

In  
Committee  
of the  
Whole

Motion Carried.

Committee proceeded with discussion of Bill No. 13, Amendment to the Teslin Franchise Agreement.

Discussion  
Bill #13.

Mr. Livesey said he had obtained legal advice on this and it was as follows. On the question of the franchise agreements the thinking he had on the bills, he believed was fairly correct, in as much as what the bill states is materially those matters which effect the franchise and the agreement. If the bill states something which sets the agreement in position for attachment between parties then those things which are stated are what affects that particular agreement. The question of the signatures to an agreement are a matter of concern and an agreement between parties is never constituted until it has been signed. This Bill 13 is an attempt to change what was established last fall. By the advice he received this simply means that if the agreement was signed with the Company between the Commissioner and the Company after this bill was agreed to by the Council,



then what is in the bill becomes part of the agreement between the Company and the Commissioner. The question of when the bill was signed would make some material difference. Another question arose and that was if the agreement was signed after the alteration was made last fall, when the question of the franchise was constituted in the spring of last year by another ordinance of this Council it becomes a question of why the agreement was signed after the revision was made rather than signed after the original bill was passed by this Council at the spring session. The position of the Council in the spring of last year was that they had come to an agreement and had decided on a particular type of franchise in the Teslin area. He thought this should have been the basis for the agreement to be signed. There is a question of time now, if it was signed after the revision in the fall the question could arise as to why it was not signed after it was constituted in the spring of last year. The timing of the signing of the agreement is the crucial aspect of the situation. If the agreement was signed after the revision last fall then it is the revision which constitutes part of the agreement of the company. What is not part of the Ordinance doesn't appear to be part of the agreement, so that Teslin is an outstanding situation. It seemed to him, what is written into the Ordinance for Teslin is data very much different than what is written into the other agreements. Therefore Teslin is different in this respect to all others because the power to alter or amend is only written into this particular franchise. He made it clear that he was making this statement from memory and not that he had thoroughly read all the others. The question could arise as to why this point wasn't brought to their attention by the Legal Department when the repeal of that which was already in force in the spring of last year was brought to their attention. It boils down to what ever is written into the Ordinance is what applies to that particular franchise. The whole question they were trying to resolve was if the agreement was signed with the Company after the change was made last fall and the only question they had to find out now was when the agreement was signed.

Mr. Boyd said he was willing to accept Mr. Livesey's remarks. This has been delayed and delayed and they were prepared to delay it again until they could find out the date of signing of the agreement. If the signing had any bearing on the question then it should be obtained before proceeding.

Mr. Livesey said he thought that was all that was necessary. Once they find the date it would solve the whole matter.

Mr. Shaw asked what it would solve. Would it solve the principles of the bill and was Council getting into a battle of legal definitions.

Mr. Livesey said he did not think so. It was a question of arriving at a point of satisfaction and he felt that if the Territorial Government had taken up an agreement with the company on the basis of the new revision as instituted last fall, then this ordinance as it was passed last fall constituted the basis for the agreement between the Territorial Government and the Company. And if it constituted the basis upon which this agreement was signed then obviously this was the agreement. If it is, it would be questionable whether one could change it just by merely thinking there was something wrong with it.

Mr. Shaw said as he saw it, it was a question of whether they take a vote on this now or a Member puts forth a motion that it be delayed until some other time.

Mr. Boyd moved, seconded by Mr. Watt, that the question not be put on this bill until Monday next.

Motion Carried.

Mr. Boyd asked if Council would permit him to ask Mr. Choate one question concerning franchises, as Mr. Choate was in the gallery.

Committee agreed and Mr. Choate attended.

Mr. Boyd asked Mr. Choate if there were agreements already signed covering the franchises in Carmacks and Carcross.

Mr. Choate replied that there was an agreement signed for Carcross, but not Carmacks. The reason being that it was an oversight on their part that the actual agreement wasn't signed, but the company has been operating as if there was one.

Mr. Boyd asked how long ago had they discovered the error and how long had the agreement been placed before the Administration for signing.

Mr. Choate said that about two months ago he discovered by going through the files that they didn't have a signed copy of this other franchise agreement and at that time there was one put forth for signing by the Administration. He said it had been signed on behalf of the Officers of the Company.

Mr. Boyd said it would appear that you, as the company, are not too concerned about the agreement and prepared to go ahead and operate without an agreement.

Mr. Choate said no. They feel a franchise is in the best interest of the people and gives the people access through the Commissioner to ask for investigations if they feel a rates investigation is required. Without a franchise this avenue isn't open.

Mr. Boyd asked Mr. Choate if the Company had requested a change in the franchise agreement at any time on any of the power plants.

Mr. Choate said no they had not.

Mr. Livesey asked if Mr. Choate was satisfied with the matter of supplying power to Carmacks as far as the Company was concerned.

Mr. Choate replied in the affirmative.

Mr. Watt remarked that in these agreements Commissioner-in-Council was written in. He asked if this caused any hardships.

Mr. Choate said he wasn't prepared to answer that as they hadn't had a legal opinion. As to the Company's position on it they were completely neutral.

Mr. Shaw thought Mr. Watt's question very much out of order.

Mr. Choate was excused from Committee.

Committee proceeded with discussions on Bill No. 8, An Ordinance to Amend the Public Health Ordinance.

Discussion  
Bill #8.

Mr. Shaw said he thought the bill had quite a number of good points but felt there were some sections that would be hard to enforce in the Territory. He felt that before the bill became law it could be a good idea if the Health Department conducted first aid classes in all areas throughout the Yukon Territory.

Mr. Livesey said that he had several objections to the bill. First he thought it was experimental and said he did not think it was good legislation. Before the Territorial Government proceeded with that type of legislation they should place what they intended to do in the ordinance word for word so Council could know exactly what they were going to do. He said what they said in the bill was that if Council would give the Administration the power to do something they would decide later what to do. Council was entitled to a spelled-out wording of what was the proper way to go about it. He said that the principle of trying to bring health assistance to the outlying districts was very commendable but the bill should be so drafted so that Council would know exactly what was proposed.

Mr. Boyd said that in his opinion there should be quite a bit more clarification in the bill.

Mr. Shaw again spoke of his suggestion of first aid courses and felt that by conducting such courses and training of people they would gain certain advantages. In his opinion the courses should be conducted and particularly in the outlying areas would be a very good move. He said that they might get quite a few customers attending these courses in the outlying areas and said "perhaps the Right Honourable Member from Kluane might even take on the chore of being instructor in his area. He believed he had four or five of those certificates.

Mr. Livesey thanked the Honourable Member from Dawson for the compliment and also for the appointment as the Prime Minister, he being the only one entitled to "Right Honourable". He agreed that training in first aid was necessary and said that when he spoke on the bill he certainly didn't intend to speak against first aid training. He would lend every support to the Administration to push the question of training people in first aid through.

The Chairman asked if Committee would agree to Councillor Shaw's suggestion of a training programme and possibly he might wish to submit a motion on Monday morning to Council respecting this matter.

Mr. Shaw said he would be pleased to do that.

Committee agreed.

Discussion Committee proceeded to discuss Bill no. 21, An Ordinance to Amend the Bill #21. Motor Vehicles Ordinance.

Mr. Boyd said there was one thing he did not like about the bill and that was that the Commissioner could designate the area. He did not see what protection that was going to give the motorist. The bill didn't say that it would be properly signed so that a motorist had some warning.

Mr. Taylor (with Mr. Boyd in the Chair) said that he had spoken to the Outfitters and they had already been in touch with the Territorial Engineering Department concerning signs and they were going to put up some very good signs.

Mr. Boyd asked if the signs would be owned by the Government or if they would be privately owned.

Mr. Taylor replied that they would be owned by the Government.

Mr. Shaw said that in his opinion the deal was as good as it could be under the circumstances.

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

Mr. McKamey questioned subsection (c) and said he had no idea what distance the designated area was going to be. It could be from Takhini Bridge to Mayo. He said that subsection (c), which is mandatory, said "shall yield the right of way to domestic livestock and having yielded he may proceed with caution". He asked if he would be compelled to drive the rest of the way to Mayo because he passed some horses at 10 miles an hour.

Mr. Shaw said to proceed with caution was always a good virtue.

Mr. Livesey spoke on the motion and said that the outfitters in his area would appreciate the opportunity of feeling they had some protection for their livestock.

Motion Carried.

Discussion followed on Bill No. 7, An Ordinance to Amend the Pharmaceutical Chemists Ordinance.

Discussion Bill  
No. 7

Mr. Boyd said that he was under the impression that they were going to let it die as there were a number of things wrong with the bill and it was not a bill that would be required.

Mr. Livesey commented that he could see the bill creating quite a bit of hardship in the operation of businesses in the Territory and a lot of what the average person would refer to as "petti fogging red tape" with no basis or reasoning behind it for the simple reason that after they had been used to handling such common products as turpentine, methylated spirits and matters of that nature it can be clearly stated that if they were going to start signing back and forth under the terms and conditions under this ordinance, which he felt was absolutely unreasonable, they were just putting their heads in a noose and creating more problems.

Committee agreed to leave the matter.

Discussion of Sessional Paper No. 24

Discussion followed on Sessional Paper No. 24, dated April 6th regarding Daylight Saving Time.

Mr. Boyd suggested that they leave the matter until they find out whether or not the people want daylight saving time.

Mr. Taylor (with Mr. Shaw in the Chair) disagreed. He said that the Commissioner asked Council if they had any suggestions to offer as to the period daylight saving time should cover.

Mr. Shaw suggested that it should be for the same amount of time as in B.C. Personally he was not in favour of daylight saving time but recognized the fact that if the people had an opportunity to vote on it it was one way of finding out. He suggested that it not be for more than one hour.

Mr. Livesey said the question was going to be put forth to the voting public of the Territory as an item which would go along with their ballot. The public would have a chance to say whether they were in favour of it or not. Along with that decision a Council would be decided upon by the same voters. It was the following Council, in his opinion, that would be in a position to decide whether it should be inaugurated for two, three or five months and at what time, where, when and how. He said it was a problem for the following Council.

Mr. Taylor said he would agree except it left the people in a position where they did not know what they were voting for. He said that some people would vote in favour for one hour time change but not for a two hour change.

Mr. Livesey said there was another aspect of it that he did not go along with. He said that if they were going to ask the people of the Territory what their opinion was why should it become an issue of the next Territorial election.

Mr. Shaw said in his opinion the Commissioner was asking for advice and it was nothing but fair that they should come up with an answer on what they felt.

Mr. Shaw moved, seconded by Mr. Boyd, that this be for one hour change and that the future Council determine what dates this should be.

Motion Re Daylight Saving Time.

Mr. Livesey said that it seemed to him that the motion was quite improper. When one was taking something to the general public to find out what they require, he did not think there should be any stipulations of any type. He said that by sitting around this table and voting on this would stipulate as to the individual position of the Councillors with respect to daylight saving. The people will decide and therefore the Council could not decide whether it was going to be one hour, or two hours because the next Council had every right to make a decision as to what they felt about the situation. And by that time it would already be established by vote whether the people want it or not. He could not see the motion whatsoever.

Mr. Shaw said he could see nothing improper about his motion.

Mr. McKamey said he did not think they could decide what the next elected Council should do.

Mr. Taylor (with Mr. Boyd in the Chair) said if it wasn't specified then the public would be at a loss as to what they were voting for. They should be informed as to why they are voting and he felt the motion was quite in order. In his opinion it was not out of line to present their thoughts on the matter to the Administration.

Mr. Livesey said that he didn't feel they were right in precluding the rights of the next Council and he didn't feel they should do so. It was not very often the people get a chance to make a decision on anything on a broad basis.

Mr. Taylor (with Mr. Boyd in the Chair) said ~~that~~ he felt the motion should stand and should be supported so that people would be in a position to know what they were voting for.

Mr. Boyd said that he remembered voting on the plebiscite in Manitoba for daylight saving time and he could recall that they were asked if they were in favour of advancing the clock one hour from the 1st of May until the 1st of August or the 31st of August. We knew what we were voting for and he thought the people of the Yukon would know too.

Mr. Watt said he felt it should be left to the plebiscite to decide what the people wanted. He did not want to jump up and say he voted for the motion and was in favour of one hour daylight saving time.

Mr. Shaw said he thought this was one of the cases where one has to stand up and say what one felt. He said "I am giving a suggestion, if Council doesn't accept it I will sleep good tonight just as well as any other night."

Mr. Livesey said Mr. Shaw has suggested that every once in a while one should stand up. He felt this was true and said that as Mr. Shaw had suggested that it should be stipulated to be one hour, he was however apparently expecting the next Council to sit down because they would not be able to stand up on it. In his opinion the main question asked was whether they were in favour of daylight saving time or not. The question of how long or how short should be left to the decision of the next Council.

Mr. Shaw commented that daylight saving time was something instituted by the present Council and in his opinion it was up to them to give direction.

Motion Carried with Mr. Watt,  
Mr. Livesey and Mr. McKamey opposed.

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

Motion Carried.

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

Committee convened at 10:25 a.m. to discuss bills, memoranda, motions and Sessional papers. It was moved by Councillor Boyd, seconded by Councillor Watt that the question on Bill 13 be not put until Monday next. Motion Carried. I can report progress on Bill #13. It was moved by Mr. Shaw and seconded by Mr. Livesey that Bill # 21 be reported out of Committee without amendment. Motion Carried. Committee then discussed daylight saving time. It was moved by Mr. Shaw, seconded by Mr. Boyd that a one hour change be considered and future Council to decide other factors such as date, periods, etc. Motion Carried.

Council accepted the report of the Committee and adjourned until Monday, April 27th, at 10:00 o'clock A.M.



Monday, April 27th, 1964  
10:00 o'clock A.M.

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

Mr. Shaw gave notice of Motion in relation to First Aid Courses.

Motions:  
No. 42

Mr. Shaw gave notice of Motion regarding Village of Teslin

No. 43

Mr. Watt moved, seconded by Mr. Boyd, that it is respectfully requested that the Administration provide Council with complete information and the steps that were taken that allowed the White Pass and Yukon Route to re-survey lots in Carcross area that in effect reduced taxes on the land. It appears that the intention of a previous Council were circumvented. It is therefore respectfully requested that Council also be provided with the decisions that were made by the Administration, by whom, and on what authority that allowed the Company to circumvent the clearly stated intention of the Territorial Council.

Production  
of Papers  
No. 8

Motion Carried.

Mr. McKinnon moved, seconded by Mr. Boyd, that in the opinion of this Council, liquor prices in the Territory be increased only on those brands whose prices have been increased to the Territorial Government by the distiller and only to the actual extent of the increase.

Motion  
No. 39

Mr. McKinnon, speaking on his motion, said he believed the motion was self-explanatory. They had debated on this at great length and he felt Council was pretty well in accord with it.

Mr. Taylor concurred with the motion and didn't think it could be emphasized too strongly that this was one measure of representation by the Council that should be enacted if approved by Council. He would really feel bad if this motion was passed and nothing was done about it. He wished for the record that he sincerely hoped that the Administration would enact the provisions of this motion if the motion was accepted by Council.

Mr. Boyd felt sure that the Department would be most happy to put the contents of this motion into existence.

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKamey, that in the opinion of Council plans should be implemented with a view to keeping the Haines road open all year round.

Motion  
No. 40

Mr. Boyd, speaking on the motion, said this road was opened last fall on a trial basis and they hear lots of rumours concerning the cost, etc. and lack of use of the road and the amount of times it has been closed. All this is expected and it couldn't be otherwise in view of the fact that the snow was in the air and the ground was frozen and none had made up their minds as to what was going to happen to the Haines Road last fall. It was a last minute effort with no proper equipment, no planning, no waste operators to operate the machinery, etc. It had no chance of being run in a manner that was to be desired. The public had no chance whatever to use the road because previous plans had been made in lieu of the fact that the road would more than likely be closed. If it was not kept open Prince Rupert and the Yukon would lose a lot of business. He wanted to go on record as being concerned about it and if it was given a chance it would progress and be used in a big way. The point of making this motion was that they do not want to have the same thing happen that happened last year where no one was doing anything. He wanted to see some understanding now or very soon so the public could be guided by their own dictates.

Mr. Taylor said that in view of the fact that the Haines Road was on an experimental basis they should be coming up with some figures sometime this summer on which to predicate future costs but his knowledge of the situation was that it certainly does accord them the only independent access to tide water and consequently he thought every effort should be made to keep it open if it is economically feasible to do so. Therefore he would support the motion.

Mr. Shaw said it was a Federal matter and therefore it would be a Federal decision. He said that the Government should make their policy known just as soon as possible so a lot of people could make preparations accordingly as to what they were going to do. The fact that there was such short notice last year the people could not make preparations ahead of time to have freight carried over the road. If the declaration was not made until fall it stood to reason that people in the trucking business will have made other arrangements. He would ask, in relation to this motion, that the Government get an answer, whether in the negative or affirmative, and they want it in the affirmative, as soon as possible.

Mr. McKinnon agreed with the principle of the motion but he found it a bit ambiguous as if they were asking for something new and as if the Haines Road was never kept open on a year round basis before. If it was to read "with a view of continuing to keep the Haines Road open all year round" he would agree with the motion but as it stands it sounds like a complete new idea.

Mr. McKamey agreed with Councillor McKinnon.

Mr. Boyd said he would welcome an amendment if that was the wish of Council and he would also like to point out that this road was not kept open as an experiment but it was kept open at the insistence of the Americans in order that the Alaska Ferry System could operate. Ottawa didn't do this on its own initiative by way of an experiment. The Alaska Ferry System brought it to a head and will be there next year if the Haines Road is kept open otherwise the Ferry System wont be there.

Mr. Watt thought the motion clear enough the way it was. He understood that last year was a seasonal operation to find out what the conditions were and this motion would leave it open for the Federal Government to have the support of Council in relocating parts of the road in a heavy snow belt etc. However he would go along with an amendment.

Amendment to Motion No. 40.

Mr. McKinnon moved, seconded by Mr. Watt, that the motion be amended as follows: insert the words "continue to keep" after the words "view to" and delete the word "keeping".

Motion Carred As Amended.

Motion No. 41

Mr. Watt moved, seconded by Mr. McKamey, that it is the opinion of Council that provision be made in the budget by the Department of Education to assist in the setting up of a retarded childrens class.

Mr. Watt speaking on the motion, said that as most of them knew there was an association being organized to assist in a retarded children's class in the Territory. He believed the association was going to need some assistance from the Department of Education and he thought this should be within the budget of that department so they could keep a close scrutiny on anything they allocated as an expenditure. He thought the association may need assistance in the form of the use of a classroom in Camp Takhini and it might be difficult for the department to give the permission to use this unless they have the approval of Council. At the moment the Retarded Childrens Association is progressing very favourably and he thought the chances very good of having a class open in the Territory in the fall.

Mr. McKamey said in seconding the motion he thought it a very worthy motion and would serve a very worthy purpose in the future. If this motion was accepted a provision could be put in the budget for \$1.00 and if there was any additional cost it could be picked up in the Supplementary Estimates at the fall session of Council.

Motion Carried.

Mr. Watt asked Mr. McKinnon, Chairman of the Physical Fitness and Amateur Sport Committee if he had any outline or pamphlet that would be a guide to organizations that would be interested in applying for funds.

Mr. McKinnon replied he had a file full of material but he didn't think there was one comprehensive pamphlet which would explain in simple form exactly what was required. However he would look into it.

Mr. Taylor asked if it would be possible to have answers to Questions 23 and 24 by 2:00 o'clock in view of the fact they must once again discuss Bill No. 13.

Clerk-in-Council said yes that it was quite possible.

Mr. Taylor moved, seconded by Mr. McKamey, that Mr. Speaker do now leave the Chair and Council resolve itself into the Committee of the Whole for the purpose of discussing Bills, Memoranda, Sessional Papers, Motions and other matters now in Committee.

Motion Carried.

In  
Committee  
of the  
Whole

In Committee of the Whole:

Committee proceeded to discuss Sessional Paper No. 13, the Report of the Liquor Committee.

Discussion  
Sessional  
Paper #13

The Chairman said they were being asked to accept or reject in principle the items in the report.

(1) Liquor Commission

Mr. Boyd said that in his opinion and possibly that of the Committee this is the most important recommendation in the whole brief. If this is implemented it would be a start towards running something on a basis other than on purely governmental reasoning and thinking. He had grave doubts that unless this Council does something that will ever get off the ground. They recommended up to a 20% decrease in the price of beer but the Administration claims that a 20% decrease would amount to a loss in revenue of \$242,000.00 for beer only. If they took 100% decrease they would come up with a million and a quarter dollars. They only make a million dollars all told in all of the liquor sales of which beer is only half. If he was reading and thinking right there was something wrong with the figures, 50% wrong. He said he may be wrong in his thinking however as he saw it, Council is obliged to accept what recommendations they see fit to do so in the brief and then do the worrying later.

Mr. Watt said in the report it stated a chairman be engaged on a full time basis and that two members be engaged for two year term and be paid \$20.00 per sitting day and in a memorandum from Commissioner Cameron, dated April 14th, in reply to Question no. 1, it says two inspectors - a total cost of \$12,000.00. He wondered if the question was not clear and asked Mr. Boyd to comment on this.

Mr. Boyd said there was no recommendation in the brief for any additional inspectors this is something they have tossed in themselves. He said this has nothing to do with the brief.

Mr. Watt said he wanted someone from the Administration to come along and give them some help on this to find out what the difference of opinions were.

Mr. Boyd suggested they take the brief first and agree amongst themselves as what they are prepared to accept and reject, then they can go back to the questioning of figures.

Agreed.

Mr. Boyd said that in regard to a liquor commission this question was put at every hearing and it was 100% acceptable and the people were most enthusiastic in some cases.

Committee agreed to Item (1)

(2) Interdicts

Mr. McKinnon said that he did not see where interdiction is solving any problems, whatsoever, as far as alcohol in the Territory is concerned. He heard from the Welfare people that the increased use of alcohol, especially among the Indian people is causing great hardships and he knew from sitting in the Magistrates Court that interdicts appear time and time again. It is just not a workable solution for the proper use of alcohol and he didn't know what the answer was.



Mr. Shaw said he agreed with a lot of what Councillor McKinnon stated however when some of these people get absolutely crazy through the use of liquor, it is an attempt by law to curtail them from their own faults. He agreed it was a far more reaching thing, they should have classes, schools, training, etc. but so far no one has been able to use sufficient grey matter to come up with something that will provide an answer for these things. One of these days some one might come up with a serum that might work but at the present moment they have no means of curtailing it except by interdiction. He thought it was a good recommendation insofar that it gives a certain amount of responsibility to the individual to see if he can straighten up.

Mr. McKamey asked Mr. Boyd if during his enquiries he found if they still have interdiction in the Provinces.

Mr. Boyd said yes. In the same category as they are in now. He said this is a new thought, which is in existence in some of the Provinces.

Mr. Watt asked Mr. Boyd, if during his hearings, if anyone came up with any suggestion that he thought would be acceptable to do away with the interdicted list.

Mr. Boyd said there was no such suggestion or recommendation that it should be done away with.

Mr. Taylor (with Mr. Boyd in the Chair) agreed with Councillor McKinnon. He could see where little is accomplished through involuntary interdiction, especially with the natives and it is very unworkable. He would say that possibly this new approach would better the situation and he would agree to it in principle at this time because he didn't think they, at this time, would be able to outlaw interdiction, however he felt the only effective interdiction is voluntary.

