



YUKON TERRITORIAL COUNCIL

FIRST SESSION 1965

Votes and Proceedings

VOLUME I

C. K.

I N D E X

VOTES and PROCEEDINGS - 1965 (First Session)

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33. Question re S.P. #29, Payment of Fines - page 763.

E R R A T A

- (1) Page 614, line 8, April 6th, the amount "\$1700.00" should read "\$1500.00"
- (2) Page 615, lines 1 and 2, the phrase "Centennial Committee" should read "Centennial Commission".
- (3) Pages 658, 659, 660, and 661, the words "Klondike Business Association" or the letters "K.B.A." should read "Kbndike Visitors Association."

SESSIONAL PAPERS

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VOTES AND PROCEEDINGS
OF THE
COUNCIL OF THE YUKON TERRITORY

Monday, March 15, 1965.
10:00 o'clock A.M.

The first session of the Council for the year 1965, being the Second Session of the Twentieth Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 10:00 o'clock A.M. on Monday, March 15, 1965.

The members present were:

Mr. Hubert E. Boyd, Whitehorse East
Mr. John Kenneth Thompson, Whitehorse North
Mr. Donald Taylor, Watson Lake
Mr. Robert D. MacKinnon, Carmacks-Kluane
Mr. Frederick G. Southam, Mayo
Mr. George O. Shaw, Dawson

Absentees were:

Mr. John Watt, Whitehorse West

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

Mr. Speaker: The second session of the twentieth wholly elective Council of the Yukon Territory will now come to order. Mr. Clerk would you please inform the Commissioner **the Council is prepared** to hear his opening address.

The Commissioner of the Yukon Territory, Mr. G.R. Cameron, was ushered into the Council Chambers by the Sergeant-at-Arms, Sessional and gave his opening address. (Set out as Sessional Paper #22) Paper #22

Mr. Speaker: Thank you Mr. Commissioner for your interesting and optimistic address. I can assure you at this time that Council will give consideration to this matter in the succeeding days of this session.

Mr. Boyd moved, seconded by Mr. Southam, that the address of the Commissioner be taken into consideration on a day following.

MOTION CARRIED.

Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce Bill No. 6, An Ordinance to Amend the School Ordinance. Introducing Bill #6

MOTION CARRIED.

On motion, Council adjourned until 10:00 o'clock A.M., Tuesday, March 16, 1965.

Tuesday, March 16, 1965
10:00 o'clock A.M.

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

The following correspondence was tabled for Councils consideration:

- | | |
|--|---------------------------|
| (1) A memorandum from Mr. H. D. Spray, Area Development Officer, stating that pursuant to Section 8 of the Yukon Lands Ordinance, I have for tabling all copies of Assignments, Leases and Agreements for Sale prepared by the Supervisor of Lands and the Area Development Office since April 14 th , 1964. And also pursuant to Section 6(2) of the Mining Safety Ordinance we have the Mining Safety Rules which were published. (They are available from the Clerk-of-Council for inspection as copies were not made for everyone). | Sessional
Papers
#1 |
| (2) Memorandum respecting Motion No. 20, Ross River Radio Communication - (Set out as Sessional Paper No. 1); | #1 |
| (3) Memorandum respecting Motion No. 17, Release of land in the Proposed Industrial Area - (Set out as Sessional Paper No. 2); | #2 |
| (4) Memorandum regarding Question No. 3, Yukon Merger - (Set out as Sessional Paper No. 3); | #3 |
| (5) Memorandum respecting Motion No. 26, Engineering Study for Road Construction to link the Alaska Highway with the Northern Industrial Area - (Set out as Sessional Paper No. 4); | #4 |
| (6) Memorandum respecting Motion No. 23, Street Lighting at Carmacks - (Set out as Sessional Paper No. 5); | #5 |
| (7) Memorandum regarding Motion No. 24, Klondike Visitors' Association - (Set out as Sessional Paper No. 6); | #6 |
| (8) Memorandum regarding Motion No. 27, MacRae Industrial Subdivision - (Set out as Sessional Paper No. 7); | #7 |
| (9) Memorandum respecting Motion No. 18, Tourist Amenities - (Set out as Sessional Paper No. 8); | #8 |
| (10) Memorandum respecting Motion No. 35, Water and Sewer, Porter Creek - (Set out as Sessional Paper No. 9); | #9 |
| (11) Memorandum regarding Motion No. 2, Agriculture Program - (Set out as Sessional Paper No. 10); | #10 |
| (12) Memorandum regarding Motion No. 17, 1964 1st Session - (Set out as Sessional Paper No. 11); | #11 |
| (13) Memorandum regarding Question No. 2, Power Rates - (Set out as Sessional Paper No. 12); | #12 |
| (14) Memorandum respecting Motion No. 29, Old Crow Airstrip - (Set out as Sessional Paper No. 13); | #13 |
| (15) Memorandum respecting Motion No. 6, Condemned Areas in and Adjacent to Whitehorse City Boundaries - (Set out as Sessional Paper No. 14); | #14 |
| (16) Memorandum regarding Motion No. 12, Housing, Takhini Area - (Set out as Sessional Paper No. 15); | #15 |
| (17) Memorandum regarding Motion No. 7, Amusement Tax - (Set out as Sessional Paper No. 16); | #16 |
| (18) Memorandum respecting Motion No. 9, Yukon Public Utilities Commission - (Set out as Sessional Paper No. 17); | #17 |
| (19) Memorandum respecting Motion No. 37, Labour Provisions - (Set out as Sessional Paper No. 18); | #18 |
| (20) Memorandum regarding Reference for Advice - Purchase of Fire Trucks Haines Junction and Keno City - (Set out as Sessional Paper No. 19); | #19 |
| (21) Memorandum respecting Insurance for School Buses - (Set out as Sessional Paper No. 20); | #20 |
| (22) Memorandum regarding School Buses, Watson Lake - (Set out as Sessional Paper No. 21); | #21 |
| (23) Memorandum respecting Amendments to Municipal Ordinance Yukon Territory - (Set out as Sessional Paper No. 23). | #23 |

Introduc- Mr. Taylor moved, seconded by Mr. Boyd, for leave to introduce
ing: Bill No. 2, An Ordinance for Granting to the Commissioner
Bill #2 Certain Sums of Money to Defray the Expenses of the Public
Service of the Territory. (Interim Supply Appropriation Ordinance
1965).

MOTION CARRIED

Bill #1 Mr. Boyd moved, seconded by Mr. Southam, for leave to introduce
Bill No. 1, An Ordinance for Granting to the Commissioner
Certain Sums of Money to Defray the Expenses of the Public
Service of the Territory (Second Supplementary Appropriation
Ordinance 1964/65)

MOTION CARRIED

Bill #3 Mr. Boyd moved, seconded by Mr. Southam, for leave to introduce
Bill No. 3, An Ordinance for Granting to the Commissioner Certain
Sums of Money to Defray the Expenses of the Public Service of
the Territory.

MOTION CARRIED

Bill #4 Mr. Boyd moved, seconded by Mr. Taylor, for leave to introduce
Bill No. 4, 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 1965-66)

MOTION CARRIED

Bill #5 Mr. Southam moved, seconded by Mr. MacKinnon for leave to
introduce Bill No. 5, An Ordinance to Amend the Engineering
Profession Ordinance.

MOTION CARRIED

Bill #7 Mr. Boyd moved, seconded by Mr. MacKinnon, for leave to
introduce Bill No. 7, An Ordinance to Amend the Workmen's
Compensation Ordinance.

MOTION CARRIED

Notice of Mr. Southam gave Notice of Motion regarding the Mine, Mill
Motions: and Smelter Unions Brief.

#1

Mr. Taylor gave Notice of Motion regarding National Parks.

#2

#3

Mr. Boyd gave Notice of Motion concerning Property Insurance.

Mr. Taylor: I have one question I would like to direct to
Mr. Clerk. I wonder if he could tell me if the Administration
are still endeavoring to find us a press secretary for this
session.

Clerk-of-Council: I am not exactly positive they are still
trying, I believe they are. I will find out if you wish and
obtain a proper answer to your question.

First Mr. Taylor moved, seconded by Mr. Boyd, that Bill No. 6, An
& Ordinance to Amend the School Ordinance, be given first
Second reading.

MOTION CARRIED.

Reading
Bill #6

Mr. Taylor moved, seconded by Mr. Boyd, that Bill No. 6, An
Ordinance to Amend the School Ordinance, be given second
reading.

MOTION CARRIED.

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

MOTION CARRIED

In Committee of the Whole:

Committee proceeded to discuss Sessional Paper No. 1 respecting Ross River Radio Communication.

Discussion
S.P.#1

Mr. Taylor (with Mr. Boyd in the Chair): With regard to this memorandum, since the memorandum was issued last December 4, a single sideband unit was placed in Ross River on an experimental basis by I believe it was Lectrofridge Company down here and when power was available for the unit it worked out very well and I cannot agree of course that this single sideband is not as good as AM because it certainly is. However we still lack a radio at Ross River as the one that was at Ross River was moved up to the Dynasty Camp at Blind Creek, one of the mining companies took it over and the other end terminated with Yukon Flying Service here so consequently we are back without a single sideband unit again at Ross River and I would hope that following our discussions in Ottawa and that following this session that the Administration would consider the placing of a proper and adequate single sideband transmitter in the community.

Discussion followed on Sessional Paper No. 2 regarding the Release of land in the Proposed Industrial Area.

Discussion
S.P. #2

Mr. Watt: I would like to say one thing that this was a result of the recommendation of the Central Mortgage and Housing planning committee but it says in this memorandum that this land is expected to be made available within the next year or two which is a long time away - and it tells some of these motions, concerning the release of land in the Whitehorse area, are acted upon and I will do everything I can to make sure that other land in the Whitehorse area is not tied up. The sooner we can get action on the release of land in the lower Whitehorse area, and in other areas of Whitehorse, until that time no recommendation to tie up Federal land will get any support from me. I would just like to put on record that I think that within the next year or two is too far away, it should be done this summer.

Mr. Boyd: I remember this discussion very well and there is one point that is being overlooked. We have got to the point where we are now talking about Federally owned land only. This Federally owned land only was really the least of our concern. We were talking about privately owned land which is held in mass and this is the land that requires to be released. At the present time the purchase of such land has not been available. The land can be leased but it can never be bought and no man can set his feet down on something that he can never own or doesn't know when he is going to own it and to me it is more important we get this land made available for sale. It read at one time to sell or lease but it didn't say who had the say who was going to say whether it should be sold or leased. The purchaser couldn't say "I will buy it". The owner could say "I will lease it to you but I won't sell it to you", either one or the other and this thing has got kicked around quite a bit. We are getting nowhere.

Discussion Discussion followed on Sessional Paper No. 3 respecting
S.P.#3 Question No. 3, Yukon Merger.

Mr. Watt: It appears that the people of the Territory have been overlooked. It says it is strictly a deal between the Province of B.C. and the Federal Government. Where does the Territory - the people come in. It appears that we do not even have to be consulted. Is that your interpretation of this Mr. Chairman?

Mr. Shaw: I would say that probably this is quite correct, from the legal point of view this Yukon Territory belongs to the Federal Government or Canada so it is up to them what they do with it. There is no doubt though that if **something like this should come** into being that the people themselves will be asked but I think just in answer to the question, what procedure, that would be the procedure from the legal point of view. Now from a political point of view you might have a different answer.

Mr. Taylor (with Mr. Boyd in the Chair): The reason behind the question of course was that at the time of the Fall Session there was a great deal of discussion respecting the merging of British Columbia and the Yukon and no-one seemed to know what the constitutional status of the Yukon was and of course my motion here was turned down at the table for a constitutional study and so this was my means of getting or I thought of getting a constitutional answer by asking this question. I am very heartened to note in my communications received from the Administration of late that there is in fact a constitutional study being made and possibly we will know just exactly where the Yukon stands. I very much doubt in my own mind that anybody would want to join British Columbia.

Discussion Committee proceeded to discuss Sessional Paper No. 4 respecting
S.P.#4 an Engineering Study for Road Construction to link the Alaska Highway with the Northern Industrial Area.

Mr. Watt: This was another **motion to give** effect to recommendations of the Whitehorse Metropolitan Plan. The answer appears to be the Department of Public Works will be asked to consider making a study to determine the best location for a road to link the Alaska Highway and the industrial area north of the City of Whitehorse. My information concerning the Whitehorse Metropolitan Plan, there has been a study already made, the location is already there and there is no reason why this can't be done, part of the road is already installed. This seems to be a stall of some kind. Apparently all these recommendations are just being held, no action is being taken by the government except to tie up land. This seems to be the overall effect of the plan, of the motion concerning the plan and that is the recommendation No. 1 which hasn't been passed through Council here to tie up a 10 mile radius, has been acted upon and so far I would say nothing else has been acted upon that I have found so far. Further on in this session we will see what we can do to get more action on this plan.

Mr. Thompson: It says that the Department of Public Works will be asked to consider making a study well this doesn't say that they are going to. As Mr. Watt says it seems to be a delaying action. I wonder if they could give us any further information regarding this. Has anything been done? Are they making any progress or is it still in a stalemate? Before they proceed I would like to be assured that I will get a reply to this. To consider making a study is an entirely different thing from making a study and as Mr. Watt says that the plans have been formulated and approved by the Metropolitan Town Planning and

is there anything being done about this or who do we have to ask to get a reply?

Mr. Taylor: Well I don't know who you would contact in this matter however the Commissioner will be with us on Thursday for question period and it is possible you may wish to enter the question under Orders of the Day in a written form or you may wish a representative of the Administration at this time - you have these various avenues.

Mr. Watt: I noticed a lot of these are signed by Mr. Judd for Mr. Cameron and Mr. Judd is not too far away, possibly he could answer some of these questions just briefly here and it would settle the matter and we wouldn't have to bring it up further in formal questions. Would committee be agreed on this?

Mr. Shaw: In respect to going through these sessional papers there will no doubt be various ones that will require a little more clarification or more discussion and I would suggest that perhaps the ones that there was further information required that they be put to one side, that you make notations thereof and that these be brought up later with the Commissioner or the persons that are concerned with this information, they are not just put to one side and forgotten. That way we can bring them all up during the course of the session.

Mr. Taylor: I have noted that Councillor Thompson has a question on this.

Committee proceeded to discuss Sessional Paper No. 5 respecting Discussion Street Lighting at Carmacks. S.P.#5

Mr. MacKinnon: I would thank the Administration for their cooperation.

Discussion followed on Sessional Paper No. 6 regarding the Klondike Visitors' Association. Discussion S.P. #6

Mr. Taylor: What were the results of that discussion.

Mr. Shaw: I am awaiting the report of the Chairman of the Financial Advisory Committee for the answer for that.

Mr. Watt: I remember when we were in Ottawa we did mention Dawson City for quite a considerable length of time but 90% of that was for a new sewer and water system in Dawson City. As far as the request for funds of the continuation of this Klondike Visitors' Association, I don't think we spent much time on that. Is that right Mr. Shaw you were at all the deliberations there.

Mr. Shaw: Not at that time did I hear anything but I think that most of the matters that came up during the Advisory Committee meeting in Ottawa were matters that had to be discussed to evaluate the particular problem. The matters that were not particularly essential, I believe in the matter of finances, smaller amounts would probably be in the budget and were cleared by the Financial Advisory Committee.

Mr. Watt: We didn't actually discuss this in Ottawa, this particular item of the budget we didn't break our budget down that fine. As Mr. Shaw knows, he was there for all of the deliberations, except for a little bit on the first day, This was discussed in our Financial Advisory Committee meetings here before we went to Ottawa.

Mr. Shaw: As long as the amount of money is in there I am quite satisfied. I haven't had the opportunity of looking at the book yet.

Mr. Watt: Mr. Shaw there is so much in there that I don't know what it is all for, even under the heading of Dawson City.

Discussion Committee went on to discuss Sessional Paper No. 7 regarding S.P. #7 the MacRae Industrial Subdivision.

Mr. Watt: All I would like to say on this is that this is part of that Whitehorse Metropolitan Plan and I think later on in the session when the Commissioner is here and other interested parties we may have a general discussion on the progress of the plan so nothing I could say here now would add to this.

Discussion Discussion followed on Sessional Paper No. 8 respecting Tourist S.P. #8 Amenities.

Mr. Watt: This is another one of those motions along the same line and I think progress is being made on this and I appreciate the help the Administration has given us on this and in this memorandum.

Discussion Committee proceeded to discuss Sessional Paper No. 9 regarding S.P. #9 Water and Sewer, Porter Creek.

Mr. Thompson: As it says they have already informed me of their findings. I would like to point out one small matter and that is the fact that the changing scene in the Whitehorse Camp Takhini water and sewer picture is throwing an entirely different light on the services for Porter Creek because it is conceivable and highly probable and possible that Porter Creek will eventually become a part of the Whitehorse water and sewer system. Now I don't say a part of Whitehorse but it is quite conceivable that we will become a part of their water and sewer system. Towards this end and here again without my knowledge the city, the Territory and the Department of Public Works had a further study made by another engineering firm with reference to an integrated service connecting Camp Takhini, Valleyview, Hillcrest in to the existing systems of Whitehorse. My understanding at the moment is that it will be 1967 before the City take over the Camp Takhini area, but already to this end the Territory and the Department of Public Works have been in contact with the City with regard to these cemesto homes. Now this may be a little forward thinking or forward looking, the City haven't taken over Camp Takhini yet and they have vetoed the cemesto homes and yet they have no interest, at the moment, in Camp Takhini. The long range plan says otherwise. In connection with this other survey that has just been completed I haven't had an opportunity to look into the fine points of it but I sincerely hope and trust that we will be afforded the amenities of water and sewer in Porter Creek which I feel should have been put in there when the Territory originally put in the subdivision and not wait until everybody moves in and then decide it might be a good idea to have it. Those are my only comments at this time but I will have some questions for the Commissioner when he comes.

Discussion- Committee then discussed Sessional Paper No. 10 respecting the ion S.P. Agriculture Program.
#10

Mr. Taylor (with Mr. Watt in the Chair): We were very much enlightened in Ottawa on this subject of agriculture in the Yukon and we were told in no uncertain terms in Ottawa that it is, in the opinion of the Northern Administration, that

agriculture in the Yukon Territory should be discouraged. They feel that the soil here is not necessarily suited to good growth of vegetables and this sort of thing, that the growing season is too short, that the winters are too severe, that the problems in breaking land up here are just too tough and I think they are on what they call an ARDA kick down there where they are starting to buy land back from the farmers and so forth and get them out of the agriculture business and so consequently as I say they have stated very firmly that they wish to discourage any form of agriculture in the Yukon Territory and I think it is deplorable, I really do.

Mr. Shaw: I don't think they said that they would discourage it they said they didn't want to encourage it.

Mr. Taylor: To the contrary, I was there when they said discourage it.

Mr. Boyd: Yes, I think Mr. Taylor has the gist of the argument here Mr. Shaw.

Discussion followed on Sessional Paper No. 11 regarding Motion No. 17, 1964 1st Session - Dust Control.

Discussion
S.P. #11

Mr. Thompson: Mr. Chairman, this probably stems from our request originally from the Porter Creek Citizens Association for dust control and our interpretation of dust control was a fast pass over the road with an oil truck spreading oil and this is all they had in mind. All of a sudden it becomes a great big expensive operation whereby everybody in the Territory has to have dust control. Now whether these other areas have requested it or not I do not know. I know that we did and then as I say all of these other communities are added into there estimates. They want \$16,000.00 for a truck. Now this is a - granted I don't think this is necessary and then they want to set up a distribution plant for asphalt and all the rest of it. This section of road, and I think they did 100 yards in Porter Creek, granted it was probably expensive but it practically came up to asphalt specification and it was a regular hard seal coated road. It broke up in a few places but the majority of it held up very well but this isn't what we originally asked for. All we wanted was some oil on the road to keep the dust down for the two months of summer that we eventually get. They have gone into a tremendous amount of detail here just for to convince us, I presume, that it isn't necessary or required but I think oiling of the road in any of these communities, such as the main street in Mayo, or Watson Lake, where dust is a problem and as I say on a couple of our feeder roads in Porter Creek and I think that the whole thing could probably be done for \$5,000.00 at the very outside.

Mr. Boyd: I remember this Porter Creek test with oil and it seems to me they have been making these kind of tests since I was a small boy, particularly since I came to Whitehorse and every time you put it down you have potholes. I remember very well it was as much as your car was worth to take it over some portion of that road for potholes and so on. Others were afraid to drive on it because when they got back their fenders and everything was covered with oil that would not even wash off. The point strikes me is that for all these years until they got pavement here in Whitehorse they had a truck, a water truck, which was able to spray the ground quite adequately and keep the dust down. It seems to me we have a water truck in Porter Creek sitting there for quite some time throughout the day probably it could make a trip or two from that well and do it for a few hundred dollars.

Mr. Taylor: (with Mr. Boyd in the Chair) This business of dust control is a real problem in the Yukon Territory and I concur that something has to be done. If we can get Bunker C, I don't know where this Bunker C comes from they are talking about here, but I know we can land Bunker C fuel into Watson Lake at less than .30¢ a gallon because we could haul it up from Taylor Flats refinery. However, it is a real problem, I think it is a very important medical problem. If you are forced to live in one of these subdivisions where you are faced with a dust problem, which is in most subdivisions in the summer time, you are constantly breathing, your children are breathing this silica dust and of course as we all know this could lead to silicosis - lots of medical problems for the people if they breath this dust continually over a great deal of time. Then of course it has its nuisance value, everyone knows what it does around the house and so forth, everything just gets covered and coated in dust - all for the want of a little preventive maintenance, you could call it, on the road in order to keep this dust down. I feel that the amount of money required here could be found this year, could be placed in that budget. In Ottawa we were told on one issue that oh we've got lots of money, we've got another half a million budgetary surplus that we are looking forward to here and on the next project we were told - oh no we've got to hold the line, we haven't got any money. This is the way it went right through the whole affair. I would like to conclude that we have the money and I think we owe it to our people in the Territory and in the subdivisions to do what we can to make life a little more pleasant for them and I think dust control is a necessity - certainly in the subdivisions in my area and I am quite certain throughout the Yukon.

Mr. Thompson: I would like to concur with Councillor Taylor, and my colleagues can back me up, in Ottawa this was a constant about face as far as the Administration were concerned on many matters and just as a point in passing - they mention that there is nothing in our present Five Year Agreement - there was nothing in our present Five Year Agreement for spraying either but they came up with \$20,000.00 in an awful hurry last year and they came up with \$40,000.00 this year in an awful hurry so they aren't very consistent in their line of reasoning or thinking. As I say I would hesitate to go to the extent of buying a truck or something of this nature but I definitely think that something should be done as far as dust control is concerned and I think that oiling, or as Mr. Boyd has said, watering if this will solve our problems.

Mr. Taylor: I will be proposing a motion on this subject for the consideration of Council on a day following.

Mr. Shaw: In respect to this matter, with the exception of one community, which is Mayo, all these other areas are on the Alaska Highway. Now, why all of a sudden should the Territorial Government be involved in maintaining and doing this work on the Alaska Highway. It would appear to me that the millions that they spend in maintaining this highway that it would be more or less the responsibility of the Federal Government or the Department of Public Works to attend to this matter of oiling the particular sections which that highway travels through where there is a center of population. I would feel that this is something, mind you I feel that when you live close to a road like that it should be controlled by dust, whether the Territorial Government does it or the Federal Government, I agree this should be done. But I also agree that this is the responsibility of the Department of Public Works. Rather than be in the budget here that it is

there responsibility, it is their road it is not a Territorial road - we actually have very little say in this Alaska Highway and those are the people that should be doing this and should have done it years ago - where it goes through communities. If an effort is made towards seeing what can be done, apparently we haven't the money to do it - well that is rather a poor excuse I think, not doing a public service that should be done. There is no question that this amount of money would be very small potatoes as far as the maintenance of the Alaska Highway is concerned and they can certainly oil these roads where it goes through subdivisions such as Watson Lake, Porter Creek, Crestview and so forth and cut down this dust. I see no reason why they can't carry that on as a normal part of their duty.

Mr. Taylor: Mr. Chairman, I can't agree with Councillor Shaw on this issue. Were the situation such that that was the only road in the area I would of course concur but in these cases, in any of them, in Watson Lake, Teslin and I am quite sure Porter Creek, Crestview and certainly Mayo these roads are all off the Alaska Highway. Insofar as the Alaska Highway is concerned, I can certainly speak on behalf of Watson Lake where it does travel through the community, the Army do water it and on occasion and they have put a special type of surfacing on it to reduce the dust to a minimum. There was more dust produced on our Territorial streets than there was on the Alaska Highway at that particular point. I think you will find that this is the same throughout the other subdivisions. However, there is a fair mileage involved here of subdivision roads and as I say I feel that we should get some action on this this year and proceed to oil these streets and get this dust down.

Mr. Watt: Mr. Chairman, I don't know what the dust control problems are up at Old Crow and Ross River but I think that Mr. Shaw did have a good point. I think we should pursue it a little bit further and try to get some help from DPW for sections of these communities along the Alaska Highway. A good percentage of our cost here are for surfacing the Alaska Highway and I think we should pursue this a little further.

Clerk-of-Council: Mr. Chairman, if I might interject something here, if you will look on your diagrams no part of the program includes the Alaska Highway. It is all marked in the subdivisions where they want them to go and it doesn't touch the Alaska Highway.

Mr. Taylor: In Watson Lake, as I just patiently explained, the Alaska Highway, at that point, is maintained and dust control is partially maintained already by the Department of Public Works but I do not believe the Department of Public Works are interested in taking over any of our subdivision work and it is the subdivisions we are concerned about.

Committee then discussed Sessional Paper No. 12 dealing with Power Rates. Discussion S.P.#12

Mr. Taylor: I wonder if anyone could inform me just what this power is sold for in Whitehorse per KWHr.