Mr. Livesey agreed that it doesn't seem as though interdiction has worked successfully as an antidote. It also creates a lot of difficulties for those persons serving liquor because there are no identity cards and the bar tenders do not know who they are dealing with from time to time as people move around the country so much. However if they put down a particular stipulation as to time of interdiction they are taking away the power of the court to decide between the differences of individuals. He felt the people are different in nature, backgrounds and experience and when the court attempts to decide what should or should not be done to an individual attempting to better himself, it seemed to him they have to deal in different ways with different people.

Mr. Boyd said this Alberta Alcoholic Federation, that was making the survey, were very strongly in favour of the recommendation and they thought it very good.

Mr. McKinnon thought it very hard to agree to this in principle when you disagree with interdiction as a system, but he would go along with a probationary period and see how it works.

Committee agreed in principle to (2).

### (3) Alcoholism

Mr. Boyd noted an item in the budget to cover this and said he didn't request it to be put in there, it seemed the Administration had done this on their own. It seemed to him they were in favour of this and rightfully so. The Government sells the venom in the first place, it gets in the bloodstream and it is only right they should take care of its consequences and up to now they haven't been doing this. It has reached a point where 75% of their welfare is responsible one way or another to the use of alcohol and it has reached a crucial stage where they have seen the light and something has to be done.

Mr. Livesey said that it seemed to him they were trying to play it loose on both sides of the fence. They want to up the price of beer and liquor to make more profit, and on the other hand they are willing to spend a little money to bring these people back to actually drink the stuff. He believed that institutions such as Alcoholics Anonymous

should be assisted because they are doing a very good job. He just hoped that the expense on the other side of the field didn't get out of hand.

Mr. Shaw referring to the last paragraph said he thought that was the best section in the whole recommendation. Alcoholism is something only the person himself can break. He thought Alcoholic Anonymous was a terrific organization and to help them in their work was a very good recommendation.

Mr. Boyd said this was not Alcoholics Anonymous but is the Alcoholic Federation of Alberta which has been in this business for 10 years and are making good progress. It is these people who were here and made a survey and reported back to the authorities what they found and it is these people who will set up, if given the opportunity, to carry out the recommendations that are listed there.

Mr. Shaw asked where Alcoholics Anonymous fit into the Alcoholic Federation of Alberta.

Mr. Boyd said they would work hand in hand. He said there was a big story to this and as he said they made a survey of the country and everyone was in agreement that it should be operated. It will be operated with government money but under the heading of an individual organization such as Alcoholics Anonymous. Virtually it was the same thing but they had gone a lot further. It can not be a government run affair but it was controlled by the government but it does not look like it was government.

Committee agreed in principle to (3).

(4) Alcohol Education.

Committee agreed to (4)

(5) Legal Age Limit.

Mr. Shaw said there were reports on that they could look at and substantially he would agree but they have members of the armed forces under 21 and the fact that these people are good enough to go overseas, etc. and with the training and discipline they receive, he would not think it harmful that these people be not restricted. He asked if consideration was given to that. Mr. Boyd said yes, very thoroughly, it was discussed at great length but they were still 18 years of age and if they were in the Army, so what, there are only a few of them, they are no different to the man not in the Army when it comes to living and this had been demonstrated more than once, their thinking was still not that of 21. This was a very controversial deal, some said to do away with it entirely, etc. but he pointed out that he was at a youth meeting right here in Whitehorse and he asked if they wanted the age limit reduced to 18 and the answer was unanimously 'no'.

Mr. Shaw said he drank before he was 21 and he did not think it affected him very much as an individual and he did not know whether it was legal or not but he manufactured it himself so it was purely an internal affair. He felt the persons in the armed forces, by virtue of the fact they had discipline which the normal person does not have, that it would do very little harm, it might even raise the enlisting rate.

Mr. McKamey agreed with Councillor Shaw on this but he thought the R.C.M.P. should be included in this as well, using the same reasoning as Mr. Shaw did. They were subject to danger at all times and when you stop and think about it, there was nothing in the Liquor Ordinance which prohibits the strong arm of the law, from entering the liquor outlets in the Yukon Territories and a lot of these R.C.M.P., he understood, were from the age of 18 and up and he thought this could be a violation of the Liquor Ordinance. He would support something along this line if the R.C.M.P. were included with the armed services, this was only right.

Mr. Boyd said he thought they would have quite a controversial subject on their hands if they tried to make exceptions to the rule. By their own same reasoning, the man that was capable of fighting for his country and capable of drinking when he was 18 years old, be it man or woman, he was quite capable of voting at 18. So far he wasn't able to do so even though he was overseas fighting so this was further reaching than meets the eye.

Chairman asked if Committee agreed in principle with item (5) and he was quite sure the debates would be noted in votes and proceedings.

Committee agreed in principle to Item (5)

Mr. McKinnon said he agreed whole heartedly with the principle but he could see it being unenforceable.

Mr. Shaw said he agreed with Councillor McKinnon.

Mr. Boyd said because it was unenforceable does not mean that it should not be permitted, because you can not enforce something was admitting defeat. The fact that it was being done every day and against the law does not make it right that you should not do it, you might as well say it was okay to do it then you were not breaking the law, even though you can not enforce it. There are some people who are honourable and honest and they resent breaking the law and he did not feel it should be there. He thought it should be corrected to suit a man like his honourable friend Mr. Shaw, who was able to conduct his own affairs and live and keep himself in good order.

Mr. Shaw agreed very much with Councillor Boyd in that there was nothing wrong with taking a bottle of beer on a picnic, it was almost a person's right but he was foreseeing, and he may be a little suspicious, where there could be some great drinking parties under the guise of being out on a picnic. Then after that when they drive home there could be an accident and half a dozen people get wiped out.

Committee agreed in principle to item (6)

(7) - Hours Open for Business

Mr. Boyd said he thought it would be wise to leave this until the Bill comes up before the House.

Committee agreed.

(8) - Publish Liquor Laws

Mr. Boyd said that this would be something like the mining laws, once in a while they would put something in the papers to keep the public aware of things.

Mr. McKinnon said he doubted if this would be the best read section in the paper but anything was worth a try.

Committee agreed.

(9) - Inspectors

Mr. Watt asked Mr. Boyd if the Liquor Commission would actually run the Liquor Department.

Mr. Boyd said yes, with the exception of the money end of it. The Committee felt that they would never get away with that so they left the money in the hands of the Administration.

Mr. McKamey wanted to know to what respect because it seemed to him that the money was the control of the whole situation. He could not see how this would operate.

Mr. Boyd said the liquor commission was what they were concerned with, if they get that then the inspectors and the others will be responsible to the liquor commission. If they were to say the liquor commission will be responsible for the prices and control of the money, they could see where it would never become a reality because the Administration, knowing them as he thought he did, would never agree to this.

Mr. Livesey did not like the fact that as far as the R.C.M.P were concerned, in the outlying areas, they were going to get the policemen as inspectors, no one else was, usually the R.C.M.P., under their normal duties, are prosecutors in cases against people who have broken the law, and this seems to give a little added impetus to the individual who was already the prosecutor. He felt if policemen were going to be inspectors, they should not be allowed to be prosecutors in cases at the same time. They should be no different than a civilian inspector in Whitehorse.

Mr. Livesey agreed with the exceptions as noted and the other Members agreed to item (9)

(10) - New Outlets

Mr. Boyd said that Committee struck 30 rooms as a figure but if a liquor commission comes into being they may have further recommendations that might be a little more sensible but they thought this would suffice for a start. It will have a bearing on the type of buildings that were going to become outlets.

Mr. McKamey said that since the Department of National Defence had left the Yukon, would this include the canteens along the highway, the Officers mess, the Sgts. mess, the Jr. ranks mess etc.

Mr. Boyd said this Government had no control over the Army or anything pertaining to Army canteens, they run their own show and this recommendation can in no way interfere with their workings, they are gone and their messes will go with them.

Mr. McKamey begged to differ with Councillor Boyd on this point. He understood the messes were still operating even though the Army has pulled out. However he did not know under what authority in the Liquor Ordinance. He was told the Army was leaving and the Department of Public Works was taking over these. When this comes under the jurisdiction of D.P.W. is it still going to be allowed?

Mr. McKinnon asked if the land was still D.N.D. land, if so then the Territorial Government has no control.

Mr. McKamey said he understood this land was being turned over to the Dept. of Public Works also and he wondered if Councillor Boyd had at any time got an interpretation on the rights of the D.N.D. insofar as liquor was concerned in the Yukon Territory. He saw nothing in the Yukon Act that would indicate that D.N.D. could establish liquor outlets in the Yukon Territory, he did see in the Yukon Act where this was a Territorial matter and it was to be governed by Territorial legislation. He wanted to know where the authority comes in in peace time insofar as the Army or any other government branch is concerned. He asked if this was questioned at any time.

Mr. Boyd said yes, it was brought up by some of those they listened to and the Legal Advisor was present at the hearings, and the opinion Mr. Boyd arrived at was that the Army were masters of their own House and beyond their jurisdiction, as long as it was Army.

Mr. Livesey said it was no longer Army.

Mr. Boyd said this was true but this had happened since they have been sitting here and he did not want to say what the law was going to do about the situation.

Mr. McKamey said this was the purpose of their being here, this could be one of their recommendations or an amendment. He thought this thing should be nipped in the bud as of now. First of all they have numerous outlets in the Yukon Territory and they know they are operating 31 days of the month and they are going to ask the hotels to have 30 rooms and try and encourage the hotels that are in business to extend their facilities because they are promoting a tourist trade. If they are going to allow the organizations

to contribute nothing to the support of the economy in the line of providing facilities for tourism, he thought this would be a very sad mistake on their behalf. He thought they should give cognizance to the fact that these hotels, when expanding go to considerable expense, and he thought they should do something now in these recommendations. If Council would agree he would like to have this paragraph 10 deferred until they give it a little more thought and maybe propose a further recommendation to this.

Chairman said this acceptance was only in principle and their opinions and comments would be noted in Votes and Proceedings in drafting legislation and by that time they would be able to amend any legislation that was provided. He would assume they were dealing in very rough principle with these items.

Mr. Livesey said another point he wanted to bring up in regard to the curtailment of new outlets outside Whitehorse. He thought in some instances there was every justification for curtailment for an outlet. He also felt the commission, in looking into the matter, and Council, in giving its verdict with regard to the wording of the suggestions, should also realize that controlling of outlets without control over prices could turn out to something else again. For instance if you curtail competition those still in business can still raise their prices beyond reasonable level.

Mr. McKinnon said in relation to the 30 rooms to accommodate the public, he was thinking along the lines of the Department of National Defence and the Camp Takhini area, he thought there would be a lot of surplus EMQ buildings coming up for sale that a person could move out on the highway, make 30 rooms and open it up. Another person to get 30 rooms, would entail a cost of say half million dollars to put up a hotel. He wondered if any consideration was given to the standards of these buildings.

Mr. Boyd said the assumption was that a liquor commission was essential and that the building shall be constructed and equipped to the satisfaction of the commission. He looked at several ordinances and Manitoba, particularly, was one they followed and they picked this much out of it. If a commission was formed they could lay down the facts and figures as they want but until such time it would suffice to be "equipped to the satisfaction of the commission". Further on they say that "two individuals appointed by the commission, be residents of the district in which the building is to be erected". They would have to pass their judgement on whether the building was acceptable along with the three man commission.

Mr. McKamey wondered when a new organization takes over one that has been operating is it necessary for them to apply for a new licence or can they carry on business under the previous licence.

Mr. McKinnon said they must receive a new licence. In regard to the second paragraph he asked if this entailed any new place, hotel built where alcoholic beverages are to be sold, must now have a restaurant on the premises and how will this effect premises which have licences and have no restaurants.

Mr. Boyd replied the new outlets must have places to eat as stated and that space must be equivalent to the space allowed for a licenced premise. As for those in business now, it does not indicate changing their status but no more of them can get a licence.

Mr. Watt asked if the Chairman of the Liquor Committee thought of having a gradual stage of improvement so that eventually everyone licenced will be equal under the law, old and new.

Mr. Boyd said yes, as new outlets come along and go up they are going to be the more popular places to spend your money at and those that aren't popular are going to have to do something about it. He understood the '98 has

plans for adding additional rooms etc. Not because the owner wanted to but he was being forced into it one way or another.

Mr. Shaw said he had two questions to ask in regard to "Any space where alcoholic beverages are to be sold must be no larger than the space provided on the same premises for the sale of meals." He thought this seemed a little drastic in some cases and he wondered if this included the kitchen where the sale of meals are and this would prohibit anyone from getting a licence who did not have a restaurant. He asked if this was correct.

Mr. Boyd said this was absolutely correct. Anyone who was going to run a hotel was there to serve the public and he was there to feed and bed them and at no time shall he have an eating place that represents a small dining room, and a cocktail lounge that was much larger. In other words he was not going into the hotel business to operate a bar, he was going into the hotel business to serve the people.

Mr. Shaw thought that might create too many cafes. In the City of Whitehorse there are adequate facilities in relation to eating establishments and yet there are some hotels that do not have a cafe. If all those hotels and beer parlors did have cafes, he was afraid that quite a number of them would go out of business, looking at it from the practical side.

Mr. Boyd said that he would suggest that they were not really hotels, a lot of them were built for a specific purpose and the hotel end of it was not the intent by management, the intent was to get a cocktail licence.

Mr. Livesey thought they could ask any of the operators along the Alaska Highway just who buys the liquor at the beer parlor and who buys it at the cocktail bar. He could assure them it was not the traveller, it is the local person who needs neither restaurant, nor does he need a room to sleep in, what he wants is a drink. The traveller along the highway, if he is dry, one won't hurt him, but as for any further drinking, he would say that is bad as there would be more accidents. As far as eating is concerned, to eat with something to drink is a good thing, but why would you turn around and say for instance that a restaurant could not serve liquor with a meal because he has not got a beer parlor or he does not have a hotel. He thought the situation was fine the way it is now so that when you have a meal, you want a drink, you can have a meal along with your drink. In his estimation this was the normal way to drink, you do not drink as much, people are a lot better, the place is a lot safer and the highway is a lot safer under these circumstances. He thought it would take a great deal of thinking before they start laying down any particular restrictions. He noted that the restrictions do make a difference between a large inhabited area and other areas outside these communities and he thought a great deal of consideration would have to be given to the needs in that particular area. Personally he favored a restaurant on the highway with the privileges for a person to have a certain amount of beverages with his meal. He thought the circumstances have to be taken into consideration.

Mr. Boyd said they have made ample allowance for that, the 30 rooms applied to Whitehorse and nearby vicinities and "The new outlets outside Whitehorse area be granted a licence only after the Liquor Commission and two unbiased individuals appointed by same, have agreed to the suitability of these in all aspects". There is nothing there concerning anything except common sense.

Mr. Taylor (with Mr. Shaw in the Chair) said he thought that in regard to the 30 rooms, they should solicit an opinion before making any move towards drafting legislation along these lines. They should seek the opinion of the Municipal Council in Whitehorse, they are going to have to live with this too. In regard to the space where alcoholic beverages are sold etc. this does include possibly the cafe because you will be serving beer and wine in a restaurant where you are serving at tables so this is a little ambiguous, however he did not think it would serve a good purpose to have the space provided for the consumption of liquor any larger than the space provided for the cafe. In regard to paragraph 3 he thought it possible that regulations would be established, which may be all right. In connection

with unbiased individuals, he would say that you cannot find two unbiased people with regards to liquor, however it is desirable to have people in the community do the deciding.

Mr. McKinnon could not see any useful purpose in the same size. He agreed with Councillor Boyd on the aspect that hotels in the Whitehorse area should provide all the facilities necessary for the travelling public but he was thinking of a case where a person did build a new hotel and decided he was going to have a specialty house as his cafe. He would have either a steak house, a rib house or pizza parlor. This would be a smaller more intimate kind of dining room and he thought they would be precluding the betterment of eating facilities if they said no, you must have the same size as your beer parlor or cocktail lounge you have on your premises.

Mr. McKamey said he knew of one hotel, where they have a tavern licence as well as a cocktail bar licence and only one cafe. He thought if they are required to provide the same amount of floor space for the cafe, this didn't seem reasonable. He thought this should be considered more and this recommendation should be amended to a degree.

Mr. Shaw thought in relation to the size of the place, it was a little too restrictive. They should have a bonafide restaurant and it appeared to him that the reason that the space was the same was so someone wouldn't have a hole in the wall and call that a restaurant. It was a little restrictive when they say of equal size, possibly  $\frac{2}{3}$  or  $\frac{1}{2}$  would be more practical.

Mr. Boyd did not know if they could change this. He thought they must either accept or reject.

Mr. McKamey said it was within the powers of the Committee to accept, reject, amend, throw out or do anything they require. It is within the legislative powers of the elected members and if this was going to create a hardship they should amend these things.

Mr. Livesey said they are not really discussing legislation they are discussing a report and they are discussing items as they come along and no doubt these items will be noted in the Votes and Proceedings and when legislation is finally drafted discussions in the Votes and Proceedings should be a guide.

Mr. Shaw said they could not change a report, they might not agree with the report and there may be sections they do not agree with and make note of them but they cannot amend or change any of the report because this was a fact, but they can recommend that they do not agree or make a recommendation that a part be refused.

Mr. McKamey said that it seemed to him if they go back to the school report, he thought Council made certain recommendations in regard to some of the recommendations laid down by the Committee on Education.

Mr. Shaw said they did not change the report.

Committee recessed until 2:00 P.M.

Monday, April 27<sup>th</sup>, 1964.  
2:00 o'clock P.M.

Committee proceeded with discussion on the Liquor Report

Item No. 10 - New Outlets

The Chairman asked for Committee's direction on this item as he was keeping track of agreement or disagreement on each item by Committee as a whole.

Discussion  
Sessional  
Paper No.13

Mr. McKamey said in his estimation it would be erroneous to turn it down and erroneous to accept it.

Mr. Watt asked for his vote to be recorded as not agreeing with this.

The Chairman pointed out they were agreeing or disagreeing with the recommendations in the Liquor Report and indicating that the Votes and Proceedings would bear out their various thoughts and comments on it, and if they disagreed their reasons for disagreement could be found in the Votes and Proceedings.

Mr. McKamey wondered "disagree to whom and why?"

The Chairman thought Members would agree that if they had a disagreement with the proposal here they have indicated such in their debates of the day and they would be noted by the legal drafters who may be drafting proposed legislation on this basis.

Mr. McKamey said they were supposed to receive their direction from the representatives of the people.

The Chairman asked Mr. McKamey what he proposed as he was only looking for guidance.

Mr. Boyd said there was no group of people who could sit down and put something down in black and white and have it acceptable to a group of seven men. He said this was a vast field and the Committee was on the spot of having to put something down because new outlets were a problem and they put down what they thought would come somewhere near hitting the mark at least until further progress was made. He said personally he would not be hurt if they deleted the recommendation and if they accept it fine. He said it was quite a big problem and if they were going to go into it they would find no end to their discussions.

Mr. Shaw thought the Liquor Report was a good one and agreed with Councillor Boyd it was a very complex situation. He felt the report should stand as is, without throwing out any individual recommendations, and individual opinions on the recommendations would be recorded in the Votes and Proceedings which would serve as a guide to the drafters of legislation.

Mr. Livesey wondered just how much guidance that was going to be to drafters of legislation and felt that when they come to something they do not like they should come up with some form of recommendation so that those who may begin to draft legislation after many moons of delay will have something to go on.

Mr. McKamey felt they should arrive at some conclusion and should not just leave it hang in the clouds by making some remark.

The Chairman suggested if they were going to follow this plan they should first either agree or disagree with the recommendations and should they disagree then they could possibly propose a recommendation.

Mr. Shaw said he could not disagree with Section 10 but there might be a part of it he feels should be changed but Committee apparently feels a



recommendation was good enough on the records so he would go along with it. If they wanted each Member to come up with a brief stating just what they felt might be or might not be that would be another way of ameliorating the situation. He said if you take a vote and it goes 3 to 4 that was not a very good criteria because it was very much undecided. He thought this would just be a guide because there would be an ordinance brought up which would cover these particular recommendations.

Mr. McKamey wondered if these would be incorporated as regulations or incorporated into an ordinance or just some guidance, and he asked Mr. Boyd for comment.

Mr. Boyd said here again he would rely on a liquor commission and they in the long run would come up with the concrete tables required. It would be in their hands to finalize in accordance with what meets the public demands in relation to the district where the decisions were necessary. He said certainly a decision in relation to Whitehorse would in no way compare with a decision to be taken at 1016 or any point along the highway and they would have to be considered separately on their own merit.

Mr. Livesey said he thought the Member's question was, in relation to Section 10, what were the recommendations supposed to do - are they supposed to contribute to drafting of legislation or were they given to Council in Committee as a basis for regulations through the Administration. He said it was not a question of what the liquor commission would do or would not do because the liquor commission would not draft legislation nor would they authorize legislation but that was the prerogative of this Committee to create legislation, and the legislation would show whether the Commissioner had the power to make regulations or not.

Mr. Boyd thought it would be legislation drafted wherein the Commission would have the power to make decisions by regulations "only after the liquor commission and two unbiased individuals appointed by same, have agreed to the suitability of these in all aspects." He said it would be in the hands, by regulation, of the Commission.

Mr. McKamey wondered if in paragraph 4, Section 10, the two unbiased Members would be from Whitehorse deciding whether one of the outlying districts should have another license.

Mr. Boyd pointed out the liquor commission would be made up of three men, one on a permanent basis and two others who got paid for every time a sitting was called. They would look after Whitehorse and it's immediate vicinity, but should something come up at Watson Lake this same committee would go to Watson Lake and with the aid of two people, uninterested people in that district (not the one who wants to put the tavern up), though he could possibly be allowed to sit in and listen and voice an opinion.

Mr. McKamey said he agreed to that Section now that it was clarified. He then pointed out that paragraph 2 was unrealistic.

Mr. Shaw said he felt the same way in connection to No. 5 in relation to age - that those that were in the Armed Services could drink at 18 years of age, but he was told at the time that this would go down in the records and nobody objected to it so he assumed that was the way everybody wanted it. Now he said, we want it in some other form.

Mr. Livesey said he hated to be a pessimist but it seemed to him that this group was not going to be able to do too much with this anyway because unless they had another Session between now and the fall the same thing could happen to this as happened to the School Ordinance and all they had to do was delay it a little longer and it would be into the hands of another group and first thing you knew the ball would start rolling all over again. That, he said, was the sum and substance of the whole situation. He thought there was no use being too specific but they could state what they do not like about it and put it down in black and white but all they would be dealing with was the legislation anyway. He said they had been working on it for a long time and still there was no legislation and there would

in his opinion be no legislation when this Council was dissolved.

The Chairman asked if it would be reasonable to report that Committee generally agreed with Item 10 but did voice disagreement on paragraph 2 related to provision of space, and the opinions could be picked up in the Votes and Proceedings.

Mr. Shaw wondered if the objection would be it was not enough or too much.

Mr. Boyd said they should state it was felt paragraph 2 should have further consideration, rather than say they objected.

Mr. McKamey wondered if the Liquor Committee had made a recommendation in respect to the number of outlets they could have in the outlying districts as well because there were communities in the Yukon such as Upper Liard and Pelly that were predominantly native and thought it would be erroneous to have too many outlets in such areas.