Mr. Boyd: I don't know the answer except to say that it is too much. One thought I have on this and I heard this over the radio the other night so this is not coming out of my thinking, we have public owned companies, government owned companies, who pay no sales tax or nothing else whereas a private company are subject to all the taxes the government can put them on and

because we happen to live on one or the other side of the fence we are jeopardized costwise and I think this is a pretty important factor to consider. I could take the case of Dawson City - I would imagine if that were government owned it would be operated at cost with no sales taxes and so on and no profit structure. I think this power business is fairly important to we Yukoners to get it straightened out somehow. I notice that since the B.C. Government took over their electrical light setup they have now announced that they have the cheapest electricity in Canada as far as the consumer is concerned. That is getting down pretty low.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman, this also was another proposal of mine at the Spring Session which I couldn't even get seconded ~~it was~~ that a study be made with a view to having the Federal Government purchase at fair value all the holdings of Yukon Electrical Company in the Yukon and have them operated by Northern Canada Power Commission whereby we could enjoy rates at somewhat better than cost and when we became fully autonomous, a provincial state, in the future sometime that we could then take over the operation and maintenance of our power system. I do feel though that something has to be done respecting the power costs in the Yukon. I guess we are all quite sympathetic with our colleague from Dawson who has to pay such a high price for power and I think in fact all over the Yukon everybody is paying far too much money for their power. I understood when I was in Ottawa, it was unfortunate I didn't learn this until after our meetings were concluded or I would have asked questions on it, that there is either a proposal which would provide a subsidy in the Northwest Territories on power resulting in power being reduced to 5¢ a KW to the average consumer. Now I haven't got any further data on this, it was just mentioned to me prior to the conclusion of our meetings, or right after the meetings were over. I think that we should take this question up with the Administration and find out what this is all about and if a subsidy is required possibly it could be effective here however I don't think it is the answer to our problem. It seems that there is a broad difference between say .12¢ a KW, I think is the sale price, starting price anyway, and 2¢ or 2.3¢ a KW. I really think a study should be made of this all over the Territory and some solution effected here because this is no good the way it is.

Mr. Shaw: Well in respect to that we have, Mr. Chairman, we had an amount of \$10,000.00 in the estimates for two or three years in relation to having a power commission if and when required and the Financial Advisory Committee a year or so ago decided to knock that out - they felt it wasn't necessary on account of having been utilized to create something like this so that it may get back to the matter of investigating of this particular thing to see how the price structure is. I don't pay the light bills around here, I do elsewhere and I know what that is like - it is very rough. On the other hand now in discussing the matter of the smaller areas it is obvious that if the company goes in a small area where there is a very small kilowatt consumption that that would be higher than it would be in an area where they use a larger amount. To me of course it looks like you get power down here dirt cheap but of course maybe you compare it from here with some other place so it is all relevant.

Mr. Taylor: Mr. Chairman, I also concur with the member from Dawson I would also point out too that I believe it was Councillor Watt proposed a motion sometime ago which I voted against and that motion was to establish a power commission as well but the reason I voted against that motion was because

I felt we've got one right across the street here, the Northern Canada Power Commission, however since I have found out that they don't make these studies, that in effect it is not a commission in the sense that we can assume. But I think that something has to be done. I was remarkably surprised to learn that for instance in Old Crow, at the school, we are paying light bills of \$1800.00 a month. Now that is a lot of money and this is tax payers dollars and we have the responsibility of looking after the taxpayers purse and I think something should be done to stop this. I think there is one unit, the RCMP, were paying as high as \$5,000.00 a month for power for their installation at Old Crow. Now this is absolutely ridiculous and I feel that some effective control should be put on this and I would certainly be glad to second and support any motion which would further this matter and that is a study.

Mr. Watt: Mr. Chairman, we have a further Sessional Paper #17 which we will come to which I think will help answer Mr. Taylor's second part of his request that a further study be made on this and this concerns a vote that this Council passed concerning a \$10,000.00 for a commission be set up with the Northwest Territories Commission that made a study after the Territory deleted their \$10,000.00 we left. The Territories went on their own and out of the commission that was formed at that time they made this recommendation of the subsidy. We are coming to this again on Sessional Paper No. 17 so I won't proceed any further because actually it is a little bit different item than going into the commission.

Mr. Shaw: Mr. Chairman, in relation to the remarks by the member from Watson Lake, Old Crow, it surprises me, it is news to me of course of the amount of the cost in regard to the RCMP and for the school and as you recollect when it was first established a rate was set at .25¢ because it was a very small community and they didn't know what consumption would be utilized. Now with the apparent useage that there is there and the amount that these various people are paying, I would assume and I understand that they are going to review the situation and bring it down to a more compatible level. They charge .25¢ per KW for the power and in Dawson it is .25¢ per KW for the first 100 KW so you have an idea what the revenue has been over the past 60 years when they get such large amounts and Old Crow is just a few buildings. We have a situation existing in the north that has been that way for 60 - 70 years with no chance of getting it lowered.

Committee then proceeded to discuss Sessional Paper No. 13 Discussion regarding Old Crow Airstrip. S.P. #13

Mr. Shaw: Mr. Chairman, this was a reasonable request and I would like to thank the Administration for the positive action they are taking on this matter.

Discussion followed on Sessional Paper No. 14 respecting Discussion Condemned Areas in and Adjacent to Whitehorse City Boundaries. S.P.#14

Mr. Watt: Mr. Chairman, we have an item in our budget concerning this - concerning the Whitehorse Escarpment Area and at that time we will have witnesses here and I think that will be a more appropriate time to proceed with this if that is okay with Committee.

All Clear.

Discussion Committee proceeded to discuss Sessional Paper No. 15 in S.P. #15 regard to Housing, Takhini Area.

Mr. Watt: Mr. Chairman, I would like to say that there was some discussions on this item in Ottawa and the obstacles to be overcome were not nearly as serious as seemed to have been indicated at this level here. I think that its possible these houses could still be released and used and be an asset to the town. The last part of this memorandum says "Virtually everyone who participated in the discussions agreed that Council's proposal was a good one in principle. Unfortunately, it would probably not work in practice." I would like to have a list of the names who participated in these discussions. This is a request I would like to make to the Administration and we will proceed with this from there. We could leave this in abeyance until we have our discussions on the budget because we have an item concerning Camp Takhini in the budget and at that time we will have the Commissioner here, the Territorial Treasurer because there is money involved here, if this is going to be feasible and it is possible. The obstacles to be overcome are more at the local level than engineering, it is more the political and municipal obstacle at the moment I think. I think this could be best approached a little later on and then if we have to we could meet with the city or someone here could meet with the city and proceed with this further. I hate to let the thing drop because someone comes up and says it isn't possible - I think this could be a good thing for the town and a good thing for the Territory and help a lot of people out.

Mr. Shaw: Mr. Chairman, I am very interested in something like this, in fact I proposed the motion in the first instance. I think that the approach has been very negative, particularly from the City Council. There are lots of people that can't afford a \$15,000.00 home but they may be able to afford a home that would cost \$5,000.00. I think it is up to the Government provides money for people that want to build a \$15,000.00 home on a long term loan basis. We had a proposal here years ago where we would build \$16,000.00 apartments or \$250,000.00 deals for to provide low cost housing. At that time I introduced a resolution that small houses, \$6,000, \$7,000, \$8,000.00 houses be constructed in lieu of this apartment deal where people could own them. Now I think we have the nucleus of something similar here and I am quite prepared, as Mr. Watt has suggested, that later on we take up this matter and have further discussions. I wouldn't like to have this drop at this stage.

Discussion Discussion followed on Sessional Paper No. 16 respecting S.P. #16 Amusement Tax.

Mr. Taylor: (with Mr. Boyd in the Chair) There are two things I can't agree with here and I think we have all heard the arguments on this amusement tax. The people in the outlying districts are being taxed for the only source of entertainment they have, as I pointed out at the Spring Session in Whitehorse here you have television, you've got two movie theatres, you've got bowling, you've got everything in the book practically, basketball games, baseball games, a big arena you can watch professional or semi-professional hockey and all we have is a couple of little theatres in the outlying districts providing for entertainment for our communities and we have asked that this tax be withdrawn from those two communities in particular. I believe in Mayo there is no amusement tax levied for the showing of motion pictures there by the community club. I think that this is grossly unfair, I really do, however, if

in the next two year period that the Administration wish to leave this tax in effect then I would be very strong and forceful in insisting that an amusement tax be placed on every television set in Whitehorse, on the CNT line films going up and down the highway, on all the Department of Transport films coming up in competition with these smaller operators, on all films being publicly shown by the Territorial Administration which are not necessarily of an educational nature, on all basketball games over here and all softball games and all recreation down at this rink. If we're going to be fair let's be fair about it and tax everybody or else take the darn thing to heck right out of our budget. I feel very strongly about this. Either tax everybody or tax nobody but lets make it fair. Another thing I would like to question is the fact that we come back to this old deal where they keep throwing at us where Ottawa puts in about \$3.00 for every \$1.00 of revenue raised in the Yukon. This I can't agree. I would like to know where they get these figures. They bounce them around. If you include all those things such as Department of Transport and other Federal departments which are areas in the provinces which are strictly federal, certainly they put a lot of money in here but in relation to our own budget I am not so sure those figures are correct.

Mr. Watt: I would like to ask the Territorial Tax Assessor if this tax is assessed all over the Territory or just in the outlying areas. If the theatres are taxed in the outlying areas are they also taxed in Whitehorse? Is it discriminatory ?

Clerk-of-Council (as Territorial Tax Assessor) It is an amusement tax on motion picture theatres. It is not assessed by the Territorial Tax Assessor but is collected by the collector of amusement taxes - the Territorial Treasurer from all over the Territory.

Mr. Taylor: Mr. Chairman could Mr. Assessor enlighten me as to why the Takhini Hot Springs are charged or anyone going there are charged amusement tax to go swimming in that pool and no amusement tax is being charged for any functions within the municipality of Whitehorse.

Clerk-of-Council (as Territorial Tax Assessor) This is not true at all the amusement tax is charged at certain functions in Whitehorse. There are certain functions that are exempt and those are the only ones that are exempted the others pay amusement tax.

Mr. Taylor: I was informed, Mr. Chairman, some time ago that the Takhini Hot Springs and the theatres in the Yukon were the only ones that paid amusement tax.

Clerk-of-Council: I don't believe this is so but your question should be properly directed to the Territorial Treasurer. He is responsible for the administration of the Amusement Tax Ordinance.

Mr. Watt: Mr. Chairman I hope Mr. Taylor makes a note of that as I would like to see the question asked too as I don't think it is fair one part of the Territory is taxed and not the other. Any taxes levied by this Council should be enacted equally throughout the whole Territory and they should pursue this a little further.

Mr. Taylor: Mr. Chairman I will raise this in the form of a motion for discussion in the House and I don't know whether the motion will be to impose a tax equally across the Yukon or to withdraw this at this time but it will be one or the other.

Mr. Shaw: Mr. Chairman, I would like to know the answers that were received in relation to this second paragraph of where these theatre owners did submit their profit and loss statement and so on and so forth because it was getting to a very sad situation. It meant that they might have to go out of business and the extra 15% or 10% could mean their margin of profit. I think we could discuss it further with perhaps the Commissioner and the Territorial Treasurer at a later date.

All Agreed.

Discussion Committee proceeded to discuss Sessional Paper No. 17 in S.P.#17 regard to Yukon Public Utilities Commission.

Mr. Watt: I think this was the result of a motion that passed this Council in the last session. I think that this item has been included in the budget and we will have a chance to discuss it when we come to the item in the budget and possibly the Commissioner will have more information on the results of what has happened in the Northwest Territories. I believe one of the recommendations that had been made over a year ago was that a subsidy be paid and apparently that has been acted upon. I think that we will be getting a copy of the Votes and Proceedings of the Northwest Territories. Mr. Sivertz said he would send us a copy and we can have a look at what was said on this point and how their commission worked in the past and what their intention is for the future. By the time we get to this item in the budget we should have more information on it and I think it is a very good thing.

Mr. Boyd: One thought, \$10,000.00 for a power commission - I think it is alright to put it in the budget but don't be surprised if they come along and tell you it requires \$30,000.00 or more to do the job.

Mr. Shaw: Well Mr. Chairman, I believe that in the initial stages of this \$10,000.00 it was proposed that we join together with the Northwest Territories in this particular thing so that will cut down the cost considerably.

Mr. Watt: Mr. Chairman I would like to ask Mr. Boyd, is he saying that this figure is not realistic and upon what do you base your - I think the figures in the estimates are supposed to be an estimate of what these things are going to cost. This identical item has been put in the Northwest Territories budget five years ago, through experience this \$10,000.00 here - I don't think it is fair for us to say we are going to delete \$10,000.00 because it might cost \$30,000.00. I think it is unfair to think along this line.

Mr. Boyd: I'm not suggesting that you delete it, I'm suggesting that you prepare yourselves to pay more and this is a common occurrence all the way through no matter what you do. \$10,000.00 is one man's salary for one year, and not a very good man at that, maybe. He could draw up all kinds of things that could be erroneous and one man isn't going to do the job so it might take you 5 or 6 months but it won't get you through the whole study. That is what I'm trying to point out Mr. Chairman.

Mr. Watt: That answer's my question.

Committee recessed until 2:00 P.M.

Committee commenced discussion of Sessional Paper No. 18

Discussion
Sessional
Paper
#18

The Chairman read the Sessional Paper.

Mr. Shaw I have much to discuss on this paper. Perhaps right now would be the time to discuss this if the Commissioner was present to listen to the discussions and to arrive at some solution in this matter.

Mr. Chairman Mr. Clerk will see if the Commissioner is available for discussion in this matter if you like.

Mr. Shaw The reason I say that Mr. Chairman, is that this is quite an important matter. I can see some of the points here, but there are other factors that must be taken into consideration for a matter such as this and that is why I think that if we cannot work satisfactorily it will make it too hard on certain sections in relation to this motion which I presented last Fall. There may be some other way of serving the same purpose that I had in mind, to prevent the abuse of measures that had been conducted. We could perhaps get some suggestions from that, from the administration angle of it because this is where this paper has come from and that is more or less their view point. In relation to this I would like to ask them what they would do under certain other circumstances which are not mentioned in this paper.

Mr. Chairman Who would you like to discuss this with? The Commissioner?

Mr. Shaw I think the Commissioner would be the person Mr. Chairman, if he is available at this time, or we could postpone this until he would be.

Mr. Boyd Mr. Shaw has made the motion that brought this forward and we have certain facts before us which seem acceptable as far as they go, but Mr. Shaw has other ideas that he is trying to perpetuate and he does not seem to have anything to suggest further than this and he appears to expect the Commissioner to come down here and come up with an answer. I don't think this would be quite the correct procedure. I just don't think the Commissioner can do it unless he has been warned. If he has he should have it in writing here before us. I don't think you are going to accomplish very much by having the Commissioner here at this moment Mr. Shaw.

Mr. Shaw Mr. Chairman, I did not say at this moment. I said we could put this to one side and discuss it at a later date. I realize the Commissioner has work to do and duties to perform, and maybe right now he is busy. All I want to ensure is that I will be able to put forth the case that I have in mind at some time during this Council Session, and that I do not accept this Paper in whole as to remedy the matter by which I brought up the subject matter in the first place. Some other time when the Commissioner is down here it would be quite acceptable. A date can be set Mr. Chairman. That is quite all right with me.

Mr. Chairman: I was going to suggest that we try, if at all possible, to deal with some of these items in view of the fact that we have only got two or three more sessional papers to discuss today, and if we can get some of this away it would be of some assistance. However, I am at your direction.

Mr. Boyd: I wonder if Mr. Shaw would agree that, when the Commissioner is here on question period time, he could get all he wants out of the Commissioner at this stage of process.

Mr. Shaw: Question time, Mr. Chairman, is just a matter of asking a question and getting an answer. This is for discussion on this particular subject. I am sure other members would also like to discuss this. It is a matter of labour provisions and we are somewhat behind, I believe, in labour provisions and it is time, I think, that we give a little attention to matters such as this.

Mr. Chairman: Would Committee agree to determine whether or not the Commissioner would be able to come down, or do you wish to proceed with something else,

Mr. Watt: I think Mr. Shaw had a point in this motion originally and I can see the point that the administration is making in this memorandum, but I think that possibly the Legal Advisor could help us with this too, as well as the Commissioner. If we can make our intentions clear then their job should be to make them into law whether it is due to the Labour Provisions Ordinance or an amendment to it or to some other Ordinance and I think that the original motion was worthy of our support which we gave it, and I think that this memorandum points out some of the pitfalls that we could land into.

Mr. Shaw: That is quite correct. I thank Mr. Watt for his comments. There is a problem involved in this particular matter. This problem has not been fully explored, the problem which I wish to bring up and the point is that it is our duty, I think, to bring up matters, to discuss them with the administration and also to receive advice from them on how we can resolve a particular matter. This is all I ask and with the assistance of the Commissioner and the Legal Advisor I can I can put forth what I think about this and a decision can be made at that time.

Mr. Chairman: Gentlemen, can I have your direction as to whether or not we should ask these gentlemen if they can attend at this time.

Committee agreed that these gentlemen should be asked to attend.

Mr. Chairman: Mr. Clerk, I wonder if you would see if these gentlemen could attend with us at this time. I declare a short recess.

Commissioner Cameron and Mr. Hughes, Senior Advisory Counsel, attended Committee.

Mr. Shaw: We are discussing the matter of the answer to the Labour Provisions Ordinance in respect to a motion introduced last Fall respecting the deletion from the Ordinance of a section which exempted exploration companies from paying overtime. The Commissioner has come back with quite a few arguments as to why this should not be deleted and I quite agree with many of the paragraphs as contained in them. However, we have had a situation and we can have more whereby, through the provisions of the existing Ordinance, labour has been exploited, particularly last Summer when there was a survey outfit in the North and they were paying the employees \$1.10 an hour straight time. They worked Mondays through Sundays and the whole length of the month, 8 hours a day. Where this area was located was in the extreme north of the Territory and they picked on mostly native labour for the particular job which was a very good point to give some employment there. However, those people at the end of the month, when they got their pay cheque, got about \$270.00 to take home in pay in the area at the highest cost in the Territory. In other words, this company was taking advantage of labour to the extent of paying them about the smallest wages that you could get in the Territory, and on top of that through this Ordinance they were circumventing the matter of paying overtime pay. Now that is prospecting in the sense of the term and to me that was a practice that was exploiting people. Towards the end they couldn't get enough from the native villages in the Yukon and so they went to Rigley in the Northwest Territories and got a bunch there that would work for this type of wage and that is the reason that I introduced this particular measure to stop exploitation in matters such as this. I could have suggested, perhaps, that a minimum wage be set up in the Yukon and maybe that is the ultimate answer on something like this, but that is a very difficult thing to do because it might upset many things. What I am asking, and why I wanted the Commissioner down at this time and also the Legal Advisor, is that they may have some suggestions as to how we can stop exploiting in matters such as this.

Mr. Chairman: Might I ask one question from the Chair? Was this a mining company or an oil company or what?

Mr. Shaw: This was a contractor for an oil company. It wasn't the contractor. It was a contractor but of course it was in the petroleum industry, which is prospecting.

Mr. Commissioner: I am not too fully informed of the problem of the situation. However, I think it is agreed that if you read this sessional paper that was sent down we are merely quoting what these mining people have sent in to us and how they think about it and I am just somewhat concerned if there is any legislation we could pass that you have in mind Mr. Shaw that would actually prevent a similar thing from happening. In other words, there are always loopholes regardless of how you word it and I would be somewhat concerned by the remarks made by these mining companies that if you were to come up with something such as you are thinking of to plug one opening, the repercussions from other good normal operators might be a little overwhelming. It might bounce back the other way to the point of where they would find some other method of either reducing their scale of work, their hours of work, or the number of employees they hire or cutting back on their exploration programme. I am not sure what the real answer is, possibly Mr. Hughes could speak further on it.

Mr. Hughes: I am afraid it is not really a legal field. I wonder if it would help Council if I read the Territorial Secretary's letter to these definite employers and then read some of their replies. We have tried to summarize them and you will hear from the employer's point of view. Councillor Shaw has stated the point of view of the local employee and there is a problem there but how to come up with a solution I don't know. The letter that Mr. Taylor sent to these employers, Yukon Consolidated Gold Corporation, New Imperial Mines, United Keno, Quest Exploration, Klondyke Helicopter and Peso Silver:

"You are probably aware that under the Labour Provisions Ordinance of the Yukon Territory there is a section which exempts from the Ordinance a person employed for the purpose of searching for minerals. During the recent Session of the Territorial Council a motion was passed to the effect that this exemption should be removed with the result that all prospecting companies were forced to pay overtime to their employees who work any time in excess of 8 hours per day. Could you advise what amount of hardship, if any, this would put on these prospecting companies. An early reply, etc."

Crest wrote back:

"Regarding your enquiry, prospecting in the North is by nature spasmodic due to factors over which the operator has little or no control. The climate generally requires that field activities be compressed into the appropriate season and transportation and operating costs due to remoteness dictate that expenses, spare equipment and personnel be provided judiciously. Consequently bad weather and/or equipment breakdowns can cause work stoppages which may be of several hours to several weeks duration. During such a period personnel put in fewer hours, if any, while camp costs continue to mount. When work is resumed, it may be necessary to work longer hours than normal in order to complete the project during the season. The imposition of overtime regulations could materially add to the cost of exploration projects and decrease productive effort in this area. The sporadic nature of prospecting in the bush and its effect on working hours is generally accepted by the fraternity as an integral part of the business. Should an overtime regulation be applied, it could in fairness only be applied over such a long term as to also compensate for the inevitable lax periods.

And there possibly you have the positive suggestion that for field work on mineral exploration and so on the hours be averaged over a greater period; that possibly there must be a minimum contract of employment for 2 months before the hours can be averaged. I am suggesting this. There is room for a lot of pros and cons and vetoed discussions but where you have the short haul worker just going in and working for a week then normal provisions should apply. But on classified work such as contracts which are for a reasonably long period the thing could be averaged out. I don't know whether there is the germ of an idea there. Unless you wish, I won't read the other letter as it was that particular suggestion in Crest's reply which struck my attention and I thought it might be helpful to Council.

Mr. Boyd: It seems to me that this item that Mr. Shaw is discussing is in the wrong category. First of all, the man who contracted to do the surveying was not hunting for any mineral, not at any time. The man whom he hired, they weren't hunting for any mineral. They were just surveying a certain piece of land at the request of whoever it may be. This seems to me to be strictly a labour law and it doesn't come under the category of mining at all. If the mining company had hired the man, they were doing the exploration work and had hired these to put the posts in and I could see it, but here we have a contractor who isn't even in the business of exploring doing the hiring. This is the man you are complaining about.

Mr. Hughes: In connection with that point, may I just say that we do distinguish between a man who is a bald cook out in a crew and a man who is actually out of the field. That is one of the lines that we do apply. The particular case that Councillor Shaw referred to is not one within my knowledge.

Mr. Taylor (Mr. Boyd in the Chair): I am somewhat concerned about this matter myself. I have had many years (about 17) of experience of this type of business in the bush and have seen all sorts of crews in operation and certainly I must agree with the opinions expressed by these various mining companies that this could place a big imposition on the industry as evidenced by the replies. However, it seems to me here that we are talking about the petroleum industry as separate from the metal mining industry or the mineral industry and if we were to take the interpretation section of the Ordinance and define minerals or define this sub-section (b) of Section 2, possibly this might answer it but I don't think that these people in the oil industry are hiring these natives for prospecting. In the metal mining prospecting you hire prospectors to cut rock and this type of thing but I can't see where these people would be doing this within the oil industry. This is generally left to technical people such as a geologist or a fossil hunter so possibly that might be the answer by taking petroleum out of this interpretation section. I would like to hear what Mr. Legal Advisor may have to say about that possibility.

Mr. Hughes: I have not got the field experience Mr. Chairman to know what the different workers do and I am sure that one man may start a job as a truck driver and in the course of the day he may have to turn his hand to many things around the work place. If you have one breed of cat and another breed of cat both out in the field together on different wage scales you begin to generate some sort of administrative problems in the personnel department as one man will be on overtime and the other man will say I am on straight time, all that you fellows are doing is swinging the lead and waiting until you've run through your 8 hours to come on to the overtime, and there really are a lot of difficulties like that. If emphasis was placed on field parties rather than on individual categories it might improve things. As I have already said, we have extinguished the case of bull cocks. They don't rate quite the same way. They are working steadily round the camp, or should be. I feel no inspiration at all on how to deal with this. The Councillors with their great practical knowledge of work in the field are much better fitted to tell me what they want. I just don't have any suggestions from the legal point of view at all.

Mr. Taylor: Normally in the field, especially with prospectors as has been pointed out here, they take an interest and they take a monthly salaried wage. They virtually have a contract in many instances. In others, for instance for staking, with any work that I have ever done I've generally paid my men \$25.00 a day and all is found and all this sort of thing but this is generally a short term sort of thing. I don't think that these fellows in the petroleum industry could be prospecting. I don't think that they were trained for this so they must have been doing something else. Possibly Councillor Shaw can enlighten us as to what physical work they were really doing for this 8 hours a day. It sounds to me, as Councillor Boyd has pointed out, that we are dealing with a different situation but they may be trying to slip something by us by using the said subsection (b) which states that a person employed for the purpose of searching for minerals. Possibly they are stretching that and possibly the Commissioner has raised a very good point too in the fact that the minute you try to provide for that you create something twice as bad.

Mr. Southam: It appears to me that this crew was probably line cutting. That is what it sounds like to me and that some contractor, unscrupulous contractor I'll put it that way, has taken advantage of the situation and paid the lowest rate he could get away with. In other words he has exploited native labour. We do a lot of line cutting too up around Mayo. The lines we cut last year were contracted out and I know the contractor paid a good wage. Of course the lowest paid man up there today gets \$2.02 an hour which is quite a bit different from \$1.10 and it appears to me that if you got these contractors coming in here and doing what they like then there may be such a thing that the company that hires these contractors in the first place should be made to buy them to pay a living wage, put it that way.