Mr. Boyd said there was concern about too many outlets where they were not warranted. He said in Item 10 the first 3 paragraphs affect Whitehorse and its immediate area, and for the outside areas a new look has to be taken and licenses would only be granted after a lot of consideration had been given by the commission and the 2 unbiased individuals from the district concerned. He said the buildings and so on in outside areas would have to meet with their approval - it does not say in the recommendation that they shall have to have meal space equivalent to the bar space and it is up to this group of men to decide what sort of building they should be allowed to operate in. This depends on common sense because Pelly River could not be compared with Watson Lake or 1016, and said this was the opinion of the Liquor Committee.

Mr. Watt asked Mr. Boyd if the Committee did not see fit to have the present businesses bring their establishments up to the standards of the Liquor Committee recommendations for new outlets. For instance any new outlet had to have 30 rooms and an eating area equivalent to the size of the bar, if this was thought necessary for any new construction, it must have been a good thing, and wondered why they had not recommended the same thing for present businesses to make improvements over say a period of ten years or something like that.

Mr. Boyd said it had been discussed and it was thought if they were to put a recommendation to that effect it would create a hue and cry and possibly not accomplish too much over a period of ten years but by the same token if any new buildings were going up they were going to command the business, so the existing ones would have to make improvements or virtually lose the business. He said this was another big area and suggested they leave it alone until it could be dealt with solely on its own basis as an another item entirely.

Mr. Watt said it seemed this eating establishment being so large is a detriment and it was going to cost a lot of money for an individual to put it in and the feeling is the business probably would not warrant it, and therefore these people were being burdened with an extra amount of overhead both in capital costs of construction and operating and maintenance later on and therefore this would levy an extra burden on new construction that the old constructions did not have to have. He felt this was not fair and should be the same for everybody and time be allowed for the existing outlets to meet the new rules.

Mr. Boyd said there was a large hotel built in Vancouver called the Blue Boy and they only needed 75 rooms but they needed a cocktail lounge and a beer parlor of a certain size. The Liquor Commission said if you only need 75 rooms you build the cocktail lounge and the beer parlor in accordance with the space allocated for 75 rooms. This was the answer they got, so what did they do? They kept the size of the beer parlor they wanted and the size of cocktail lounge they wanted but they built 320 rooms whether they needed them or not, so it is a matter of who is doing the talking

that counted. He said in Vancouver they take the number of rooms as a basis for the size of the outlet, in Manitoba they take the eating places as a basis. He said you had to have a guide somewhere.

Mr. Watt maintained the guide should be the same for everybody and the Commission could set the guide they wanted to use, but he felt the present businesses should be given a time limit within which to bring their standards up to the new requirements. If you were using a yardstick to determine the number of chairs in a cocktail lounge or beer parlor you should make it the same for everybody.

Mr. Livesey interpreted Mr. Watt's remarks as meaning they were issuing licenses to various businesses but setting different standards for each business to operate under the same qualifications; the standards are different for the same license.

Mr. Boyd said he was quite happy to listen to their thinking and now he would like to suggest that since Committee had the ideas, make the recommendation as to what to do with the people who were already in business. "I'd like to see you put yourselves on the spot and tell them what they are going to do - you set the gauge".

Mr. Watt said the Member from Whitehorse East left a little challenge he would like to take up. He said he would set the standard that any new place that is being built be given the same opportunities as those that are already in existence here, or if the places that are in existence disagree violently with this, they think it's too easy to let somebody else start in business on equal terms with them, let the businesses that are presently in existence put their standards up to whatever they think somebody else should have. He said if recommendation No. 10 had been here 20 years ago he did not think one cocktail lounge, beer parlor or anything else that is in Whitehorse right now could have opened their doors, including the Whitehorse Inn. He said he wanted to register his disagreement to this recommendation No. 10.

Mr. McKamey could see in a city or province where this could work to advantage to create more eating places, but when you eat you usually have breakfast at 8, lunch at 12 and dinner between 5 and 6, so there are three hours of the day they are going to require this space and the rest of the day very little business, but he said quite often a cocktail lounge could be full all day long. He did not see how that could possibly apply in the Yukon where you are only going to feed so many a day at meal hours.

Mr. Boyd said here again it applies to Whitehorse only. He commented on Mr. Watt's statement that 20 years ago there would not have been a bar if they had this recommendation, but 20 years have gone by now and they have progressed and are going to keep on progressing. He said they are not asking for the same thing any place else but Whitehorse insofar as the Yukon is concerned and Whitehorse is the only place this applied to. He said they had to start somewhere and mentioned Vancouver only started recently too and there are all kinds of conditions existing in Vancouver that do not meet with what they are doing today but he said they will eventually fade away and die.

Mr. Watt opined that this precludes anybody else from starting out in the hotel business in the Yukon, and was certain this would be the effect of the recommendation.

Mr. Boyd heartily disagreed with Mr. Watt but did not want to get into further discussion on the matter.

#### Item No. 11 - Licensed Clubs

Mr. McKamey wondered if there was any provision in the Liquor Ordinance to prevent anyone from becoming a member - could the whole of Whitehorse for instance become a member of say the Sergeants' Mess or whatever it is going to be in the future.

Mr. Boyd said only people in uniform can become members of a Sergeants' Mess, the rest are guests.

Mr. Taylor (Mr. Shaw in the Chair) said there were associate members to all the messes and they were civilians who may come from any rank and file, even the Members of Council were Members of the Officer's Mess and so forth. He pointed out he was in absolute positive disagreement with recommendation 11, although he commends the intent of the proposal he could not see that it was workable. He cited the Legion where they had veterans moving back and forth throughout the country and if there were only four people in the Legion and there happen to be five veterans come into town who were veterans but not members of that Legion they would be refused admittance and this of course was an unworkable thing. He did not feel the way things were functioning right now it was going to hurt any of the business people downtown.

Mr. Boyd said obviously Mr. Taylor does not live in Whitehorse and his thinking was in the reverse to the thinking clear across Canada because it seemed to him the provinces by and large had something to go on and had reasons for putting that in there. Mr. Taylor's remarks about veterans coming in and not being a member of this Legion was incorrect, he said they were members and could go into any Legion. He said they were not talking about these fellows but about "you and I and others like us!" They do not pay licenses like the rest of the people in business pay, they have concessions.

Mr. Taylor said these people were buying liquor and paying tax and contributing to the taxes of the Yukon Territory just as much as any other outlet and this was a great imposition. Take the Elks Club for instance if he wished to take 2 or 3 guests down there of an evening and there happened to be only two members in the Elks Club - and he was a member possibly of the Elks, had contributed a great deal of money say to the building and to the organization, pays his dues and so is very proud to take a number of guests in - but under this proposal it is entirely possible and highly likely he would be unable to take all his guests or possibly any of his guests into that association. He felt it is quite unworkable and could not agree to it. He said he lives outside of Whitehorse but spends a good 3 months of his year here in Whitehorse and he had had 6 years continuous residence in Whitehorse so was quite familiar with how things go in Whitehorse.

Mr. McKamey said he had spoken to the manager of the Legion about this recommendation and he thought it was a grand idea and could see where they were going to have a huge membership.

Mr. McKinnon asked Mr. Boyd, Chairman of the Liquor Committee, whether this 10% of total paid membership of the club in the provinces applied to the people present on the premises at the time or to the total paid membership.

Mr. Boyd said it applied to members on the premises.

Mr. McKinnon said he knew many clubs in Manitoba and thought the Liquor Committee followed the Manitoba Act quite closely and he said most of the clubs there had a much larger membership than they had in the Whitehorse, and he could see some difficulty here but was wondering about 10% of the total paid membership of that club whether they were on the premises or not at that time and whether any consideration was given to this.

Mr. Boyd said consideration was given to that and stated the Legion was quite fond of going around and giving you a ticket for .50¢ and making you a member - they would have every man in the Yukon a member of that club to get around this and fill it up and be in direct and complete opposition to the business people in town.

Mr. Watt said he disagreed with the recommendation. If two or three Elks wanted to get together and take their wives down to the club they could not take their wives in because they were not members of the Elks. The same applies to the Legion. He said it would in effect put them out of business as that type of club.

Mr. Boyd thought Mr. Watt had another misinterpretation, because when he takes his wife to the club she would not be buying him any drinks, Mr. Watt would be buying them and that was what this boils down to.

Mr. Watt assumed then that only 10% of the guests can do the buying so if there were 10 people in a club you could bring two or three people in with you but you would have to buy them the drinks. He asked Mr. Boyd if this was correct.

Mr. Boyd replied it was not quite so. He said 10% of the membership that were on the premises can be guests. The guest could buy you a drink or the member could buy the guest a drink, but he did not think it was intended that Mr. Watt's wife was considered to be one of those who buys the drinks, you as the husband buy the drinks.

Mr. Taylor thought the discussion was getting a little ridiculous but said he would note that for any member to bring a guest into a club, for each guest he brings there would have to be ten members of that club on the premises at the time. He thought this was completely unworkable as far as he was concerned.

Mr. Livesey could see this was not going to work out at all. He said years ago in Vancouver he was invited at noon-time for dinner, many and many times and one member could take 3 or 4 guests. They went along and sat down at a table and got served like anybody else. He said now it's going to create an awful lot of embarrassment and illustrated his point. First there had to be 100 people before you could have 10 guests. So somebody belongs to this club and was a good member of it, paid up member and had been a member of it since the charter was enacted and he winds up at the door with 2 or 3 guests, perhaps influential people from outside, or some particular person that they want to have a pleasant dinner with on account of business proceedings with the city or this sort of thing, and they get turned away because there were already ten people in the club who were guests because they have either signed the club register or haven't a membership ticket or something, and they know the rest are members. This is going to cause no end of grief because he did not know how they were going to talk about percentages as far as guests were concerned - would they go along counting noses. If you have got ten people in there and you know you have got 90 other people that is exactly what this means in a place like Whitehorse this is going to look so ridiculous it is not even funny. All you can do is everybody who comes to the door after ten people have come in there who are not members of the club is turned away, so anybody from then on that comes up with a guest and he is a member of the club, can't bring his guest in, and he'll say, why? and they'll say well there are 10 people in there already, sorry boys, that's too bad. You can imagine how long that fellow is going to last - not very long.

Mr. Boyd said Mr. Livesey had gone off the track once more and was talking about meals and he pointed out there was no suggestion at all here about meals. The places that this was aimed to affect do not serve any meals, all they serve is beer or whiskey.

Mr. Shaw remarked from the Chair that the object of Section 11 was to state that there was a desire as far as he could see to having a certain amount of restrictions of clubs; in other words, a percentage of members belonging to the club should be there at all times so that it did not become used to excess and the argument had been used on percentage. He gathered the Committee did not agree with the 10% because they thought it was too little and asked if they agreed there should be restrictions or should it be absolutely free and no obligations whatsoever.

Mr. McKamey thought there was a misinterpretation here. First of all there was no restriction on the amount of guests that can go to the Elks or the Legion in this recommendation but only 10% of the guests that were there can purchase liquor out of their own pocket. This puts a load on the person who had invited the guests to the club and he was not going to dig too deep and too long before he says come on lets get out where

you boys can buy. He said he couldn't see where there was any restriction on the number of guests who can go to the club, but only 10% of the total paid membership of that club that can pay. So you could have say 100 in the club, you could have 100 guests, but only 10% of those guests could pay.

Mr. Taylor said this was getting a little over-confused. First he went back to Mr. Boyd's remarks that there was no food served in these clubs but he said they do serve food snacks and he himself enjoys from time to time a very nice dinner in both the Elks and the Legion on occasion although they do not operate normally a full time cafe or anything like that, from time to time they do. Secondly they had associated facilities and services at both these clubs, he said they were only talking about the Elks and the Legion and may as well face it, the messes were on their way out, and this was what they must concern themselves with for future legislation, these associated facilities that they provide may be a dance, a bingo or any number of things and he thought if someone was there and participating and wished to drop in and have a drink while he was there without having to run down town and hire a taxi or drive down in a car, and have a little drink and go back and continue his bingo game, he should be able to. He could not see any hardship being worked on the people of Whitehorse by these two particular organizations and felt if any restrictions were to be placed on the membership or the amount of people allowed on the premises of either the Elks or the Legion it should be placed on by the associations themselves. If there were any hardship being created he felt quite confident the matter could be discussed between the operators themselves or possibly the Administration or whoever receives and handles these complaints - more particularly the liquor commission would be the one and if they went down to both these organizations and stated they felt they were getting a little out of line and asked for their cooperation he was quite sure they would receive it to the best of their ability, but he did not think they should effect legislation along this line because it was very dangerous and he was very much opposed to it.

Mr. Livesey said not very often does he get told he is off the track but he did not believe the Member for Whitehorse East really understood what he was talking about. He said a licensed club can serve meals and if Mr. Boyd had ever been in the Pacific Athletic Club at Vancouver he would know that you can take your guests in there at noon and you can buy liquor and have your dinner there too and this sort of thing could certainly happen in the Yukon and he would venture to say it is still a licensed club. As a matter of fact, if you look at all the trends and discussions of liquor and temptations towards liquor and problems of liquor that they have been discussing over the last 2 or 3 years it would be seen that Committee had advocated and pushed towards the day when they serve food and meals with liquor. This was what they were talking about and working towards - serving food with liquor because they say this was better than letting a man sit in a beer parlor all afternoon and not allowing him to eat because it was against the law, give him something to eat and he will be better off. Certainly he said when you were talking about clubs you were going to have to consider in the long run that you were going to have to contemplate clubs that serve meals. He said they know there has been a very famous one around Whitehorse that is either closed now or about due to close whose operation is based on this particular aspect and therefore you have got to consider it and this is the situation exactly as he stated it and could not see where he was off the track.

Mr. Boyd said he was going to say his last word. He said he was amazed at Committee Members attitude and said this restriction exists clear across Canada and it's there and they all agree with it because of the abuses these clubs can dream up. He said the Legion sat here and had the audacity, in front of the Liquor Committee, and told them how much money they spent on their club and the membership they had, and he stated that with the membership they had they could not possibly raise the money and said they were raising it out of the population by and large at the expense of people around Whitehorse. He said they could object to it but he had been studying it a long time and was convinced that this recommendation was the clear McCoy.

Mr. Taylor submitted that membership in the Legion here was about \$6.00 a year and certainly they can't provide the facilities and the services the club desires on their memberships alone and some had to be realized on the profit from the sale of beer to their members and guests and felt there was nothing abnormal about that.

Mr. Shaw (Mr. Taylor back in the Chair) thought the Liquor Committee had a good idea on this matter! He said he might not quite agree with the 10% because that was a bit restrictive but the idea was very sound so these clubs do not get into the business of beer selling other than to their members and legitimate guests. However he did note that this applies only to liquor and doesn't state beer. He said in Dawson they have a curling club that has a beer license and have had it for about 60 years and at no time has there ever been any complaint about members, because members that go there are bonafide members and the guests would come well within this 10% deal. However, when they have a bonspiel many times there would be more guests than members so that would stop that kind of entertainment or selling beer at that time which would create a hardship and serve no useful purpose at all. He hoped that in this recommendation it was not intended to cut something like that off because it only happens once a year for 3 or 4 days. He was sure nobody would want to stop that because it is the oldest international bonspiel on the North American continent, and he said he wasn't saying that with any guess and they have that by right of conquest for 60 years.

Mr. Boyd said Mr. Shaw's was an isolated case entirely and the Liquor Committee had never even thought of it and weren't driving at that angle, but he wondered if the license was strictly legal because there are a lot of juveniles around there and when you come to licensed premises they are not permitted. He felt if they permit them up there now this little wording will not change Dawson anyway and will carry on with their eyes shut.

Mr. Shaw said just for legality when the children go to the bonspiel in Dawson they go in a side room, not into the front where the beer is sold, so that this has created no problems whatsoever for 60 years and he did not think it would create problems from now on. He said this was almost an institution for the Yukon Territory. If it were being abused he would say by all means they should stand in line with everybody else but it certainly was not.

The Chairman noted Committee was divided on recommendation No. 11 and wondered if they would like a vote taken as to whether they agreed or disagreed.

Mr. McKinnon said he was in agreement with the restrictive intent on these clubs to limit them to a certain amount of guests but thought the 10% is a little unrealistic.

Committee agreed with the proposal but disagreed with the 10% with the exception of Mr. Boyd who felt 10% was ample.

Item No. 12, Beer and Wine with Meals and Item 13, Beer Taverns to be considered in the liquor bill.

Item No. 14 - Price of Beer

Mr. Shaw said in view of the fact they were going to lose \$121,000.00 if a 20% amount is put in, it would appear that when the recommendation was made that loss of revenue wasn't very seriously considered.

Mr. Boyd said in the first place they did not stipulate 20% but an amount up to 20%, knowing full well they would not get 20% but might get 6% or something like that. He said this figure is 50% wrong or 150% over what it should be because if this is 20% of a loss and you multiply it by 5 to find out what 100% would be it would come to \$1,250,000.00 and they do not make that much on the sale of liquor and beer combined.

Mr. Shaw said according to the figures they had here which he must assume

were correct they sell in the Yukon Territory approximately \$1,218,203.45 worth of beer. Those are the figures submitted. He said if that were lowered 20% they would have a gross revenue loss of \$243,000.00; basing that on 50% it would mean they would have \$121,000.00 loss of actual revenue, but he just wondered in view of the draft beer coming whether that would make a difference, and went on to explain the mathematical implications.

Mr. Boyd suggested the 20% did not mean anything because it is only a maximum ceiling.

Mr. Shaw agreed it was recommended that the Committee reduce the price of beer and let it go at that.

Mr. McKamey had doubts whether he could agree because they have already agreed in their 5-year fiscal agreement they would contribute so much through liquor revenue and to reduce this considerably would not be too consistent in their thinking. He said he certainly could not be a party to that, if the Administration want to band and twist and break the 5-year financial agreement he thought they were welcome to do so but he said he certainly wasn't going to go on record as agreeing because he wanted to maintain consistency in his thinking. He said personally though he would like to see the price of beer lowered like everyone else.

Mr. Shaw said he was going purely on the recommendations of the Committee and thought the price of beer would be given consideration in relation to the amount of revenue involved and so on and wouldn't mean that it necessarily had to be done.

Item No. 15 - Two Prices for Beer

Mr. McKinnon asked Mr. Boyd if it is intended by this recommendation to legislate upon the owner of the tavern or the cocktail lounge the price they must charge for the product they are selling.

Mr. Boyd replied it would not. He said the liquor store had two prices for beer at which it sells to the taverns and cocktail lounges and this was thought to be wrong. He said naturally if they are all charged the same price they have the right to sell it at any figure they like but they would probably be selling at the same price - it wasn't meant to legislate this.

Mr. Shaw assumed this would mean that beer would go up if you bought it in a licensed outlet because they charge a lesser price for it now than what the public pays for it. Would Mr. Boyd comment on this.

Mr. Boyd repeated that a tavern could buy its beer at one price from the liquor store, a cocktail lounge can buy it at another price, and what the Committee is trying to say is to sell it to those outlets at the same price and not have the two prices at the store.

Mr. Shaw said then it will cost the tavern owners more for beer because they are getting it at a reduced rate at the present moment so that if they figure they should have a certain markup the beer could go up rather than go down.

Mr. Boyd said by the same token if they assumed there was a 10¢ spread per bottle if they reduced the cabaret's price by 5¢ and increased the beer parlor's price by 5¢ you would have the medium price and no loss in revenue but you would have one price to all outlets.

Mr. Shaw thought that would depend on how much beer you sold to a tavern and how much beer you sold to a private outlet. He thought the tavern would be much the larger seller of beer.

Mr. Watt asked Mr. Boyd what was the price spread now.

Mr. Boyd could not recall but said it was not too great.



Mr. Watt thought one was \$39.00 for 10 dozen and the other \$45.00 for 10 dozen and the difference in price was only 2¢ a bottle.

Mr. McKamey asked if the prices outlined in Sessional Paper No. 44 were not the prices at which they sell the beer to the outlets.

Mr. McKinnon stated the average price they sell to a beer parlor was \$39.00 a barrel and to a cocktail lounge \$45.00 a barrel which is a difference of \$6.00 a barrel.

Mr. Livesey said one point he did not understand was you can regulate all you want as far as what price you sell liquor to the retail outlets by the government but could not see how they were going to regulate the price after it leaves the government control and was turned over to private enterprise. He thought the original idea of reducing the cost to the retail outlet was the idea they were going to sell these goods cheaper to the general public, though he said this does not necessarily mean it was going to happen at all. He said it seems that the obvious difference they were talking about right now was the wholesale price to a tavern and the wholesale price to a cocktail lounge and when this was argued three or four years ago it was stated that the Administration felt that the cocktail lounge usually catered to a different crowd and were able to get more money for their beer and therefore they should be charged more which was the argument then and apparently this was what they were trying to eliminate. He said this certainly wasn't going to alter anything as far as your retail prices are concerned because the individual can charge whatever he feels like charging.

Mr. Watt asked Mr. Boyd when this recommendation to equalize the price was made whether they specified they would equalize it by raising the price to the taverns or lowering the price to the cocktail lounge.

Mr. Boyd said no this was just a recommendation that the liquor store have one price for beer when it was selling to retailers.

Mr. McKamey wondered if this would include canteens, messes and so forth.

Mr. Boyd said they have another price and they did not consider them in the recommendation but were considering taverns and cocktail lounges.

Mr. Shaw thought the idea of the price differential in the first place was that the taverns could only sell beer whereas the cocktail lounges had a variety of commodities they could sell and made most of their profits on liquor which the tavern couldn't sell.

Mr. McKamey remembered when this was implemented in Mayo about 1954-55 - they opened a new cocktail lounge there and because it was a much nicer establishment than the other one and a person would rather sit in a nicer atmosphere if he could buy the beer for the same price, the Administration in Whitehorse instructed the operator of the cocktail lounge to raise the price 10¢ a bottle.

Mr. Boyd confirmed this and said on top of this if these recommendations were carried out the tavern operator will now be able to sell draft beer and the cabaret operator and cocktail lounge will not and that gives him back his real good edge.

Mr. Shaw said in view of that last remark it does seem to have a certain amount of merit.

Mr. Livesey still did not know how they were going to control the selling price as stated in the first part of the recommendation. He agreed with the second part of the sentence "that the liquor store charge the same price to all the .....outlets" but could not see how the first part of the sentence is operative.

Mr. Boyd stated the reason for the wording was the Liquor Committee thought there would be a tendency to sell beer at the same price

in all establishments. He said in one place you were asked for 60¢ for a bottle of beer and in the next place 40¢ and he felt this was an imposition and that was the way the public looked at it.

Mr. McKamey thought it was a good recommendation and would have a tendency to upgrade the tavern facilities and he said if you were to visit some of the taverns here in Whitehorse they would agree it was an absolute disgrace.

The Chairman asked if they were agreed or disagreed on Item 15.

Mr. McKinnon said if the intent was that beer be sold at the same price be it in a tavern, cabaret or cocktail lounge he could not agree with it. However Mr. Boyd had said that was not the intent of the suggestion and in that case he would agree with it, but felt it was not clear as it stands now under Section 15.

Mr. Boyd stated, for the sake of the record, that the Liquor Committee's intention was, as he stated before, that the liquor store shall sell to these particular outlets at the same price. He said let the chips fall where they may after that they could not care less.

Committee agreed with recommendation 15 considering Mr. Boyd's interpretation.

Item No. 16 - Draft Beer - to be considered in liquor bill

Item No. 17 - Government Liquor Store.

Mr. Boyd said this needed no discussion and Committee was clear on it.

Item No. 18 - Tied Premises

Mr. Shaw said on his trip around England this winter he found lots of pubs tied up to brewery companies and they did not seem to be doing any harm whatsoever and those places were very clean, very well kept and were really nice. He said you would see a free house, or house owned by Charringtons or Blatts and he could not see anything wrong so why the recommendation was made he could not say because he thought if you had beer companies owning these particular taverns or cocktail lounges they would be the people that could probably provide the money to put up the decent hotels they were wanting in the Territory. He understood if you had tied places such as this you would have to have some provision that they had other brands available perhaps but apart from that it would be like saying you can't gamble at a table but you can gamble at a horse track.

Mr. McKamey stated he wanted to record his objection to Item 18 - tied premises. He thought this would be a mistake because the Yukon was relatively young and they were trying to build up a tourist industry and they had been told by the director of tourism that there was a shortage of accommodation in the Yukon and he could see nothing wrong with anyone going to a distiller or to a brewery company and borrowing \$50- or \$100,000.00 or more to be able to build a hotel, and there was nothing in the Ordinance that states that if you are financed by one of these companies that you can not sell every brand that was on the market.

Mr. Boyd referred to Mr. McKamey's comment that he sees no objection to a person borrowing from a mortgage company to get a building built. He said the Committee was not objecting to this because the individual would be the owner of the building eventually and were not going to be dictated to by those people. He said tied houses must have repercussions otherwise Manitoba and Alberta would not have taken the drastic steps they had taken after all these years and gave them a period of say 2 or 5 years, whatever the period was, for the breweries to get out of the hotel business. He said in those provinces they must get out of the hotel business and there was a very good reason for it.

He ventured to say that there was brewery money in hotels right in this town today but the hotels are still under individual ownership. He said if you do not want to buy Seagram's because he started his business by bootlegging in Yorkton, Saskatchewan, and you buy Ushers for personal reasons, you will still be buying from Seagrams because they own it and the same thing goes for the breweries, they are all interlocked and you wind up by having one monopoly on all the businesses in the Yukon. He said he did not want to argue the point but was only pointing out a feature of it.

Mr. Shaw said you go into France, Germany and Great Britain and they have tied houses and there are about 200,000,000 people who seem to get along fine with them. He said they might have a million people who might have archaic ideas in Manitoba possibly or anywhere else. He could not see why it could be bad for the public if these people were also obliged to stock the other brands, if they push their own particular brand that's business and he would push everything he could make himself. He pointed out it could provide capital for people that were expanding or perhaps creating a new business and when it is paid off they would end up with something good.

Mr. Boyd said it can still provide capital under this recommendation, but at least it puts it on the private ownership basis.

Mr. Watt asked Mr. Shaw whether in Europe in the tied houses they sold all brands or only their own.

Mr. Shaw said to his observation they sold everything you wanted, some sold various varieties, some sold a few varieties.

Mr. Boyd suggested Committee make their own decisions but he would point out that while the Financial Advisory Committee were in Ottawa they asked one specific question about the liquor brief and the question was tied houses, and when he told them they had recommended that there be no tied houses they said that was fine, that was all they wanted to hear, so they are concerned about it and this was the only part of the liquor brief they were concerned about.

Mr. Livesey could not quite understand this because he did not see what Ottawa had to do with tied houses in the Yukon and said that was absolutely none of their concern. He said in the Yukon they live under certain conditions and laws and rules and regulations they set for themselves, and if they want tied houses they will have them and if they do not they won't. As far as the tied houses were concerned that Mr. Shaw was talking about he said he could not only tell them in his numerous trips to Europe a few years ago the situation over there was vastly different than it was here. They could have four or five public houses all in the same block and every one of them seems to make a living and that was all they are, they have no hotel rooms or anything else attached to them. He said not only can you get the type of liquor you need there but you can get it in a nice room that has chesterfields and mirrors on the walls and carpet in a nice quiet atmosphere with an open fireplace, or you can go to another room and put your feet on the bar and get another type of service, or you can go in the back room and play darts and play the piano, and these services are all in this one public house. He said there was everything you could imagine in these public houses and there was thousands of them. In fact he said in some small towns he thought there were more of these places than there were stores. He said during the time he was over there he seldom saw a person rolling around drunk on the streets.

The Chairman asked whether Committee was in agreement or disagreement with Item No. 18.

Mr. McKinnon said he did not know enough about it, whether under the recommendation of the Liquor Committee a hotel may still be financed by mortgage by brewery or distiller or whether the recommendation would not allow this to happen also.

Mr. Boyd said on the face of it this would not be allowed because they simply do not want one brewery, even though it is under the guise of probably two or three names, controlling the Yukon as far as beer is concerned. He thought it was better to have hotels in the hands of private enterprise and let him be the supporter of the Yukon with his earnings and his money rather than have it all shipped out and put into the pockets of big business.

Mr. Shaw said they have gas stations that are owned or financed by oil companies and wondered if they should be put out of business also.

Item 19 - Liquor Store Hours - under consideration by legislation.

Item 20 - Conduct on Premises

Mr. Shaw wondered how they could stop this unless they had these places made of glass.

Mr. Boyd said this was a matter that does not require any more discussion it is a matter of indicating to inspectors and the powers that be that things are not just good enough the way they are and it is up to them to do something about it.

Committee agreed to Item 20

Item No. 21 - Wines in Grocery Stores

Mr. Taylor (Mr. Shaw in the Chair) thought this was a wonderful proposal and hoped it could have been implemented in the present change of the Ordinance, he also thought beer should also be available in grocery stores.

Mr. Livesey said if you go down to the United States you see they have all kinds of privileges Canadians do not have and did not know when we would become modern. He said it seemed to him the Puritans landed in America but they wound up in Canada. He said there was no doubt we are old fashioned and make a big fuss over something that is food if taken in moderation and properly.

Mr. Boyd reminded Committee of a letter that went in the paper about this terrible draft - it said they were encouraging people to be heavy drinkers and so on. He said if you tried putting beer into stores you would have thunder to contend with.

Mr. McKamey did not think they could take everything that is written in the paper as the gospel truth, even if it is preached from the pulpit. He said they have had this experience before, right here at the end of a Council table, and because one person in the Yukon Territory writes an editorial in a paper it is only one individual's opinion and this could be the opinion of someone with a warped mind.

Mr. Shaw said it should be considered in the Yukon that they are taxed in the territory much less than in any province, which they felt was justified because of the climatic conditions and isolation they live under, so if it was sold in grocery stores he thought the liquor store would have to sell it to the store at a lesser profit, thereby cutting down revenue, or the grocery stores would have to charge more in order to be able to dispose of wine and beer.

Mr. McKamey disagreed with Councillor Shaw on this point because the liquor store could sell it to the store at the same price as they do to the taverns and the retail store could have the same profit as the tavern and there was absolutely no difference.

Mr. Shaw said in that case he would have no objection whatsoever.

Committee agreed to Item 21

Mr. Shaw moved, seconded by Mr. Watt, that Mr. Speaker do resume the Chair and hear the report of the Chairman of Committees.

Motion Carried.

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

Committee Report

"Committee convened at 10:35 a.m. to discuss Bills, Memoranda, Motions, Sessional Papers and other matters now in Committee. Committee first considered the Liquor Report. Committee agreed in principle with Items 1,2,3,4,5,6,8, and 9. Committee recessed at 12 noon and reconvened at 2 p.m. Committee generally agreed with Item 10 but disagreed with paragraph 2 related to space provision. Committee agreed with Item 11 but disagreed with the matter of 10% of membership. Committee further agreed in principle to Items 14,15 and 17. Committee generally disagreed with Item 18 related to tied premises. Committee agreed to Items 20 and 21. Items 7,12,13,16 and 19 are presently under consideration as legislation at this session".

Council accepted the report of the Chairman of Committees.

Mr. Speaker tabled the following memoranda from the Administration:

Sessional Papers:  
No. 70  
No. 71

- 1) Reply to Question No. 23 - regarding number of franchise agreements (Set out as Sessional Paper No. 70)
- 2) Reply to Question No. 24 - regarding the signing of Teslin franchise (Set out as Sessional Paper No. 71)

Mr. Taylor moved, seconded by Mr. McKamcy, that he be given leave to introduce Bill No. 22, An Ordinance to Amend the Game Ordinance.

Motion Carried

Mr. Taylor moved, seconded by Mr. Boyd, that he be given leave to introduce Bill No. 23, An Ordinance to Amend the Medical Profession Ordinance.

Motion Carried

Mr. Taylor moved, seconded by Mr. McKamcy, that Mr. Speaker do now leave the Chair for the propose of going into Committee of the Whole to discuss Bills, Memoranda, Motions, and Sessional Papers.

Motion Carried.

Committee of the Whole

Committee proceeded with discussion of Bill No. 13 - Teslin Franchise with Mr. Delaute (Executive Assistant) in attendance.

Discussion Bill No. 13 Mr. Taylor (Mr. Shaw in the Chair) asked Mr. Delaute if he could inform Committee why this Teslin Franchise Agreement was signed on April 21, 1964.

Mr. Delaute replied that he supposed because it had been submitted to the Commissioner on that day for signature.

Mr. Taylor said the only reason he asked this question was because they had been debating this, and at that time there were motions deferring the item and so forth on this Teslin franchise agreement. He thought the Administration must have noted this and wondered if there was any specific reason or if something came up that necessitated the signing of this agreement at this time. He said he was wondering what the motivation was and why it was signed while this matter was under discussion at the table.

Mr. Delaute said Mr. Taylor had asked the question in the beginning and answer was no and it would be no as to whether there was any particular motive.

Mr. Taylor asked if the Administration was not then aware that the matter was being discussed by the Council at this time and would it not appear to the Administration if they were aware that this should....

Mr. Delaute asked if he could have one question at a time. You asked if Administration were aware that the matter was being discussed in Council - Yes we were.

Mr. Taylor wondered then if the Administration would not agree that they knew that much of the decision in relation to the Bill as had been discussed hinged on whether or not this contract had been signed - the validity of this agreement.

Mr. Delaute said he would say no to that question.

Mr. Taylor asked on what date did the Yukon Electrical Company sign this agreement? Did they sign it as they have done in the case of the Carmacks agreement and let the Administration sign it at their leisure or was this signed mutually between both the Company and the Commissioner at the same time?

Mr. Delaute replied he would say he did not know what date the officers of the Company signed it but the Commissioner signed it on the 21st.

Mr. Livesey wondered if Mr. Delaute could tell him what effect the signing of the agreement by both parties, which he would imagine was the date of legal conclusion being April 21, what effect would this have as far as the stipulations of the Ordinance as amended last fall was concerned. In other words, the signing of the agreement, what effect would this have on the Ordinance - would it not incorporate terms of the Ordinance that was amended or repealed in the fall of 1963?

Mr. Delaute said he was afraid he did not understand the question.

Mr. Livesey repeated his question. Here we have a franchise agreement between a utility company and the Government of the Yukon Territory or the Commissioner. The facilitation of the agreement and those matters which provide for its enactment are the ordinance - the ordinance provides for the enactment of the agreement, without the ordinance there could be no agreement.

Mr. Delaute said he thought the Ordinance says it permits the Commissioner to enter into an agreement with the Company which is different from what Mr. Livesey has said.

Mr. Livesey said he did not believe so. Without the Ordinance empowering the Government or the Commissioner to provide an agreement with the Company no agreement can be reached, no franchise agreement can take place, without an Ordinance which authorizes it; therefore he said he would feel there was a definite connection between the Ordinance and the agreement and if so he was asking Mr. Delaute if he would explain just what this connection was.

Mr. Delaute said he still did not understand the question. He said his understanding was that the Ordinance Section 1, Chapter 1, 1963 1st Session which says: "The Commissioner is hereby authorized to enter into an agreement with the Yukon Electrical Company in the form set out in the schedule granting to it a franchise for the distribution of electrical energy in the area of Teslin in the Yukon Territory" and the schedule shows the agreement and this agreement was signed on the 21st of April, 1964.

Mr. Livesey wondered if Mr. Delaute could tell him when the Company signed the agreement.

Mr. Delaute said he had just answered his colleague to say he did not know.

Mr. Livesey, noting Mr. Choate was in the gallery, asked if he could attend Committee to answer the question.

Mr. Choate attended Committee.

Mr. Livesey asked Mr. Choate if he would oblige Committee by informing them when the Company signed the Teslin Franchise Agreement.

Mr. Choate said he could not give the exact date because it was signed in Edmonton, but it was in the first week of April of this year.

Mr. McKinnon asked Mr. Delaute if he was aware of the amendment to the Teslin Franchise Ordinance which is under study in the House at this time.

Mr. Delaute said he was personally as he reads all the documents that come out of the Council Chamber distributed by the Clerk-of-Council.

Mr. McKinnon asked Mr. Delaute if the Administration feels that the agreement as it is now signed would be workable under this Ordinance if it were amended at this Session.

Mr. Delaute said he did not care to express any opinion on that because it was not his function to give any interpretation of what might happen.

The Chairman asked Mr. McKinnon if that answered his question.

Mr. McKinnon said it did not.

Mr. Delaute and Mr. Choate were excused from Committee.

Mr. Taylor said he now feels they have arrived at a clear picture of the situation. Bill No. 13 has been before this House for many many days and as Members know he has asked that Bill No. 13 on behalf of the people of Teslin be amended to in fact write the people into the agreement - to read Commissioner-in-Council as the Bill states. He said they have had much debate on this subject and have been trying to get information and have been struggling along for legal advice and this, that and the other thing, and have finally arrived at a position where they find that last Monday, on April 21st, while this matter was under discussion, the Administration, knowing the position this bill was in and the position Council was in, in relation to this bill, purposely signed that agreement prior to knowing for sure whether that agreement was to exist between the Commissioner and the Yukon Electrical Company or Commissioner-in-Council and the Yukon Electrical Company. This was the question and still is the question at this table. He felt that this was highly irregular, highly unconstitutional and most certainly it could not have been perpetrated as an error, in his opinion, but that it had to be done deliberately, and he said he really now feels more strongly than ever that Council must give all franchises the protection of Council to ensure that this type of thing does not necessarily happen. He said he deplored the action taken by the Administration by signing this agreement last Monday while the matter was before Council but said he would also urge their support in the passage of this Bill signing the people of Teslin into the agreement.

Mr. Livesey said he would like to add his sentiments to it too. He thought it was a very sad situation they face on this Bill when it appears quite obvious that Bill No. 13, was being proposed by a Bill as an amendment to a previous Ordinance or repeal of a previous Ordinance and that it has been affirmatively concluded that the Administration was aware that the Council had this Bill before the Committee of the Whole for discussion and with the full knowledge that the House was discussing the question and did after many days of this House in Session sign the agreement; apparently the Company had signed it some time previous to this, but the Government chose to sign it on April 21st, just a few days ago. This to him seemed very sad indeed. It did not seem to him that there was any question about whether the House would decide one way or the other and he thought it behooved each and every one of them to take this into serious consideration when they further discuss this Bill this afternoon.

Mr. Boyd said he did not propose the amendment last fall after he had heard the remarks that the Administration could neither lower nor raise the prices without the consent of Commissioner-in-Council because he thought this was not too good and they should be able to lower their prices

if they so desired at any time and therefore he did not object to having it changed. But he said he finds that this fact is not so according to the wording he has seen since and he now feels that the people who have given this 20 year contract are entitled to protection - he said he was not saying the Commissioner was not capable of giving them that protection, but thought it needed more than just the Commissioner and it needed their representatives by and large and he further feels that these franchise agreements should all be standardized, they would be one and the same for the whole of the Yukon. He said he would not want to have Carcross changed because he felt any other functioning of it could be handled quite adequately under its present wording and he said he would vote for this new amendment to put it back where it originally was.

Mr. McKamey said he did not think they would get down to this type of politics in the Yukon but apparently it was here. He said this would be like the Territorial Council trying to pass a bill in Council while there was a court session going on in the Territorial Court to quash a conviction before the judge and jury had had time to make a decision and he said he certainly could not condone this type of thing.

Mr. McKinnon said he has had one view of this franchise agreement throughout these discussions and his view remains the same. He agreed with the Honorable Member from Whitehorse East that there should be a standardization of the franchise agreements throughout the Yukon Territory and he believed that the only sensible practicable and day to day working arrangement for these franchises and agreements was to be in the order that the Teslin franchise was at the present time. He said he had felt this way throughout the discussions and did not see fit to change his way of thinking at this time.

Mr. Taylor felt in all fairness that he would unfortunately have to be in the Chair when the vote was taken. For Committee's edification he said this question that this Bill be reported out of Committee without amendment was placed before Committee on the 17th of April and had been continually deferred until this moment and he said he felt a vote should be taken on this matter at this time.

Mr. Shaw said he did not agree with Bill 13, in fact he said he did not agree either with No. 6 or No. 7 so he is quite a dissenter on all of them. He did not see why either Council or the Administration should argue over what affects people in various areas of the Territory in this particular instance and felt that these people should do the arguing themselves. Therefore he said he had a resolution in pertaining to this which will be discussed on its merits, and in the meantime he said he was opposed to any or all of these particular agreements.

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

When Mr. Speaker resumed the chair Mr. Taylor, Chairman of Committees, reported as follows:

Committee.  
Report

"Committee convened at 4:15 p.m. to discuss Bills, Memoranda, Motions and Sessional Papers. Committee discussed Bill No. 13 with Mr. Delaute and Mr. Choate in attendance. The motion reporting Bill No. 13 out of Committee without amendment as proposed on April 17th last was carried in Committee with Mr. Shaw and Mr. McKinnon being opposed. "

Motion Carried

Council accepted the report of the Chairman of Committees and Council adjourned until 10 a.m. Tuesday, April 28, 1964.



Tuesday, April 28th, 1964  
10:00 o'clock A.M.

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

Mr. Taylor gave notice of Motion respecting the Area Development Department. Motion No. 44

Mr. Watt gave notice of Motion regarding Efficiency Expert. Motion No. 45

Mr. Shaw moved, seconded by Mr. Boyd, that in the opinion of Council it is respectfully requested that the Administration implement a system of providing First Aid courses in the Yukon Territory with particular efforts being made in the smaller communities of the Yukon Territory where sufficient local interest is shown to justify such a program. Motion No. 42

Mr. Shaw speaking on the motion said this is somewhat in line with the bill they have been discussing this session and he felt that to better implement the purpose of sections of that bill, it was necessary to train more people for first aid. He understood that in the City of Whitehorse they have classes in this respect but he didn't think anything like this existed in other parts of the Territory, at least he wasn't aware of that fact. This is to endeavour to get a program going in other places so they can get this going and that is the object of the motion and is fairly self-explanatory.

Mr. McKamey said he didn't think it was necessary to have further discussion and he was in accordance with the motion.

Motion Carried.

Mr. Speaker referring to Motion no. 43 respecting the Village of Teslin, said it seemed to him that the House was preparing to give finalization to a bill already before the House covering an agreement respecting power in the Village of Teslin and also the agreement has apparently been signed. The motion, it appeared to him, was trying to do something that had already been accomplished and under the circumstances he ruled the motion out of order. Motion No. 43

Mr. Shaw said in respect to this being out of order clause 9 of his motion referred to other areas of the Territory and when he presented this motion he was not aware of any agreement having been signed.

Mr. Speaker said under the circumstances he had ruled the motion out of order.

Mr. Shaw said if it was not debatable he would ask that the House be given the opportunity of agreeing or otherwise whether he could introduce this motion.

Mr. Speaker asked if it was his intention to appeal the ruling of the Speaker.

Mr. Shaw said that was correct.

Mr. Speaker's ruling was upheld with Mr. Watt, Mr. McKamey, Mr. Taylor and Mr. Boyd voting for the ruling and Mr. Shaw and Mr. McKinnon voting against.

Mr. McKinnon remarked that he had further information in reply to the question asked him by Mr. Watt regarding Physical Fitness and Amateur Sport. He had discussed this with the Administration and there is a pamphlet available from the Dept. of National Health and Welfare. However, the Physical Fitness and Amateur Sport program is much broader than that listed in the pamphlet and the one thing that will not be accepted are capital projects. Any other request for funds from an organization will be considered. He requested that all the community clubs in the Yukon be informed that the only thing that they know for sure won't be accepted is capital projects and any other projects should be sent to the Office of the Commissioner where they will be processed and given the utmost consideration.

Sessional Paper No. 72 Mr. Speaker tabled a memorandum from the Administration in reply to Production of Papers no. 8, regarding Carcross Lands. (Set out as Sessional Paper No. 72)

THIRD Reading Bill #13. Mr. Taylor moved, seconded by Mr. McKamey that THIRD reading be given to Bill No. 13, An Ordinance to Amend 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.

Motion Carried with Mr. Taylor, Mr. McKamey, and Mr. Boyd in favour, Mr. McKinnon and Mr. Shaw opposed.

First & Second

Readings: Bill #22. First and Second readings were given to Bill No. 22; An Ordinance to Amend the Game Ordinance.

Bill #23. First and Second readings were given to Bill No. 23, An Ordinance to Amend the Medical Profession Ordinance.

THIRD

Reading Bill #21. Mr. Boyd moved, seconded by Mr. Taylor that THIRD reading be given to Bill No. 21, An Ordinance to Amend the Motor Vehicles Ordinance.

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 Bills, Memoranda, Motions and Sessional Papers.

In Committee of the Whole

Motion Carried.

In Committee of the Whole:

Discussion of Bill #22 Committee discussed Bill No. 22, An Ordinance to Amend the Game Ordinance.

Mr. Taylor (with Mr. Boyd in the Chair) said this bill is the result of his private members bill which he had submitted to Council as Bill No. 18. It was felt by the Administration, in a memo to committee dated April 15, 1964 from the Legal Department that "I do not wish to deal in detail with drafting problems but would note that Councillor Taylor has not overcome all the problems in his bill". He said his bill, as submitted, was to provide a reciprocal bird agreement with the balance of Canada respecting the hunting of big game birds. It is nice to have a reciprocal agreement with the Provinces so they can go out and have their hunting license honored there and consequently they should extend the same privilege here, to the people coming into the Yukon. It also occurred to him, at the same time, that possibly they should extend this facility to all Provinces in Canada as the B.C. Government has seen fit to do in their Game Act. Accepting this, he extended (b) "to a person resident in Canada but not resident in the Yukon, upon production of a valid and subsisting game bird license issued to him in the Province or Territory where he resides, a license to hunt game birds only". They will note that this included the people in the Northwest Territories who like to hunt ducks, possibly, in the Yukon Territory. Mr. Legal Advisor suggested he had made a mistake in his drafting, and comes up with a bill respecting the residents of the Provinces of Alberta and British Columbia. He said this was no error on his part because this was exactly what he intended to provide. He said the item used to get the bill withdrawn was the fact that he had provided for a \$2.00 license fee which the Administration had suggested themselves. This is just another instance where possibly Council is being dictated to from upstairs. He realized the session was drawing to a close and in view of his remarks he would agree to this revised bill, in a sense under protest. He felt that these facilities should be provided to other areas in Canada as it gives them the basis upon which to build a reciprocal agreement with all of Canada. He noted that there was no reciprocal agreement provided for the people of the Northwest Territories and they should have every right to participate in such an affair.