Mr. Shaw: We are bringing up quite a few points on this that I am very happy to see brought out. We have heard the employer's viewpoint. I am trying to give the employee's viewpoint in this particular instance. The person employed for the purpose of searching for minerals is exempt. I wrote to the Labour Relations Officer in this particular matter late last Summer and he quoted this particular section and I think he is quite correct to be quoting that according to the law because mineral oils are minerals. I don't think you can separate them. When we hear about oil we hear about vegetable oils and we hear about mineral oils and therefore I think that we could justly believe that petroleum is minerals in the true sense of the word so that when the Labour Relations Officer quoted that he was quite correct and I accept it as such. As Councillor Southam has just mentioned, these people were line cutting and the point is that this was in fact a contract and I am not sure but I think that the company that let out the contract were most unhappy about the fact that these conditions did prevail, but when a contract is let out it is let out. This is not the first time that this has happened. A similar thing happened when they were building the Dempster Highway or when they were building a bridge across the Dempster Highway a number of years ago when some contractor got the contract and they were paying starvation wages; as little as they could get away with, or as much as they could get away with, whichever way you look at it. These are the things that give a bad name to some of the industries. The industries themselves, the prospecting, I can sympathize with. What the Commissioner came out with in that paper I quite agree with. That is quite right but

I am still concerned about matters such as we have just discussed. It is absolute exploitation and to put restrictions on this for that purpose may be a bad thing for the industry in the Territory but there must be some form whereby we can stop exploitation as does occur from time to time. Perhaps some law that any contractors or any persons operating in the Territory shall not pay less than the usual wage in that particular industry in the area. Some such thing as that, that will stop exploiting people. In other words, what I am trying to avoid is that in the wintertime, in the Yukon Territory, jobs are somewhat scarce. It is just hard to find work because of the nature of the climate. Okay, some company comes in (fortunately there are not many, but there are some) who will take advantage of that situation and pay just the very lowest they can possibly get away with which is exploitation, there is no question about that. Particularly when they have a contract because they are getting their money out of this contract. For every nickel or so they can squeeze out of someone they make more profit on their particular contract and these seem to be the people that upset the apple cart in relation to matters such as this, and I think myself that there should be something, some sort of legislation, that will prevent this kind of thing occurring. That is all I am looking for Mr. Chairman, something that will stop this extreme exploitation. If there is a nickel or a dime one way or another per hour that is just one of these things that is arranged between the employee and the employer and is too involved I think, for us to get mixed up with it too much but at the same time I think that it is our duty to stop exploitation which pops up from time to time and any action that is taken we revert back to something like this where there are no provisions for it, yet they have provisions in other provinces.

Mr. Taylor: I wonder again then if possibly a partial solution to this would be to definitely point out that searching for minerals does not include searching for petroleum. There certainly don't seem to be any problems in the mining end of it and I notice that the dictionary defines "mineral" as an inorganic substance and petroleum is an organic substance and so is coal. In other words, it seems to me that this may be the answer to our problem until we have a full review of the Ordinance which we will ask for later in the Session.

Mr. Clerk: The problem was mine originally and in view of Mr. Shaw's remarks I would like to point out that my problem was not with this section here. My problem was with the wording of sub-section 2 which says that this Ordinance does not apply too. Mr. Shaw mentioned a section which we should have in the Ordinance which we already have in the Ordinance which states that no employer may pay an employee less than the wages that are generally accepted and current for persons employed in the district in the same character and class of work. In other words, all labour should be paid the same hourly rate, but in view of this sub-section 2 of section 3 we could not enforce any section in that Ordinance. My original request was that the wording of this ~~sub-section~~ 2 of section 3 be changed to read "This section does not apply to". Therefore they would not be governed by the hours of work section but we could enforce all the other sections of the Ordinance. At the present time we cannot go after them to see that they pay their men within ten days after the end of the pay period. We can't go after them on holidays. We can't go after them on

anything in the Labour Provisions and I started this whole problem by requesting that that section be amended to read "This section does not apply to these companies" rather than "This Ordinance". That is what I would like and as Mr. Shaw suggested that section is there already but I can't use it because of the wording of sub-section 2.

Mr. Shaw: I looked at this section that has just been pointed out. However, it does state that an employer who employs an employee "in a shop". If he is out of a shop then of course he can do what the heck he wants. If we had crossed out that shop in these particular provisions so that it read "an employer who employs an employee shall pay such employee not less than the wages that are generally accepted as current by persons employing". In other words, we would need to delete the shop part of it and at the same time fix up that sub-section 2 of section 3, and I think that that would put us back on the right kind of a track.

Mr. Commissioner: Maybe I could add a little more to this. Going back to what Mr. Taylor just said, possibly cleaning this up by eliminating the minerals. We went into this with Mobil Oil as a matter of fact. They came up to us on the subject and said look, this is running our costs up too high unless we are eliminated under section 2 (d). There is some doubt in our mind, are we eliminated from searching for oil, and we said that as far as we were concerned and our Legal Advisor agreed that he would read it to mean searching for oil. We got information from Ottawa saying yes, unless otherwise removed the oil is considered mineral in this case because mining is referred to as burrowing in the ground. Their argument was simply this: They have found in their oil searching in the northern part or in other difficult parts of the world where it is either a hot climate or a cold climate or a very difficult one to live in, they cannot hold their employees if they leave them in the country for long periods of time. So they put them in on a job like this and they leave them there for so many weeks. They work them very long hours and then they come out for a week or two weeks. Now you can see what they are getting at. It is that they would be paying overtime to the men for working for say one month in there, then paying a salary while they take them out for two weeks in the outside. This made a fantastic difference to the cost, to the point where they had to say this is going to restrict our exploration programme, we can't pay this kind of money because it is expensive enough. The only thing I am afraid of with your suggestion Mr. Shaw, is that you might find that you are restricting companies that are operating this way, have long term employees and have a system with their employees where they say look, we come in and work 10 hours a day for 7 days a week for a month and then we give you a month in Vancouver or Dawson City or somewhere else, and a number of companies do this. So you are actually restricting what could be a desirable work movement in a particular phase of private enterprise, but I just wanted to clarify that on the mineral part that, unless you take it out, the terminology as established there would include according to the legislative people in Ottawa what some people do. I mean it is not unheard of that you would say that this does not include searching.

Mr. Shaw: I am not so concerned about this. I can understand that phase of the situation. My concern is mostly about paying wages that are absolutely below anything that they should normally be and in section 5 on page 62 if we just put out "shop", cross that part out that would probably solve the situation whereby contractors had come up, it doesn't matter whether it was for roads (the Federal Government has that fixed up as far as roads are concerned now - they didn't before, before the situation arose on that Dempster Highway). We cross out this "shop" and that will apply the same to everybody, that they will get at least a going wage in whatever is in the industry regardless of this sub-section 2 of section 3. Crossing out this "in a shop" would I think solve that situation. Could it be possible for the Legal Advisor to take his time and go over this and discuss it perhaps at a later date?

Mr. Commissioner: I would suggest that possibly your Council and the Legal Advisor might go at it. I think that Mr. Taylor, the Clerk of Council, has pointed out the main problem. In other words, he would like to be able to implement all of the labour provisions and he could do it if this wording was changed just that one portion. Now I don't know about the shop part.

Mr. Taylor: I think we want to approach this section 5 very very cautiously. At face value it may sound all right but what we are doing is establishing a basic minimum wage. Now this is what I have worked for ever since I have been in Council and it is turned down every time I bring it up but by doing this we would be applying the basic minimum wage based on whatever the other guy happens to be paying, and I don't think this is right either. I think that if we go to a basic minimum wage we should spell it out, be it at a basic minimum wage of a dollar or anything like this. I would question the wisdom of changing this in this manner at this time without a lot of study.

Mr. Shaw: Well for example, in most areas of the Territory we have the Mining and Smelter Workers' Union which is the strong union, or the active union we'll say, in the Dawson area and they have set a price which shall be paid in respect to labour - minimum wage for labour. I don't think there should be any problem in finding out what is an accepted wage in the area. That will almost establish a rate.

Mr. Taylor: I must disagree. This is a trade union situation which applies only to the unions and if the trade unions wish to impose shall we say pay skills which are possibly outrageous, I don't feel that the rest of the Territory should have to go along with this. I think that we can provide safeguards of legislation establishing basic minimum wages but I certainly think we should do this by our own legislation rather than letting the trade unions set up these basic minimums.

Mr. Shaw: Why should we pick on shop employees then and discriminate against someone else. We have shop employees in a shop. Now we don't seem to have any problem with that, why should we have any problem with the other.

Mr. Taylor: I don't know when this Ordinance came into being but this is a very old Ordinance. They talk about people driving horsecarts underground or something and this is a very old Ordinance. We have continually tried to upgrade it. We have made some amendments to it and as a result of our discussions in Ottawa on this labour situation as those members here that attended those meetings will recall, it was decided that we would possibly ask the Department of Labour to review this whole Ordinance and all related ordinances and this whole question of arbitration and everything and give us some recommendations as to writing up a whole new ordinance that could be done at this time. That is why "shop" is in there. I would assume it is just an old, ancient, outdated, antique type of ordinance and consequently I would say that we should not change this and that we should establish basic minimum wages possibly on the scale set by the Federal Department of Labour for the North now in classifications, but not to change it in this manner.

Mr. Clerk: The word "shop" is in there because the word shop is defined as a place of business which dispenses goods or services to the public and for retail and in other words it does not include anything else. We have used that section.

Mr. Shaw: Even if this is old, and it does relate to horsecarts and so forth, we haven't had any problem with it and so to cross out the shop business should not create any problems. It is fundamentally fair. Nothing wrong with it, just basically fair. It is not something that is doing something unfair to anyone. To establish prices in industry requires a very extensive survey to know what industry can pay, what this can receive and so on and so forth, and even if we are going to have a complete change of labour provisions it does not mean that we should just stand here and do nothing when we can do something that is very practical. I think myself that if the Legal Advisor and the Labour Provisions Officer get together over the bit of a problem in section 3, and then study and see what they come up with in section 5 and present it to us, then at that time we can discuss the matter and Council can decide whether they wish to go ahead with it or not.

Mr. Hughes: I would certainly be very happy to work on it and try the exercise of striking out the word "shop", but it is a bit of a Pandora's Box you know. We may get the lid off this thing but heaven knows what will fly out I am sure that we won't go too far wrong. There is no merit I take it in Council's view of the idea of averaging on field work. It might be too difficult to administer. I certainly will be very happy to go to work on it and see what it looks like when we take out that word. There may be some trouble.

Mr. Boyd: I would suggest that we leave it as it is now and that Mr. Taylor and Mr. Hughes take a look at it and come back with something if they can and we will know where we stand from there. We've gone as far as we can go now.

Mr. Chairman: My attention has just been brought to Mr. Daniels here. Does anyone wish to ask him any questions at this time or would you prefer to wait until we have something from the administration.

Mr. Commissioner: I was just pointing out that Mr. Daniels is in the gallery and if there was anything you wanted to discuss about wages, minimum wages or employment questions, he is the Manager of Employment Services here and I just thought that you might be able to utilize his services. That is the only reason I mentioned it.

Mr. Chairman: Do you wish this left until we get a reply from Mr. Clerk and Mr. Legal Advisor.

Committee agreed to leave the matter until a reply was received.

Committee was called to order.

Chairman: Is there any further discussion at this time on Sessional Paper No. 18?

Mr. Watt: I would just like to go on record as saying that I am in favour of an amendment to the ordinance along the lines Mr. Shaw has suggested.

Chairman: I believe this subject will be coming up again, and we will discuss it further at that time.

Committee proceeded to discuss Sessional Paper #19.

discussion
S.P. #19.

Mr. Boyd: Are all the homes and all the buildings in Elsa and Keno, regardless of who owns them, assessed property taxes the same as any individual homes or buildings,

Clerk of Council: Yes, they are. All the homes in Elsa and Keno are on the rolls. The one exception is one old one that is actually used as a separation plant and concentrator, outside of that everything else is on the rolls.

Chairman: I have had a communication from Teslin in which they have a requirement for a reasonable fire truck. The one is apparently inoperable down there. They point out that two new trucks are being purchased for Whitehorse, and the two trucks going to be replaced are going to be sent to Haines Junction and Bear Creek.

Mr. MacKinnon: I have some correspondence on this.

Chairman: I will be raising this when we get into the Budget.

Mr. Thompson: While Mr. MacKinnon is looking, can I say a few words. In the 1965-66 municipal and Area Development Administration Budget we have a small item that says Quarter Creek, Crestview, Crestview Fire Protection, and it provides for one fire chief - six months, two volunteer firemen and three volunteer firemen, but I don't see any fire truck to go with that. I was wondering if there had been an oversight, and Quarter Creek left off for a fire truck.

Chairman: I believe this is Operation and Maintenance you are looking at. You may find a fire truck in section 4(20).

Mr. Thompson; Thank you.

Mr. MacKinnon: (Reading letter referred to above) "Dear Councillor MacKinnon, Mr. John Livesey of Beaver Creek wrote to Mr. Spray, our Area Development Officer, on 11 December, asking for information about the fire truck for Haines Junction and Beaver Creek. Since this is a matter which is discussed during Council, and since you are the Councillor for this Constituency, I felt I should refer this enquiry to you. You may wish to inform the communities of Haines Junction and Beaver Creek that arrangements are now being made to provide fire trucks for both settlements. Quotations are now being asked for for a fire truck at Haines Junction, and for equipment to go along with it. We hope that this truck will be delivered early in 1965. The vehicle now at Haines Junction will be completely overhauled, brought up-to-date, and transferred to Beaver Creek. This again should take place early in the new year. I am sure that you will realize that buying a fire truck takes a certain amount of time when the vehicle itself has to be purchased outside, so we have to be certain that it comes up to specifications and requirements."

Mr. Boyd: This is interesting. I wonder what vintage that truck is that you have at Haines Junction. It seems that it is going to be completely overhauled, and it sounds to me as if it is very antiquated. If it is not good enough for Haines Junction why is it good enough for somebody else, Should it be trapped, in other words? After it is overhauled it should be good enough for Haines Junction without spending any more money there.

Mr. MacKinnon: There is a truck required at both places. Haones Junction is much the bigger place, and I think that is the reason they will get a bigger and better fire truck. The smaller one will go to Beaver Creek.

Chairman: We will be discussing the matter of fire trucks in the Budget again. Have you anything further on this?

Clerk of Council: I can't find anything in the budget, sir.

Chairman: Before I read this next Sessional Paper, No. 20, I wanted to ask questions of Mr. MacKenzie, and I wonder if the Committee would agree to seeing if Mr. MacKenzie could come down while we are reading this paper. Would this be agreeable?

Committee concurred.

Chairman: Mr. Clerk, while we are reading this, would you see if Mr. MacKenzie can come down.

Discussion S.P.
#20..

Committee proceeds to discuss Sessional Paper #20.

Chairman: Mr. Boyd, will you take the Chair for a minute.

Mr. Taylor: We discussed this at the Financial Advisory Committee Meeting this spring. I feel it is a very important question. I feel that these children have to be protected, and it has been pointed out that what we feared is in fact what has happened here, that we must prove the driver of the bus being at fault before these children are insured. And if a car, for instance, from out of the Territory, such as from California, was to come careening around a corner and slam into a school bus, and either catch it on fire, or kill, or maim, or injure our children, we can accord no financial protection whatsoever to these children. I strongly feel, as I am sure most Members would, that this protection should be accorded the children, due to the fact they go to school, and as we are providing them this means of getting there, I feel we should also provide the insurance to protect them. What the answer is I don't know, but possibly Mr. MacKenzie might have something further on this, which was why I asked if he could come.

Chairman: Would you like to take the Chair back, Mr. Taylor?

Mr. Taylor: Yes, thank you, Mr. Boyd.

Mr. Boyd: It seems to me that Mr. MacKenzie, under the name of Judd, is asking us what we want to do here, but I take particular note of these few words, and am beginning to wonder now if we shouldn't be responsible for our own liabilities, rather than covering everything we own with expensive insurance premiums. I think this is a point we should be thinking about. I am worried concerning the property insurance which I introduced this morning which is on this very line. I might say the risk of school buses in this area being damaged or meeting with any high cost fatality is not very great, and we are quite capable of

carrying maimed people for as much as a lifetime now without any adequate insurance, and I think the added risk in this case is little different.

Chairman: I see we have Mr. MacKenzie here. The Committee agrees to ask Mr. MacKenzie's advice at this time.

Mr. Taylor (with Mr. Boyd in the Chair): We have with us Mr. MacKenzie, and I would like to direct a question to him. I might say that we were discussing Sessional Paper #20, related to insurance for school buses, upon which three alternatives have been set forward, and we thought that possibly Mr. MacKenzie may be able to broaden these proposals a little. I would like to hear if he has any other solutions which may have come to him since the writing of this document.

Mr. MacKenzie: This is not the document I wrote, and I would just like to run through it.

Yes, this sets out the position pretty well, Mr. Chairman. Well, I would say the only amplification I could give would be to recommend that suggestion a) would be the one to adopt. In other words to amend the Motor Vehicles Ordinance so as to require adequate insurance be carried. There is the weak spot. Everything else is stop-gap and make-shift.

Mr. Taylor: Of course in considering this suggestion we already have the people of the Territory, generally speaking, up in arms over the high cost of compulsory insurance under the Motor Vehicles Ordinance, and believe me, the cost of this insurance is very high, too high at the present time, and as is pointed out here, this is going to place quite a burden on motor vehicle operators throughout the Territory. I can't agree that this is the only solution, it seems to me there must be something else we can do, rather than increase what is already a burden on the insured.

Mr. MacKenzie: Well, there are alternatives there which would go toward meeting the circumstances, but not, I think, as efficiently - b) and c).

Mr. Boyd: It is generally accepted that what we have now is not adequate. We are not adequately covered as it is. The Insurance now carried concerning our buses is not adequate. We are not sufficiently protected. Where are we falling down, at what point?

Mr. Taylor: I just cited a case here where it is pointed out somewhere that if an out-of-Territory vehicle comes here - a vehicle that is not covered under our Motor Vehicles Ordinance - it could be a truck or a car, and slams into a school bus, and hurts, maims or possibly kills one or several children, there is no means whatsoever of recovering insurance, or any claims for the parents of these children, or for the medical facilities required, or anything in relation to these children.

Mr. Boyd: That is quite true, and it also applies to every man and woman in the Yukon behind a wheel. Any car owner is in the same boat. This is a risk we run, but it is remote.

Mr. MacKenzie: May I just read out a paragraph from the letter from Firth on this particular matter, I took it up with them. "We agree with you that the weak point in the present arrangement is the fact that the many limits and liabilities as required in the Motor Vehicles Ordinance labelled \$10,000/\$20,000 Bodily Injury and \$2,000 Property Damage is not adequate enough to provide sufficient protection in the event

that the other persons involved in the accident would not pay the costs. The only way this can be corrected is by an amendment to the Motor Vehicles Ordinance. In this connection we would suggest and recommend that limits and liability as now required by the Motor Vehicle Ordinance be increased to \$35,000 a person coverage, presently the minimum limit required in the Provinces of B.C. and Alberta. We have also been informed that it is the intention of the Provinces to increase their minimum coverage from \$35,000 to \$50,000 a person coverage as at June, 1965. By so changing these amounts we will then make the minimum amounts the same in all provinces of Canada." Some are below the others at the moment. There as I said at first is the weak point.

Mr. Taylor: Even if we do this I am not clear on one point. If a vehicle does damage to one of our buses, and, let's say, kills two children and then cripples several more, or maybe burns several more, how could this possibly cover all claims by increasing this to say \$35,00 or even \$50,000 if you have maybe \$500,000 worth of claims or more?

Mr. MacKenzie: When you reach that level you can't pretend to be insured against. All you can do is to improve your present coverage so as to be in line with the other provinces.

Mr. Taylor: Yes, but we insist by law that these children go to school and we provide school buses as a means of getting there and overcoming distance and this type of thing. It seems to me as long as we require them to go to school, and as long as we recognize the fact school buses are required because of the distances involved, I feel that we are morally bound to provide insurance for these children in any eventuality.

Mr. MacKenzie: The fact that we have risk here does not mean to say we should not stand any claims that may be made arising out of an accident. In other words, in effect we are carrying our own insurance, which is the end result of what we want to achieve. Carry our own insurance on buildings, fire and everything.

Mr. Taylor: This is only if the driver of the bus is proved at fault?

Mr. MacKenzie: No, not really. If there were an accident involving students going to and from school we would see to it that they were taken care of satisfactorily.

Mr. Taylor: This raises another question. If we had insurance to cover this eventuality, it would be fine, it would be provided for, but if, for instance, this hypothetical situation we suggested occurs, under what authority, and from what fund or what vote, or by what method, can we lawfully settle any claims?

Mr. MacKenzie: We would have to vote it out of the General Revenue. We had a case of an accident and we voted money every year - a Mrs. Stewart - \$60,00 a month for years. Every year we had to make special arrangements. She died last year. She had no legal claim on us, but we did it. That is what could happen.

Mr. Taylor: I question the wisdom of carrying on on such a basis. If we have any unusually large claims it would be quite a burden for the taxpayer. Maybe possibly we should pay a nominal fee, or nominal by comparison, and allow the insurance companies to be the underwriters.

Mr. MacKenzie: Look at the Federal Government. Look at the risks they run. We are risking nothing in comparison.

Mr. Shaw: I think we are going a little round about. In the first place the discussion was about these people who are not forced to have coverage, and have an accident with one of the buses. There is nothing that can be done about that, as they haven't the coverage. You can't squeeze butter out of a turnip, and if they are not insured it ends that matter. We were also discussing what happens to the children in the bus. Now I think, rather than spread it over the whole Territory, we should look at it, and possibly boil the situation down to where it is - it's in the bus. Now it is possible, and it's not out of reason, for the person who has the contract with the bus, whoever it may be, or the Territorial Government operating their own bus, whereby for a nominal amount they could have medical coverage on that bus, up to \$1,000 or \$2,000 for each passenger. I have medical insurance on my policy - I think it's only \$2 or \$3 on my car, but all the people in my vehicle are protected up to a certain point for medical expenses, and I think that is about all we could do in relation to school buses. As Councillor Boyd mentioned, when we go out on the highway, it doesn't matter what you do about it, you are undertaking a certain amount of risk. If you are killed, well, there is nothing you can do about that. Dollars and cents won't bring you back to life. The person responsible will have to suffer according to the law, and you can't do very much. But if anyone gets injured there is a possibility at least of medical treatment. The onus I think should be put on the person who is operating the bus. He will have his passengers, or her passengers, whichever the case may be, insured for medical expenses \$1,000 per person carried. I don't think that would be out of line. I think that should be investigated as to the possibility.

Mr. Taylor: Possibly being a little more at home here, I'll ask this question - Would an insurance company insure us where the driver is not proved at fault in both cases, to cover these children? If so, what would the premium be? Would it be within reason?

Mr. MacKenzie: Where the driver of the bus is not proved at fault in both cases?

Mr. Taylor: Right.

Mr. MacKenzie: I don't get you. Which bus are you talking about?

Mr. Taylor: The school bus.

Mr. MacKenzie: Our bus. And our driver?

Mr. Taylor: Or our contracted bus.

Mr. MacKenzie: And he's not at fault. **Correct:** He's not at fault. In that case our insurance wouldn't apply. We would have a claim against the other party in this situation, and you can't get around it. I put that up to the Clerk. Could we not cover that risk? The answer is no.

Mr. Watts: I would like to ask Mr. MacKenzie - could you put it up to anybody else? I suggest you try to put it up to somebody else. If all else fails, try Lloyd's of London.

They'll cover almost anything, and at a pretty reasonable rate. This type of insurance we're talking about, I got some insurance several years ago on apartments for anybody slipping and falling. It's something along these lines we're asking for in the case of accidents on buses. It cost me \$18 to cover seven apartments at \$20,000 for three years. That's pretty reasonable. It's something along this line only with respect to children in buses, and the Council I believe would like to have the children covered.

Mr. MacKenzie: It is possible this coverage can be obtained. So far, we are seeking advice, and information. What we are really looking for, I think, is insurance against all risks involved in the transportation of children, and you cannot get all risk for children. You can't get it from anybody - from Lloyd's or anybody else.

Mr. Thompson: I think following along this line of thought, the question that occurs to me is, say it's somebody from California that hits our bus - now exactly where do we stand. Out on a limb.

Mr. MacKenzie: Call back to the position I explained to you. If our children are injured, we have morally to look after them, whether we carry a policy or whether we don't. That is the situation.

Clerk: What we are talking about is passengers, I think. I am working on a regulation now to try and get all school bus operators forced to carry passenger hazard to the limits that we set out in the amendments that we put through in the Motor Vehicles Ordinance, but I am not sure just how these amendments apply, but there is a schedule in there now which sets out the minimum insurance for passenger-carrying vehicles. The minimum, of course is less than eight persons. It goes up to \$20,000, that is where more than one person is injured in an accident. It goes up 8 - 12 persons, \$25,000, 13 - 21, \$30,000, 22 - 32 - \$40,000 and right up to more than 75 which is \$110,000. These limits are on now I understand, and I have had discussions with other insurance agencies and we are going to try and set up some minimums a little higher than this.

Mr. Taylor: This is insuring our own bus drivers or passengers, yes, but you said you were going to get the drivers to take out this insurance. But this only provides for what we have already provided for - if the driver of the bus is at fault. I am talking about the other end of the stick - if a California car is responsible.

Mr. Shaw: The fellow that hits you is responsible if you have passenger hazard, and if hasn't got responsibility, or if it goes over the limits of his responsibility and yours is still higher, then that takes over from that point.

Mr. Thompson: Not if you're not at fault.

Mr. Taylor: It seems that if such insurance does exist possibly this is our answer, and we provide this type of insurance - General Coverage - because it seems to me the insurance companies can gamble on this on our behalf - I don't think that we should. We pay the premium if it's reasonable. If a California comes along it's up to the insurance company to pay off the claim, and it's up to them to try and recover from the operator of the other vehicle. That's something outside of us. As long as we're covered and claims are paid it's all we're concerned about.