Mr. Boyd said the limiting of this to British Columbia and Alberta gives pretty fair coverage and he was quite happy with it as it is.

Mr. McKamey said he recalled at this Council table, when one of the members didn't agree with the interpretation of an Ordinance they were told that they did not know what they were talking about. The members went along with this because they were discussing the bill with professional people. The following session the bill came back to be amended just the way they had proposed it to be amended and he certainly resented this type of thing. He thought it was something that was going to have to be corrected in the near future because they are not able to put the work through the House that they should be. This type of thing should be rectified.

Mr. Taylor (with Mr. Boyd in the Chair) pointed out that they have been sadly criticized by being laymen who don't know anything about ordinances and weren't competent but he would point out in the passing of this ordinance in the way it has come from their Legal Department that provision has not been made anywhere else. Paragraph c. of section 1 of Schedule A of the Game Ordinance is repealed, this is the schedule setting out fees, he had amended both section 36 and he read it. He said at this point he went to the British Columbia Ordinance and he noticed that section 36 of the British Columbia Ordinance was the same as ours and he concluded that in going back through the British Columbia Act that the Yukon Act was the same and it was written from it and used as a guide. Now he included in his bill provision, under that section, that the director may upon application therefor issue a bird license (b) to a person resident in Canada but not resident in the Yukon Territory, etc. etc., which was properly done and he could see no error in drafting and yet for some unknown reason, every time someone submits a private members bill it is subject to criticism by the Administration. He thought this a practice that should stop and rather than criticize it, if there is something the matter with it, they sit with them and discuss it instead of firing hot little memorandums around. He thought it was about time this nonsense stopped once and for all and he hoped that the new Council wouldn't have to put up with this kind of business.

Mr. Livesey said he remembered the incident brought to their attention by Mr. McKamey when he referred to those in higher learning who disagreed with them because when they were discussing an amendment to bills they were not professional members of the legal fraternity, and he remembered this individual rising on his feet in the public gallery and criticized the Council when they were trying to discuss questions related to the Game Ordinance, not realizing of course that the man himself was out of order. It just goes to show you that it is not the Council that makes all the mistakes, others make a few as well. He agreed with the Member who presented this bill and he thought the question in resubmission of the bill was strictly related to a question of the matter of drafting, but they find that during the redrafting part of the principle, which was submitted in the original bill, was reversed, the decision was taken out. He did not feel this was right. It was up to them to take it out if they didn't like it, not up to those who draft the ordinances. He had a great deal of sympathy for the Member who brought these matters to their attention this morning.

Mr. Watt agreed with the intention of the bill and said the last time he was in Saskatchewan he went to get a hunting license for bird and the fellow at the City Clerk's Office said well you lived here a number of years so they would issue him a resident hunting license and that is what he did.

Mr. McKinnon thought that this reciprocal arrangement should be made to the Provinces which allow a reciprocal hunting arrangement to Yukon residents, and to these Provinces only and he did not think it was going to be difficult in any manner or form to amend this Ordinance further as other Provinces agree with their Game Director to allow these reciprocal hunting arrangements.

Mr. McKinnon moved, seconded by Mr. Shaw that Bill No. 22, An Ordinance to Amend the Game Ordinance, be passed out of Committee without amendment.

Motion Carried.

Discussion  
Bill #23

Committee proceeded to discuss Bill No. 23, An Ordinance to Amend the Medical Profession Ordinance.

Mr. Boyd moved, seconded by Mr. McKamey that Bill #23 be passed out of Committee without amendment.

Mr. Livesey wondered why there were no explanatory notes as there should be attached to any bill.

Clerk-in-Council said that he assumed that no explanatory notes were necessary.

Mr. Livesey said he thought the duties of those presenting bills to the House was to provide explanatory notes.

Mr. McKinnon said that perhaps it was felt that in the case of the last bill, the Chairman would not read the explanatory notes anyway.

Motion Carried.

Discussion  
Bill #10

A discussion followed on Bill No. 10, (First Appropriation Ordinance), with Mr. Froese, Assistant Superintendent of Schools present.

Mr. McKamey asked what equipment was necessary for the Industrial Arts courses like they are holding in the F.H. Collins High School, what they are planning on having and what courses.

Mr. Froese said the present metal works shop is quite complete for their needs and the extension to it for auto mechanics would include only a very cursory preview of motor components. In this shop there will be ½ dozen air cooled engines, approximately ½ dozen transmissions, differentials, ignition systems for cars, generators, starters, etc and many of these things could be procured locally and at very little cost. There would be a cleaning tank, compressed air, a valve replacing unit and there will be the hand tools that go with these, sockets, wrenches, etc. As far as polishers, grind stones, laths, are concerned, these are already in the school in the present metal workshop and they would require an extension to this only. He couldn't say for the electrical part because the course was presently being revised and will be quite different.

Mr. McKamey asked what courses, was it just the metal works, auto mechanics and electrical.

Mr. Froese said there were five courses altogether, woodworking, electrical, metal work and motor mechanics. The graphic arts course is being offered in only one school in British Columbia, it requires small printing presses, etc. so they aren't even considering this, it isn't required here. There are just the four courses here.

Mr. McKamey wondered what they were going to provide for the other highschools in the Territory in the line of these courses.

Mr. Froese said to offer a complete shop where youngsters could take reasonably the same courses being offered here would not be too difficult, \$50,000.00 would equip a shop at Dawson, Watson Lake and Mayo if they had the space, but to find a teacher to teach the courses would be a real problem, these teachers are hard to obtain.

Mr. McKamey asked how they found them for Whitehorse.

Mr. Froese said they have been fortunate.

Mr. McKamey said not so fortunate for the other schools.

Mr. Froese said they haven't tried yet to get a teacher for Mayo as they haven't a shop there. During all the interviews that Mr. Thompson had, he mentioned that he had no commercial teachers and no shop teachers apply for positions in the Yukon.

Mr. McKamey asked if the Administration plan on providing these schools with equipment this year and make an attempt to try and get instructors for these courses.

Mr. Froese said they have no plans for providing shops in the schools outside of Whitehorse for this year.

Mr. Shaw asked how many pupils it would be necessary to have for a course in order to have a teacher.

Mr. Froese said they try to limit the course to 24 or fewer, 18 is a more ideal number as far as the maximum is concerned. The minimum is of no consideration, they could have it with one pupil if you are prepared to pay for it.

Watt asked how many students there were in Mayo that would use an Industrial Arts course.

Mr. Froese said they would have approximately a dozen, taking the Grade 8, he was thinking in terms of boys, the girls could benefit from the home economics, foods and sewing.

Watt asked how many in Dawson.

Mr. Froese said he wouldn't know off hand how many there would be, but there would be more.

Mr. McKamey said Councillor Watt asked only half a question. He should have asked how many have left Mayo, Elsa, Calumet, Keno, Dawson, Watson Lake to go to school in Whitehorse, Vancouver, Trail, Edmonton, outside of the Yukon Territory because the facilities are not what they should be in the outlying districts.

Mr. Froese said he did not have statistics on the number that have left, he knew there were some.

Livesey said he was quite disappointed that the Administration has only seen fit to provide one school in the Yukon Territory from which students can graduate. In his opinion it was a bad slap at the rural areas and the Department would have to give a great deal of consideration if they were going to find a solution to the situation. He said there were schools outside the City of Whitehorse and the children in those areas were just as much entitled to the same privileges as anyone else. "How are they going to avail themselves of these privileges?" He then added that he believed the Department of Education in the Yukon would agree with him that it had been Council's desire to increase education in the Territory. He asked how they are going to get this point across to highschool students in the outlying areas when they try to advise them to stay in school. The first thing they know they are going to have to face that they are going to have to leave home, or their families will have to move to Whitehorse, which is the only place they can obtain graduation. "If they are going to come to Whitehorse, where are they going to put them?" They had talked this situation over before and it was unfortunate that the Department of Indian Affairs, after following a certain amount of routine whereby the native children of the Territory were going to schools in their local district, they, for some unknown

reason, switched policy and instead of taking children out of the hostels across the river, they started to load them up again last year. At that time there was a suggestion that the Administration look into the situation of trying to provide accommodation in these hostels for all children. He felt this situation has come up again and he would like to ask the Administration what provision was going to be made for students from outlying areas, that wished to graduate from highschool and want to come to Whitehorse. Are they going to have the same struggle again with the hostel in Riverdale, trying to find room, or what were they going to do with these young people. He said they have every right to know what the Department was going to do to help them.

Mr. McKinnon wanted to know if the only place that students can now graduate with matriculation was in Whitehorse. He asked if this means that a person on a university course has to have industrial arts.

Mr. Froese said under the new curriculum prescribed in Victoria, which they are seeking to follow, it is suggested that all university entrance people have at least one vocational subject. In Whitehorse they have a much larger choice than they do outside. In some of the other schools it might be necessary for the boys to take typing in order to meet this qualification. This is being taught in Mayo, Dawson and Watson Lake.

Mr. Shaw said this new policy has made a change necessary and apparently they are trying to conform with it on short notice in Whitehorse. He asked if it was the intention of the Department of Education to study this matter and try to provide some course to enable the students to qualify for the entrance to university in the outlying areas.

Mr. Froese said their step for next fall was to advise the principals of all the schools that pupils in the schools where these courses could not be taken by the usual teachers, that correspondence courses will be offered from Victoria which are third best. They do make it possible for pupils to meet this requirement through correspondence courses. It is only two years now that they have offered shop, wood working to boys in Whitehorse, it is not as if it has been going on for a long time and hasn't been done elsewhere, it is a recent innovation here as well. He thought if Council wished to have shops in other schools and this can be justified under the Five Year Agreement there would be no problem in exploring this further and arriving at cost and enrollment figures.

Mr. Livesey said his question was in relation to accommodation and he wanted to know if the Department of Education, this fall, were going to attempt to provide accommodation for students from outlying areas that wish to graduate.

Mr. Froese said this year they were able to put some children in the hostels across the river. Next year this isn't going to be possible, apparently Indian Affairs feel their hostels are not going to be adequate for their own needs next fall. That means that it will have to be private homes or possibly St. Agnes Hostel can take a few. They haven't considered building a hostel at this time.

Mr. McKamey thought this was a deplorable situation. One thing he was opposed to was centralization, and this is what is happening. Centralization would be terrific if they had all the industry right here within the boundaries of Whitehorse, but industry is in the outlying districts, 250 and 300 miles removed from the City of Whitehorse and consequently it is a little too far to transport these children back and forth to school.

This creates a hardship on industry, and said he has discussed this with officials of the United Keno Hill Mine. They get a good man up there but he is only there until his children reach highschool age and he has to move out, consequently the mining industry suffers and this can go for any industry and if they are going to develop the Yukon they are going to have to face these facts. He thought this was something the Administration and the Department of Education have to consider. He said they have to make preparations for the outlying districts and provide these facilities so that companies that are interested in investing and putting money into production can hire good men and have good education systems in the various parts of the Territory and provide some encouragement. He thought this would be a step in the major development of the Yukon Territory. There is nothing gained by waiting for sufficient enrollment to make this more economical. He thought it a disgrace to even consider that they are not going to allow students from the outlying districts graduation because it is uneconomical. He said he couldn't care less what it costs when it comes to education. He said the Federal Government are doing everything in their power and this was discussed in Ottawa with the Department of Northern Affairs and with representatives of the Department of Education and they thought that the students of the outlying districts should be accorded the same rights that the students of Whitehorse are accorded, and he agreed with that.

Mr. Livesey said it was obvious when they built the extension to the Carmacks school and other schools, instead of them having enrollments of 50 and 60 it was down to 43 because the Department of Indian Affairs had made some arrangement among themselves locally that instead of these children going to the local schools they were put back into the hostels across the river. He was assured that the Administration told the Council that next year the whole question was going to be resolved. They knew the hostels were going down to a low level and then all of a sudden they started to fill up again. It seemed to him what they were told isn't going to come about because they said they are full and are going to need all their accommodation. The understanding was that Indian Affairs were going to take into consideration the objections that were made and the situation was going to be resolved - the local schools were going to be filled with local children no matter who they were, or what they looked like or what their national origin or ethnic origin happened to be and thought it was high time they put this down so that no one is going to misinterpret what they think about the situation. He thought it was high time there was less segregation and discrimination and a lot more democracy right down to the children.

Mr. Shaw wondered if Mr. Froese could assure the committee that his department will do what ever they can and look into providing as many as practicable of these industrial arts courses to the outlying areas.

**Mr. Froese said they would take that into consideration.**

**Mr. Froese was excused from committee.**

McKamey wanted to get the views of the Members from Whitehorse in regard to the discussion of supplying sufficient facilities so that children in the outlying districts can graduate.

Mr. McKinnon thought it was a real shame when the university makes, as a prerequisite to entrance, an industrial arts course, and he sympathized and agreed with the members in the outlying areas that their children should be given every opportunity to graduate from school in the vicinity in which their parents live. He thought they were arriving at a time when a child in highschool faces so many choices in the curriculum that it takes them the first three months of his educational year to decide what he is going to take on his program.

Mr. Boyd thought the idea of these courses was vicious in the way it was carried out. He said it is not only the people here in this area that are affected but there are lots of areas, with the same type of population, who are in the same boat. He could see where everyone was going to have to crawl into the outskirts of the cities. The people can't afford to stay in the hinterland education wise, earning wise, etc. He said that as long as money was the God of all the people and they use it as a yardstick, this is where the trouble lies and he did not know how they were to overcome it. He appreciated their position and agreed with their thinking.

Mr. Watt agreed that to send a child away from home for his education costs thousands of dollars and this was a burden on the parents. He thought if it was physically possible and economically feasible for these students to become educated in what they want to become educated in, in their home town they should do everything possible to assist them.

Mr. Shaw said the University of British Columbia have made certain stipulations on entrance requirements in relation to their school program and they have looked at it insofar as it affects their Province. He said it has created hardships in the Yukon as they don't have the facilities all over the Territory. He wanted to know why representations couldn't be made to the Governor of the University of British Columbia pointing out the situation in the Yukon Territory and requesting him to modify this to some extent to permit so many students each year to enter this University with the qualifications of what they can provide here, so the children in the Territory would not be prohibited from going to University. He said if committee felt this was a sound proposal he would be glad to introduce a motion to this effect and see what could be done.

Mr. McKamey said he thought Councillor Shaw's remarks had a lot of merit but he thought it would be unworkable, where do they draw the line? They have Fort Nelson, Lower Post, Atlin and several other remote places in Northern British Columbia and if they accorded us this right what would be wrong with the people in British Columbia demanding this right. He doubted if they would bend this far.

Mr. Shaw thought this would be worthy of a try if Council agreed.

The Chairman said if it was the intention of one of them to introduce a motion to Council in this regard when Mr. Speaker next resumes the Chair, they can avoid duplication of debate by dealing with the matter at that time.

Agreed.

Motion  
Bill #10

Mr. Boyd moved, seconded by Mr. Shaw that Bill No. 10 be passed out of Committee as amended.

Motion Carried.

Committee adjourned until 2:00 p.m.



Tuesday, April 28th, 1964  
2:00 o'clock P.M.

Committee proceeded with a final review of Bill No. 11, Main Supply Bill.

Final  
Review of  
Bill No. 11

Vote 6 - Municipal and Area Development Administration - \$293,620.00

The Chairman noted that consideration was to be given to Item 218 of the Estimates which was the Wells Subdivision in the amount of \$2,500.00.

Mr. McKinnon believed the question here was not so much to be considered in light of the budget but was simply for the provision of expenditure on snow plowing, street maintenance and street lighting and he said if Committee would allow these services to be continued in the Marwell Area and allow him to take up the matter further of the annual flooding conditions in the area with the Administration, he was sure they could at least try to come up with some solution and some answers to the problem of what can be done about the annual conditions in this area.

Fire Protection - Whitehorse Metropolitan Area - \$1,200.00

The Chairman wondered if this had been cleared to the satisfaction of Mr. Watt.

Mr. Watt said it had not been cleared to his satisfaction though he had received some information from Mr. Spray. He said he would like Mr. Spray to look into it further but thought he could proceed with this himself.

Canyon Crescent Subdivision - \$500.00

The Chairman noted the \$500.00 had been deleted by motion.

Mr. McKinnon stated he could not allow this vote to pass until some further consideration was given to this Establishment 217. He could not see how this could be taken as anything other than a direct act of irresponsibility of this Council towards people who bought their land from the Territorial Government and were actually guaranteed minimal services as they were going to be in a territorial subdivision which was created under the Area Development Ordinance by the Commissioner. He could not see how Council could take away even the allowance of a territorial grader to go in to the area and provide access to their lots and said even the token sum of \$1.00 provided in the budget so the Administration knew the feelings of the Committee in the further development of this subdivision would allow the Territory to at least clear their roads and provide access to their property.

Mr. Livesey pointed out that the street culverts in Carmacks are in need of attention and he said he would ask that the Engineering Department look into this before they pass this budget.

Mr. Boyd said he felt that there were many people who had not had any promises whatever but they were just as much up against the axe as the few people who were at the present time non-conformists insofar as having their roads cleared was concerned, and he felt that inasmuch as the taxes and so on in no way warranted the services demanded that a nominal charge be set up so that anyone could receive the use of the government grader by paying for it. He said this would be fair to all concerned and he thought this would be a means of creating a happy feeling by a lot of people who are living under the same conditions as the people in Canyon Crescent and many more that are not in Canyon Crescent.

Mr. Taylor said Committee will recall that he also wished to go on record as being opposed to the expenditure of a portion in the budget for the services of a layman as a building inspector in the Territory. However, he said, Council did not go along with this in the submission of the motion and consequently he said he could only now agree to Vote 6 noting that this was so and would feel that the item of Canyon Crescent would fall in the same category.

Mr. Shaw said the Canyon Crescent item had been debated at quite some length and the Committee voted it out. He said at that time he felt that was morally wrong in principle but a vote was taken and it was decided to cut it out of the budget and he wondered why they were bringing it up for discussion again.

Vote 8 - General, Property, Equipment & Workmens Compensation

Mr. Chairman said he had noted a deferment of matters of insurance, General Property, Equipment, Workmens Compensation which Mr. McKamey was not clear on.

Mr. McKamey noted these items of insurance totalled in the neighborhood of \$118,000.00 and it was his contention that \$10 million worth of insurance they were receiving in the Yukon Territory on public buildings such as schools and so forth was excessive. He was of the opinion that this could be reduced to half at least. He said he thought if the Territorial Government was to put this up to bid to insurance companies they could get the same insurance for possibly \$50,000.00 a year or even less. He had had discussions with insurance companies in Vancouver and they were of the opinion the Territorial Government was paying too much and this could be reduced considerably. He said he had submitted a notice of motion for the production of papers requesting the Administration to provide certain information in regard to requirements for insurance possibly 3 or 4 weeks ago but had not received the information. He did not know the reasoning behind it and said it may be they do not wish him to have to have the information so he could submit it to the insurance companies and show them where they could effect considerable savings to the Territorial taxpayers.

Mr. Shaw thought there might be some point in this but he said on the one hand the Honorable Member from Mayo asks that the local people be given the opportunity of having contracts in the matter of public works if their bid is within 5% of the low bid and that they get the preference and now he is suggesting that the business of insurance be take to Vancouver or Toronto or some other place where the cheapest price possible can be obtained. He could not see where the consistency was in this particular matter.

Mr. McKamey said the consistency was in saving the taxpayer \$68,000.00 a year and that was good sound economics. He said it was his duty to come to Council and see that money was spent properly. If the local residents want to bid on these contracts he thought they should be realistic about their bids and come down to something that was realistic and he said he was here to tell them at this moment that what they are paying in insurance in the Yukon Territory was not realistic but was a deplorable situation. He said there was a terrific difference between \$118,000.00 and possibly \$50,000.00 a year insurance premium.

Mr. Shaw agreed the insurance rates were high but was just referring to the method of how they should do the business in the Yukon Territory, and if it applies in one direction they should be consistent and apply it in all directions.

To add further authenticity to what the Member for Mayo had said, Mr. Livesey quoted from Item 13 of the recommendations attached to the minutes of the Advisory Committee on Finance for May 9<sup>th</sup>, 1963 - "That insurance coverage under Establishment 223, Vote 8, should be placed for bid by public tender." He said this was a recommendation of the Financial Advisory Committee over one year ago..He said "Has this been acted upon? No!" He pointed out that the Advisory Committee on Finance was a Committee set up not by the Council but by the Parliament of Canada under repeal of the Yukon Act in 1960.

Mr. Boyd thought the insurance situation should be looked into and even if they were wrong in their thinking they would at least have the satisfaction of knowing. In the meantime he felt they were faced with the problem of passing this money and pursuing the matter further not by themselves but by the next Council if they could talk them into doing so. He said the way

they were covering themselves was wrong as they have \$10 million worth of buildings scattered all over the country and not all of them are going to burn down at the same time and this was very worthy of consideration whereby insurance premiums could be saved. He suggested they pass this money and see if they couldn't carry the matter of insurance further later on.

Mr. McKamey said for the benefit of Mr. Shaw he would like to point out that in the Yukon they have \$10 million worth of insurance on schools and government buildings. These schools are located at all points in the Yukon and it was not likely all the schools would burn down in one night, one week or even one year. He said he had been in discussion with a company that was insuring for a mining company which had something in the neighborhood of \$7 million worth of insurance - this included cave-ins, underground fire and so on - and in the event of a major fire they could collect from the insurance company \$750,000.00 at one time - that was the limit. He thought this insurance policy cost the mining company around \$42,000.00 a year. He said he felt there was something wrong there because there was a difference between \$100,000.00 and \$42,000.00.

Mr. Shaw pointed out that \$61,865.00 in the budget was to insure \$10 million worth of property, if the \$10 million figure is correct. He pointed out that that amount is a much cheaper rate of insurance than the average individual can get property insurance. He said he was not saying the rate was higher that it was low but it was much cheaper than it was possible for the average citizen to get insurance.

Vote 13 - Justice - \$469,104.00

Mr. Livesey begged to submit there could be lots of notations on this one. He thought the government would be able to see the situation fairly clear whereby they have tried on numerous occasions to pass legislation in connection with this vote which would automatically cut out the power of the Council to discuss the vote and hand it somewhere else. He said they have been opposed to it and felt nothing much further need be said on this because their actions will clearly show that they do not like items in the budget which are just blanket figures with no attachments to them whereby the powers of the Council normally given to it to discuss questions in the vote or to look into matters of expenditure through normal procedure where they have been denied and he said they have made this fairly clear and do now merely reiterate the position of the Council on \$469,104.00 which was in his opinion one of the poorest entries in the entire budget. He felt it did not do justice to people who believe in democracy nor does he think it helps the Council to realize that they have an important job to do when they come here to look into questions of public expenditure connected with public taxation.

Total Operations and Maintenance Expenditure \$6,414,275.00 as noted which includes the \$500.00 deletion which was agreed to by motion of Committee re Canyon Crescent Subdivision.

Mr. Taylor (Mr. Boyd in the Chair) pointed out that he was very disturbed that the Department of Liquor in the Yukon Territory had not been included under an individual vote in the budget as asked for one year ago. He said there appeared to be a reluctance to do this but said he certainly hoped the new Council would have the benefit of being able to vote and go over the expenditures of the Liquor Department and in fact the entire operation of the Liquor Department as they can with any other territorial department by budget. He said there was nothing in the budget that would indicate to him how much money was spent in the Liquor Department and he felt it was a deplorable situation and would ask that possibly the administration would reconsider and provide the Department of Liquor under an individual vote as all other departments of administration are handled.

Mr. Livesey wondered if they could also note a request that the liquor situation be treated in the Votes and Proceedings the same way as it was in the Northwest Territories.

That concludes the review of the budget and brings them to a sum not exceeding in the whole \$8,183,904.70 with the exception of one deletion of \$500.00 as noted.

Mr. Boyd moved, seconded by Mr. Livesey, that Bill No. 11, be reported out of Committee as amended.

Motion carried.

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

Motion Carried

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

"Committee convened at 10:40 a.m. to discuss Bills, Memoranda, Motions and Sessional Papers. It was moved by Mr. McKinnon, seconded by Mr. Shaw that Bill No. 22 be reported out of Committee without amendment. Motion Carried. It was moved by Mr. Boyd, seconded by Mr. McKamey, that Bill No. 23, be reported out of Committee without amendment. Motion Carried. Committee then discussed Bill No. 10 with Mr. Froese in attendance. It was moved by Mr. Boyd, seconded by Mr. Shaw, that Bill No. 10 be reported out of Committee as amended. Motion Carried. Committee recessed at 12 noon and reconvened at 2 p.m. Committee then discussed Bill No. 11, the Main Supply Bill. It was moved by Mr. Boyd, seconded by Mr. Livesey, that Bill No. 11 be reported out of Committee as amended. Motion Carried".

Council accepted the report of the Chairman of Committees.

Council returned to Orders of the Day.

Motion No. 46 Mr. Shaw gave Notice of Motion respecting University Entrance Requirements.

Pending drafting of a bill Council adjourned until 10:00 a.m. Wednesday, April 29, 1964.

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Wednesday, April 29th, 1964  
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 the Administration:

- (1) Reply to Question no. 18, regarding the amount of money remaining in each electoral district's community development fund. (Set out as Sessional Paper no. 73) Sessional Papers: No. 73
- (2) Reply to Question no. 21, regarding Mr. Pearson on C.B.C. (Set out as Sessional Paper no. 74) No. 74

Mr. Boyd moved, seconded by Mr. Taylor, for leave to introduce Bill No. 24, An Ordinance to Amend the Liquor Ordinance. Introducing Bill #24.

Motion Carried.

Mr. Taylor moved, seconded by Mr. McKamey, that in the opinion of Council, the Area Development Department forthwith cease to function as an individual department of Administration and that this same department be reinstated as a branch of the Territorial Engineering Department under the guidance of the Territorial Engineer. Motion No. 44

Mr Taylor, speaking on the motion, said he thought the motion was self-explanatory. They have asked for professional men in Area Development and have deplored the situation respecting the building inspector. This motion would mean that the Area Development Department would come under the Territorial Engineering Department where they would be able to deal with fire departments, sewer and water surveys and building inspectors. He believed there were some five men in the Engineering Dept. who do building inspections and the bulk of them are engineers. They obviously can't take professional men to Area Development so this motion suggested they take the Area Development to the professional men.

Mr. McKamey said in seconding this motion he was in complete accordance. They have gone on record for the last 3 to 5 years directing the Administration to take steps in hiring professional men for this Department. By combining the two departments it would save the Territorial Government money, it would put the people in the outlying districts in closer contact with the Territorial Government and as the Engineering Department have engineers and men in each district practically the year round it would solve a lot of problems. He thought it would serve the purpose insofar as upgrading the professional services of this department.

Mr. Shaw thought this a very serious motion. He admitted that there were times when he did not agree with the policies of the Area Development Department but he didn't feel it should be cut out completely because he didn't know what the repercussions would be. It might have merit and it might not. He couldn't agree at this time to putting one department under another department as there may be certain functions that might not fit in.

Mr. Taylor said for the edification of the Member from Dawson this motion would not remove Area Development from the Administration. Presently this department is under the guidance of the Administration at the level of the Administrative Assistant and in his opinion this was who operated this department. He felt the Area Development Department was responsible for the development of areas in the Yukon and has a great influence on the future growth of any one of their communities and should be guided by professional men. Under the Engineering Department the Area Development would be given this professional degree of guidance.

Mr. McKinnon said whether they like it or not under the Yukon Act, as it is set up now, the Executive Branch and the Administrative Branch of the Government are one and the same. Council is the Legislative Branch and is here to legislate and not administrate. If the Legislative Branch feel that the Administrative Branch do not need this office as a separate branch of Government then he felt that they may as well get down to the basic facts and say they have no confidence in the Administration and pass a motion asking the Dept. of Northern Affairs to remove the Executive Branch of the Territorial Government.

Mr. Taylor said he didn't think this motion intimated there was dissension between the Administration and Council. It was not wiping out Area Development or placing votes of nonconfidence in anyone. He wanted them to put their eggs in one basket where they are related. He thought this was a practical solution to a desperate problem.

Mr. McKamey said if they thought back a little way they would recall that there was a write up in the papers where the Federal Government saw fit to marry the Army, Air Force and Navy and put them under one roof. This was done to make those departments more efficient, more workable and to save the tax payers money. He thought that any Canadian should support something like this wholeheartedly and this is what they were attempting to do here. Save the tax payers money and make this department more efficient.

Mr. Shaw said just because people get married it doesn't mean they are going to get along. The Area Development Department has had a lot to do with policy making and the Engineering Department does not make policy, they carry out an engineering program. When the Area Development needs engineering they call on the Engineering Department so he submitted that this would be a most unhappy marriage and would be headed for the rocks in the first instance. He thought this was a little hasty and he couldn't agree to this at all.

Mr. Taylor said they weren't administering anything but deciding the policies upon which the Administration would administrate. Mr. Shaw has indicated that the Engineering Department aren't policy makers but he submitted that they were. If the sewer and water is turned down or something has gone wrong, it is the Engineering Department who evaluates whether or not this proposal is sound or unreasonable. In their own right they are policy makers as are any single department in the Territorial Administration. He felt perhaps the Honourable Member from Dawson, as he hasn't an unorganized district, wasn't aware of the problems in outlying areas as administered by the Area Development Department. He thought this motion should receive wholehearted support.

Mr. Boyd said things have happened in the Area Development that he didn't like, such as the size of lots, but as some Councillors have pointed out, this is a pretty drastic motion. Before he could vote on it he would want to discuss it with the powers that be to see what they think about this.

Mr. Taylor thought it very unfortunate that the Members opposed didn't have the wonderful opportunity that he possessed of representing an area where subdivisions are rampant and they have no municipalities involved. He thought this motion was a very practical motion to a very very bad and serious problem and he wanted to go on record as standing up for his people and the people of the outlying districts of the Yukon who have to live under the auspices of this department. These people in the outlying districts would like to see this department placed under the guidance of the Territorial Engineering Department.

Mr. Mc Kinnon said he came from an area where he has three subdivisions under his jurisdiction of the Area Development Office. They work closely with this department and it isn't the Area Development Office that rules how the subdivision will grow. In the subdivisions he represents it is the people who live in the subdivisions that dictate how their subdivisions will grow. If this isn't done in the other subdivisions he thought it must be the fault of the people, not the Area Development Office.

Motion Defeated.

Motion  
No. 46

Mr. Shaw moved, seconded by Mr. McKinnon that it is respectfully requested that the Administration approach the officials of the University of British Columbia with the object of discussing the matter of entrance requirements as they apply to Industrial Arts Courses with the possibility of certain changes being made which will enable students to qualify in other subjects, which are at present, or could be made available to all the High Schools in the Yukon Territory.

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Mr. Shaw, speaking on the motion, said this was discussed the day before and it is merely a means of asking the Administration to communicate with the authorities of the University of B.C. to see if an agreement could be reached, taking into consideration the sparsity of the population and the smaller areas, to take some other subject that could be taken at all schools, instead of the mandatory industrial arts course to enable students to qualify for entrance to the university.

Mr. Boyd felt it was doomed before it was started as an alternative is not suggested and the Yukon is following the B.C. curriculum of its own free will. However he would not vote against the motion.

Mr. Taylor asked Mr. Shaw if he didn't feel that all universities and the University of Alaska should be approached as well.

Mr. Shaw replied that he didn't know what qualifications the other universities required so he had referred to the one. In regard to being specific he said he did not have the qualifications to make a suggestion so he had left it somewhat broad.

Mr. McKamey thought to support a motion like this was retrogression in the highest degree. He thought it was the duty of the people to provide this education and as far as he was concerned that when it came to dollars and cents this was secondary, education came first above all. He couldn't agree with the motion at all, he didn't think it served any useful purpose as far as the Yukon was concerned.

Mr. Taylor said he would support the motion to the degree that it would extend itself all through the Territory, not just Whitehorse, but he felt this should be extended to the other universities as well because some students may wish to go to Ontario or Alaska.

Mr. McKinnon said the only retrogressive step that has been taken as he could see, was taken by the U.B.C. He couldn't see why someone studying for psychology must know how to fix a bathtub before he is allowed entrance to get his degree. There must be many small towns throughout B.C. who are faced with the same difficulty as the Yukon. He thought this a sensible motion.

Mr. Shaw said when he introduced this motion he took a lot of things into consideration, one was the matter of dollars and cents. He thought himself that they should provide every educational facility they can to all of the children of the Yukon, no matter where they live. But there always comes a time when there are limits to the amount one can spend and the Assistant Superintendent of Schools did state that in his opinion it would cost \$50,000.00 to establish these classes around the Territory. With all due respect to the gentleman, buildings alone would cost that much. Then there's five courses to teach and that would require almost that many instructors so that would cost almost \$30,000.00 a year for wages. When it came to the budget he was sure the Dept. of Northern Affairs would not agree to spending that much money for five to eight children a year. He thought the practical aspect had to be taken into consideration and that is why he thought this might be ameliorated with the Province of B.C.

Mr. McKamey thought this was picking figures out of the air and was unfair to the people in the outlying districts. He couldn't agree with this.

Motion Carried.

Mr. Watt moved, seconded by Mr. McKamey that it is the opinion of Council that an efficiency expert be appointed to investigate and make recommendations to Council at the Fall Session for efficient operation of all Departments of the Territorial Government.

Motion  
No. 45

Mr. Watt speaking on the motion, said as they have seen in this years budget there has been an increase in administration from \$126,000.00 to \$200,000.00 and there has been no increase in population. Part has been explained to Welfare but there has been increases in departments that have no apparent reason. He thought the motion self explanatory which could possibly save the Territory thousands and thousands of dollars.

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Mr. McKamey said as seconder of the motion he was in full accordance with this because it saved the taxpayer money. He referred to the Supplementary Estimates and said if they had an expert they wouldn't be faced with these. He thought they could use some efficiency in the Yukon and he believed it would give the elected representatives of the people a little more control on the money that was being spent. He could point out that approximately \$500,000.00 was spent in the last year or so that was not covered in the Five Year Financial Agreement. He thought the departments could use someone to direct them along the right lines in regard to the spending of the taxpayers dollars.

Mr. McKinnon suggested that the time to bring up increases in the administrative costs was before that bill was passed out of Committee. This is what he had done and was satisfied. He didn't have much faith in an efficiency expert.

Mr. Taylor thought this was a wonderful motion and he would support it. If they are to be the guardians of the tax dollars of the public then they should have this expert.

Mr. Boyd said it wasn't long ago he heard condemnation of experts, they weren't worth five cents, now they want them and bad. To get an expert, according to the motion, would be like trying to catch a mole in a hill. He suggested this motion be not passed and let the next Council decide whether it was worth while or not.

Mr. Shaw remarked that the experts in the Territorial Government in the various departments go through the budget, then the experts in the Northern Affairs Department, then the experts in the Financial Advisory Committee and at the end the sum total is that when Council went through the budget they found of eight and a half million, it was necessary to cut out \$500.00. He didn't know how an efficiency expert could come along and tell everyone how to run their business.

Mr. Taylor asked if the Administration was so efficient why did the Member from Dawson have to fight so hard for money for his sewer proposal.

Mr. Shaw replied he was his own efficiency expert in that matter.

Motion Carried with Mr. McKinnon, Mr. Boyd and Mr. Shaw opposed.

Mr. Taylor asked Clerk-in-Council if he knew of any other matters that had been presented that should be discussed.

Clerk-in-Council said yes, there was one matter that Council hadn't seen fit to discuss and that was Sessional Paper no. 38 dealing with a National Park and the Commissioner has asked for Council's views.

Mr. Taylor asked if there was any further items expected from the Administration for the Council that has not been produced.

Clerk-in-Council said there was nothing further that he was aware of.

Mr. Taylor moved, seconded by Mr. Shaw, that Council detract from the normal rules of Council in order that Bill No. 24 receive first and second readings.

Motion Carried.

First & Second

Readings: First and Second readings were given to Bill No. 24, An Ordinance to Amend the Liquor Ordinance.

Bill 10

First and Second readings were given to Bill No. 10, the First Appropriation Ordinance 1964-65, as amended.

THIRD Reading Bill 10.

Mr. Taylor moved, seconded by Mr. McKamey, that Bill No. 10, 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 1964-65) be given THIRD reading.

Motion Carried.



First &  
Second  
Reading  
Bill #11.

First and Second readings were given to Bill No. 11, as amended.

Mr. Taylor moved, seconded by Mr. Boyd, that Bill No. 11, An Ordinance For Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory, (Second Appropriation Ordinance 1964-65) be given THIRD reading.

THIRD  
Reading  
Bill #11.

Motion Carried.

Mr. Boyd moved, seconded by Mr. Taylor, that Bill No. 22, An Ordinance to Amend the Game Ordinance, be given THIRD reading.

THIRD  
Reading  
Bill #22.

Motion Carried.

Mr. Boyd moved, seconded by Mr. McKamey, that Bill No. 23, An Ordinance to Amend the Medical Profession Ordinance, be given THIRD reading.

THIRD  
Reading  
Bill #23.

Motion Carried.

Mr. Taylor stated that Council had just received Bill No. 24, An Ordinance to Amend the Liquor Ordinance, and he requested that Council consider an adjournment until 2:00 o'clock so they could have an opportunity to study the bill.

Mr. McKamey moved, seconded by Mr. Taylor, that Council adjourn until 2:00 o'clock P.M. in order that Council could study Bill No. 24.

Motion Carried.

Council adjourned at 11:25 A.M. until 2:00 o'clock P.M.

Wednesday, April 29, 1964.  
2:00 o'clock P.M.

Mr. Livesey called Council to order.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing Public Bills. In Committee

Motion Carried

Committee proceeded to discuss Bill No. 24. Discussion Bill #24

Mr. Shaw requested that they go through each item of the amendment taking into account the present existing Ordinance and the recommendations from the Legal Advisor of the Territorial Government.

Agreed.

Mr. Boyd said for Mr. Shaw's benefit the new bill and the private members bill are quite the same in meaning and there is no conflict until you get to Item 8, Transitional Provisions on page 3.

Mr. Shaw stated there is no conflict as far as he is concerned but said the bill has been in debate for quite some time and he hadn't studied the previous bill because he didn't know whether at any time it might be kicked out or stay.

Item 1 - clear.

Item 2 - clear.

Item 3

Mr. Watt asked Mr. Boyd if he, as Chairman of the Liquor Committee, would confirm that hours in the bill are exactly the same as those recommended by the Liquor Committee.

Mr. Boyd replied in the affirmative.

Mr. Shaw said he thought this would be a little hard on the smaller places where there is one liquor vendor. All Government offices get at least a part, if not all, of Saturday off as a holiday and this person can only get one day. He is there on Saturday from 2:00 to 5:00 o'clock in the afternoon and 6:00 to 8:00 o'clock in the afternoon. It appeared to him it made it very difficult for those one-man operations because he had to work till 8:00 o'clock every Saturday. He felt unless there was another man there to take his place, which there were not in many of the places, he would not think those were very good hours unless provisions were made accordingly.

Mr. McKamey said the purpose of the Liquor Ordinance was to provide a facility or a service to the public, it is not meant to be a service or a facility to the employee.

The Chairman believed the hours referred to the outside of Whitehorse are the same as are presently now in existence, and there is no change proposed. The change applies only to Whitehorse.

Mr. Shaw said if one went back and checked how many sales were made between those hours on a Saturday evening over the whole year, one would find that most of the time was spent just sitting and waiting to close up.

Mr. Taylor asked what community Shaw was speaking about and added as far as Watson Lake was concerned he could not agree.

Mr. Shaw said they were setting the law and were saying the store had to be open at that particular time. What has happened in the past is that between 1:00 and 2:00 o'clock the liquor vendor went to the bank and deposited the money from his particular liquor store. In case of the new hours there will be no time for him to deposit because he must, according to the law, open his store at 1:00 o'clock. He is only closed between 12:00 and 1:00 and those are the hours the banks are also closed in that particular area. He wondered if that had been taken under advisement.

Mr. McKamey did not think this was presenting any problem because there were liquor stores at Haines Junction and in the Mayo district where there was no bank and this had not presented any problem in those two places.

Mr. Boyd wondered if Mr. Shaw was referring to the time during which the liquor stores can remain open outside of Whitehorse and read section 9(1) of the Ordinance and pointed out that the hours for places outside of Whitehorse were to remain open from 10:00 a.m. to 12:00 noon and from 2:00 to 6:00 in the afternoon, and on Saturdays from 2:00 in the afternoon to 5:00 o'clock in the afternoon and from 6:00 to 8:00 in the afternoon. Is that the way Councillor Shaw understood it?

Mr. Shaw said perhaps he had gone a little further than Councillor Boyd and saw they had a wholesale department in section 4(b) which stated "between the hours of 1:00 o'clock in the afternoon and 2:00 o'clock in the afternoon elsewhere in the Territory", so that pretty well takes up his time except between 12:00 and 1:00 o'clock.

Mr. Taylor (with Mr. Boyd in the Chair) said in the outlying liquor stores there were generally two employees, possibly at 1016 there may only be one but thought in Watson Lake there were two and it seemed to him that the business of banking presents no problem at all and is a side issue.

Mr. Shaw said it may not present problems but was a good point to bring up in case something might happen later on they will know that it has been brought to the attention of the Committee.

Item 4.

Mr. McKamey referred to the second line of Item 4, section 12(2) and said it was Committee's wish when discussing this that the word "may" should be changed to "will" which is mandatory.

Mr. McKinnon wondered what committee Mr. McKamey was referring to when he said it was the "Committee's wish".

Mr. McKamey said it was the Liquor Committee, the recommendations they accepted here a few days ago and which were drafted into an ordinance.

Mr. Watt said he had not finished discussing section 3.

Mr. McKinnon said he would like section 4 left in abeyance until the actual hours are discussed.

Item 3.

Mr. Watt asked the Chairman of the Liquor Committee if the hours of sale and delivery to retail outlets were the same in this bill as they were in the Liquor Committee report.

Mr. Boyd said the Liquor Committee report designated certain hours but here they have said it shall not hinder the delivery of freight which is virtually the same thing.

Mr. Watt stated that in the Liquor Report it says that management arrange to serve retail outlets and receive incoming merchandise from 9:00 a.m. to 5:00 p.m. and in this bill they can be served in the Whitehorse area from 8:00 in the forenoon to 2:00 o'clock in the afternoon, rather than what was recommended in the Liquor Report which was 9:00 o'clock to 5:00 o'clock. He asked if Mr. Boyd could give a reason why they changed this.

Mr. Boyd said he had no comment and as far as he was concerned it was good enough.

Mr. Watt said he thought the bill was based on the recommendations of the Liquor Report but it was different, and he wanted to know why it was changed.

Mr. Taylor (with Mr. Boyd in the Chair) explained this was the result of a private members bill based on the recommendations of the Liquor Committee and for Councillor Watt's edification the hours were staggered from 8:00 in the forenoon to 2:00 in the afternoon as a matter of convenience to the people who were operating the liquor store and it was felt in the drafting of the private members bill that these hours would be quite adequate to supply the wholesalers and would leave the operators of the liquor store free to give their full time to the general public during those times when the liquor store was normally open. This was the intent, and the reason for this now was that it has been adopted by the Administration. The same provision was adopted by the Administration in the preparation of their bill and that is why the hours were revised.

Mr. Watt said he wanted the answer from the Chairman of the Liquor Committee and was still not satisfied. He thought the change did more harm than good for the area of Whitehorse for which the change was designated. He said they had agreed to the Liquor Committee Report around the Council table and now they come along with the bill and change the hours. He said he would agree with the original hours in the Liquor Committee Report. He did not feel the new hours fill the bill in Whitehorse because they have many outlets and only one liquor store and he did not think it gave the time to serve these outlets.

Mr. Taylor asked Mr. Watt if he could honestly say that if the operators or the licensees in Whitehorse have to get their liquor between the hours of 8:00 o'clock in the morning and 2:00 o'clock in the afternoon that this is going to place a big imposition on the licensees.

Mr. Watt said he felt that way or he would not be making the point and this is why he would like to have it changed to what ~~was~~ recommended by the Liquor Committee and what had been agreed to by Council in principle.

Mr. McKinnon said he knew personally there are places in the Whitehorse area that do not open until 4:00 o'clock in the afternoon and if this bill is authorized it means that the licensee or representative will have to be there at 2:00 o'clock in the afternoon to receive the order he thought the original suggestion of the Liquor Committee as the Councillor from Whitehorse West has stated was much more applicable and reasonable in the Whitehorse area.

Mr. Taylor stated that if any licensee, regardless of what time of the day or night, can't get his liquor stocked in his premises within the six hours designated for this purpose, out of the liquor store, there is something awfully wrong.

Mr. Watt wondered if the Member from Watson Lake could guarantee that a fellow could go to the liquor store and get supplies without having to wait for several containers to unload.

Mr. Taylor said this was designed in the private members bill and adopted in the Government bill to provide a service to the public and make it a little easier on the operators of the liquor store, and also to provide a service to the licensee himself. He said as long as he has six hours every day in which to get his liquor he couldn't see this presents any problem whatsoever.

Mr. Boyd pointed out this was a suggestion undoubtedly to assist the liquor store and felt these people could get along by gauging their hours of purchasing within these hours and that they give it a try and if it is a hardship it could be corrected at the fall session.

Mr. Watt wanted to know who suggested this change and why.

Mr. Boyd said Administration suggested it.

Mr. Taylor pointed out this was a public bill.

Item 3 - clear.

Item 5.

Mr. McKinnon stated this item hinges on the acceptance or refusal of the hours in the bill - whether there is still going to be a licence for all intents and purposes classed as a cabaret lounge.

It was agreed to defer this for the time being.

Item 6.

Mr. McKinnon had a question under 12B(1) of the Ordinance as it now stands. They have increased the hours under the suggested amendment to 12½ hours in which he is allowed to sell beer and wine with meals. The time that he can sell has been increased by 7½ hours and yet the license fee has been reduced from \$100.00 to \$25.00. It seemed to him this was by far the biggest bargain in the Ordinance and he wondered if the Chairman of the Liquor Committee had any comments on why, with such an increase in hours, the licence was reduced so drastically.