Mr. MacKenzie: I'm afraid that's not how it works, Mr. Taylor, from what I understand Mr. Clerk told me. I am sure this kind simply refers to the responsible car.

Mr. Taylor: Yes, but it was also pointed out we could check with some of the other insurance companies. Maybe instead of dealing with one we could look around and see what the other fellows are doing.

Clerk: I think when I get my answer from Mr. Humme's insurance company we will know better what the score is, but I think now that when you are insured for passenger hazard to risk any claims from your passengers. This is what we want, protection against claims by our passengers.

Mr. Boyd: Well, as I see it, the situation is being worked on, and we better leave it in abeyance until we have the answers which are forthcoming at some later time. They're already working on it.

Mr. Taylor: Do you expect to have some answers to this shortly.

Clerk: Almost any day now.

Mr. Taylor: Would you be prepared to provide us with what information you can get before the final review of this?

Clerk: Yes.

Mr. Taylor: Thank you Mr. Chairman. Are there any further questions?

Chairman: (Mr. Taylor back in Chair) Thank you, Mr. MacKenzie, for assisting us.

Mr. MacKenzie withdrew.

The Committee proceeded to discuss Sessional Paper No. 21. Discussion S.P. #21.

Mr. Taylor (Mr. Boyd in Chair): I think the paper itself is self-explanatory. I am not too clear on whether or not this should be a five-year contract or a three-year contract. I don't know what these buses are worth, but if this amounts to a very very substantial capital outlay it may be that we will have to offer a five-year contract in order to get this type of bus. We certainly feel this is the answer. As you will note, there will be over 60 children on each of these two buses, so we definitely need the buses for service, and that's about all I can add to it at this time.

Mr. Shaw: I would estimate, just as a rough guess, you wouldn't buy a bus for less than \$35,000 in credit, and it may be to our advantage to make the five-year contract in order to get a more favourable rate for a period such as this. I think if we look at it from the point of a three-year contract in order to amortize the cost of this equipment the price will be considerably higher, and after three years when the contract comes up again the persons driving the buses, the existing buses, I should say, would no doubt continue with the existing contract. For myself, it would appear to me that a five-year contract, in a case like that, would be well worth entering into.

Mr. Taylor: I am just doing some fast calculating here, and it seems to me that a five-year contract would involve a Territorial expenditure, based on this \$18,750, of approximately just under \$100,00. It works out to about \$93,750

over five years.

Mr. Boyd: It figures at about \$100 per year per child, and I don't see anybody investing with this kind of money, unless they are going to be assured they are going to have something to use it for, because in Watson Lake there is nothing other than school children to bus. With all respect we have big buses now, and we have plenty of use for them, so they've got to have some kind of a guarantee before they'll take those buses in there. I think possibly five years would be all right.

Mr. Taylor: Is there any further discussion on this item?

Mr. Watts: The only reservation I have about the longer contract is if a situation were to arise, and I have heard rumours of this, were if the highway were to be re-routed between here and Edmonton, and happened to by-pass Watson Lake or some place like this, then the town would be considerably reduced in size, and we have a couple of buses for five years there, and the population of the whole town could be carried around in one bus. Is there any possibility of the highway being re-routed?

Mr. Boyd: I think we will have to run that risk and cross that bridge when we come to it.

Mr. Taylor: Is there any further discussion on this item?

Clerk: I take it then, Mr. Chairman, that you wish me to convey to the Commissioner that your views are that we should negotiate for this service on a five-year basis?

Mr. Taylor: Correct. Does the Committee agree?

Mr. Boyd: Unless they have other reasons that are unforeseen at the present time. It may be that they might get an offer for three-year deal or something like that. They haven't checked, they're only guessing themselves, for myself, the way I would express it, is that I would not object to a five-year deal.

Clerk: I can tell you now that when they called the last contracts they were for three years. The price that they first received paid for the buses in the three years, entirely, so I think the five years would be much better.

Mr. Taylor; Are we clear on this subject now, gentlemen?

Agreed.

Committee agreed that discussion on Amendments to the Municipal Ordinance be deferred until the Legal Advisor,

It was moved by C. Boyd, seconded by C. McKinnon, that Mr. Speaker do resume the chair.

Motion Carried.

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

Committee Report.

Committee convened at 10:20 a.m., this morning to discuss Sessional Papers. Committee recessed at 12 noon and re-convened at 2 p.m. this afternoon. It was moved by C. Shaw, seconded by C. Southam, that Bill #6 be reported out of Committee without amendment.

Motion Carried.

Council adjourned until 10:00 A.M., March 18, 1965.

Wednesday, March 17, 1965
10:00 o'clock A.M.

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

The following memoranda were tabled for Council's consideration:

- (1) A memorandum from the Commissioner stating that the trip planned for Carmacks, Mayo, Elsa and Keno is to leave Canadian Coachways bus depot at 8 A.M., Friday, March 19th. Would you be so kind as to inform Council of these arrangements?
- (2) A memorandum from the Commissioner dated March 16, 1965 stating that Mr. Frank Wiedman of the Alcoholic Foundation of Alberta is presently under contract to the Yukon Territory carrying out studies in regard to the alcohol situation. If you will let me know of a convenient time for him to appear before Council, I shall so arrange.
- (3) A memorandum respecting Motion No. 33, Jury Fees - (Set Sessional out as Sessional Paper No. 24). Paper #24
- (4) Memorandum dated March 16, 1965 respecting copies of the Liquor Inspector's reports - (Set out as Sessional Paper No. 25) #25

Clerk-of-Council: I would like to draw your attention to the fact that we have the Votes and Proceedings of the first two days in your hands.

Mr. Speaker: Thank you Mr. Clerk, it certainly is commendable that you are giving such prompt attention to Votes and Proceedings, it is a step forward because when you read the Votes and Proceedings a month after these things have been said it is very difficult to make any corrections that may be necessary. Thank you very much. In regard to the trip planned for Carmacks, Mayo, Elsa and Keno - does this meet satisfactorily with your arrangements?

All Agreed.

- Mr. Thompson gave Notice of Motion regarding dust control. Notice of Motion #4
- Mr. MacKinnon gave Notice of Motion on extended radio service at Carmacks and Pelly Crossing. #5
- Mr. Thompson gave Notice of Motion concerning piped sewer and water for Porter Creek. #6
- Mr. Shaw (with Deputy Speaker in the Chair) gave Notice of Motion in relation to Fire Insurance Rates in the Yukon Territory. #7
- Mr. Taylor gave Notice of Motion for the Production of Papers of Papers respecting Agricultural Committee Report. Production #1
- Mr. Southam moved, seconded by Mr. Shaw that Mine, Mill & Smelter Workers Union have prepared a brief regarding health, welfare, compensation, education, labour laws, etc. and would like an opportunity to present same before Council. Motion #1

Mr. Southam: About a week ago I received a letter from the Mine, Mill & Smelter Workers Union requesting that they be allowed to present this brief before the Council. They would also like a date set, if possible, and I understand from the President, Tony Galutzo, that there would be three members of the Union coming down, I don't know who the other two are but the President would be coming. If they could be informed about a week in advance when to appear they would appreciate it. I think personally that if they want to present the brief I think they are quite within their rights. There is no doubt you people have heard them several times and I have listened to them myself, almost every day, and if they want to present the brief I think it is only right that they should be able to come down here. I don't mean to let them carry on with a long winded discussion, but set a time say for an hour. I would like to make the suggestion that they be allowed to come down here say on a Thursday afternoon from say 3:00 to closing time or whatever time you allow but don't leave it too long so it won't be too drawn out.

Mr. Watt: Mr. Speaker, this is just a suggestion and I would like to have Mr. Southam's opinion of this. Could we possibly see them when we are up in Elsa, say on Sunday. If it is just going to be 1 or 1½ hours we could probably work it into a schedule rather than take an evening off down here. I think, as far as I am concerned, I could better work it in at a time like that then down here in an evening.

Mr. Southam: Mr. Speaker, the visit that is arranged in the Elsa area there was no provisions made for this and I think that you are going to be fairly busy if we get up there at the time we plan to - we are pretty well tied up. On Sunday we are coming back to Carmacks so I don't see how it could possibly be done unless we phone them and see if they could get together. Personally I would sooner see them somewhere else.

Mr. Watt: Mr. Speaker, I am not familiar with the schedule that was made up but if it was pretty well booked up I am completely in agreement with meeting them down here. I am willing to hear any of these subjects that are pertaining to the laws of the Territory. I think that these people should be heard.

Mr. Boyd: I would just like to ask one question Mr. Speaker, is this meeting suggested for the evening or is it during a day Council is in session.

Mr. Speaker: It is suggested a Thursday afternoon Mr. Boyd.

Mr. Boyd: Mr. Speaker, I would like to know if anyone has any idea just how long, how many pages of brief are going to be submitted to us. We can hardly be expected to meet three men here with a brief that deals with the subjects mentioned therein and think fast shall we say. Possibly we could get a hold of the wording of this thing and have a look at it for at least a day or two before we have to talk about it.

Mr. Southam: Mr. Speaker, I haven't been talking to these gentlemen too much since they approached me about coming down. I don't know how long the brief would be but I could try and get a brief from them so we could get a chance to look it over and still give them the opportunity to present it. I could phone them up and ask them if they would do that and I don't see why they wouldn't, however, as I say I didn't inquire into it - they just came along and slipped this in my pocket, so to

speak. Why I mentioned Thursday afternoon Mr. Speaker was they get in here on a Thursday morning and they go back up on a Saturday and I thought if we set the time limit, a hour say 3:00 to 4:00, something like that, I don't think it should be a dragged out affair. We could review it, I don't imagine that we could give them an answer, not at that particular moment. We would have to have time to think it over, at least I think so.

Mr. MacKinnon: Mr. Speaker I don't see a thing wrong with Mr. Southam's request and we can well afford to grant them that time.

Mr. Speaker: I haven't my rules of Council with me and the Clerk-of-Council has brought it to my attention that we should have the brief before so we know what to decide and what is contained in the brief.

Clerk-of-Council: If I could have one or two minutes I could have a set of rules brought up and it is clearly outlined in your rules how a brief is presented to Council.

Mr. Taylor: Mr. Speaker, this was what I was just about to bring up. First of all I would suggest that Councillor Southam contact these people and endeavor to get their brief. I was going to suggest that if he could have the brief available Monday or Tuesday prior to the next Thursday, possibly then we could establish Thursday at 2:00 o'clock or a date and time certain to meet these people.

Mr. Speaker: Would that be acceptable Councillor Southam?

Mr. Southam: Well Mr. Speaker I would imagine that they have already got the brief made up and I think if I contacted them by phone that probably I could get the brief when we go up on the weekend and bring it back with me. I think it can be done, at least I will try to - it is agreeable to me, yes.

Mr. Thompson: Mr. Speaker this would then give the Administration an opportunity to mimeograph this so we could each have a copy of it before the deliberations.

Mr. Speaker: I am sure it would Mr. Thompson.

Mr. Boyd: These are very important things and are things that involve a lot more than just we seven men here. If we are going to carry on a discussion it would seem that health, welfare, education, labour laws - we might require the heads of these different departments to sit on this discussion to. These are the men that can answer the questions, the heads of these departments possibly better than we can.

Mr. Taylor: Mr. Speaker, as I pointed out yesterday that in meeting these people we are not going to get into any debate. We are merely going to hear what they have to say and will have an opportunity to ask any questions or clarify points we are not clear on and any discussions that will result out of this will be between this Council and not with these gentlemen. We are here to hear their views and what they have to say, ask our questions and anything may or may not come of our discussions.

Mr. Watt: Mr. Speaker, I would like to say that Mr. Boyd had a good point there so if we do get this brief next weekend and we are presented with a copy of it on Monday or Tuesday then we can decide what witnesses we might need and then possibly

amend our agenda with the approval of Council to either allow more or less time.

Mr. Boyd: As Mr. Taylor points out we are not going to carry on any discussion with them. We are going to have them here and let them hand their paper to us, is what it boils down to. Now if this is all we are going to do we don't need any of these top men here, as he says. It could boil down to the point that we would be better off to have their brief submitted to us by mail. Maybe after reading it we may find out that all the things they have suggested and so on require a vast study. We may not be prepared to talk to them at all until we can have a real good look and go into it.

Mr. Taylor: Mr. Speaker we must be prepared to talk to anybody or listen to anybody at this table otherwise our usefulness and effectiveness of this Legislative Council would go right down the drain.

Mr. Speaker: I might say that the object of people presenting briefs and presenting them in person are to give the Members of Council an opportunity to ask any questions that perhaps aren't contained in the brief. It is not debating the issue it is asking the pertinent questions to gain information on matters that perhaps are not contained in the brief.

Mr. Southam: Mr. Speaker, it isn't necessary that we meet them next week but sometime before the Council closes. We set our own time and our own date and our time limit and in the meantime I'll try and get the brief.

Mr. Speaker: I have a suggestion, in relation to this motion that Mr. Southam has brought up on this brief, perhaps you could leave this matter in abeyance until we have received the brief and then take the matter up again immediately and decide on the course of action. Would that be acceptable to the members?

All Agreed.

Motion
#2

Mr. Taylor moved, seconded by Mr. Shaw that whereas the National Parks Branch, Dept. of Northern Affairs and National Resources, are desirous of creating a National Park in the Yukon Territory, and

Whereas the National Parks Act would presently appear to prohibit optimum use of resources to a large extent, and

Whereas representations have been made from time to time by the metal mining industry, questioning the wisdom of creating a National Park in the Yukon Territory, and

Whereas it would appear that this matter should be referred to joint discussion between both interested parties so that a workable solution might be affected,

Now therefore, be it resolved that in the opinion of Council the Administration is respectfully requested to invite the senior officer or officers of the National Parks Branch to come to the Yukon to meet and hold discussions with the Yukon mining and exploration representatives and any other interested groups with a view to establishing an effective solution to the existing problem.

Mr. Taylor: I feel that the resolution is self-explanatory. When we visited Ottawa among other things on the agenda was the perennial national parks issue. During our discussions and on our agenda this matter came up and no less than six national parks officials came marching into our little conference

room and went to work on this parks thing again. It was pointed out that at the present time people are either for parks or against parks and between the press and the politicians and a few more people who have had this thing stirred up. They have everybody so mad that there is no middle ground for negotiation - they were either for it or against it. This motion would permit discussion on this subject between the two most interested parties - the pro park and the anti park people. It is my sincere hope that with and if the mining people will then bend a little, that Ottawa will then bend a little and a workable solution may be found to this problem. That of course is what the resolution asks for.

Mr. Watt: Mr. Speaker, I would like to ask Mr. Taylor what he expects to gain by this. He wants to instigate a meeting between National Parks and the mining industry. Where does the Yukon Territorial Council fit into this? We are the people here that are going to have to decide. Do you expect them to come up with a solution that we can discuss? How do we fit into this picture? Do you want us to be part of this - the motion doesn't say so. Do you want us to be part of this discussion or have the discussion before Council? This is a serious question you don't need to snicker - I mean it. I would like to ask Mr. Taylor how we fit into this?

Mr. Taylor: Mr. Speaker, I was just wondering if the Honourable Member was present at these meetings we had in Ottawa. However as I pointed out in this resolution this is a means of getting the two pro and anti elements of this parks issue together to discuss this matter and if these people are in the Yukon Territory at such a time a Council Session is under way - then certainly we will meet with these people. What I'm trying to do with this resolution is to get both these opposite factions together, working together, and work out a solution for this thing because we won't find a solution at this table. It has to be between these people.

Mr. Watt: Mr. Speaker, I can't see what the motion is going to accomplish to have two bodies meet to come up with a solution. My mind is clear and I think the Yukon should have and I have put my opinion on the table quite a few times and so has most members of this Council. We could hear both sides of the story, we could hear National Parks, which was done and we could hear the mining industry, which we could hear again, and we've got to decide around this table - possibly some time cast a ballot on whether a National Park should be established or should not be established. If Mr. Taylor thinks that this motion is going to accomplish something by all means call the question but for the life of me he hasn't answered my question, and it is a serious question, of what this could actually accomplish, then I would gladly vote for it but at the moment I would just as soon not vote on it because I don't know what it would accomplish. If Mr. Taylor could give me an idea of what this could accomplish then I would gladly vote for it if it could possibly accomplish something.

Mr. Taylor: Mr. Speaker I have given the Honourable Member the answer to that question twice now and I would suggest that if he contemplates my last remarks he will also find that he has already been given the answer twice. However, I won't repeat it, I have said it already - the motion is self-explanatory. This was asked for in Ottawa at the meetings at which the Honourable Member was present and it was agreed by all concerned that this motion would be presented at this session of Council in order to get the ball rolling on this issue and I have presented the motion in good faith and along the lines that were acceptable in Ottawa and consequently I leave the matter at that.

Mr. Boyd: Mr. Speaker, I feel the motion is quite in order and should be agreed to inasmuch as there are two factions in ~~the~~ Yukon. Every year this bickering comes up. The National Parks Board they are just busting their necks to spend some money here - we know this - and others are busting their necks to keep them from not doing so under certain conditions. I think a meeting of the two, the pro and the con, along with the representatives of the Board should bring an end to this thing one way or the other - settle it for some time to come at least, whichever way it goes.

Mr. MacKinnon: Mr. Speaker, I would suggest that the Council should see fit to call a plebescite and find out just what the people do want instead of us bickering.

MOTION CARRIED

Motion
#3

Mr. Boyd moved, seconded by Mr. Thompson, that because our policy of property insurance is based on 100% replacement and because it is unrealistic to assume that we would have a total loss of all property at any one time, it is recommended that Administration review its policy and arrange for insurance coverage on the basis that the policy would be blanket in effect, but no claim would be greater than one million dollars in any one year.

Mr. Boyd: May I proceed Mr. Speaker. We are now paying out I think \$60,000.00 a year in premiums. Our buildings are scattered far and wide, most of them in a sense do not involve big money, certainly the schools do but not all of them - \$10,000,000.00 and as we go on its probably going to be double this in another ten years. In ten years time in premiums, if we were to carry it ourselves, we would have more than half a million dollars on hand using the past. This half million dollars would take care of most all of the fires we have had, that I can recall, since I have been here. It just seems unrealistic to carry on this way, paying out all this money in an organization such as our size is when I think we could well afford to do a little speculating on our own and run ~~some~~ risk. I feel we are running no risk, so far as the motion is concerned I think we are amply covered. I am asking for somebody to look in to this situation and see if we can't get our insurance rates reduced a very very considerable amount - as much as 75%.

Mr. Taylor: Mr. Speaker, I don't think that with this issue at this time we are going to make too much progress and I would suggest that possibly the Honourable Member would agree to placing this motion in Committee for discussion possibly with the Treasurer and Mr. Commissioner present at the time.

Mr. Boyd: I have no objections Mr. Speaker if this is the wish of Council.

Mr. Thompson: Mr. Speaker I seconded this motion and I feel that there is definitely room for research and changes. I feel that it can conceivably save us quite a bit of money in the long run. If it is the wish of Council to have further discussions then by all means do so but I feel we should give it our earnest consideration.

Mr. Boyd moved, seconded by Mr. Watt that this motion be referred to Committee for further discussion.

MOTION CARRIED

Mr. Taylor directed the following question to the Administration:

Question #1

Would the Administration provide Council with figures which would indicate approximate value of federal buildings in both the Yukon and Northwest Territories with a breakdown showing departmental responsibility for same buildings.

Mr. Taylor moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee fo the Whole for the purpose of discussing bills, sessional papers and motions.

MOTION CARRIED

Committee proceeded to discuss Amendments to the Municipal Ordinance, with Mr. Spray, Area Development Officer, Mr. MacKenzie, Territorial Treasurer, and Mr. Hughes, Senior Legal Counsel, in attendance. Discussion S.P. #23

Mr. Boyd: As we go through this we will come to some facts where it says 19 or 20 people can become a hamelt or a village goes on to town and it would seem if those figures are going to be adopted, an election of Councillors would be almost negligible as far as election is concerned because there wouldn't be enough interested or capable people in such a small community. This is the point that has me a bit baffled.

Mr. Watt: Can we ask Mr. Legal Advisor to comment on this section to verify the points.

Mr. Hughes: I suggest that the City Council of Whitehorse missed the point. This is just in connection with villages, they seem to think that they stand in danger of being appointed by some overriding authority. I wouldn't like to comment on it any further at this time because as you go through this paper you will find that later on a section or suggestion will throw light on what went before. I am making a note of these questions as we go through and I would rather try and deal with questions at the end, because if you read now and raise a question it may be so out of context. If you can get the overall pattern first you might find it easier. In fact my trouble is I've been too close to it now I can't see it as a whole but see it in sections and clauses and I would like to get a new perspective.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman in respect to this number(1)I have one question to ask that in in the setting up of a village I am wondering why we should have an appointed representative on this particular village Council, with the one exception of possibly appointing a community manager or community clerk or something of this nature, and if you refer appointed members would these be appointed members of the Administration, that is the Territorial Administration, or would these be appointed people like clerks and things who do not necessarily run as public aldermen? Could I have an explanation on that point?

Mr. Hughes: I wonder Mr. Chairman, if Mr. Spray could give you that. On the Administrative side of it he is more directly responsible and I am only engaged in the potential drafting.

Mr. Spray: Mr. Chairman, the appointed members referred to in Section (1) are not members of the Administration but residents of the community and stand as Councillors and have the same qualifications as an elected member of Council. The idea behind the partially appointed and partially elected Council is to ensure that you have adequate representation on your Council. As Mr. Boyd pointed out in a small settlement it might be difficult to find, or have enough people stand for election.

Mr. Taylor: (with Mr. Boyd in the Chair) Mr. Chairman, does this not then raise the question that if you are willing to appoint somebody in that community and somebody in that community is willing to be appointed as an Officer or as a Councillor, what ever you wish to call it, is willing to accept this appointment, it seems to me they would be willing to stand for election.

Mr. Thompson: Has this something to do, Mr. Spray, with the possibility of becoming a village or a local improvement district where the Territory will appoint someone and pay their salary for a certain specified time until the area becomes a bit more self-supporting, and this person who would be appointed an Agent by the Territory would work in conjunction with a Council or Alderman?

Mr. Spray: No, Mr. Chairman, this is not referring to an area administrative type of position. This appointment is strictly the council of the village.

Mr. Taylor (with Mr. Boyd in the Chair): Well Mr. Chairman I can only say that I agree that we shouldn't necessarily call these people Councillors because in Council everybody is a Councillor these days of some sort. I think we should call them what they properly are as Reeve or Aldermen. Possibly your Chairman of the Council would be your Reeve. I feel that the Council of any village in the Yukon should be wholly elected.

Mr. Taylor resumed the Chair.

Mr. Boyd: I suggest that we proceed as Mr. Hughes suggested. Until we have gone through it once I see no hope of discussing and concluding any finality on any one paragraph. You can ask questions on the way through, but you will have to go through it again.

Mr. Chairman: I suggest we take it as we go, we don't have to make any firm decision but we could get our answers as we go. It is quite a document to just read it through.

Mr. Boyd: Just as you say Mr. Chairman we are not getting any firm opinion, and there is no harm in asking questions but lets not dwell on them too long because the rest of the wording may alter some of the things that you are trying to hash out.

Mr. Watt: Mr. Chairman, am I right in assuming that the reason this is before us is so that we can discuss these points and give our opinion so that legislation can be drafted on what we say here?

Mr. Hughes: That is right. We understand that this is part of your ambition for the Territory to develop these tiers of government and what we are trying to do now is come up with a Yukon format, and I have made a note that Councillor Taylor feels that the Councils should be wholly elected. This may very well prove to be the opinion of you all. If you feel you have arrived at a point in discussion where you can give a firm indication, then we will welcome that, and make a note of it.

Mr. Chairman: My thinking was that we go through this point by point and possibly discuss each item, and in the final review just take them 1,2,3, what ever we feel about them.

Mr. Shaw: Mr. Chairman, that is what I would suggest, something in that line. Then when we go through it, as we discuss each particular part, and then on issues, for example number (1) myself I am very much for everyone being elected, however I think that by going through the whole thing it may present different pictures. If we think, for example, either one, then you make a notation that we refer back to that for final discussion on the issue.

Mr. Chairman: Yes, we can pass our comments and ideas along at this time.

Mr. Watt: Mr. Chairman, I have already gone through it once and I do not see anything wrong with myself going on record as I for one agree with Mr. Taylor and I would like to add to that that if there were not enough people who would run in an election, then at least a majority of the Aldermen or Councillors in a village be elected. If you can't get a majority to run then nominations should be reopened and another election called until they do get somebody. I think it is important that if at all possible that the majority of the Councillors should be elected. Either Mr. Spray or the Legal Advisor could possibly answer this question. When these were presented to the City of Dawson and to the City of Whitehorse were there any members of the administration there to help them, or was it just a piece of paper presented to them and asked for their comments?

Mr. Spray: It was just presented to the City Councils on the paper they worked on it by themselves with no member of the Administration present.

Mr. Hughes: I will just add Mr. Chairman, it was about a week or ten days after the papers were sent to ourselves that they were then released to the municipal councils.

Mr. Chairman read Item 2.

Mr. Watt: I am inclined to agree with the opinion of the City of Dawson. If an election can't be filled then an appointment should be made.

Mr. Southam: Mr. Chairman, if a man will not stand for an election how will he fit in if he is appointed? I can't see that, it doesn't make sense. I am sure that if I was standing for the village of Mayo and I didn't wish to be elected I certainly wouldn't run and if somebody came along and said well you are appointed I think I would have a say as to whether I would serve or not. I think everybody should be elected.

Mr. Watt: Mr. Chairman, my only comment on that is that some people are shy of running in an election and understandably so - and people who wouldn't ordinarily run in an election they may accept an appointment. If nobody else in the area is interested enough in running, which could happen, they may accept an appointment as an Alderman for a period of time.