Mr. Boyd said the Committee thought the license of \$100.00 was out of proportion for all that was gained or earned by the selling of beer or wine with the meals. By and large the number of meals that would be sold with beer and wine would be negligible. Even though he is open that much longer the restaurant operator is still not in the beer and wine business but in the restaurant business.

Mr. Livesey said the hours they were considering for other areas in the Territory were quite unworkable. He said if you were going to confine the travelling public on the highways to just a few hours where they can have a meal it is unrealistic. A man can have a meal at almost any time of the day on the highway and if he sits down and wants a meal there is no reason why he should be deprived of a drink because he didn't arrive at the right time. He said it seems to be quite normal that if they want it they should be able to obtain it and it is quite obvious the way it is working right now this is not being over indulged in at all but is a privilege.

Mr. McKinnon agreed that with the restricted hours under the present Ordinance a license of \$100.00 was unrealistic but suggested that with the increase of hours to 12½ the \$100.00 license fee becomes realistic.

Mr. Taylor (with Mr. Boyd in the Chair) pointed out that in his opinion this was a wonderful section of the Ordinance in view of the fact that they are trying to provide a service to the public by serving beer and wine with meals. He said the hours as specified right now do not work out properly, the license fee is too high, and he referred to the explanatory notes which stated: "The amount of the license fee has been reduced from \$100.00 to \$25.00 making it possible for more restaurants to provide this service to the public" and he could see nothing wrong with it. He asked the Member from Whitehorse North if he felt he had a pecuniary interest in this affair in view of his employment.

Mr. McKinnon asked which affair.

Mr. Taylor replied the discussions on this particular item.

Mr. McKinnon said he had no pecuniary interest at all in any beer and wine licenses to restaurants.

Mr. Taylor recalled when they first amended the Ordinance the Honorable Member from Whitehorse North was operating a cocktail lounge at the time and had stated at the Council table that he felt he had a pecuniary interest and was not going to vote in the matter. He said he wondered, in view of the nature of his employment, if the Member from Whitehorse North had a pecuniary interest.

Mr. Watt rose on a point of order and said the discussion was getting personal which was not called for at all, and they should confine themselves to the matter at hand.

Mr. McKinnon said he would answer the charge. He said he believed when he was the part-owner in a cocktail lounge and had a distinct interest in setting the policy of the operation of that lounge he did not feel that he should vote on a question of the Liquor Ordinance, not so much for the fact that he had a pecuniary interest but for the fact that he did not think it would be in the best interest of the public that he vote on the Ordinance at the time. As it is now, he said, he is simply an employee of the organization he works for and he had not been approached by any member of the organization in regard to the Ordinance, he had not discussed it with any of them and did not see how he could be prevented under the terms of pecuniary interest from discussing the Ordinance.

Mr. Boyd in the Chair suggested there was friction and members should get back to the subject in question.

Mr. Taylor said in the first place there was no point of order as raised by Mr. Watt, and in the second place he merely asked a question of the member because he noted there might possibly be an underlying factor that could be taken into consideration. He said the Member had given him an answer and he is quite happy to accept it.

Mr. Shaw suggested that for a \$25.00 license fee the restaurant operators could sell all the beer and all the wine they could sell, and sell meals along with them. He asked how much a beer parlor operator would pay for a license.

Clerk-of-Council informed him the license fee for a tavern is \$100.00.

Mr. Taylor pointed out this was listed in the tariffs under the Liquor Ordinance, Schedule A, but he said he didn't know how they would strike a comparison because a tavern is in the business of selling beer exclusively and a restaurant is in the business of selling food and they provide beer and wine as a service.

Mr. Shaw felt the fee should be at least \$50.00.

Mr. Boyd said personally he couldn't care less but after all this is a restaurant and therefore beer and wine was secondary. It was his opinion that not 2% of the people who patronize restaurants use this commodity and he said they should remember they are already getting 60% revenue from liquor.

Mr. Shaw said it just happened that last Sunday he wanted to eat at a place where beer and wine was available, and he was informed that until the law was changed permitting them to sell beer and wine they couldn't afford to stay open to sell other things and the place was closed. This would, he felt, reveal that it must be a fairly lucrative business.

Mr. Livesey said it seemed to him that the subject of liquor had occupied more time than anything else that he had ever heard discussed in Council. He thought it was high time they started looking at the facts and trying to come up with something solid rather than just merely bickering back and forth about it. He further pointed out that on the question of allowing restaurants to sell beer and wine with meals the idea provided to them by the Whitehorse Chamber of Commerce and by goodness knows how many other people from all areas in the Territory, has always been that allowing restaurants to sell beer and wine will contribute to the betterment of the institution. He defied anyone to tell him this was not so. He said this is the argument that was used and no doubt it will take time and he believed the argument is quite sound and they are in the process of this time situation. He did not think when the program was first discussed that anyone expected to see an overnight change and felt it would take a number of years really to see the change take place. He said what they are talking about then is allowing a restaurant to sell beer and wine with meals in the hope that it will improve the facilities, this is the base of it, and wondered if they were now going to talk about selling beer and wine on the basis of a liquor privilege as if they were selling it as the sole basis of remuneration - he thought they had to stick with the original plan and hope to get something sensible out of it. If in the long run it looks as though the restaurants are going into competition because this is what they are staying open for he said he would suggest then that there is something wrong with the Ordinance because this is a privilege that you can sell beer and wine with meals. But he said the main point is that you are a restaurant selling meals and the beer and wine is an additional privilege and that is the way he saw it. He thought if they looked at it on that basis he failed to see how they could argue on that section.

Mr. Shaw agreed with some of the remarks Mr. Livesey had made. He stated the license fee for a restaurant was \$25.00, for a beer parlor \$100.00 and for a cocktail lounge \$250.00. He said the intent of the \$250.00 charge for license from cocktail lounge operators is not for a license for control but as a form of revenue though he was not saying that was wrong or right but merely stating a fact. He said we have really nicked them good and hard because we feel they can make the profit to pay

that amount. He was just wondering what these people who have to pay these large amounts of money in order to sell stuff that has alcohol in it think when they see a restaurant that already has a business to make a livelihood given a further break and charged only \$25.00 to go into competition with the people who are assessed respectively \$100.00 and \$250.00. He said that is what he is bringing to the attention of the Committee and thought a lot of consideration should be given to that because they are using liquor outlets as a form of revenue but are forgetting about that when they come to a business that sells in competition to them.

Mr. Boyd said it should be remembered that the sale of beverages in cafes shall not exceed the sale of their meals so you have a damper there. If a man wants a meal he has to pay the same price for that meal as he will pay for four bottles of beer and if he wants more he can buy four meals, but in no case shall the amount of beer and wine exceed his meals.

Mr. Taylor (with Mr. Boyd in the Chair) pointed out the differences as he saw them. First of all they charge \$250.00 for a cocktail lounge license which is a business that operates on a fairly good profit margin. A tavern pays \$100.00 and deals exclusively in beer and they have a fair volume but a restaurant serves meals and serves a very minimal amount of beer and wine. He said if Committee wanted to charge \$50.00 he would probably go along with it but he felt they should encourage the restaurants by a \$25.00 license to provide this service to the public. He said if the license fee is too high many of the restaurants will not provide the service. He said for the volume of beer and wine turned over in restaurants, it is so minimal he could not see charging \$50.00 or \$100.00 for a license. He said the \$25.00 license fee was a recommendation of the Liquor Committee and it is a minor point and should be accepted and proceed.

Mr. McKinnon said there is no higher profit margin on anything in the Territory than on the sale of wine - there is a direct 100% markup on a bottle with an extreme minimum of work in providing a customer with a bottle of wine and he said he would have to agree with the suggestion of the member from Dawson that \$50.00 would be a more realistic license, but he said he was not going to sit there and quibble endlessly for \$25.00.

Clear on Item 6.

Clear on Item 7.

Item 8 - Transitional Provision.

Mr. Boyd said all this means is that the operators are going to be able to designate the hours they wish to operate be it in Whitehorse or the outside areas and the hours designated by them at the time they make application for their license will be stated on their license and they will have to abide by them. He said their licenses have already been issued and this is giving them 30 days in which to state the hours they wish to operate and receive a new license with the hours as stated thereon.

Mr. McKamey noted that in 14A(2) line 3, it states "thirty-first of May, 1964," and thought it should read "thirty-first day of May, 1964".

Mr. Boyd thought that was technical and that is what is meant even though it is not said, and if a change was necessary he was sure it would be corrected at some later date.



Mr. Shaw assumed then that with the new licensing laws coming into effect now there may be variations on what has been given previously but on the 31st of May all this applies and he asked for confirmation or otherwise.

Mr. Boyd replied yes, the license they bought the 1st of March this year will be substituted for a new one and they have up to the 31st of May to say what hours they want to use.

Mr. McKamey said it appeared to him that Item 8 section 14(a) subsections 1,2 and 3, deal with the whole Ordinance and they are discussing here the amendments to the Ordinance before them and he thought this should be corrected.

Mr. Watt did not understand the point.

Mr. McKamey said they are dealing with the amendment to the Liquor Ordinance and Item 8 does not deal with the amendment but deals directly with the Consolidated Liquor Ordinance. It is an item that stands by itself and he would move that section 8 of this Ordinance be deleted.

There being no seconder the motion did not stand.

Mr. McKamey said if this was to be accepted he thought it should be amended because there was an error in the typing.

Clear.

Item 9 clear.

Item 10 - Hours of opening.

Mr. McKinnon drew the attention of Committee to Section 7 of the recommendations of the Liquor Committee which read: "In no instance will the hours be greater than those in effect now" and under the members bill this recommendation seems to be completely ignored for cocktail and cabaret lounges would now have the same hours which could be 14 hours a day which would increase the cabaret lounge hours from 9 to 14 and this definitely does not go along with the recommendations. In the members bill and in the Administration bill there is actually no clear cut direction as to what the actual intent of this Council is - whether the cocktail lounges and cabaret lounges may be open only once during a 24 hour period and shall after opening remain open continuously for a period not exceeding 14 hours and he submitted that if it was really strictly literally interpreted this would mean that they would open only once a week and only allowed to open for 14 hours, and under the Administration hours that they direct he did not think this was satisfactory either as it would mean that both cabarets and cocktail lounges must close at the midnight hour and he said he thought there was some considerable direction and some further drafting needed on this question of hours.

Mr. McKamey agreed with Councillor McKinnon on this point and said it would appear to him that under 31(1)(b) "a cocktail lounge, cabaret lounge or club may be opened once each week day" that this would mean 31 days of the month or just one day of the week.

Mr. Boyd said a week day is any day in the week except Sunday.

Mr. McKinnon did not think the intent of the Council was clear in any of the bills on hours before them at this time, and he said he really would like to hear a discussion. First he would like to

know if it is the intent of Council to increase the hours of any given establishment under the Committee recommendations where it states "in no instance will the hours be greater than those in effect now". The second one: Is it the committee's wish that under the provisions the operator provide the hours he wishes to remain open and remain closed and will this in effect mean that in the Whitehorse area at least a 24-hour drinking period could be allowed?

Mr. Taylor (with Mr. Boyd in the Chair) said this particular item in the members bill is intended that cocktail lounges and cabarets and clubs "may open once only during a 24-hour period, from midnight Sunday to midnight Saturday". In other words, during the week they can open only once during any 24-hour period and second "shall after opening remain open continuously for a period not exceeding 14 hours" and thirdly "shall after closing remain closed continuously for a period of not less than 10 hours". This was to safeguard the opening hours. He noted the error as noted by the Honorable Member from Whitehorse North in the Administration bill and suggested that the answer to this lies in the deletion of Section 10 of this bill and to amend it to include Sections 7, 8 and 9 of the members bill.

Mr. McKamey pointed out the recommendation of the Committee is in accordance with the way they had it in the members bill.

Mr. Boyd said that was right. They could be open any 14 hours they like and must close for 10 hours so they are not going to have 24 hours consecutive operation.

Mr. McKinnon begged to differ on this one point and said in effect you are going to because the licensees could stagger their hours so that when they know that one establishment is closed they could have their hours so fixed that their establishment will be open and this will allow in essence for a 24-hour drinking period. He wanted to know if this was Committee's wish.

Mr. McKamey said that is how the report reads.

Mr. Livesey thought the intent of the 24 hours they are talking about is the intent of each establishment, not in the intent of many establishments combined.

Mr. Boyd pointed out this was discussed at length and there had been quite some complaints about the hours that are in existence and that they are required to be open so he said if they let them take their own hours they have no complaints. If somebody wants to open at 2:00 in the morning and stay open for 14 hours as long as he closes for the next 10 hours he can do this, but he will do it according to the way he stipulates on his license and he will not be able to change for that year. He could not see anybody staying open when everybody has gone home and gone to bed because he would soon go broke.

Mr. Shaw said this was becoming a little more confusing all the time. He said he would feel there could be certain hours they could remain open but he thought the law should state that at 2:00 or 3:00 o'clock all these joints should be closed. If they are going to stagger them and some are open until 5:00 or 6:00 in the morning he didn't think anything orderly could come out of it and felt they must close at a certain time in the morning surely.

Mr. McKamey asked why.

Mr. Shaw said proprietorship of several different lounges could be one person who could close one and open another early in the morning and run the other one until late in the following morning and actually

have 24 hours, and whether or not that is a good argument he felt these places should be closed by 2:00 or 3:00 o'clock in the morning regardless.

Mr. McKamey thought he had a democratic right in Canada and didn't think any member had a right to say when he should have his last drink. He said he stood up in the House the other day and questioned something and had been told by several members that these were the recommendations and they had to go along with them, accept them in principle or not, and that was it. He said he went along with them and it appears this very same person is opposed to the recommendations now that they are drafted into legislation, and this he could not understand. He said he didn't know who the Honorable Member thinks he is when he claims no liquor outlets should be open later than 2:00 or 3:00 o'clock in the morning and he asked the Honorable Member to explain why a person should not be allowed to have a drink at 5:00 o'clock in the morning if he wished and put this question to Councillor Shaw.

Mr. Shaw thought it was a very stupid question, the same as you could say why should we not have all these places open for 24 hours a day, why should we restrict them to 14 hours a day, why should we not have them open on Sunday, in fact, why should we have any regulations whatsoever. He said it was his opinion that 2:00 or 3:00 o'clock is plenty late for any of these places to be open. He said if the member thinks differently, that's fine, he says he has the right to state that he said he also has the right to state his opinion.

Mr. McKamey thought the suggestion by Councillor Shaw stupid also.

Mr. Boyd wondered if they could come back to the bill. He said it seemed to him they have agreed to what is in it so far with the exception of hours and the only hours he could see that were contentious were the cabaret and cocktail lounge hours where it states that they shall close at midnight. He said he would make a motion that cocktail lounges and cabarets be required to close at the same hour they now close and not later than that.

Mr. Taylor suggested before the motion was seconded they may wish to consider deleting item 10 which they intend to amend and adding sections 7, 8 and 9 of the members bill which very capably and adequately cover the situation.

Mr. McKinnon said he has already stated that section 7 subsection b) and section 2, that as they now stand by literal interpretation would mean that they could only open once during the week and then only for 14 hours if they are interpreted in their strictest literal sense, and he said he was certainly not going to be a party to this. He thought there was a definite requirement for drafting both on the members bill and on the bill presented by the Administration, and that this Committee should make itself clear as to what they feel the hours should be and then submit this for further drafting. He could not see any other way around it.

Mr. Boyd wondered if the member would like to state something concrete in the way of hours rather than just condemning them.

Mr. McKinnon said he would second the proposition of Mr. Boyd, if he would like to put that in the form of a written motion which he could read and understand.

Mr. McKamey said they were even deviating from the recommendations of the Committee on Liquor now.

Mr. Boyd said they were deviating from those recommendations to the extent they are saying each and every person shall close their operation by 2:00 o'clock and he was prepared to concede that for the time being and didn't think it was any real hardship. He said this could be gone into again next fall.

Mr. Taylor (with Mr. Boyd in the Chair) said if this is to be the case he would suggest the bill be withdrawn and allowed to die in Committee and nothing further done at this time.

Mr. Livesey said it seemed to him to be almost the last day of the session and no doubt feelings may be a little high about some things but the common sense way of going about these things he felt was to deal with the questions sensibly section by section and if a member has something worthwhile to offer to Committee all he has to do is rise on his feet, address the Chair, and propose a motion, then when the Committee decides whether they think his proposition is better than anyone else's that ends the debate. He said this would be the proper way to go about it and merely to argue against something without bringing up something as an alternative he didn't think was either sensible, reasonable or contributory to getting ahead with this business.

Mr. McKinnon agreed but said he hated drafting hasty motions right on the spot. He said he didn't get this bill until this morning and hadn't a chance to draft a motion nor to go through the bill and study it intelligently.

Mr. Watt said that as he understood it Mr. McKinnon's objection was that the new bill presented by the Administration was in conflict with the Liquor Committee report in that it increases the number of hours for cabarets. The Liquor Committee report says in no instance will the hours be greater than those now in effect. He thought if that was the only objection it could be easily corrected.

Mr. Taylor (with Mr. Shaw in the Chair) rose to propose a motion.

Mr. Shaw said there was a motion on the floor.

Mr. Taylor said he was not aware a motion exists.

Mr. Boyd moved that the word "midnight" in Section 31(1)(b) be deleted and the words "two o'clock in the forenoon be inserted in their place.

Mr. McKinnon said he couldn't second the motion the Honorable Member proposed and had been trying to draft one himself but maybe someone else could.

Mr. Taylor moved, seconded by Mr. McKamey, that Section 10 of the Ordinance be deleted and in its place be substituted Sections 7, 8 and 9 of the Members Bill.

Motion  
re Bill  
#24

Mr. McKinnon said with all due respect there was no such thing as a members bill as it had been withdrawn.

Mr. Taylor said in all due respect the marginal notes appended to this bill of legislation submitted by the Administration refers to members bill all the way through.

Mr. Shaw as Chairman read the motion and asked that Mr. Taylor read out Sections 7, 8 and 9 of the members bill.

Mr. Taylor said they had reached an impasse which he was attempting to cure by substituting for section 10, that all members agreed is unworkable. He proceeded to read sections 7, 8 and 9 of the members bill, Bill #19, which reads as follows -

7. Paragraphs (a), (b), (c) and (d) of subsection (1) of section 31 of the said Ordinance are repealed and the following substituted therefor:

"(a) taverns

- (i) may open once only between the hours of nine o'clock in the forenoon and twelve o'clock midnight,
- (ii) may remain open only between the hours of nine o'clock in the forenoon and twelve o'clock midnight and
- (iii) shall after opening remain open for a period not in excess of fourteen hours from Monday to Saturday inclusive.

(b) cocktail lounges, cabaret lounges and clubs

- (i) may open once only during a twenty-four hour period from midnight Sunday to midnight Saturday,
- (ii) shall after opening remain open continuously for a period not exceeding fourteen hours, and
- (iii) shall after closing remain closed continuously for a period of not less than ten hours.

(c) messes and canteens may be open in compliance with the hours endorsed on the license."

8. Paragraph (a) of subsection (2) of section 31 of the said Ordinance is repealed and the following substituted therefor:

"(a) except during the periods endorsed on the license therefor."

9. Subsections (3), (4) and (5) of section 31 of the said Ordinance are repealed and the following substituted therefor:

"(3) Except during the periods endorsed on the license and for a period of thirty minutes thereafter the licensee and any employee of the licensee of a cocktail lounge, cabaret lounge or tavern shall ensure that such cocktail lounge, cabaret lounge or tavern is closed and cleared of all persons, except the licensee, his wife or any employee of the licensee, but nothing herein prevents a peace officer or an inspector from entering any cocktail lounge, cabaret lounge or tavern in the performance of his duties.

(4) A cocktail lounge, cabaret lounge or tavern shall remain lighted until all persons other than those authorized by subsection (3) to remain have left the premises.

(5) Notwithstanding paragraphs (a) and (b) of subsection (1) no steamship in respect of which a liquor license has been granted shall be open for the sale of liquor unless the steamship is under way on a trip, the main purpose of which is transporting passengers from one point to another and only for such hours as the master of the steamship may permit between nine o'clock in the forenoon and twelve o'clock midnight of each day."

Mr. Taylor continued to say that this was the same thing practically word for word which is sections 3, 4 and 5 identical to the present bill and he contended this would cure their problem and would submit it for Committee's consideration on this motion.

Mr. McKinnon did not see how this could cure the problem at all and said in the explanatory notes received from the Administration it says - "Paragraph (b) of Section 31, as drafted in the Members Bill presented some difficulty because, as worded in sub-paragraph (2) a cocktail lounge having been opened once during a twenty-four hour period during the course of the week would be unable to open again that week." He suggested that if this motion is passed and the Administration acting on the legal advice of the Legal Advisor stick to the strict literal interpretation of this section 7, it is going to be the biggest farce that ever hit the Yukon Territory and he would not be a part of it.

Mr. Taylor said in the presentation of the former members bill the Administration have undertaken, it was not intended that a cocktail lounge could only open once a week and he thought that was quite clear and he said it states, "cocktail lounges, cabaret lounges and clubs may be open once only during a 24-hour period". He said this is only once within any 24-hour period and this was provided for further in sections 2 and 3, "From midnight Sunday to midnight Saturday and shall after opening remain open continuously for a period not exceeding 14 hours" and a clause to ensure they don't open up again during that day "shall after closing remain closed continuously for a period not less than 10 hours" giving you your 24 hours.

Mr. McKinnon said here again they have a legal interpretation and he saw fit to take the legal interpretation of the Legal Advisor of the Territory rather than the interpretation from the Member of Watson Lake, and he thought he would stick with the Legal Advisor's interpretation because he felt he would be a heck of a lot safer.

Mr. McKamey said he would like to point out to Councillor McKinnon that the Yukon Territory insofar as the Council is concerned has no Legal Advisor.

Mr. McKinnon replied that was a personal opinion as far as he was concerned.

Mr. Taylor stated it was a fact.

Mr. McKinnon suggested they put the question on the motion.

Mr. Livesey did not think they would get very far by attempting recriminations whether intended or not. He thought they had better get down to brass tacks and start staying with the facts and express their opinions on the basis of the facts only because personalities were not going to contribute anything to the discussions. He said he would certainly like to see that method followed.

Mr. Watt thought this could be resolved to satisfy the Honorable Member from Whitehorse North. He believed the motion as it is read in the suggested private members bill would fill the bill as far as the Liquor Committee report is concerned except for this one exception which he believed was more of a slight oversight than an intended changing of the Ordinance so that a cocktail lounge would only open once a week. He suggested that "once a day" only be inserted.

Mr. Boyd said it depends on how you want to look at it. It says - "You may open only once during a 24-hour period from midnight Sunday to midnight Saturday" but it doesn't say you can't open as often as you like as long as you only open once during any 24-hour period.

Mr. McKinnon said he was not in accordance with the motion and is going to vote against it and he thought they would find they really put themselves in a terrible condition - all he could say was to call question on the motion.

Mr. Boyd agreed the question should be called.

Mr. Livesey said they were not trying to obstruct here but trying to resolve something and this seems to be the method. He said they didn't have any Legal Advisor in the House but perhaps the Clerk-in-Council, who deals with a number of bills and certainly knows a number of Ordinances and how they are interpreted, could be asked how he feels about the interpretation of this section referred to in this motion and if he feels it is feasible and logical.

Clerk-in-Council respectfully submitted that Mr. McKinnon's interpretation is absolutely right according to the Legal Advisor who he had discussed this with. It would allow you to open once only in any one week.