Mr. Boyd: If he's so thin in the skin that he can't run for an election in a small little hamlet of something like 50 voters he better not get into Council because he will get called worse than ever.

Mr. Taylor (with Mr. Boyd in the Chair): Well gentlemen in considering village status you're not talking about a hamlet of 50 people naturally, you can have an improvement district of a population of that nature but it seems to me that realistically that looking at this thing you are looking at population of say 1000 people before you can incorporate as a village. I couldn't see an improvement district under say 500 people. I think if you have populations of say 1000 people to establish a village then you will find out of that 1000 people sufficient people who would run for office. I don't think that this is going to present too big a problem.

Mr. Boyd: Mr. Chairman, I would like to suggest that you are talking about property owners when you are going into this deal not the man on the street so you can take some places there are very few property owners.

Mr. Thompson: Mr. Chairman, as the Legal Advisor pointed out it might be well to cover it all because in Item 3 Mr. Taylor, you will see it says that in order to become a village there must not be less than 50 ratepayers. So there is your cut-off.

Mr. Shaw: Well Mr. Chairman, in relation to this recommendation of the City of Dawson, I think that that is very sensible and I am fairly well acquainted with some of these municipal problems and it is almost getting to the stage now where you have to hog-tie a man to get him to run for election. The reasons I couldn't tell you, I am dealing with facts right now. I feel that all persons in public office such as this should be elected by the people, but if the people will not run for it then in order to carry on the duties of government then it may be necessary to appoint someone. I agree with Councillor Watt when he said that when running for public office you do sometimes get called various names, which of course the recipients never feel they earn, and they as a result are hesitant to run. There are people who could possibly add something if they didn't have the onus of having to run for election. If there were not enough, I think it would be sensible to have provisions that they can be appointed.

Mr. MacKinnon: Mr. Chairman, I would be in agreement with that thinking. If you call an election and call for elected members and you do not obtain them then it would be just about necessary to appoint them.

Mr. Boyd: Mr. Chairman we are going backwards if you are going to take this attitude. If these people haven't got enough in this local to stand up and say I want to represent you, run the risk of getting elected or defeated, I think they are better left in their present status where somebody else can look after them.

Mr. Taylor (with Mr. Boyd in the Chair): In this regard I highly concur. If people haven't enough interest in their own area then consequently this village would be taken over, I would assume, by the administration. If the City of Dawson, which was once a very large City but reduced in population, possibly now it should be an improvement district rather than a municipality, or a village, but if there is not sufficient people there to take enough interest to operate the municipality then the Territorial Government would then take it over and operate it I would assume. I wouldn't want to see anybody appointed to any one of these villages as Councillors.

Mr. Shaw: I would ask Mr. Chairman if per chance not sufficient people ran in order to get a Council, then what would be the procedure? Would you go out and hog-tie somebody and say well you have to run? It almost gets to that situation, if you look back over the two municipalities for the last three years and see how much competition there was to run for this highly desirable office of Alderman or Mayor you will find that there is considerable reluctance on the part of many people to run for public office. So that if in event there weren't enough to run then we still have to carry on the functions of the community what ever it may be so what are you going to do. The only alternative is to either appoint somebody or say well we won't run it, or the Territory will run it, in which case the people do not have the elected representatives say.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman this was just answered in my last remarks. If there are not enough people to run, it indicates that the people have not sufficient interest in their own community to handle their own responsibilities. Consequently there should be no village. Let the Administration take it and operate it by some other means. If these people will not run for election I don't feel that they should be appointed.

Mr. Boyd (with Mr. Taylor in the Chair): We are quibbling about not having enough people to run the show to get elected and this is all based on the fact that the population is lacking. As Mr. Thompson points out 50 ratepayers can become a village. In the Province of Alberta you are a village up to 700 population which is the lowest category. Over 700 to 6000 you are merely a town, over 6000 you become a City. Now we are talking about towns and cities here with 300 people which is not enough population. You are saying that if they will not stand to be elected we the people, the Government, will appoint somebody. This is what we are doing today. We are appointing somebody, namely ourselves, or who ever they may be, they're running, and this is what you are worried about, you're worried about not being able to elect enough people. If you can't elect enough people in some of these places, and I see where you're going to meet with the greatest difficulty, take Carmacks for example, it will be a one man show.

Mr. MacKinnon: Mr. Chairman, seeing the Member mentioned Carmacks I would like to say that I am in agreement on that too.

Mr. Watt: Mr. Chairman it appears we are trying to set up legislation for these different types of districts, and we are just setting up here an option for an appointed member if there were not enough standing for election. Now is Mr. Boyd suggesting that we set up another type of legislation to provide for an area that the citizens do not have enough interest to run in an election? In other words you are objecting to this appointment and I would like to hear your alternative.

Mr. Boyd: In the case of these very small places we are now listening to the advice of their community council, or what ever they call themselves, and Administration does listen to them, they submit their remarks and expound their ideas right here at the Council table and I think it's a pretty good deal and you can take the City of Dawson, it is no more a City than I am a giant. It's a village, not even a good village. No disrespect, I am talking about people, population wise. Are they capable of running their own show and running their own finances and so on. This is the point we have got to look at and I think that to start in and give these people status, even Mayo, Carcross, Teslin, they are getting on very well the way they are, and I think they can't do better. They are far better under their present status.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman I cannot agree. For 3½ years, ever since I have been in this Council, I have asked for local improvement district legislation, particularly for the community of Watson Lake. For what reason? For the same reason that any of the other communities would accept this thing is that it gives us a local control and we don't have to be governed by Whitehorse 300 miles away. We can take an active part in our own affairs in our own community. This is why, we are told this legislation may be here this session, I hope it is, I feel the people in the outlying districts in communities of any size are competent, and there are sufficient people to administrate their own communities. I would not say the people are quite happy the way they are, lets say that they are not happy the way they are. I can only say again that I feel that any member of any

Council, municipal or village wise should be wholly elected and there should be no appointed members. It seems to me that if anybody is going to be a village, under the terms of this proposed amendment to the Ordinance he would first have been a local improvement district and he wouldn't go from nothing to a village status, I would assume that they would crawl before they walk, that we would follow the same thoughts we had on this local improvement district thing. You go to a local improvement district and when you out-grew that you became a village, and when you out-grew that you became a municipality. I don't know where City comes into this, I think there is only one city in the Yukon incorporated, the City of Dawson. They call Whitehorse a City but no-one has ever been able to show me when they incorporated it as a city.

Mr. Shaw: I don't usually do this but the remark made by Mr. Boyd when he mentioned that the City of Dawson was not capable of running themselves, I don't think he meant that I think what he meant was they are not able to afford the large administrative set up they have at the present moment.

Mr. Watt: Mr. Chairman I would like to say that I agree with the member from Watson Lake that I think that one of the reasons this Ordinance is being contemplated is because of the requests of outlying areas to have more participation in the direction the communities are going, and participation in their own affairs. I think that if we make provisions for an improvement district to be set up, if we provide the instrument whereby they can set up this Community Council and if there is not enough interested in the area for the citizens to run after the first time the election is called I think they can make arrangements for nominations to be reopened for a second call. If nobody runs the second time then an appointment could be made by the Commissioner so that quite a bit of control could be exercised at the local level whether it be Carmacks or Watson Lake, Dawson City, Old Crown, Ross River.

Mr. Thompson: Mr. Chairman, we are certainly beating this one up. I think the Legal Advisor's edification - paragraph (a) will have to be changed to provide that an Alderman may be elected and the definition of a Clerk should be amended to include acting Clerk of the Municipality as well as Clerk, and that the Acting Clerk can perform all duties and responsibilities of the Clerk. The definition of the Mayor should be revised to distinguish between a City and a Village, and the term Mayor will mean the Mayor of a City rather than a Municipality. Municipality should be changed to read any portion of the Territory established as a City or Village under this Ordinance. The term Chairman will have to be defined as a Chairman of the Council of a village. I think it is advisable to include a definition of City and Village. I would like to ask Mr. Spray, is there anything in the Municipal Ordinance at present that says that you will become the local improvement district before you become a Village?

Mr. Spray: No.

Mr. Thompson: With this in mind and the very small minimum numbers required to form a village there aren't any further benefits to be derived as a local improvement district I can't see any point in wasting our time becoming a local improvement district, you might just as well become a village. It seems that we want to get away from appointing members to office and I don't see that there is much argument anywhere.

Mr. Boyd (Mr. Taylor in the Chair): I am just wondering Mr. Chairman, we are talking about election of officers and becoming villages and then towns alternately, but village is our starting point, are we thinking in terms of these Councillors

and this Reeve, or what ever you are going to call them, collecting the monies in this village and that it will function money-wise by their efforts? This is where my thinking worries me concerning the size of these things you are going to call a village. I think a village is something which runs its own water system, collects their water bills, collects their taxes, and runs their own show money-wise, and I see so far this is the part that seems to be missing. Everybody is wanting to elect somebody and have people, a hamlet say we are going to do this ourselves, but is it possible for them to navigate? Could I ask Mr. MacKenzie what is thinking is on this.

Mr. MacKenzie: That, Mr. Chairman, is the object that a village shall have some financial responsibility. On page 29 of the Financial Report it considers, "Greater encouragement should be given to the growth of local government by providing intermediate stage in municipal development which would allow some measure of responsibility in the administration of local affairs including the collection of taxes and spending of tax revenue".

Mr. Southam: Mr. Chairman, I agree with Councillor Boyd. It seems to me that the village or the city or the town that is laid out in this thing here are far too small, I doubt myself if Mayo is classed as a village and could run itself, I doubt it. You talk about putting waterworks in there and the money that has got to be paid, I don't know where you are going to get it, they're kicking already, they figure its way too high and how are you going to collect taxes from people who have nothing, and there is quite a bunch of them up there that have nothing. You are after governments, you are going to have a Mayor, a Town Office, this and that, I don't see where the money is coming from, this is the point. Our population in my mind is a little too small yet for these figures. Especially a village of 50 ratepayers and that is pretty small, and I can't see it. Take Keno for instance there is another one and I can't see it.

Mr. MacKenzie: Mr. Chairman may I comment on that. In this Financial Report, page 29, at the foot it says, "Encouragement in the development of this type of local government should be given in the form of Federal and Territorial grants similar to the grants given to municipalities, in respect to these functions assumed by the incorporated local improvement district or village. The committee also considers financial assistance should be given towards the cost of administration of the new districts in the form of annual grants where required".

Mr. Taylor (with Mr. Boyd in the Chair): May I ask a question, possibly Mr. Clerk could answer this. Would there be 50 actual ratepayers in Mayo?

Clerk-of-Council: Yes there would be, but in Elsa there is only one.

Mr. Thompson: Mr. Chairman this comes back to the question I asked you before about appointments under this agreement whereby a municipality or village or local improvement district would receive a grant in lieu of or to support village - then I was under the opinion that it would be almost mandatory or necessary to appoint a Federal or a Territorial administrator to start a village or an improvement district.

Mr. MacKenzie: Mr. Chairman I haven't commented on this, this argument has been going on for so long. I think we should look to the need possibly for the local Territorial Agent to

sit upon this Council or committee to advise and guide. That is I think one of the reasons for this provision for an appointed member. That's what happens in the Northwest Territories. The local administrator is appointed to be a member in fact he is appointed to the Chairman of the local governing committee.

Mr. Taylor (with Mr. Boyd in the Chair): I most heartily disagree. The Territorial Agents, I feel, have no proper place on the Council of any village. I feel, as I have said before, they should be wholly elected and the area itself cannot come up with one or two or three who could do the job well bingo - but certainly I don't feel that the Administration should be a part of this. The people have asked for control of their own bailiwick, let them work towards their own destiny without having it done for them. In the Northwest Territories, the Administration operates the Territories which is dictatorship. It is all controlled from Ottawa, they have Administrators out and they may have their Agents or Administrators sitting on these councils, and this is the very thing we want to stay away from. If we put these people on these Councils we would actually be making a retrogressive step. I am unalterably opposed to any move which would place the Administration or Territorial Agents or anybody else on these Councils. If it is felt that these people are going to be required at village status then I feel they shouldn't have village status. It is also interesting to note that before a local improvement district decides to become a village it seems to me that the ratepayers themselves would have to agree to this, in other words I hope that the intent of this is not to provide a vehicle whereby the administration can come down to Watson Lake and say okay fellows whether you like it or not we're going to make you a village, so there. Rather that it should be providing the vehicle whereby if the people or residents or the ratepayers of Watson Lake decided well now we would like to become incorporated as a village, we would like to assume the responsibilities that come with a village and operate and guide our own affairs, that this is what this vehicle is for, I hope so. In any event unless the ratepayers are willing to allow this village status, I can't see any problem.

Mr. Watt: Mr. Chairman, I would like to comment on Mr. Taylor's statement there. If he reads section 3 it makes provisions for the formation of these - if the Commissioner or the Administration want to form it, the local group of this district can stop it simply by a majority vote of not wanting to go into a city or village or local improvement district.

Mr. Shaw: There is one comment I would like to make Mr. Chairman. When an area is formed with the ratepayers and you also must consider whether you are running an area where 50 people are or 50,000 people, it requires administrative knowledge. There must be a provision for someone in that Council that has administrative knowledge. There must be some guiding form. If you don't have that then your municipality will fall apart by reason of lack of knowledge of the persons that are operating it. So you must have someone in any community regardless that has knowledge of how to run the operation. That then brings up the question of persons to fill that particular job. That is going to take a man who meets the qualifications, its going to take quite a salary in the course of a year, and you are not going to get that man for a small amount that they would get for being Chairman or Alderman or what have you. You would have to go to someone who has had a great deal of experience and if you are fortunate enough in getting one - fine and dandy, but on the other hand a person is not necessarily elected on their administrative ability it might be on some other ability. They may have the administrative ability but if they

don't how is this Council going to operate without knowing the business way of operating. When a village starts there will have to be some administrative personnel in it and it would logically go to a person that is a part of the government. You still have your three Aldermen, you will have certain sections of them that would still operate matters, but you must have at all times administrative knowledge and that is where the appointed part, I believe, comes in. You must get down to a practical view point on this. However desirous it is for everyone to run their own show and there is no-one who feels more strongly on that than I do, but you still must have practical management, it must come from someplace, the point is where does this practical management come in each instance.

Mr. Taylor (with Mr. Boyd in the Chair): Well Mr. Chairman what the Honourable Member from Dawson supposes here is that no where will you find anybody who can administrate in these communities and as I pointed out if you have 50 ratepayers you must have a reasonable amount of businesses and people in businesses that have had some administrative experience. I would also point out, and correct me if I am wrong, the function of a City Council or Village Council or anything else is to act as we do here, be the policy makers, and they have I believe, in the case of a municipality and a village, they have a Clerk who carries on the day to day administration of the City and keeps the books. I assume that is where ~~the~~ administrative abilities would shine is in this position of Clerk. If you asked all these Aldermen who have great backgrounds in administration, it would be somewhat like those of us at this table who are laymen, many of us have never been involved with Ordinances and this type of thing, but here we are and I don't think the competence of the elected representative to the Councils should be in question, I think that should lie with the Clerk. He is the administrator.

Mr. Shaw: Well Mr. Chairman, the Clerk acts on instructions from the Council we will say, now its one thing making policy and another thing in paying the results of the policy so if the Council said to the Clerk now you do what you're told and you do this, he'll say well we don't have the money to do this. Well it doesn't matter, do it anyhow. What's going to happen then?

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman its just like the old argument as we sit at this table, if I brought up the subject of a widget, you'd want to know what a widget was, now how would you find out what a widget was? You'd go and ask somebody and this is what I feel these municipal councils would do and should do, this is what we do, if we are in doubt on anything we go and ask Mr. Legal Advisor or one of these gentlemen at the end of the table to explain what a widget is, how you get a whole bunch of widgets and what they do and this sort of thing. And this is in fact what happens on your City Council, or should happen. If you don't know go ask somebody that does, but I don't see any problem here.

Mr. Shaw: Well Mr. Chairman, I see lots of problems and I think I am talking from experience because I happen to have been one of the Aldermen chosen for the the first time for 20 or 30 years for the City of Dawson, when we took over the function of running the city ourselves. I can assure you that it was a tremendous job to start and learn and try to operate the functions of the City. It was something that

we spent hours and hours - it was very seldom that a meeting lasted any less than six hours once a week apart from many other things in trying to get this organized. Through the years as we went along we gradually got into shape and got By-Laws made and got them okayed and some were thrown out and it was a tremendous job, it is not easy, it is very difficult. That is why you need competent advice like I pointed out, a person that is elected may be elected for many other qualifications other than administrative and in something like this it is very important that you get a good administrative set-up or the whole thing will collapse. Maybe you will get it in the elected members and maybe you won't, if you don't what happens then? That is the problem that I am concerned with.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman, as I said before I think that anybody who would accept this position in a municipality or a village would do it. Though the City of Dawson had a tough time setting up their municipality and By-Laws and so forth, they have established them and worked with those for years. Those are things that other communities can draw on. Possibly your problems in Dawson now are that you had a town of 50,000 people and now it should only be a hamlet, maybe it doesn't rate for an improvement district, I don't know. But you are trying to run a big city with lots of sewer and water problems, utility problems etc., etc., with what is not 50,000 people but maybe 600 or 700 people and I can realize the problems there. But we are not talking about this we are talking about something where you are starting to create something new and grow and I can't see the problem here. As far as I am concerned I think you will find the type of administrative capability in your elected members as certainly the man who is going to do the administering is going to be your Clerk and that is going to be your administrative requirement, and I don't think you can presuppose what calibre of person is going to be elected to these positions, I don't feel that anywhere through legislation or any other event or means you are going to be able to correct what you are attempting to correct.

Mr. Shaw: Mr. Chairman I was merely pointing out the problems. At that time there was no City of Whitehorse. At that time the administration of the Territory was in Dawson City and we had available to us all the knowledge of the Territorial Government and we used it quite frequently, and even at that it was a tremendous job getting organized. I am saying that this - you don't enter into something like this lightly. It is a very serious matter how you get these things set up and you have to get them on the right road or they will just fall apart. That is what I am concerned about right now.

Mr. Chairman: I would like to ask a question of Mr. Spray from the Chair. Is it an accepted fact that when you become a village it will cost the people living there more than it is costing them to live there now?

Mr. Spray: I wouldn't say it is an accepted fact Mr. Chairman, it may indeed be the case, depending on the people of the village, the services they require. They will be responsible for their own administration, they would have to have a Clerk and municipal offices, they probably would have this added expense. Equally in all likelihood they would have grants.

Mr. Boyd: Delinquent taxes, would they be responsible for them?

Mr. Spray: They would be responsible Mr. Chairman for everything in the Municipal Ordinance referred to as the responsibility of the municipality.

Council adjourned until 2:00 o'clock p.m.

Wednesday, March 17th, 1965.
2:00 o'clock P.M.

Mr. Chairman: We were discussing Item 2. Are there any further questions or do you wish to move on.

Mr. Boyd: I would like to move on.

Mr. Thomson: There was a suggestion or a motion made that we are spending a great deal of time on this item which should be spent elsewhere, but it seems to me that these Ordinances come under the heading of very definite and detailed scrutiny. Don't you think that it would be a much wiser suggestion to appoint a committee of say 2 or 3 to do all this wrangling and hasseling and arguing and finding a solution to our problems. If you take a moment and thumb through this, it is something like 80 items that have to be considered and we have gone through 2 in 2 hours practically. I would like to make a suggestion that we appoint a committee of 2 or 3 to go into detail on these matters with the administration and the Legal Advisor, and I think that our time could be well spent with other matters equally important to Council.

Mr. Taylor (Mr. Boyd in the Chair): I am, with all due respect to the honourable member's idea, not able to agree. We have been a long time waiting for these legislative proposals and the actual legislation. I feel that this is the place to discuss it right at this table. I feel that if a committee is established to discuss it, it is going to be done all over again when the committee has finished with it. It has to be at this table and I feel that if we are to give instructions to the legal department for the drafting of amendments to this Ordinance this is the place it should be done, and if it is going to take time to do it that is fine. That is what we are here for. We are not here to trot through a Council Session and trot off home again in order to save time or something. We are here to do some work and I think that this is of vital importance to all of us and consequently I cannot go along with the idea of forming a committee.

Mr. Chairman: May I proceed with Item 3?

Mr. Watt: Before we leave Item 2, has Mr. Legal Advisor got a general summary of what has been said? Has he got some information to form the basis of the legislation for these committees? Have we got a record of our opinions?

Mr. Hughes: You have not made a formal record of votes on particular items but I am making what I hope are useful work notes here and I am at the moment on Item 1. I detected a general feeling, I thought, that you accept the suggestions about the terms of the aldermen and the Council and so on. I felt that Committee is divided on this question of the election but I am noting it that appointees should come out. This is a matter that you can reinstate when you come to an actual draft bill but we have got to start with a draft bill and it has got to come through in one form or another, and if you are against appointees then the administration will pay attention to this. There are good reasons for and against and following that I have no conclusive note. However, I do note that there is a feeling that these village units might be too small and in

fact in practice it might not be worthwhile to have your local improvement district. You might wish to just step straight from nothing to village status and village status qualifications should be more than 50 ratepayers. However, some numbers ought to be fixed where you can chew it over and spit it out as you please when you have the draft. I am mentally upgrading the number of ratepayers who are leaving. What form the draft will take, what figure to fix, I really can't tell you at the moment. It might be 100, it might be 500. It is up to you people to decide what it is to be.

Mr. Chairman: I believe gentlemen just to reiterate for those who are not aware of it, that it is intended that we go over this thing and then review and tick off each section.

Mr. Thomson: Well, why don't we go over it?

Mr. Chairman: This is what I am attempting to do. And now to point 3, but I have to await your direction to carry on.

Mr. Thomson: I think somebody made the suggestion that we read through it and get the overall picture before we beat it down, and it seems to me that you were the one that said that this was not a very good idea.

Mr. Chairman: No, gentlemen. Apparently you have not got this straight because what I suggested and what is agreed upon, is that we go through this item by item and after having done so and having grasped the general intent of the whole document then we go back to sections 1 and 2 and make our firm recommendations. If this is not the case then I await your directions. Otherwise may we now proceed with Item 3.

Mr. Boyd: Proceed.

Mr. Chairman reads out Item 3.

Mr. Hughes: Would it help if I read sections from the Northwest Territories Act because the suggestion is that this legislation should follow 3 and 4 and you may not have a copy. (He reads out 3 and 4) You will see that that is a fairly arbitrary pattern that corresponds more to the development in the Northwest Territories.

Mr. Boyd: What is the difference between a town, a village and a city? Is it just merely the difference between 50 taxpayers and 100 taxpayers or is there some difference in responsibility? Because you are a city, are you wholly responsible for all your own actions and your own financial structure, or is it just a case of because you have 100 voters you will call yourself a city?

Mr. Chairman: To whom is this directed Mr. Boyd?

Mr. Boyd: To anyone of the 3 honourable gentlemen sitting around here that have something to do with this document who could probably tell us.

Mr. MacKenzie: Perhaps I can comment on the financial picture and that is covered in this report that I read out to you this morning. It seems to me that the financial responsibility is provided for right here * "encouragement in the development of this type of local government". This type of local government means "an incorporated local improvement district or village". Encouragement should be given in the form of permits, territorial or federal, similar to the municipal grants. Furthermore, we are supposed to give financial assistance towards the cost of administration so clearly this 5 year agreement of ours envisages the Territorial and the Federal Government providing the necessary sinews to support local government.

Mr. Boyd: So that, in reality, there is nothing, no difference, between a village, a city or a town as far as financial structure is concerned. It is strictly population that you are talking about when you call it a village or a city.

Mr. MacKenzie: I would say so, yes.

Mr. Chairman: I wonder if I might ask a question of Mr. Sprey from the Chair and that is, just exactly what are we speaking of here in terms of responsibility?

Mr. Sprey: Operation by the residents of the community, the functions of the community. At the present time we have developing areas and municipalities or cities. We are trying to establish local improvement districts as the second step. Development areas will be the first step, local improvement districts, then to village status, then to a city and each stage will assume more responsibility.

Mr. MacKenzie: I should think that the greater the population the greater the financial responsibility to be carried by that particular organization. In some places there are local improvement districts which have very few people and obviously have no money.

Mr. Boyd: This is what prompted my question because I see no difference between 50 taxpayers and 100 taxpayers. Neither do I see any difference between 100 taxpayers and 300 taxpayers insofar as being able to run their own show and classify themselves as a city and take on more responsibility. The population is not there. I think we are talking about something here that is some years ahead of what we are ready for as far as these outlying districts are concerned. I just cannot see the financial structure where they are able to manage themselves. I have been in small villages, I lived in one and I was once Secretary to one, strange as it may seem and by golly I'll tell you leave me out of it when it comes to getting into one of them.

Mr. MacKenzie: It is clear to me that we are going to have to organize these things and pretty well run them and finance them. I am pretty sure of that. Any small community will not get the people who are able to organize the operation.

Mr. Boyd: Which is just what we are doing now.

Mr. Taylor (Mr. Southam in the Chair): I think that if, as I said earlier this morning, we can't help the people we won't create the ability. I think it is as simple as that. When any one of these that are established in the Territory do initiate their incorporation the Territorial administration is going to have to stay right with them for the first year of their operation shall we say, or at least until they get on their feet and they get this thing going fluently. I can't see the problem. I say that if the people desire this type of autonomy, we should not restrict it. We should not discourage it. We should provide them with the vehicle by which they can do this. You can't presuppose who is going to win an election and what his abilities might be. I am quite certain that with the assistance of the administration a wholly elective group, such as a village council, could get along just fine. I don't think we can sit here and presuppose what the abilities of these people will be and what will happen.