Mr. Taylor said the point that should be clarified is that the intent of the Liquor Committee was that they would allow the operators to establish their own hours anywhere within this period as outlined in the members bill, and such a move as has been suggested earlier would restrict them to 2:00 o'clock in the morning. He felt if they were going to go along with the Liquor Committee report they should stick with its recommendations. He restated his motion: "That Section 10 of the Ordinance be deleted and that in place of Section 10 there be substituted Sections 7, 8 and 9 of the members bill" and said once they incorporate that into the bill as an amendment they could amend that part of section 7 to spell it out a little bit, but he thought first they must find out if they are willing to accept sections 7, 8 and 9.

Mr. McKamey said there must be some reason for Councillor McKinnon being opposed to the motion, and under subsection (b) of the members bill he would like to ask Councillor McKinnon where it says that they will only remain open once a week. Under para (i) it states "may open once only during a 24-hour period", then the other two paragraphs follow. He said he would like to hear Councillor McKinnon's interpretation if he would be so kind.

Mr. McKinnon said he had difficulty at noon with the interpretation of this, he had read the explanatory notes, sought the legal advice of the Legal Advisor of the Yukon Territory who explained what he thought was the legal interpretation with which he agreed. He said other Council members sought different legal advice and they evidently do not agree with the interpretation of the Legal Advisor of the Territory. He said he was going to stand by the legal advice that was given to him and he thought was right and if the motion that is before the House is passed and the strictest legal interpretation is given to the Ordinance by the Administration this Council will become a laughing stock and nothing else and he was opposed entirely to the motion. However he didn't think he could draft an amendment between now and closing time that would satisfy everyone but if he were given the evening to look through the bill and perhaps come up with a sensible amendment in the morning, he would do so. He urged the members to withdraw this motion.

Mr. Taylor said he thought he had spotted the undesirable item and thought if you really stretched it, and it was reasonable to assume that somebody in Court might want to, the punctuation and possibly the lack of one "and" in this one section is the whole crux of the problem in the section which states "may open once only during a 24-hour period and from midnight Sunday to midnight Saturday," or amended in some form of that nature. He thought he had the Members intent but didn't think that was an insurmountable problem as they could adopt the balance of these sections 7, 8 and 9 which are good sections and everything is spelt out with the one exception they have solved their problem and then merely amend the undesirable item in section 7.

Mr. Shaw (with Mr. Boyd in the Chair) said there seems to be quite a discussion on the pros and cons of the bill and thought that the contentious parts have evidently been drafted with just a little too much haste and to get this back to where it will make sense would take quite some time. He suggested that perhaps if they left out the sections that referred to these things and left them as they are at the present moment, because they weren't able to agree on what makes sense and what doesn't, to just go along with the sections that are agreed upon such as draft beer and liquor store hours and the odds and ends such as that, and the matter of hours could be left for the time being and in the fall some sanity will come out of the situation and they will have had a long time to go over the many ifs and buts and so forth and he thought that way it would perhaps be a better service to the people of the Territory rather than trying to take something of this and something of that and rehash it and end up with practically nothing or certainly something that is not satisfactory.

Mr. Boyd wondered if it would solve anything if they suggested leaving section 31 - the opening and closing of the outlets - out entirely and let it be solved next fall.

Mr. Taylor did not see why they could not deal with it in the manner he had suggested by motion and said if the committee would agree to accept the deletion of section 10 as written here and accept sections 7, 8 and 9 of the members bill he believed they could then amend the undesirable portion and get on with the business.

Mr. McKinnon said there can be no conditions attached to the motion. The motion has been stated and the motion stands.

Mr. Taylor said he attached no conditions to it but just cited for the edification of the members of Committee that if they accept this they could go further with the amendment of that section.

Mr. McKinnon said with all due respect, you are on dangerous ground when you accept or reject a motion at a session and it is impossible to bring the same matter up again.

Mr. Livesey agreed and said the proper way to go about an amendment of any ordinance or bill is to state what the amendment shall be and once having stated it then the motion is clear. He said he did not think you could amend anything with the intention of amending still further or any stipulation of that nature, otherwise the whole question becomes redundant and under such circumstances you are not progressing or proceeding in any way, shape or form. Any amendment must be specifically stated and agreed upon.

Mr. Taylor could not see why they should be in such a position that they can't amend the bill. He said they started out with what he thought was a perfectly good bill. However we have now two before us and we require an amendment to section 10 and the problem here then lies in the fact that we must amend subsection(1) of section 7 of the item from the members bill and this being amended would then, he felt, be satisfactory, and where it states "may open once only during a 24-hour period from midnight Sunday to midnight Saturday" change it to read "may open once only during any 24-hour period from...." and possibly this would cure it.

Mr. Boyd reiterated that this has got to a point nobody knows whether they are coming or going. As Mr. Shaw suggested the rest of the items have been agreed to and it is the last item they are concerned with and he suggested that Mr. Taylor should withdraw his motion and they should delete the last section from the bill and leave it as is, otherwise they are running into trouble.



Mr. Taylor said the last section deals with the hours of opening and he said he thought this is what they came to the table to do and if it takes a week to do it he thought they should do it and the answer does not lie by withdrawing and throwing the thing down the drain. He said they are here to accept their responsibilities and to legislate and he said they don't have the services of a Legal Advisor or half this wouldn't happen. He said if they didn't have the services of the Legal Advisor of the Yukon Territory it is up to them to continue on their own hook until they can get one and if this is the best they can produce they will produce it. He said this is their prerogative.

Mr. McKinnon suggested that Mr. Taylor restate the motion and the question be called.

Mr. Taylor said there is just one final word on this item and that is the fact that the Legal Advisor has placed a legal interpretation on this which is quite correct. He said he could see the point as the Member from Whitehorse North has stated, however he felt there could be two intents here and thought the true intent was fully realized by the Administration and it would be recognized in the implementation of the Ordinance. If they have to rephrase this, he said, fine, if they don't he couldn't see they would be doing any damage.

Mr. Livesey said this is a somewhat unusual question in view of the motion but he would wonder if the Member who has raised the objection to the section of the members bill covering #10 would perhaps explain his objections to section 10 of the actual bill under discussion with regard to the hours.

Mr. McKinnon replied because this does not follow the recommendations of the report of the Liquor Committee.

Mr. Livesey said in that case he wondered if the Member would feel that an amendment to that section would solve the problem.

Mr. McKinnon said he would agree it possibly could but said he could not draft an amendment to this Ordinance in the time remaining this evening but other members have made a motion that they refuse to withdraw so let them go ahead with it.

Mr. Taylor said he felt there was nothing foolish about it, the only thing that was foolish was the bickering.

Mr. Shaw as Chairman put the motion before Committee again.

Mr. McKamey thought they could arrive at something sensible if the person who thinks they know how to amend this is prepared to come up with some sort of an idea as to how this is going to come about. He put that question to Councillor McKinnon.

Mr. McKinnon thought a very sensible amendment could be provided to section 10 subsection (b) of the Administration's bill to amend the Liquor Ordinance. He thought the suggestion of the Liquor Committee could be followed and an amicable solution could be arrived at when they are allowed the time to draft an amendment to this.

Mr. McKamey wondered if Councillor McKinnon was suggesting an amendment in line with the report of the Liquor Committee.

Mr. McKinnon replied this was a question he would himself say yes to but his Committee may differ.

Mr. McKamey said as seconder of the motion he is quite prepared to withdraw it if this can be worked out.

Mr. Livesey thought it was better to get something laid down properly which is reasonable and wondered if they could take the objections of the Member who had raised most of the objections and perhaps any other matter to which he may object and that they consider adjournment until some time later this evening in order to come up with a new proposal and submit it at that time rather than just continue to argue back and forth.

Mr. Taylor agreed to withdraw his motion and also Mr. McKamey as seconder. Withdrawal  
Motion

Mr. Livesey said if the objections are valid and sound and they could be laid down in black and white so they would know exactly what the objections are, perhaps it would be possible during a further adjournment to obtain the proper wording and in so doing meet the Member's objections, not with regard to policy but with regard to drafting so they don't kneel themselves to any position which may turn out to be irrevocable or peculiar.

Mr. Boyd asked Mr. McKinnon if he could submit his recommendation by 8:00 p.m.

Mr. McKinnon said, unlike some Members who seem to have independent sources of income, he was due at work in five minutes.

Mr. Livesey wondered if the member would write out his objections so they could be worked on.

Mr. McKinnon agreed to do this.

Mr. Shaw said if there is a change to this which it appears there will be then according to the formula they have always followed this will have to be completely redone. That has been the case other times and he did not know whether a special dispensation would be granted at this time, that means they could not possibly conclude this this evening. He said there always have been serious objections raised that when they passed a bill that bill was exactly as written.

Mr. Boyd said he would move that the last paragraph #10 be omitted from this bill.

Mr. Taylor (with Mr. Shaw in the Chair) said there being no seconder there is no motion and suggested that along the lines Councillor Livesey suggested they hold the matter over until to-morrow morning and get the legal advice if they have to go to 16 lawyers to get it down the street because they certainly couldn't get it from here.

Mr. Livesey said the objections from the Member from Whitehorse North have been received in written form and he thought about the only thing they could do if they were going to go ahead with the bill at all is to try to resolve or discuss some of the questions this evening and see what could be done for to-morrow morning.

Mr. Shaw wondered if that would mean they would adjourn for this evening and continue to-morrow.

Mr. Livesey suggested a number of them should work on this. He said the answer is not to sit and to settle these things in a different atmosphere altogether because here this afternoon they didn't settle them.

Mr. Watt wasn't sure of the proposal and wondered if they were to come back as a Committee of the Whole later to carry on with the objections with the bill.

Mr. Livesey thought to carry on with the objections was futile and the idea is to try to resolve the objections and said it would take all of this evening.

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

Motion Carried.

Mr. Speaker resumed the Chair and Mr. Shaw, Chairman of Committees reported as follows:

Committee  
Report

"Committee convened at 2:10 p.m. to discuss Bills. Committee first discussed Bill No. 24 related to the Liquor Ordinance. I can report progress on Bill No. 24. It was moved by Mr. McKamey, seconded by Mr. Boyd, that Mr. Speaker resume the Chair and hear the report of the Chairman of Committees."

Council accepted the report of Committee and adjourned until 10:00 a.m. Thursday, April 30, 1964.

..... / 369

Thursday, April 30th, 1964.  
10:00 o'clock A.M.

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

Mr. Taylor directed the following question to the Administration:  
"In view of public concern respecting the recent increase of all spirited liquor at the retail level, would the Administration advise Council if it is planned to implement Motion #39 and if so on what date would this recommendation take effect?"

Question  
Re Motion  
No. 39  
Liquor  
Prices.

Clerk-in-Council advised Council that any information that is received on outstanding matters will be forwarded to them.

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 Bills.

Motion Carried.

In  
Committee  
of the  
Whole.

In Committee of the Whole:

Discussion followed on Bill No. 24, An Ordinance to Amend the Liquor Ordinance.

Discussion  
Bill No. 24

Mr. Livesey said when Committee was discussing Bill No. 24 the day before, they arrived at a point whereby they had several problems and he referred to the Sections which were objectionable: Recommendation No. 7 of the Liquor Committee stated that in no instance will the hours be greater than those in effect now. The Member's Bill defeats this recommendation as a cabaret lounge hours are increased to 14 hours per day from the present nine. He discussed this question later with the Member and they agreed that the actual hours are 12. Paragraph (b) of Section 31 subparagraph (1), as it now reads in the Members Bill could be interpreted to mean that a cocktail lounge, having been open once during a 24 hour period during the course of the week would be unable to open again that week. Section 10 of the Bill No. 24 is also unsatisfactory as it too does not follow the recommendations of the Liquor Committee concerning new increase in hours and it also concluded that no drinking establishment be opened later than midnight. He said that these were the objections and he did his best last evening to see what could be done with regard to these objections. To meet the objections he submitted the following for their consideration: With regard to No. 10, with the objection as far as the hours are concerned Section 31 of the said Ordinance is repealed and the following substituted therefor:

- "31. (1) Subject to subsection (2)
  - (a) a tavern may be opened once each week day and once opened must remain open for not more than fourteen consecutive hours between the hours of nine o'clock in the forenoon and twelve o'clock midnight;
  - (b) a cocktail lounge, or club may be opened once each week day for the sale of liquor during a continuous period ending not later than 2 o'clock in the forenoon each day and may not be reopened during the ten hour period immediately succeeding the close of business;
  - (c) a cabaret lounge may be opened once each week day for the sale of liquor during a continuous period ending not later than 2 o'clock in the forenoon each day and may not be reopened during the twelve hour period immediately succeeding the close of business
  - (d) a mess or canteen may be opened during the hours endorsed on its license."

The next section is with reference to an item on Page 2, Section (2) of Section 12 of the Ordinance. This changes the word "may" to "will" with regard to the licence and which makes whatever is stated on the licence imperative rather than permissive. It reads as follows:

"31. (4). Section 12 sub paragraph (2)

Every license granted under the provisions of this ordinance shall be in prescribed form and except for a license granted under Section 12B shall have endorsed thereon the hours when the licensed premises will be open and shall be signed by the Commissioner."

He said that they will notice in some instances they have the word "may" rather than "will" or "shall" he felt that in these instances where "may" is inserted are a means of permissive legislation rather than any stiff stipulation or legal stipulation. He thought this really means that it gives the operator a certain amount of leeway but what happens on the licence is after he has stipulated the hours he shall remain open and states what hour he will close, these are his hours he shall remain open and states what hour he will close, these are his hours of operation. He felt that in this submission they have not entirely fulfilled what was asked for in the Private Members Bill in one instance but they have attempted to eliminate the objection and this is what they set out to do last evening. He asked for their consideration on this situation as he planned to move the adoption of this matter.

Mr. McKinnon said that it met any objections that he had.

Clerk-in-Council asked if the balance of Page 4, sub sections (2)(3)(4) and (5) remain.

Mr. Livesey said yes, what they have done does not apply to subsections (2)(3)(4) and (5), it merely applies up to subsection (2). They would note that an additional section has been added and this has been due to the objection raised to the increase in hours of cabaret lounges.

Mr. Livesey moved seconded by Mr. McKamey, that subsection (1) of new subsection 31 as outlined in section 10 of the ordinance be amended to read as follows:

"31. (1) Subject to subsection (2)

- (a) a tavern may be opened once each week day and once opened must remain open for not more than fourteen consecutive hours between the hours of nine o'clock in the forenoon and twelve o'clock midnight;
- (b) a cocktail lounge, or club may be opened once each week day for the sale of liquor during a continuous period ending not later than 2 o'clock in the forenoon each day and may not be reopened during the ten hour period immediately succeeding the close of business;
- (c) a cabaret lounge may be opened once each week day for the sale of liquor during a continuous period ending not later than 2 o'clock in the forenoon each day and may not be reopened during the twelve hour period immediately succeeding the close of business;
- (d) a mess or canteen may be opened during the hours endorsed on its license.

4. Section 12 sub paragraph (2)

Every license granted under the provisions of this ordinance shall be in prescribed form and except for a license granted under Section 12B shall have endorsed thereon the hours when the licensed premises will be open and shall be signed by the Commissioner."

Mr. Watt asked the Chairman of the Liquor Committee Report to tell them what the first paragraph in recommendation No. (7) actually means and what was his intention in regard to it.

Mr. Boyd replied that the intention was that the operators would choose their own hours, but once they had chosen the hours they would remain in effect for one year. This is what they attempted to do in the original

Members Bill but the wording did not meet with the approval of the Administration so the effect now of this amendment leaves the operators with the right to choose their own hours, that they have said in this amendment, in the case of taverns they shall not close later than 12:00 and in the case of cabarets and cocktail lounges not later than 2:00 o'clock. This is the only difference between this Bill and the recommendations of the Liquor Committee. The Liquor Committee did not deem it necessary to say that you are not going to be open at 4:00 o'clock in the morning because the operators are not going to be open when everyone is in bed. They will operate the business when the business is there and this is the way it is operated in Alaska. But now they have come along with this amendment and say you shall close at 2:00 o'clock in the morning and this is all. They can still pick their hours, they can operate 8 hours or 6 hours if they so elect but they shall say what they are and they shall close not later than 2:00 o'clock in the morning in the case of cabarets, 12:00 o'clock in the case of beer parlors.

Mr. Watt said the Liquor Committee Report seemed to choose any 14 hours out of 24 and the Committee agreed upon the adoption of this Committee Report and now the Bill changes it. He wanted to know why and who changed it.

Mr. Boyd said this amendment was worked on by Mr. Livesey and Mr. McKamey and himself last night and the reason they changed it was because they could not find words in their original Bill that were satisfactory to the Administration and if they attempted to find words now they have no way of knowing if they will be satisfactory to the Administration or not and this could drag on. This is a compromise to the wording only and they feel that Council should be prepared to accept this in the meantime and if it is not satisfactory there will be another Council this fall and wrinkles can be ironed out if so desired.

Mr. Shaw thought this solved the objections as far as he was concerned and he thought it was unfortunate they did not have it this way in the first place to save a lot of haggling.

Mr. Livesey thought it should be clarified that the suggested amendment only refer to those matters stated and in the event of discussion with regard to Section 31 the proposals refer to a change in those matters up to and including section (2) of Section 31 but make no change to section (2)(3)(4) and (5) which will remain as they are on Page 4.

Motion Carried

Mr. Taylor (Chairman) asked if they were clear on Section 5 and Section 9.

Committee agreed.

Mr. McKamey said that in subsection (2) of Section 14A they have 31st of May instead of March.

Clerk-in-Council said he would check that with the Legal Advisor and if it is deemed necessary they will have to change that page too.

Mr. McKamey said he noticed in other pages of this Bill it is the 31st day of March, etc.

Clerk-in-Council said if they would allow him he would have the Bill prepared in final form and brought back to them.

Committee agreed.

Committee recessed at 10:30 until 11:00 A.M.

Committee reconvened at 11:00 A.M.

Mr. Shaw proposed that they read over the amended Sections.

Committee agreed.

Chairman of Committee's then read the amended Sections.

Mr. Shaw moved, seconded by Mr. McKamey, that Bill No. 24, be reported out of Committee as amended.

Motion Carried

When Mr. Speaker resumed the Chair, Mr. Taylor, Chairman of Committee's reported as follows:

Committee Report

"Committee convened at 10:15 a.m. to discuss public bills. Committee first discussed Bill No. 24. It was moved by Councillor Livesey, seconded by Councillor McKamey that subsection (1) of new section 31 as outlined in Section 10 of the Ordinance be amended to read as follows:

- '31. (1) Subject to subsection (2)
  - (a) a tavern may be opened once each week day and once opened must remain open for not more than fourteen consecutive hours between the hours of nine o'clock in the forenoon and twelve o'clock midnight;
  - (b) a cocktail lounge, or club may be opened once each week day for the sale of liquor during a continuous period ending not later than 2 o'clock in the forenoon each day and may not be reopened during the ten hour period immediately succeeding the close of business;
  - (c) a cabaret lounge may be opened once each week day for the sale of liquor during a continuous period ending not later than 2 o'clock in the forenoon each day and may not be reopened during the twelve hour period immediately succeeding the close of business;
  - (d) a mess or canteen may be opened during the hours endorsed on its license.

4. Section 12 sub paragraph (2)

Every license granted under the provisions of this ordinance shall be in prescribed form and except for a license granted under Section 12B shall have endorsed thereon the hours when the licensed premises will be open and shall be signed by the Commissioner.'

This motion was carried."

Committee recessed at 10:30 a.m. and reconvened at 11:00 a.m.

Council accepted the report of Committee.

First and second reading were given to Bill No. 24 as amended.

Third Reading Bill No. 24

Mr. Shaw moved, seconded by Mr. Boyd that Bill No. 24, An Ordinance to Amend the Liquor Ordinance, be given third reading.

Motion carried.

Sessional Paper Nos.

Mr. Speaker said they had reached the hour of prorogation and he asked for replies to the Commissioner's opening address.

- 75 Mr. McKinnon gave his closing address (Set out as Sessional Paper No. 75)
- 76 Mr. Watt gave his closing address (Set out as Sessional Paper No. 76)
- 77 Mr. Shaw gave his closing address (Set out as Sessional Paper No. 77)
- 78 Mr. Taylor gave his closing address (Set out as Sessional Paper No. 78)
- 79 Mr. Boyd gave his closing address (Set out as Sessional Paper No. 79)
- 80 Mr. McKamey gave his closing address (Set out as Sessional Paper No. 80)
- 81 Mr. Livesey (with Deputy Speaker in the Chair) gave his closing address (Set out as Sessional Paper No. 81)

Mr. Speaker: Mr. Delaute, the Council of the Yukon Territory has, at its present sittings thereof, passed a number of Bills to which, in the name and on behalf of the said Council, I respectfully request your assent.

Clerk-in-Council said: the Bills requiring assent are -

- Bill No. 1 - AN ORDINANCE RESPECTING THE CORPORATION OF THE CITY OF DAWSON
- Bill No. 2 - AN ORDINANCE TO AMEND THE YUKON HOUSING ORDINANCE
- Bill No. 3 - AN ORDINANCE TO AMEND THE OLD AGE ASSISTANCE AND BLIND PERSONS ALLOWANCE ORDINANCE
- Bill No. 4 - AN ORDINANCE TO AMEND THE DISABLED PERSONS ALLOWANCE ORDINANCE
- Bill No. 10 - AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY
- Bill No. 11 - AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY (Second Appropriation Ordinance 1964-65)
- Bill No. 13 - AN ORDINANCE TO AMEND AN ORDINANCE EMPOWERING THE COMMISSIONER OF THE YUKON TERRITORY TO GRANT A FRANCHISE TO THE YUKON ELECTRICAL COMPANY LIMITED TO SELL AND DISTRIBUTE ELECTRICAL ENERGY IN THE TESLIN AREA, YUKON TERRITORY
- Bill No. 15 - AN ORDINANCE TO AMEND THE BILLS OF SALE ORDINANCE
- Bill No. 16 - AN ORDINANCE TO AMEND THE PUBLIC SERVICE ORDINANCE
- Bill No. 17 - AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE
- Bill No. 20 - AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE
- Bill No. 21 - AN ORDINANCE TO AMEND THE MOTOR VEHICLES ORDINANCE
- Bill No. 22 - AN ORDINANCE TO AMEND THE GAME ORDINANCE
- Bill No. 23 - AN ORDINANCE TO AMEND THE MEDICAL PROFESSION ORDINANCE
- Bill No. 24 - AN ORDINANCE TO AMEND THE LIQUOR ORDINANCE

Mr. Delaute, Administrator, gave the proroguing address (Set out as Sessional Paper No. 82).

Sessional Paper #82

Mr. Livesey: "I would like to thank the Administrator for his words and information on this historic event of closing this Session. I would also like to extend my thanks to the members of the Administration who have given their wholehearted cooperation to the Council and especially the Clerk of the House and his secretarial staff. I would further like to commend all Members of the House during the last three years for their kindness, efficiency and their tolerance with relation to my decisions and the work that we have done together here and leave you with every hope and wish that you will be successful during the summer in all your endeavors. Thank you."

Clerk-in-Council "It is the Commissioner's will and pleasure that this Council be now prorogued and this Council is accordingly prorogued."

Council Prorogued April 30, 1964

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