Mr. Shaw: If you took in a village and 3 people were elected or 4 people whichever it may be (talking about qualifications, administration and what not), whether these people were qualified or whether these people were unqualified, who would be the one that would say that they were or they were not until of course when the time came that the proof of the pudding would be in the eating, when you added up the final picture at the end of the year. My idea of these small affairs and these small places is ... right now we have areas (I don't know whether I should say what particular areas, but there are areas in the Territory) that are not municipalities. They are operated and run by the Territorial Government. It would appear to me that a very sensible first step in a case like this would be to have 3 people in that area elected as an advisory committee to whoever administrated the local part of it and they would be paid so much per meeting, a meeting having to be held let's say once a month, and they could get together and they could point out what they thought would be good for that particular community and then they would hash around with whoever happened to be the administrator. If they couldn't get the administrator and were treated unfairly then they could always go to the representative of the Yukon Council, whoever that was, who could in turn bring it to the Commissioner and get justice. In that way it would appear to me to be an initial first step in self-government. At the same time these people would be acquiring considerable experience in the operation of the community. Everything is not black and white. That would appear to me to be a very sensible way of creating the first step in self-government and if it expanded then you could take in other matters, but it would appear to me that some places like Haines Junction and Watson Lake and Mayo and Keno could well do with something along these lines. Right now they have no organization, or very little organization. There is evidence of this organization in the village of Porter Creek in the form of community associations which presents their views in an organized manner to the administration. I really believe that this is a very good step to take in the smaller areas to start and then have provisions like we have here for when they become larger and more self-supporting.

Mr. Taylor: I think this is what we hoped to achieve by local improvement districts. This was spelled out last Spring when Mr. Sprey, as I think he will recall, took down the notes. This is why we established local improvement districts and other than possibly Mayo and Dawson I don't think that at the present time there are any communities in the Yukon that could take on this kind of legislation at the present time. What you have just cited (advisory committee and gaining experience in civic affairs and administration) will be done through this local improvement district legislation provided we get it. But what we are talking about here is a village status whereby you accept almost complete responsibility. In other words, let this be wholly elective. Don't make anybody advisors. Let them run their own affairs. They remain as advisors under improvement district legislation and the normal procedure is to go to the local improvement district and then to the village, and when you go to a village it is safe to assume that you have had the background of experience which can carry you through village administration.

Mr. MacKinnon: We already have an advisory committee at Haines Junction.

Mr. Shaw: It would appear to me then that we have, in setting up this present existing system in the Northwest Territories, possibly started at too small a scale to have the type of government that is in here. In other words, it is this 50 taxpayers. Maybe it requires, before you get to that form of autonomy, to be 200 taxpayers or 300 taxpayers, whatever the case may be. In starting off and having this whole set-up as it is with 50 taxpayers it is a little too small. It would appear to me that that would be in the first stage of development until we got to maybe say 150 taxpayers or 200, before you make the next step. I think that is where a lot of the problems are coming up in the discussion on this particular matter and that the initial start is a little too small. Possibly it should be expanded to be an improvement district when it gets to say 200 or something like that. I am using that as a yardstick.

Mr. Thomson: These are based on Northwest Territories and I would like Mr. Shaw to tell me how many communities in the Northwest Territories have 150 or 200 people. This is why I think that they have brought it down to a bare minimum of 50 so that if the people themselves want it, then it is the people. All we are trying to do is to let them have the opportunity. We are not telling them to. We are not asking them to. We are just giving them the opportunity and I think that this basically is the feeling of the majority of us. Let's put the onus on the people. Let's not try and tell them. Let's not ask them. Let them ask the administration.

Mr. MacKenzie: On the question of whether or not this legislation is too soon, I think we should bear in mind that we are considering installing pipes, sewers, and water facilities in various places, Watson Lake for one and Mayo for another. We need local organizations to run these systems. The administration doesn't want to do it. It should be run locally.

Mr. Watt: I feel as Mr. Thomson does, that we should make this vehicle available so that if any area does want it, and if they have any problems like sewers and water, they can form their local associations with the guidance of the administration here if they want it to help run their areas more the way they want to. We sit around this Council, we hear a member from community X or Y say that we need 42 street lights here and 42 street lights there and something else here and something else there. If they in these outlying areas had an idea that we were paying part of the cost of these things they would help us around this table. I think it would make requests from these areas more realistic and we are, in effect, giving them more say in their local administration, and rather than doing it all here from the local administration office they can do part of it down there and I don't see why this should not help us to reduce the staff on the area administration office up at this end so that we could have more concentrated local areas.

Mr. Taylor: I must say that there is certainly some merit in Councillor Shaw's proposal that possibly this 50 ratepayers is too small. This is possible. This is entirely possible. Maybe we have set it just a little too low. Possibly 100 ratepayers are required before you go from a local improvement district to a townsite. That would make sense. I would agree to something of that nature. Maybe 50 ratepayers is too low. Maybe there are not enough ratepayers to draw upon to provide your council.

Mr. Watt: I don't think at this stage I want to start haggling about whether it should be 50, 25, 35 or 15 but I would like to say that I am in favour in principle with this legislation and with a scale. We have come right down to the Ordinance and we are discussing the actual figures which we will be discussing when the Ordinance comes and at that time we can get from the Tax Assessor how many ratepayers there are in say Mayo and how many there are in Watson Lake. We could possibly use these but at this moment I am willing to accept the schedule that is laid down here. It looks to me as if it is pretty reasonable. There are a lot less ratepayers than there are people in the community and to get 100 ratepayers you would need a fair sized community. I am willing to accept the suggestions as far as the figures and numbers are concerned as laid down in Item 3.

Mr. Taylor: I just have one further thing to comment upon, and that is the fact that under this item the Commissioner has the right to initiate one of these groups or one of these incorporated villages and I think that this matter should be viewed with some concern especially in view of the fact that we are going to have sewers and water and it just could be manhandled.

Mr. Boyd: I heartily agree with you Mr. Taylor because I can visualize that after some community smartens up, when they have got themselves loaded with this burden, there could be one with 400 or 500 taxpayers who would say we are not going to be suckers. We're not going to let them wish it on to us. Let the other people pay for it. This can happen and this is a very good point on the part of the Territorial Government. They are not going to free ride but you want the ride to go all one way. This will happen. These fellows will learn, after the first one is in and find out where they stand. We learned here in Whitehorse. We learned elsewhere too. It isn't just as simple as sit down and talk and say things have got to be paid for.

Mr. Taylor: Yes, but I also feel that if a village or an area is not yet ready for village status it should not be imposed upon them. This type of thing could be.

Mr. MacKenzie: There is one point I would like to draw your attention to and that is amongst these recommendations they talk about the Territorial Government assisting in the cost of administration but they limit that to 50%. "The Territorial Government give assistance towards the costs of administration.... to any one district or village". So it is going to cost any one district or village more than it is now. They are going to have to pay at least half of the administrative costs, let alone any other unforeseen costs.

Mr. Taylor: At the local improvement district level, do we get a direct return on taxes received and on the village status do we get a direct return of taxes derived from the area encompassing the incorporated district.

Mr. MacKenzie: I have a paper here which talks about some measure of responsibility for the administration of local affairs including the collection of taxes and spending of tax revenues. Now in practice that would mean that they would do so on paper, in budget form. The actual receipt of funds for the expenditure of monies would be in my hands.

Mr. Taylor: I refer for instance to the amount of fuel sold and tax collected on fuel sold in that particular improvement district or village. All these other revenues which accrue in that district and come in to the Territorial Government. Is there a possibility of having a percentage return of this tax money which has come out of one district and put back into this district. This is something I would like to know.

Mr. MacKenzie: All income or revenue goes into a common kitty which meets the requirements of any particular district out of the common kitty. We cannot pretend to earmark any particular section of revenue for any one area to that area. It is impossible.

Mr. Taylor: Nothing is impossible.

Mr. Shaw: I don't know all the answers but I have been associated with the operations of a city since 1951 since it first started and I can assure you that on something like this I am very much in favour of giving people a say in their own affairs, there is no stronger advocater of that than myself but at the same time I can also see where it is not all honey. There is a lot of vinegar mixed up with the honey and the end result will be, whatever way you look at it, that in these areas of autonomy they will have to impose greater taxation on the people to pay for this particular thing. That is no laughing matter when you have to pay it. The rates of tax will have to go up so these things that you receive you are going to pay for. In the administrative part alone that 50% will have to be met by the taxpayers for the administration of this particular thing by themselves plus the grant which they get from the Government and when you start off on too small a deal I am afraid that is going to cost you more money. This city of Whitehorse was offered the opportunity of becoming a city and they said we can't afford it, we don't want it. That was in 1952 or something like that, I am not sure of the exact time. They were offered this by plebiscite and they turned it down. This is in Whitehorse here. I was around the country so I know how these things work. And then the Government decided that it was going to be a city anyhow so it did become a city and it

is large enough that it can absorb the costs of the operation of a city because it has the population, but if the population dropped 50% in this place right now I can assure you that the people could not operate without a large grant from the Territorial Government. Those are the facts and the same applies to Dawson City right at the present moment. When you are setting up these particular bills to give the people the opportunity to carry on their own affairs I say it is a wonderful thing to give them an opportunity and I am all for it 100% but where you set these things up the people are going to have to pay for this. Now are they prepared to do that? Do they want to do that? Can they do that with the cost of living and various and sundry other factors. The Federal Government sees fit to give us a huge grant for the Territory each year in order that we might operate which in turn we are putting out providing services to all the areas of the Territory, because it is a losing proposition and it is necessary in order to keep the Territory going, so that when we come to something like this, I think it requires very serious consideration on the cost of this and also what powers these particular people have. When you elect somebody they have certain defined powers, greater or lesser. These communities elect an alderman or a councillor or whatever you call him. Where do their functions start? Where is their authority? Where does it start and where does it finish? It is on a piece of paper but it encompasses a great deal more than what you see on the piece of paper. It is impossible to get all the problems down that will occur with something like this. You have got to start off in a small way, not take too big a bite.

Mr. Thomson: I would like the honourable member for Dawson to realize that these grants which we receive from the Federal Government not only encompass the Territory but if you look in your budget you will see very large and substantial grants to both Whitehorse and Dawson, so I don't see that this holds water.

Mr. Taylor: I would just like to say that Mr. Shaw has just perfectly supported my argument and that we are just trying to find out what these possibilities and powers are and to what extent do the tax abilities exist. He also pointed out everything I mentioned earlier, that maybe we shouldn't give the Commissioner the power to create a village just because he feels that the sewer and water system is in there and these people don't want to pay or maybe they don't want it, but it is in there so he can come along and slap them with a village. I don't agree with this. That is dangerous that part of it.

Mr. Boyd: Should it not be uniform across the Yukon? If it is a village here it is a village there and so on. We can't kick this thing around like a football, have it at one end of the field today and the other end tomorrow.

Mr. Thomson: Somewhere down here in Item 3 it says that if the people don't want it then it will take a petition of complaint to cancel it.

Mr. Taylor: Will it definitely be cancelled though?

Mr. Chairman: Any more discussion?

Mr. Watt: There is just one point I would like to bring up. Is it the intention of the administration to make it pretty well mandatory for a community such as Mayo or Watson Lake

or Porter Creek to form one of these formal organizations if sewers and water are put in.

Mr. MacKenzie: By no means. I think each point would have to be examined on its merits and very careful consideration given to each. No general rule can be applied although it would be desirable if one should start putting in facilities that would need organizations to run them. Otherwise you will have the administration running sewers and waters at Haines Junction and Porter Creek and Mayo and Watson Lake and all over the show. It would be a fantastic situation.

Mr. Thomson: I am very glad that you mentioned Porter Creek. This is the first time that you have admitted that there might be water and sewer out there.

Mr. MacKinnon: Is Haines Junction the only little town with an advisory committee?

Mr. Taylor: If this was an advisory committee on the community established by the administration I would probably say yes, but I think all communities such as Mayo and Watson Lake form their own little group to recommend and advise on their own affairs. I don't think there is any without one.

Mr. Chairman: Is there any more discussion on this.

Mr. MacKinnon: The only reason I mentioned it was on account of what Mr. Shaw said in recommending that they should have. I just wanted to point out that they had one.

Mr. Hughes: I think the point might be that they call themselves an advisory committee at Haines Junction and in other places they call themselves citizen's associations. They exist in all the ambitious communities. I wonder whether I might just make a suggestion on this question. I feel now that the Commissioner should not initiate and should not impose compulsory development unless the citizens wish it. This objection which they can file does not in itself put an end to the matter. I should point that out. My view of the objection is that if the Commissioner felt that it was still in the interests of development in the area to the citizens of that area, then he could still impose a growth pattern on them. You may wish for some further safeguard. The safeguard that crosses my mind at the moment is that in the event of an objection being filed by the ratepayers, the Commissioner still being of the opinion that it would be in the general interest, he should direct a message to Council and you will advise him at your next council meeting as to whether it is in the general interest. This really gives you the power to put the stamp on the thing. I don't know whether this removes some of the fears that some of you obviously have. At the moment though, the way it is seen here is whether the people wanted it or not. If the administration thought it was in the best interests of all it could be imposed. I wouldn't like you to go away from the discussion this afternoon thinking that the mere filing of an objection by the rate payers would put an end to the idea of creating a particular development.

Mr. Taylor: I am thinking of a situation where the ratepayers agreed to it. Would the ratepayers then have the right to appeal any decision by the Commissioner, (a) to the Council and (b) through the normal judicial procedures like the courts.

Mr. Hughes: It is not really a matter which would fall under the judicial. It is an administrative area. You could have two situations where the Commissioner feels that Ross River should be a village (just take this as an example) and the people in Ross River say no, but the Commissioner says yes. As the legislation would be drafting the Commissioner's view would prevail unless we had some further control. On the other hand, if the people in Ross River wanted it to become a village and satisfied the requirements and the Commissioner said well I don't think it's a very good idea, these kids are getting too far ahead of themselves, he could still stop it. Now, you have the two sorts of situations. Do you wish to cater for that as well if it is possible that the draughtsman can come up with some sort of control.

Mr. Taylor: Just in conclusion on the item, I really feel that some safeguard should be there to safeguard the rights of the ratepayers. But this is something we will probably pick up in the end and it's something to think about anyway and we'll maybe pick it up in the final review.

Mr. Watt: I agree with that additional safeguard that the Legal Advisor has offered. I think that solves the problem. It puts us in the picture if there was a situation where the Commissioner wants to create a village and 25 out of 50 ratepayers do not want it. I think that was a good suggestion. I would go along with it.

Mr. Boyd: Let's assume you have this situation, and let's assume that you have asked for and received sewers and water and a council, or a staff and so on and you don't want to take any responsibility. You are going to ask Mr. MacKenzie's department to look after your bookkeeping for you and pay the shots. I as a taxpayer would think that you should assume some responsibility and if you are not prepared to assume it then there is something wrong. You can't have it all one way.

Mr. Taylor: He should have a right of appeal.

Mr. Taylor returns to the Chair.

Mr. Chairman: Do you wish to proceed now with Item 4?

Mr. Chairman reads Item 4.

Mr. Chairman: Do you have any spare copies of the Municipal Ordinance? (He reads from sub-section 2 of section 7)

Mr. Boyd: No comments.

Mr. Chairman reads Item 5.

Mr. Thomson: What page are you on on the Ordinance?

Mr. Chairman: 9(1) as on page 37. Just in commenting from the Chair, this is the dissolution item we were just discussing. Do you wish to proceed?

Mr. Boyd: Proceed.

Mr. Watt: Could you explain it to us Mr. Legal Advisor?

Mr. Hughes: Councillor Watt has asked whether I would explain it. I will put it in a short form. The present section 5 simply provides for a situation where dissolution of a municipality is required but if you have these other tiers of government some of them (for instance a city, the City of Whitehorse) which are no longer able or entitled to function as a city might want to become villages. This is theoretically a consideration and provisions of section 9 could be also tailored to provide for this type of thing instead of the complete disappearance of a municipality and it might be staged off into a village and then into a local improvement district. We are just really reminding the draughtsmen that some provision should be made in case a city which is now a city wants to diminish its state.

Mr. Thomson: Could Mr. Shaw comment on this comment by the Dawson City comment here where it says ... Pardon me, we are on the wrong one here.

Mr. Shaw: Better ask Mr. Boyd and Mr. Watt and yourself. You represent Whitehorse.

Mr. Boyd: Proceed.

Mr. Chairman reads Item 6.

Mr. Boyd: I can see no harm in accepting this as it is written. As conditions change it is necessary to increase and it can be done at a later date. We are only starting off with a very meagre amount of business in the first place.

Mr. Sprey: There is provision later on for the increase in the size of a council.

Mr. Chairman: The only difference here is that you have said the council of a municipality should consist of a mayor and 3 aldermen in the Ordinance presently, and you propose saying that the council of a city should consist of a mayor and 3 aldermen so in other words you have just changed the word "municipality" to "city".

Mr. Sprey: In the Ordinance as it stands it refers to the council of a municipality and also to the municipality of the city of Whitehorse. A municipality has a mayor and 3 aldermen. Whitehorse has a mayor and 4 aldermen. We are now suggesting that the council of a city shall consist of a mayor and 3 aldermen and not make specific reference to the city of Whitehorse. This is covered in a later section. There is provision later on for an increase in the size of the council if necessary.

Mr. Thomson: This brings to point one matter that you can maybe fill me in on. It seems to me that there was some mention of the city of Whitehorse wanting to increase their stipend for a term and under the terms of the Municipal Ordinance they were not allowed to do this.

Mr. Sprey:

Mr. Thomson: I realize this but if we are running a city then why haven't they the power to do this? Is this negative thinking or did you set up a road block.

Mr. Sprey: I have not set up a road block.

Mr. MacKenzie: You mean a restriction on the point of whether they can vote themselves?

Mr. Thomson: Yes.

Mr. MacKenzie: They are living on grants you know. It is a loss to the Federal Government to a considerable extent. We must put a brake on their expenditures.

Mr. Watt: Is there a maximum by Ordinance?

Mr. MacKenzie: Yes, here it is in Section 25. (He reads Section 25). Their by-laws of course pass through our hands for scrutiny and approval before they go into effect.

Mr. Thomson: It still boils down then to the fact that we are still beholden to you for all our small stipends, so it doesn't matter whether we are a local improvement district, whether we are unorganized or whether we are a village. It still comes back to the table and we start all over again. How much do you get? Do you get it or don't you get it?

Mr. Shaw: I am glad that somebody has got the message. That is the way it works.

Mr. Chairman: Are we clear on this item? Next item is section 7.

Mr. Chairman reads Item 7.

Mr. Thomson: I object strenuously to that because we may be a part of the Whitehorse metropolitan area but I don't see any reason why we can't become a village or a local improvement area and take this on ourselves if they are going ahead with all their surveys and everything for water and sewer and are excluding us. I am very definitely opposed to that statement.

Mr. Watt: I must rise and support the member from Porter Creek. I think the way the city of Whitehorse is managing affairs at this time and withholding the sale and acting in such a way that land is not made available down in lower Whitehorse is terrible. If land can be made available then cities are going to develop and as it appears at this time the lower Whitehorse area here is tied up and the city of Whitehorse is making no effort whatsoever to have land released. I think that the Territorial Council here should have a lot to say in what the boundaries of the city are going to be if they are going to be expanded, and I also object to the fact that the City Council ~~wants to be~~ they **only** city council in the area. They are already acting as if they are the only city council and the only representative body in the area. If things develop the way they presently are we could very well have two communities within the metropolitan area, one in the Camp Takhini area and one just a little bit towards Porter Creek. I think that the city of Whitehorse should do a little bit of soul searching before they ask this council to give them the full control of municipal legislation within the whole metropolitan area. Is that sufficient Mr. Legal Advisor?

Mr. Hughes: I have a note that we should have two Whitehorses.

Mr. Chairman: Order

Mr. Boyd: We are running into this all over Canada. Take Winnipeg and Kelowna and St. Boniface and so on, all little cities all set side by side, but this didn't work very well, so they have now brought them all into the fold and I think Mr. Watt's remarks are that we should have some say as to where the boundaries are going to be and what is not going to be. This is fine. I think if we want to go that far then we shall just say that from here to the outside of the metropolitan border is all the city of Whitehorse and let them take on the responsibility. I think we are just going to run into duplications of requests and stenographers and secretaries and even some people who get out of pocket and leave town. All this kind of stuff could happen. I think it would be much better handled under one organization but they don't need to think they can hold the whip hand over you. You can open up any part of the country you like. If they don't want it opened up here open it up somewhere else.

Mr. Thomson: This sounds very magnanimous. The general trend of this whole sub-section as I peruse it again says that the metropolitan area, Crestview and Porter Creek, and then eventually they mention Macrae and Hillcrest and Valleyview and things like this. The only reason that the city of Whitehorse wants this is that they are a little afraid that maybe somebody will move out of the town area and set up something up on the hill and detract from the centre of town, and there is a very definite legislation to state that at no time within the Whitehorse metropolitan area will a village or city be set up. However, they are prepared to go to the extent of providing us the amenities that are only natural and normal in the everyday procedure of life.

Mr. Watt: First of all, Mr. Boyd mentioned these large communities like Burnaby and different areas that were the centre part of a group of communities which gradually absorbed the outlying areas as land became used up. You absorb the outlying areas and you gradually increase the size of these communities. The situation here in Whitehorse is a little bit different. You have got a community down here and you have lots of land available to expand and grow on and the community itself could do something about it if they wanted to, so I think that the situation here is quite a bit different than it is in growing areas such as Vancouver. You have a conflict of interest here. You've got a group downtown who control the city council and they are going to appear to be doing everything to withhold normal growth in other areas in the metropolitan area and, as has been said, they want to be the only ones with a say and if you look at their distribution of seats they are going to add one at Riverdale where we already have one. In other words, they are going to put 5 downtown and one for the rest of the metropolitan area. In other words, 5% of the land mass is going to have 90% of the seats or 80% of the seats and I think, before I would pass this as an Ordinance, that a little bit more consideration should be given to it.

Mr. Boyd: First of all, Councillor Watt should be a little careful about being too concerned about our own area. The objective is to make the overall become something and it certainly can become something. Mr. Watt states what he thinks are facts about the land situation being locked up and so on and I am not denying any part of that. But it could be that this will be corrected. He might be blaming the present City Council for something but it would be that he might find someone in this town one day who would move the whole works overnight, and you would have Porter Creek with sewer and water and so on. As for the amount of councillors and where they come from, this is only so much talk. In other words it is not final at all. It can be changed as the opportunities desire.

Mr. Shaw: I am inclined to agree with this last section, particularly with Councillor Watt's philosophy that concentrated centres of population shouldn't control the whole area and you should leave this to work itself out.

Mr. Chairman: I wonder if you would agree to a short recess for tea.

Mr. Thomson: Just before you do, I would like to make it very adamantly clear of this definite legislation for a metropolitan area, that no village or city could be established in the Whitehorse area. I want to make it adamantly clear that we will be unalterably opposed to this.

Committee declared in recess for tea.

Later.

Committee was called to order.

Mr. Chairman: We are dealing with Item 7. Is there any further discussion on this item?

Mr. Watt: I think all three City Councils are concerned with subsection 7, and I think I would like to draft a motion and if we have time to finish this, put it in the form of a motion. Would that be alright?

Mr. Chairman: I would like to point out that this is not a proposal by the Administration, it is just a comment on the City of Whitehorse. I don't think it would have any bearing on the proposals. I don't think a motion would serve any useful purpose in this regard, because I think we have the safeguard of being able to stop any legislation that might be brought forth.

Mr. Boyd: Yes, but that is what they are asking us now. They are getting our verbal opinions. If we agree with these then they'll be written in, and Mr. Watt is pointing out there is one item here that is disagreeable. We don't want it to be written in. That's what Mr. Watt is saying.

Mr. Chairman: What I was getting at is that this is not a proposal of the Administration. It is merely a comment of the Whitehorse City Council. However, when Mr. Hughes is picking up the pros and cons in the final review, we could point out to Mr. Hughes that you do not wish this particular thing to be taken into account.

Mr. Boyd: Well, that's what we're saying right now.

Mr. Watt: I think if we this go at this time it will be given approval in principle. We've done this before, and it has been taken as approval in principle. This time we want to nip it in the bud, and make a motion before this thing gets carried too far. I would also like to suggest, as Mr. Hughes is taking our comments, if he would go back to the City of Whitehorse with these, a possible alternative offered by Mr. Spray, at least at this time, until land is made available in lower Whitehorse, and could be used. That is the formation of a corporate council, which is in contravention to Section 7, which says no other council or village should be formed in the Whitehorse Metropolitan area. I disagree with that part. You could possibly have, and this could possibly work, if the City of Whitehorse did not want to make land available down here to be used so the area down here can grow, and people can live here, and that is to have a Corporate Council formed, including Camp Takhini, Porter Creek, Crestview and Valleyview. These are four communities that are close together, they have many common problems, such as fire protection, water service, police protection, dog chaser and things like this. I think at this time, and when legislation is being drafted, if the Administration goes back to the City and to the Commissioner, that this proposal should be offered to them, as a secondary proposal. I would give this priority at the moment, unless the situation changes in Lower Whitehorse and better representation was given to the outlying areas.

Mr. Chairman: Gentlemen, this is all going to be picked up in final review, and I await your pleasure, whatever you wish to do.

Mr. Watt: We are talking about a point here. If you want to cut us off just say so, if it's too much trouble for you.

Mr. Chairman: Mr. Watt, I am cutting no one off. I am offering a solution to some of these problems in order that we may continue with this document. Anything you say, I am at your direction.

Mr. Watt: I would like to ask for Mr. Thompson's comments on that type of Corporate Council.

Mr. Thompson: I think you will find at the present moment that Crestview have a Citizens' Association, Camp Takhini have an Association that looks after their matters - a mayor, a council, aldermen - whatever you want to call them, so does Hillcrest, so does Porter Creek, and if the overall picture is such that Whitehorse want to incorporate us all it is all very well for Whitehorse, but I don't think they will meet with too much agreement from the other four areas. I think, basically, we have made our point. As I said before, I want to make it adamantly clear that I don't think this should be a part of anything that we write in now, but I think in the final analysis that this is something that could come from future deliberations, either with the City - I don't think that Porter Creek, Crestview, Hillcrest, Camp Takhini, Valleyview, I don't think anybody have been approached with a view to sitting down with the Whitehorse Council to make any firm arrangements or plans. I think they're being rather presumptuous. The other thing that intrigued me on this Section 7 is where it says the Commissioner could increase the size of a council of a city. Here again, I think this is up to the City to make this decision. I don't think it should be up to the Commissioner, but then this relates back to finances, and finances are controlled by the Territory, so it boils down to the Commissioner having the final say in money matters.

Mr. Spray: May I point out that in Section 7 the Commissioner may alter the boundaries of a municipality along the same lines as number 12 of the Ordinance, that is on application of the council of a municipality the Commissioner may by proclamation increase the number of aldermen.

Mr. Watt: I would like to ask Mr. Spray - the Commissioner may increase the size of the boundaries - what about the people who are living in the area, do they have to be consulted, and to what extent?

Mr. Spray: In the present Ordinance, if you wish to increase the boundaries of a city two-thirds of the ratepayers of a municipality must agree, three-fifths of the residents of the area included must agree, city council then petition the Commissioner to issue a proclamation. This mean the agreement of both groups before the boundaries can be altered.

Mr. Watt: How would you petition an area such as Camp Takhini?

Mr. Spray: The Ordinance states that three-fifths of the residents who are twenty-one years of age and owners of real property in the area.

Mr. Chairman: Have you any further questions on this item, gentlemen? May I proceed to Item 8. Item 8 states "Subsection (2) of Section 12 appears satisfactory as it stand. The Council of the City of Whitehorse comments as follows: City Council agrees with this paragraph."

Mr. Boyd: Agreed.

Mr. Chairman read Item 9.

Mr. Chairman read Item 10.

Mr. Boyd: I have one thought. It seems these elected or appointed members once they have reached that status have the right to say to the Clerk, now this is yours, you run her, but you can't borrow any money. So the Clerk is going to be hired for, possibly, a paltry sum to act as Clerk, but not Clerk in the sense that they could put on it. In other words he's going to be the manager of everything. Now I don't know if this is right or not.

Mr. MacKenzie: Very definitely he would be manager. That is what is needed there - a City Manager. He would save Council from a mass of detail.

Mr. Boyd: Then it should be under the heading of City Manager, who is a different kind of an animal.

Mr. MacKenzie: In my opinion he should be City Manager.

Mr. Chairman: It would be a Clerk in the Case of a Village though, wouldn't it?

Mr. MacKenzie: Yes.

Mr. Chairman read Item 11.

Mr. Chairman (speaking from the Chair): Here again, how could one refer to a City when there is no such a thing incorporated, there is a Municipality incorporated, but there is no city under the Ordinance. Mr. Hughes, have you any ideas on that?

Mr. Hughes: If an earlier suggestion were picked up you would be creating a City. You may remember we have a change in the definition at the top of page 2, where it says "You may also consider it advisable to include definitions of 'City' and 'Village'." Already as you read further into these suggestions you have to bear in mind some of the things that were said earlier in this paper.

Mr. Chairman read Item 12.

Mr. Chairman read Item 13.

Mr. Chairman read Item 14.

Mr. Thompson: Could I ask Mr. Legal Advisor, if you'll excuse me for sitting down, I've got two books here, and it makes it a little difficult. It says, "Subsection (1) of

Section 22". Section 22 reads - "A special meeting of the council shall be called by the Clerk when he is required to do so in writing by the Mayor or any two Aldermen." Is this referring to first meeting of council after first election?

Mr. Hughes: No. The first meeting of Council is provided for in Subsection (1) of Section 20. No, this is for a special meeting if there is some emergency.

Mr. Thompson: Well, what's the difference between "A Special Meeting of Council shall be called by the Clerk when he is required to do so in writing by the Mayor or by any two Aldermen." You want to say that it should be the Mayor or Chairman and do away with the Aldermen?

Mr. Hughes: This apparently is contemplated. Maybe it should read Mayor or Chairman or Alderman. I see Mr. Spray indicates a contrary view there. I will conclude with my thought - if we have a special meeting then some extraordinary machinery has to be provided if the Mayor is away. I think Mr. Thompson has a point, but the reference to Chairman is to the other tier of government. Reference to Chairman of the City Council wouldn't be appropriate.

Mr. Spray: Mr. Chairman, because from now on we are referring to a Village and a City we must refer to the Mayor and the Chairman. This section would then read "when required to do so by the Mayor or Chairman or by any two Aldermen". We were just putting in "Chairman" to read along with the "Mayor" as the case may be.

Mr. Hughes: Item 14 as it stands is definitely misleading. It led me to think that the Aldermen would be dropped out.

Mr. Spray: If this is misleading so is the whole paper, because this is what we have got.

Mr. Chairman read Item 15

Mr. Watts: May I ask Mr. Hughes to comment on the Dawson City statement.

Mr. Hughes: Many, many of us in our own leisure do work for Retarded Children, Home and School, the Red Cross, and a few other things like that, which we don't expect to get paid for. Possibly City Council doesn't realize many citizens make an equivalent effort. I don't think there is any change in the salary contemplated, possibly Mr. MacKenzie would comment on this.

Mr. MacKenzie: We don't intend to agree to any additional money being paid to the mayor of either Whitehorse or Dawson City. We feel they are doing far more than they should be doing as Aldermen, and that a City Manager be appointed to take the executive load off their shoulders. It is the basis for their request for more money.

Mr. Watts: Have any steps been taken by the Administration here to have a City Manager -

Mr. MacKenzie: Yes.

Mr. Watts: Is the vehicle available through our Ordinances to all this.

Mr. MacKenzie: We were approached by the City for increased emoluments to the Mayor and Aldermen. We replied "No", as we want to appoint a City Manager. It wasn't too long ago. What has been done since then I do not know. We dropped it back in their laps, and it has come back to us.

Mr. Spray: In these amendments to the Municipal Ordinances it could be ready in many cases "City Manager" for "City Clerk".

Mr. Watt: I would like to ask Mr. MacKenzie what is the apparent reluctance to the appointment of a City Manager.

Mr. MacKenzie: I don't know, I think that the Aldermen and Mayor are more interested in their work, they like it, and they want to do it. They don't want to surrender any of it, I think. They want to get more money out of it.

Mr. Watt: I would like to ask Mr. MacKenzie if we are saving the money that we would ordinarily spend on a City Clerk, a fairly highly paid salary, \$8,000, \$9,000, \$10,000. Don't you think if the City Aldermen are dedicated and they like this work to pay them this little extra stipend, and it would be cheaper for the Territory in the long run, wouldn't it, to change our Municipal Ordinances to allow them if they wanted to to increase their wages slightly, if they want to take on this extra burden themselves. It would be cheaper for the Territory and the City in the long run, wouldn't it?

Mr. MacKenzie: No. I think the present method of administration is inefficient and is costly.

Mr. Watt: You mean, it would be less costly to hire more men?

Mr. MacKenzie: We are only speaking of hiring one more man, that's all, and he in turn produced greater efficiency, and efficiency means money. You would save money. On the one hand you pay more money out than on the other. On balance you have better organization. A stage is reached in the development of a City where you need a City Manager. There is no doubt about it. I think we have just about reached that stage here.

Mr. Spray: If you have a City Manager in the City of Whitehorse you would not require a City Clerk, necessarily. The increase in allowances for the Mayor and Aldermen would amount to about \$4,500.

Mr. Thompson: How many aldermen are there?

Mr. Spray: Four.

Mr. Watt: You mean Aldermen cost \$4,500?

Mr. Spray: The Aldermen are presently receiving \$750, and want \$1,500, the Mayor is presently receiving \$1,500, and this would increase it to \$3,000. And you're not going to get a City Manager for \$4,500.

Mr. Thompson: You say this is the ideal situation, but it doesn't necessarily say they are going to do this. What its' going to amount to is that they'll upgrade the City Clerk to City Manager, and increase their salary.

Mr. Spray. Not necessarily, the City Manager is a highly technical field, I don't know if there are that many in Canada.

Mr. MacKenzie: You have two angles of administration. You've got the executive angle, which would be handled by the City Manager, and the financial angle, which would be handled by the Accountant or Treasurer.

Mr. Watt: It appears to me that this argument for an increase in their stipend has some merit. If they're doing the work now that would ordinarily be done by a City Manager, whereas we have a City Clerk doing the job, I don't know how much, maybe \$5,000 or \$6,000 a year, and we hire a City Manager, it's going to cost the City and the Territory probably \$8,000 to \$10,000 a year. So if the City Council is doing this now, and doing a fairly good job of it, then they may even do a better job of it if they are offered this increase in stipend. They'd be able to in effect hire somebody to do their job while they're gone working on city business, and you may have an increase in the number of businessmen and people in the town that are induced to do this. So I think their argument has some merit.

Mr. MacKenzie: The City Clerk's salary is \$9,000 or \$9,600, not \$5,000 or \$6,000 at all.

Mr. Watt: The City Clerk!

Mr. MacKenzie: Yes.

Mr. Thompson: Conversely then a City Manager would pull down about \$15,000 then.

Mr. MacKenzie: This is a highly technical position. I think a City Manager would require at least \$10,000, as far as I can guess.

Mr. Thompson: I am inclined to agree with Mr. Watt that we're talking about \$4,000 as opposed to \$10,000. You're not going to downgrade the City Clerk, you can be sure of that. They'll still want their \$7,000 or \$8,000 or \$9,000 or whatever they are getting, and then if you hire a Manager above this to do away with the added increase, which we say amounts to \$4,000, and we hire somebody for \$10,000, so we're \$6,000 behind.

Mr. MacKenzie: No.

Mr. Thompson: Yes.

Mr. MacKenzie: I think we have too many unknowns here. We can't work it out. All we can talk about is generalities. The first point is, the City is now at the stage where it needs a City Manager, to be more efficient than the the present method of administration. I think you save money with this administration. That's about as far as we can go at the moment.

What would happen with the City Clerk goodness only knows. What salary she would get I don't know. She might take over the City Manager's job. She seems quite capable.

Mr. Watt: Mr. Chairman, I would like to ask Mr. MacKenzie if the stipend is considered attractive? Then there should be more individuals going after that stipend.

Mr. MacKenzie: But you don't want a bunch of people sitting down at a table dealing with day-to-day administrative matters. You simply confusion, delay, and contradictory instructions. One man should get the work done - the City Manager.

Mr. Boyd: May I ask who is the City Manager responsible to? Is he responsible to the Council as a whole, or would the Mayor have any jurisdiction over him insofar as giving direction is concerned.

Mr. MacKenzie: Jurisdiction in the case of a City Manager is a very sore point. It has created a lot of friction elsewhere. I just forget exactly who he would be responsible to. This is a matter I took up with Alberta. That's their Municipal pet, to advise me of their experience with city managers in communities the size of Whitehorse, and they gave a favourable report. I do recall one difficulty was jurisdiction. It was some years ago now. About three years ago.

Mr. Shaw: Although you may have conflict, the Mayor and Aldermen still dictate the policy, and the City Manager carries it out. However, there's always conflict sometimes in administration of actual policy, because there's no white and black. I think that is about the situation. But they are responsible to the Mayor.

Mr. Boyd: I have just one observation to make here. We had a couple of people employed here in Whitehorse who were supposedly pretty good at municipal affairs and so on. They drew a pretty handsome salary. They didn't turn out so well. And when Mr. MacKenzie mentions \$10,000, that he thinks he would be worth. If he's the man you're looking for I'll wager you'll have to up your thinking, otherwise you will not get anymore than you have in the past as far as responsibility is concerned.

Mr. MacKenzie: I don't know what salary these City Managers are able to command. Mr. Spray was saying they're in short supply, and I think he's right. So \$10,000 might be a pretty low figure. But to get a good man would be money well spent, believe me. There is nothing more expensive than cheap labour.

Mr. Watt: I think the City Council's request has some merit, and I think they should be given more consideration by the Administration, in drafting this Ordinance, and thinking about it. You will note the difficulty they even had here in Whitehorse to get somebody to even let their names stand, for the position of Aldermen or Mayor. It's pretty difficult to get reputable citizens to let their names stand. If this increase in stipend would give them some incentive to drop their business the required number of hours, then it may help us to get more people that may be interested in the positions.

I know if we didn't get the stipend we get, if we were getting around \$1,500 to \$2,000 a year, I could'nt afford to drop what I am doing for this length of time, because my wife would be hungry.

Mr. Chairman: Are you clear on Item 15, gentlemen?

Mr. Boyd: Well, I'm clear in this respect - that I have an open mind on it. We will be coming back to it?

Mr. Chairman: Yes.

Mr. Chairman read item 16.

Mr. Chairman: This would indicate that the Mayor and the Aldermen receive \$750. If there were other expenses they would have to come out of the \$750. There wouldn't be a fund for additional expenses, over the \$750 stipend. **Is that correct, Mr. Hughes?**

Mr. Hughes: I would think so, unless Mr. MacKenzie has any other interpretations.

Mr. MacKenzie: That is correct. Expenses would not go on top of taxable income.

Mr. Chairman: I just wondered why they didn't say that.

Mr. Hughes: Well, if the marginal note was changed it might be a little bit more explanatory. The designation all expenses up to \$10,000 income. This might clear it up. This may have been settled with the Income Tax Department, but I don't know.

Mr. Shaw: What part of this is counted as other expenses? I don't see anything about other expenses at all.

Mr. MacKenzie: What this Section is getting at is that the Mayor or Aldermen are not getting anything beyond these fixed emoluments. All their annual emolument is is so and so.

Mr. Chairman: Are you clear on this item, gentlemen?

Mr. Chairman read Item 17

Mr. Shaw: I would feel that that should be two months, not three months. If a man is elected in an office like that and doesn't show up for three months in the city, it is an awful long time. Affairs have to be attended to, and in three months he would lose absolute contact.

Mr. Chairman: Agreed. Are we clear on this point?

Mr. Shaw: There are sometimes cases where for a certain reason someone has to go out, but I think that could be made effective by the passage of a by-law prior to the time of something like that, so a person knows that they have an obligation. As far as three months is concerned that's fine if you give the correct procedure to it prior to the time you take it off.

Mr. Chairman read Item 18

Mr. Chairman read Item 19

Mr. Watt: I would like to ask Mr. Legal Advisor **why he** recommended that this be deleted.

Mr. Hughes: This is to be read with the rather longer comments on Item 10, which wasn't really looked at. I have thought that you were not wholly in favour of those suggestions. If there is any logic in the comments made in Item 10 then it follows that the matter referred to in Item 19 must be dealt with. But I can't improve on what was said Item 10. If you are going to move the delegation of responsibility then it follows as a piece of drafting that this would have to go as well. Moreover, if Section 14 is changed then subsection 2 of Section 28 would have to be changed. But if you say no, were not in favour of changing 14, **then Sub 2** of Section 28 would be unchanged.

Mr. Watt: Do you think that Section 28 would help the Councils, even the smaller ones, get rid of some of this work that they have to do, and use a Committee for more than they are using them, thus **relieve themselves - the Council** as a whole - from this day-to-day work that the Clerk is intended for, or the City Manager would be intended for. We don't have a City Manager, so do you think if you used the Committee for more it would relieve a lot of the burden of the regular Councilors

Mr. Spray: This was proposed only if we could get a City Manager, which isn't certain

Mr. Shaw: That is a point that I didn't get - if they have a City Council one applies, if they have a Manager the other applies, so it appears to me that you retain both in the event that if one condition existed this is the course you would take, and if it were the other condition, you would take the other course. So in other words it would appear almost necessary to have both in with some sort of a proviso. That's the way it appears to me. I would like to ask the Legal Advisor if my interpretation is correct.

Mr. Hughes: Sorry, Mr. Chairman, I was busy completing my notes on the part of Item 19 there, and completely lost the track of the first part of this discussion.

Mr. Shaw: In relation to these two sections, it would be necessary to, if for example, you had a City Manager - that would apply to one section, if you had a City Council alone - that would apply to the other Section. It appeared to me necessary that both sections be in here because we're not sure that maybe two **municipalities - one has one**, one has the other so therefore you would have both Sections in with a proviso that in the event one is operative, the other would not be, and vice versa.

Mr. Hughes: Yes, I think you might have a point there. **We** may have **concluded rather airily** about the Manager's position. It is a good point.

Mr. Chairman read Item 20.

Mr. Taylor: (With Mr. Boyd in the Chair: At this Point I wonder if we should extend to the Municipalities a power we don't even have ourselves at this time. We had this at one time and apparently the Ordinance was deleted which gave us this power, and we have no power to go on subpoena. I was wondering if we should extend this to a municipality when we don't enjoy it ourselves.

Mr. MacKenzie: We do provide, you know, for the payment of money to witnesses who come to Council.

Mr. Taylor: Where are we empowered. I know it was in the Ordinance, but that Ordinance was repealed some time ago. Mr. Clerk may know. I've seen a copy of the old Ordinance, and I've seen a copy of the proposed new one to put it back in there again. But that was taken out, lifted out of our Ordinances, some time ago. I don't know why.

Mr. MacKenzie: The Council supplied the authority.

Mr. Taylor: Mr. Clerk.

Mr. Clerk: Do you remember the date or year of the Ordinance? I know that nowhere now do you have the power to subpoena.

Mr. Taylor: Thank you, Mr. Clerk.

Mr. Taylor read Item 21.

Mr. Taylor: In other words your Chairman would not be a Chairman in that sense of the word, he would be the Chief Executive Officer of the Village. He would be like a Reeve. Why don't we call this man a Reeve, why do we call him a Chairman if he's the Chief Executive Officer of a Municipality, why not call him Reeve or something normally accepted? A Chairman could be anybody. To call a head of state a Chairman sounds as if we were getting into Russia. Could the name "Chairman" be changed to "Reeve".

Mr. MacKenzie: Yes.

Mr. Taylor: I've been wondering about this Chairman thing, and I've been working until this very moment, I was working under the assumption that the "Chairman" in this case was merely one of the members of the accepted "Chair", but here it would indicate this man is to be one of the chief executive officers, the chief executive officer of this group. This being the case I certainly can't see who brought up the idea of calling him a chairman, he could be called a "Reeve" or a "Mayor" or something which depicts his position. I think that is a valid point. I don't think "Chairman" should be the word.

Mr. Hughes: The choice of the name really was a working convenience. I would like to look up the use of the term "Reeve" in one or two authorities. It was just a case of taking a name and the biggest problem is to - look at all the subsections were you are going to have to put in this name. What you call it doesn't have any special significance. I would be obliged though, if you could stay with the word "Chairman" through the discussions, and I will make a note of the fact that there is some thought it should be "Reeve". There is no reason why it shouldn't be "Reeve", it is just one of those things.

Mr. Taylor: What we are doing here is that we are providing a chief executive officer, and it seems to me to call him a "Chairman" is not the thing. I don't know if there is any place in Canada where this is done, I mean if he's a chief officer he should be either "Reeve" or "Mayor". However, as I say, it wasn't until this very moment I understood the "Chairman" was to be the Chief Executive Officer.

Mr. Chairman: May Mr. MacKenzie, Mr. Spray and Mr. Hughes be excused? Thank you gentlemen, we will see you tomorrow morning.

It was moved by Mr. Boyd, seconded by Mr. Southam, that Mr. Speaker resume the Chair.

Motion Carried.

Mr. Speaker resumed the Chair, and the Chairman of Committees gave his report as follows:

"Committee convened at 10:45 A.M. this morning to discuss Bills, Sessional Papers and Motions. Mr. MacKenzie, Mr. Spray, and Mr. Hughes attended Committee to discuss amendments to the Municipal Ordinance. Committee recessed at 12 noon and re-convened at 2 p.m. this afternoon. It was moved by C. Boyd and seconded by C. Southam that Mr. Speaker resume the chair.

Motion Carried."

Council accepted the report of the Chairman of Committees and adjourned until 10:00 a.m., Thursday, March 18, 1965.

Thursday, March 18, 1965.
10:00 o'clock A.M.

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

The following correspondence was tabled for Council's consideration:

- (1) Memorandum regarding power consumption at the Old Crow School - (Set out as Sessional Paper No. 26) Sessional Paper #26
- (2) Memorandum in regard to a Publicity Writer from the Department of Travel & Publicity giving a brief summary of the day's proceedings over CFWH - (Set out as Sessional Paper No. 27) #27
- (3) Memorandum in respect to the Proposed New Liquor Store and Warehouse at Whitehorse - (Set out as Sessional Paper No. 28) #28

Mr. Taylor gave Notice of Motion respecting TV Service for the Yukon. Motion #8

Mr. Taylor gave Notice of Motion respecting Twenty-four hour radio service for Whitehorse. #9

Mr. Taylor moved, seconded by Mr. Boyd that the Administration is respectfully requested to provide Members of Council with copies of the "Agricultural Committee on Yukon Recommendations" and "Report on Agricultural Possibilities in Alaska". Same to be tabled at the earliest possible moment. Papers #1

MOTION CARRIED

Mr. Thompson moved, seconded by Mr. Watt that, in the opinion of Council a dust control program should be instigated this summer in those areas and communities requesting such coverage. Motion #4

Mr. Thompson: I was wondering if, at this time, I could refer this motion to committee.

All Agreed

Mr. MacKinnon moved, seconded by Mr. Watt, that in the opinion of Council, it is respectfully requested that the Administration consider the installation of low power radio transmitters at Carmacks and Pelly River. Motion #5

Mr. MacKinnon: I believe everyone is aware of the very poor radio service at Carmacks and Pelly and I think it would be a beneficial thing if those people could get the CBC news and know what is going on in the country the same as the rest of us.

Mr. Watt: On our trip to Ottawa we did have a discussion with a person from CBC, a meeting which Mr. Thompson arranged, and discussed these devices with which they provide the radio service in the small areas. It appears these are a simple device with low maintenance cost and upkeep. I don't see any reason why more of these machines couldn't be used in the Territory in areas such as Carmacks, which is a mining area and the population is increasing.

MOTION CARRIED.

Motion
#6

Mr. Thompson moved, seconded by Mr. Watt that in the opinion of Council and since the extension of the Whitehorse water system to include Camp Takhini will soon become a reality, serious consideration should be given at this time to include Porter Creek in any expansion program instigated. The extension of this proposed system to Porter Creek is a natural and feasible solution to the inherent problems in this area.

Mr. Thompson: I would just like to refresh your memory on a couple of items. The answer that I got to this previous one was that I had already been in touch with Associated Engineering Services, who have replied that it is not realistic now to consider the installation of services at Porter Creek. I would like to refer back to their submission to the government in their brief submitted last year with reference to this and they say that in view of the subsidy that they are presently giving to this area, that they offer Porter Creek residents one of the facilities of modern day living and it is considered advantageous to invest in a proper water supply. Now it seems to be, in my thinking of this, it depends on who is putting on the pressure and from what area, at what time that these answers come up from the Administration on this. They also say that it is exorbitant at this time but in their original brief it was pointed out that for a cost of \$600.00 that people in Porter Creek could have water and sewer and it wouldn't increase their water rates any more than practically now. The only addition would be in a foot frontage cost for the lots but this still isn't exorbitant by any means. It boils down to something like \$15.00 a month overall. They have quoted in several instances various costs. This \$600.00 cost was the cost of service connections and of this the Territory were willing to stand a \$425.00 amount which left \$175.00 to the user. In the last brief that was submitted just last month it says, the scope of this report was extended so that the survey would take into consideration the future development of the entire area and included in particular a study to recommend the best manner in which the subdivision of Porter Creek may be supplied with water. A little further on, this is a hundred page report and they go into quite considerable detail, they also have a section covering Porter Creek costs, etc. I feel that in view of the impending extension of the Whitehorse water system to include Camp Takhini, which will include Valleyview, Hillcrest, that very definite action should be taken in order to ensure that the residents of Porter Creek will be included in any long range planning and that we can have piped water when this present extension is made into the Camp Takhini and McIntyre Creek area.

MOTION CARRIED.

Motion
#7

Mr. Shaw (with Deputy Speaker in the Chair) moved, seconded by Mr. Boyd that be it resolved that the Administration request the Legal Advisor to undertake correspondence and studies to ascertain what justification exists for the apparent excessive fire insurance rates in the Yukon Territory and to report thereon together with suggestions for securing general reductions.

Mr. Shaw: This is something that has concerned me personally and quite a number of people in the Yukon Territory in relation to the fire rates which we presently have to pay. The rates that are charged, I feel, are unrealistic. How they arrive at these fabulous amounts I don't know, they must be the highest in the whole of Canada. For a commercial building, for example, the rates run almost 3% of the coverage, that's almost \$30.00 per

thousand per year. I cannot see, in relation to the number of fires in the Territory, how this rate increases each year. It also appears that if you go to one company the rate is just the same as another company. Many people just cannot afford to get the full coverage which you would normally do in other areas of Canada. Now there may be a reason for these high rates but I cannot see myself how it can be justified. To find out just what the true state of affairs is, I am asking that an investigation be undertaken to find out the justification for this. In this matter I would ask Council's support.

MOTION CARRIED.

First and Second Readings were given to the following bills:	First & Second Reading:
Bill No. 1, An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory (Second Supplementary Appropriation Ordinance 1964/65)	Bill #1
Bill No. 2, 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 1965)	Bill #2
Bill No. 3, 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 1965-66)	Bill #3
Bill No. 4, 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 1965-66)	Bill #4
Bill No. 5, An Ordinance to Amend the Engineering Profession Ordinance	Bill #5
Bill No. 7, An Ordinance to Amend the Workmen's Compensat- ion Ordinance	Bill #7

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

MOTION CARRIED

In Committee of the Whole:

In
Committee

Commissioner Cameron joined Committee for the question period together with Mr. Hughes.

Mr. Boyd: It seems to me that when Mr. Cameron was making his speech to Council the other day that he omitted a fact the public should have known about and that is there would be a corrections institution, which is direly needed, built this summer. I wondered if he had anything to say about it.

Commissioner Cameron: I know I did omit it but this is being handled by, I presume, the Department of Public Works who will be calling the tenders. As you will recall when we were in Ottawa they assured us that tenders would be called within this next week or so but I have received no notice of this. Being somewhat sceptical at times I didn't want to say something that I could not back up. I am quite sure Mr. Boyd, that this institution will be built this summer however the tenders will not be called out of this office and this is one reason I had in not making a definite statement on it.

Mr. Boyd: That answers my question, I was afraid it was missed out because it was not going to happen.

Mr. Thompson: With reference to our Sessional Paper #4, the engineering study for road construction to connect the Alaska Highway with the northern industrial area - it says the Department of Public Works will be asked to consider making a study - this is another one of these ambiguous roundabout detours - will be asked to consider to making a study to determine the best location. I am under the opinion that this has already been done by Central Mortgage and Housing with this Metropolitan Area Plan and I am wondering if they have taken this into consideration or are we starting from scratch again.

Commissioner Cameron: I don't believe it is true to say that Central Mortgage did a study on it. I understand from what information is available, this was put in the plan at the suggestion of the Territorial Engineer at that time, Mr. Grant Starr and he felt that at some time in the future another access to the Alaska Highway could be engineered to cut down the grade. The present Two Mile Hill, I understand, is 9% and it was felt that if the route was put up the cliff behind Camp Takhini they could reduce this to 6%. The CMHC people were quite agreeable to put this in but they felt this would possibly come with time and as the industry dictated. Upon checking with the industry, the trucking concerns are quite satisfied with the present Two Mile Hill, they are not encountering any particular problems with it and this would be something, I would say, off in the future. For example when the City of Whitehorse expands and takes in the area which we hope will include the industrial area, where this road runs through, then it would be up to them to promote this construction if it was so required and the Territorial Government would share in the costs on a 50-50 basis. This is similar to the south access road which is suggested in the plan that the extension not cut across the tracks, as it does now, but continue on to Second Avenue. First, in the one recommendation of CMHC, taken from their study, was that an industrial relief road be connected to the Fourth Avenue entrance into town at approximately the Indian Graveyard which would relieve some of the heavy industrial traffic from coming down past the Elementary School and in through to Main Street. In other words it would turn off at the Indian Graveyard and go down to Second Avenue. The engineering study has never been done on this particular road and it was gone in, not at the suggestion or recommendation of CMHC, but included in view of the fact there was a possibility, or could be a possibility as the industry increased over the next 20 years that this would be a logical way to set it up. We have since asked DPW if they could do a surface location check, an engineering check for us, and they said well it was actually out of their jurisdiction but they would be prepared to look at it from an engineering standpoint and come in and give us some recommendation or ideas as to how it might be done.

Mr. Boyd: Would Mr. Cameron know whether they are going to start the building of the south access road from where it is now to connect with Second Avenue say this summer.

Commissioner Cameron: I have no knowledge of this Mr. Chairman, the City have not notified of us of any such allowance in their budget nor have they made a request that this be considered as far as the Territory is concerned on a cost sharing basis. I imagine there is still some concern as to the complete cleanup of south Whiskey Flats where there are a few buildings on an area that has been, for many many years,

leased to Taylor & Drury and these buildings would have to be removed and this lease would have to be amended in order to get the road to come along side of the railroad track right-of-way to connect with the Second Avenue bridge approach.

Mr. Boyd: I might mention Mr. Cameron that the Mayor did state very recently that it was in the estimates and I thought it was a strange answer inasmuch as none of the City Council knew anything about it except him. I guess we will find out whether it is or isn't.

Mr. Watt: I would like to ask Commissioner Cameron what action has been taken by the Territory or by the City with respect to any motions that were made in the last session of Council with respect to this Whitehorse Metropolitan Plan.

Commissioner Cameron: I couldn't answer that offhand but I will check for you on it. Where it pertains to the City they were informed of the motions and I will check and see what action has been taken.

Mr. Watt: What action has been taken in respect to the recommendations of the Whitehorse Metropolitan Plan which have not been passed through this Council.

Commissioner Cameron: Mainly in zoning, I believe, they are accepting the zoning as laid down by the Metropolitan Plan and not expanding any industrial or commercial facilities in areas that have been planned for commercial. Beyond that I would have to check on it.

Mr. Taylor (with Mr. Boyd in the Chair): Some two years ago I raised a question of a raw fur subsidy in the Yukon by regulation. It was approved and passed by the former Council and I think the last I heard of it was some short while later in a sessional paper or memorandum from the Administration and they pointed out this was being turned over to what they called a raw fur committee in Ottawa. I am wondering if since that time any information has been received from this raw fur committee in Ottawa and if so what the answers were and whether or not we can proceed with this idea of a raw fur subsidy in the Yukon.

Commissioner Cameron: I don't know of any further information on it, the man that would know would be Mr. Fitzgerald. You might follow that up with Mr. Fitzgerald before Council.

Mr. Thompson: In Sessional Paper #8, with regard to Tourist Amenities, this is dated December 16 and since that time we had an opportunity to discuss, with Mr. Gibson, the possibility of erecting suitable signs at various tourist attractions throughout the Territory. He thought at that time he would draw up a proposed sign that he could tender and see if he could get some costs on it. Has he proceeded along these lines or not?

Commissioner Cameron: I would certainly hope that it has. I have had no indication from Mr. Gibson. Here again he will be before you and no doubt will have prepared certain information he was queried on at the meeting you are referring to Mr. Thompson and be able to pass on at that time. He will have the answers to that.

Mr. Taylor (with Mr. Boyd in the Chair) We hear much these days of this Lucien Rivard and this Dorion Inquiry and this sort of thing and the question was asked of me as to whether or

not there was any legislative prohibition to ensure that wire tapping and this type of thing was not employed in the Yukon Territory. I am wondering if there is any such protection against this wire tapping.

Commissioner Cameron: I am afraid Mr. Chairman I have no idea. I would suggest you check with our Legal Advisor on this subject.

Mr. Taylor: I have one other matter I would like to take up, I would like to direct this to Mr. Clerk. Has any consideration been given to the possibility of setting a price on these Hansards, these daily Hansards which we receive, the cost of sending them out the following day by mail to anyone who has subscribed. What would the subscription cost be? Also are Votes & Proceedings being placed in all libraries in the Yukon so far and have they been provided in the past?

Clerk-of-Council: The answer to the first question is that no consideration has been given to setting a price for the Votes & Proceedings that you see the next morning because we are treating them as a draft. We expect you Councillors to read them and I have noticed a few mistakes in them myself so we don't propose to mail them out. We do mail them to a very few places such as department heads and we do send them to Ottawa as they are without the mistakes corrected. They want to know what is going on from day to day but we don't mail them out to the general public until they are finalized at the end of a session. The answer to the second question is that they are being supplied to all libraries that the Librarian has requested them for.

Mr. Boyd: I would just like to go back Mr. Cameron to this Second Avenue Road. I would like to have some assurance that this will get some consideration inasmuch as the plan itself isn't worth five cents until that part of the deal is fixed up. It is all right for one man to say it is in the budget and another to say it is not but I think the man that says it is not is probably quite correct. What concerns me is who is going to take the initiative and when - it is one of the first things that comes first. When it comes to zoning you can't do this and you can't do that but nobody gives an alternative answer. The alternative answer is, as far as business is concerned, is to have this second route down Second Avenue as I see it. I think we should have some guarantee that there is going to be something done say within a period of a year or two, at the most, but I would like to see it now, not never, we just sit here and write letters like we are doing now - this will go on as long as noone is forced to take the initiative. I just want to know that we are going to get somewhere.

Commissioner Cameron: Mr. Chairman I presume Mr. Boyd you are referring to the south access to Second Avenue. I must say I agree, this whole basic plan came out of the Council Tables of the City of Whitehorse. They must activate it in an orderly fashion and I am afraid that I have very little if anything on record to indicate they are moving too rapidly on the project, however, I will approach them again on this subject. This is the cart before the horse - they should be approaching us. There should be a sum of money asked for in here for you people to vote on to meet the Five Year Agreement whereby we share 50-50 on construction and reconstruction costs of the road. Now whether they have allowed in the budget, I have not been informed. Mr. Watt has continued, and I hope he will continue to push it from the Territorial side as far as these motions are concerned, keep it active because this is the only way it can be done. I will approach the City of Whitehorse and ask

if they would become a little more active on the subject. It is their plan and I think they should initiate these things. I will follow it up and try and have some more information on this for Council in this regard.

Mr. Boyd: In this connection the City have drastically raised the taxes on this Second Avenue. Now I don't mind them being raised but if they would open the gate and let me get in or get out with a building or business that warrants this. But to just raise the taxes and then just sit in their chairs - they have to do a little more than this Mr. Chairman.

Mr. Chairman: If I might be permitted I see Mr. Law Clerk is with us, I wonder if he has any idea as to whether we have any legislation which would prevent wire tapping in the Yukon Territory.

Mr. Hughes: I didn't know the Law Clerk was here Mr. Chairman.

Mr. Taylor (with Mr. Boyd in the Chair) Mr. Chairman I wonder if we could have this business of Law Clerk or something straightened out at this time. I think we should know whether we have a Legal Advisor or whether we haven't or what our status is or what it isn't. I wonder if possibly Mr. Hughes could clarify this position in this regard.

Mr. Hughes: I don't think that I can clarify the position except that the term "Law Clerk" is a technical one which seems to be confined to a function which I don't really fulfill. I do not sit beside or behind the Speaker tendering advice, he does not come to me for advice, this has not been a practice, so my duties do not correspond in that way. I am simply here to be as helpful as possible. I only raise this comment regarding the Law Clerk because there has been a tendency to use that definition and that really is one function which I haven't filled. I am here at your service, I try to be useful but if you really want a definition I can only give you the Civil Service classification which is that of Senior Advisory Counsel however I still fill the office of Legal Advisor and in fact for certain functions I have to be in the enforcement and discipline of the Legal profession so I am mentioned in that capacity as Legal Advisor. Then I go upstairs and I am also Registrar of Titles and so on. I am sorry I just can't be the self defined function. I am really what you think I am at any particular time.

Mr. Taylor: Mr. Chairman, to pursue this just a little bit it is provided in our makeup and in our Rules of Council that provision for a Law Clerk who is in effect a servant of the House and the....

Mr. Watt: Mr. Chairman, on a point of order, is this a debating period or is this a question period. We have the Commissioner with us I was hoping we could make use of his services.

Mr. Taylor: Mr. Chairman, I differ that there is no point of order and I would like to proceed with my question.

Mr. Chairman: Speaking from the Chair I think Mr. Hughes has explained all he can explain and I think it is up to us to accept it. If we want his legal advice, let's ask for it and accept it at that and let's quit. We know the situation technically and legally and get on with our business.

Mr. Taylor: This is closure Mr. Chairman.

Mr. Watt: Mr. Chairman, is Mr. Taylor finished with his question.

Mr. Taylor: Mr. Chairman, I have been ruled out of order and been denied my right as a Member of this Council.

Mr. Watt: Mr. Chairman, I would like to ask Mr. Commissioner a question. Since our last Council Session has there been any discussions with you on the Robert Service campground and what were the results.

Commissioner Cameron: Yes, Mr. Chairman, there has been correspondence for some time now between the Administration, the Chamber of Commerce and the operators of the Chenechee Trailer Park. Not too many weeks ago I met with the directors of the Chamber of Commerce and the short story boils down to the fact that they have agreed to make a charge of \$1.00 per unit per night. They have also agreed that there would be no further upgrading of the park at the present time and that the operators of Chenechee would be quite free to advertise in this park area for their delux facilities. I have since received a letter from - this information was passed on confirming our discussions back to the Chamber of Commerce also to the solicitors of the Chenechee Trailer Park with instructions to the solicitors to pass the information on to the owners and then a letter was received from the owners and operators of Chenechee wanting to know what was happening. They hadn't heard anything so I sent them copies of the correspondence. Then a letter was received back from them, quite a lengthy letter, saying that they weren't satisfied and they felt the trailer park should be closed for this year and an assessment made on the tourist traffic. I have not as yet answered this however, my answer will be with an apology in there simply because, although I am sympathetic, I cannot see closing this park. It is a standard thing throughout the rest of Canada to have government parks and the original complaint was that no charge was being made. Now they feel the camp should be closed. I have yet to draft this answer but they are also concerned because they were not asked to attend the meetings. The answer there is because of course I knew their feelings on the park and I didn't wish to make my office a battle ground because there would be nothing gained. Where we had to make our peace, I feel, was with the Chamber of Commerce, the fact that they had an obligation they had to make a charge on this in order to make it any method of a fair competition whatsoever. This is where the situation stands at the present time.

Mr. Watt: Did the Chamber of Commerce request to you to try once again to have this campground included in the ordinary Yukon campground services.

Commissioner Cameron: Not officially I don't believe, Mr. Chairman. One member suggested that it be taken into our camp program or turned over to the City. The idea being then it would eliminate a charge and I was against this. I said "no" that I felt there should be a charge in this case. I pointed out to them that in the next Five Year Agreement it is quite possible we may come up with a Territorial Parks Program, an expanded program of the present system we have and possibly alter it somewhere. In other words it might be a Territorial Park where this present one is a Forestry Park for the control of forest fires and for the assistance and so on of tourists and is shared 50-50. But for the present time I didn't feel it should be turned over to any other organization. The Chamber of Commerce have fostered the program and built it up to what it is today, I felt that as a Chamber, as a community effort, they should operate the thing until the program is changed, until some new type of park program is brought up.

Mr. Watt: Mr. Chairman, have you had any correspondence or has a proposition been made to you offering the Yukon Territory a complete set of Hansard free.

Commissioner Cameron: Mr. Hughes informs me there has been correspondence on this and he will dig up the file and he will pass these down the first of the week.

Mr. Thompson: Going a little further on that. This was brought to our attention when we were in Ottawa and the Parliament Librarian pointed out that time was of the essence in this request coming from the Territory because so many of the Universities had made representation for some of these surplus copies. I think the only expense to us would be the freight to get them here. If we were interested, and I feel we should be, then a request should be instigated at the earliest possible moment to try and obtain these.

Mr. Boyd: I would like to go back to this Chenechee Court. It is said that a charge of \$1.00 will be made. I would just like to know if this is so or is it just sayso. We may pick off a dollar from one or two and let the rest all go through. Who is going to collect the dollar, by what means are they going to do it, are they going to have an attendant there? Is this camp going to be in line with all the health hazards and so on? Because what we are winding up with now is this thing is not going to go any further at the present time until better park deals, as you say - so it is not a picnic ground it is not a campground, it is not a trailer campground in its true sense - it's inbetween and nobody is going any further with it. By the same token we are stopping expansion of the private enterprise that was in business. Now they are handicapped and afraid to go to - and I don't blame them. So here we sit with nothing, we are in between the devil and the deep sea, and this is where we are going to stay. If this \$1.00 charge is going to be made, who is going to see that it is made and are we going to be assured of this? Will they have any reports on it to indicate? What will happen if we find out they aren't charging a \$1.00? Are we going to close them up? There are a lot of things in this thing - there are two points to it and certainly I can see where I would never spend another dollar starting up in this kind of business now - not with my own money or anyone else's money - you might get plowed under by your own taxes.

Mr. Shaw: What is the question Mr. Chairman?

Mr. Chairman: It appears that this committee is a debating period and not a question period at all.

Mr. Boyd: The question is will we be guaranteed that this park will be operated in accordance with the health laws of this town? Will the dollar that is stated be charged because this is the only means they are using from getting out from under this - they are going to charge? Will we be guaranteed that they will charge each and every trailer that nights in that camp and if not what are we going to do about it?

Commissioner Cameron: The Chamber of Commerce have agreed to collect this \$1.00 by putting an attendant in each day between say 4:00 to 6:00 in the afternoon and 10:00 to midnight - whatever hours they decide. The attendant will issue a receipt to each trailer owner and the money collected will be used to help keep the campground clean and the sanitary facilities in condition. As to the hypothetical case of supposing they don't collect it would we close it, I can't answer - I would answer it by the question what would you recommend as a Council we do - do you say we should close it if it is not being done. I assume that they are honourable men and they will do everything possible to collect it.

Mr. Watt: Mr. Chairman I would like to ask the Commissioner with respect to income tax purposes, \$350.00 for Federal Civil Servants - first of all does this apply to Territorial Civil Servants in any way and has the Administration here been asked how this would effect the economy of the Yukon?

Commissioner Cameron: Mr. Chairman I believe Mr. Watt is referring to the \$350.00 per child - I am quite sure that a wire has been received that this was an error, and this was not to be collected. I was talking to the Collector of Income Tax the other day, Mr. Osborne, and he feels quite sure that somebody made a mistake- this is not realistic at all, it would be very, very hard on the people involved. It has nothing to do with the Territorial people, it is strictly Federal.

Mr. Watt: Mr. Chairman I would like to ask the Commissioner if he could verify this for us as it would save me from making a motion here. If you could do that in the next few days.

Commissioner Cameron: Yes, Mr. Chairman, I will do that right away.

Commissioner Cameron: Mr. Chairman, I might just leave a suggestion with you and it comes to mind because of the Chenechee situation and the Robert Service Park. This of course is a very controversial issue and has been for some months, and what ever the outcome is it is not going to satisfy all people. We have tried to come to a compromise and if you gentlemen can help us out in any way, we would be only too happy to have your advice. I would suggest you ask that Chenechee appear before you and the Chamber of Commerce, discuss with them and get the ideas from them. In other matters I would also suggest you do the same thing, ask people if they would consider coming here. Such as for electric rates, I was reading some of your votes and proceedings and I think somebody quoted in there the rates in Whitehorse were 12¢ or 10¢ - well I would suggest when you are discussing that and the Utilities Commission, call in Yukon Electric, and clear them, you don't have to make any commitments but call them in, they don't have to come, but I'm quite sure they would come, and ask them all the questions you can think of that will give you ammunition and arguments for setting up of a commission. I notice another point where it says that NCPC can sell power for less because they don't pay taxes, well of course I think if you check with NCPC they will even admit that this is not true, Yukon Electric will supply for the same prices they will, and they also pay taxes. In other words, there are a lot of facts if you are going to request a Utilities Commission or if you are going to work on any of these points for the benefit of all of us you should get all the ammunition possible, and if you ask us to ask these people to come in, I am quite sure they will come in and answer your questions, possibly not to your satisfaction, you can ask them all the loaded questions you want and see what they come up with. I am mentioning this because I feel if we say well we want a commission study on so and so then we should have all this ammunition to back it up. I have a card here which I can leave with you which shows the rates in Whitehorse which start at 8¢ and down to 1.7¢ per kilowatt . 8¢ for the first 40 kw 4,5¢ for the next 160, 3¢ for the next 100, excess 2.5¢, hot water heaters 2¢. These are in the office as you go in to pay your bill you can go in to pick them up. This is the sort of information I think you should attempt to get so that when it shows in the V&P which are going word for word and available the next day and go to Ottawa and to the Deputy Minister and to the Director and if we can get as many of the facts in there it will help our cause in going after the additional money that we require.

In anything, agriculture, any of these. I am quite prepared to ask these people to come and I am quite sure that they will come before you, so we can have all of the local answers first hand.

Mr. Watt: Mr. Chairman, I would like to ask the Commissioner one more question. Does Administration intend to put before Council this session a memorandum, or bill, concerning the Refinery or separation plant at 1016?

Commissioner Cameron: We certainly plan on discussing it, Mr. Chairman, it will probably in ~~memorandum~~ memorandum form, as yet we have received absolutely nothing from Mr. Sparling since meeting with him in Ottawa and you will recall I assured him that if he was to give us the information we asked for that I would be quite happy to see you gentlemen the first day or two that you sat, because time seems to be of the essence to them. I have since heard that there was some action going on at the plant and checked this out and had an investigation done and the only action is a gentleman has been hired to replace some windows and sweep the place out. He has been there now for two or three weeks, cleaning up. The individuals, the President, Vice President, and so on, know the conditions as far as we're concerned, they are going to have to satisfy this Council, and this Administration, that it will be beneficial to the Yukon Territory and that we'll have some assurance of getting some taxes now, and absolute guarantee that there is enough there in scrap salvage to cover the back taxes owing. I feel we'll play ball with them, but we don't expect to get hit in the face with the bat.

Commissioner Cameron: Mr. Chairman, I have just been informed by the Legal Advisor that he has the file on hand here regarding Hansard,

Mr. Hughes: To summarize it very quickly - the correspondence is scattered through this thing, but we had heard that these sets were available, we were trying to get the estimate in shipping and shelving costs. To give you a quick round number I would say that it might go as high as \$1,000.00 because you've got many, many years of these volumes and **they have** got to be decently shelved if at all possible. The point had been reached in February where we tried to get Ottawa to provide the money, but Ottawa didn't have the money available and suggested that we should examine our own finances and had an indication we can raise this from one of those magic pockets of Mr. MacKenzie's. So if there is approval for the idea in principle that we arm ourselves so that one day when we have our own Chamber here it will be properly furnished and possibly have a Territorial Government library, then this is the time to spend a little money.

Mr. Watt (addressing the Legal Advisor): To your knowledge do we have any legislation to protect individuals from wire tapping?

Mr. Hughes: No. No special legislation by way of a Yukon Ordinance and the position is just the same as elsewhere in Canada, off hand I can't think of any Provincial legislation which forbids this, one assumes that it doesn't go on. We don't have specifically any local legislation.

Commissioner Cameron was excused from Committee.

Continued Committee proceeded with discussion on Amendments to the Discussion Municipal Ordinance, with Mr. Spray, Area Development Officer S.P. #23 in attendance.

The Chairman read Item 22.

Clear.

The Chairman read Item 23.

Mr. Boyd: Mr. Chairman, I have one comment only, and that is I agree that $3/5$ ths should be the figure.

Mr. Chairman: Mr. Spray, in dealing with this village legislation where you only have three members, would this apply?

Mr. Spray: Yes, Mr. Chairman, this would apply. $3/5$ ths would be your majority, we are talking in terms of not only the City of Whitehorse which has 4 Aldermen and a Mayor, but the City of Dawson which I believe has only 3 Aldermen and a Mayor or a village which would have possibly not three councillors, it might have four or five councillors.

Mr. Chairman: What I was getting at is that you would have to spell this out in the Ordinance would you not. Either the majority of $3/5$ ths would not apply to say a 3 man council.

Mr. Spray: Mr. Chairman, we were not thinking in the terms of a 3 man council in a village. We are thinking of a larger Council.

Mr. Shaw: Mr. Chairman, I am inclined to agree with the City of Whitehorse in this respect if you have 3 members the majority naturally is $2/3$ which is more than $3/5$ ths. If you have 4 on the council the majority must be 3 to 1, that is more than $3/5$ ths. The only time you get $3/5$ ths is when you have 5 members which is 3 to 2 which is still $3/5$ ths which is still a majority. So I think that if you state a majority you will save a lot of words. If you get more than 5 members it could possibly apply, but it is a long time off but that could be changed when it comes to something like that. A plain majority gives you more than $3/5$ ths everytime, and you can't cut people in two, so therefore you have your $3/5$ ths regardless by a majority.

Mr. Watt: Mr. Spray would the Clerk himself be one of those voting?

Mr. Spray: No.

Mr. Watt: In an improvement area?

Mr. Spray: No.

Mr. Boyd: Mr. Chairman, let us assume there were three councillors and one of them was away, you would have one councillor voting each way, what would happen then?

Mr. Shaw: Well Mr. Chairman, if you said the majority of the council, not the majority of those present, but the majority of the whole.

Chairman read Item 25.

Mr. Watt: Mr. Chairman I would like to ask the Legal Advisor if the City's fears are justified or could more than one person be appointed.

Mr. Hughes: I really don't see what the city is disagreeing with. They say they feel that the City might grow to a size by taking in the Camp Takhini, Porter Creek, areas. I don't see what limitations there really is on passing over the work on the treasury side to a delegate. I take the personal view that any delegation that functions could look after that, perhaps it is always better done at the direct command of the council and not the Clerk, but this is where you get into

this City manager problem, who is working for who. We can easily change it we don't hold any particular beef that I know of - by not accommodating them on this point. Is there some underlined theory put out by Administration which makes it necessary to make the treasurer a delegated function.

Mr. Spray: Mr. Chairman, the present City of Whitehorse administration, the Clerk of the City of Whitehorse is also appointed the treasurer of the City of Whitehorse. The Clerk holds the position of treasurer although there may be an accountant or bookkeeper doing the actual work under the supervision of the Clerk.

Mr. Shaw: Mr. Chairman, I would suggest that any suggestion, and not knowing the full legal implication, perhaps the Legal Advisor can comment on this, to get around all this and provide the same structure, it is recommended that the Clerk of the municipality can also be the treasurer, following where this responsibility can also be placed in as a separate function. Between municipality and also on the first line put the word "can". I think it would serve the same purpose.

Mr. Hughes: May I make this note that Council accepts the Whitehorse position that they might want to have two separate officials, and leave it to the draftsman.

Agreed.

Mr. Watt: I'll go along with that but another part of that is I think in particular the smaller areas that possibly the Council as a whole should have some say in who the Clerk or Clerks are going to be. The regular Clerk or the regular appointed member who is going to be the Clerk is someone who would be appointed and this would give the elected members more say over who is controlling their books.

Mr. Spray: Mr. Chairman, just for the record, paragraph 23 and paragraph 24 have been combined. Number 24 has actually been omitted from this paper and it should start where it reads Paragraph (b) of Section 35.

The Chairman read Item 26.

Mr. Shaw: Mr. Chairman I think paragraph 26 is a very good paragraph.

Mr. Boyd: Agreed.

Mr. Watt: Mr. Chairman I would like to ask the Legal Advisory if this section is already covered as we would not want to have two sections saying the same thing.

Mr. Hughes: This is the difference between the auditing and the preparation of the balances by the Treasury. You may feel that to have the auditor go over the books is enough - usually the treasurer sets up the books and the auditor comes in and looks them over. It worked well in the past except that there is no direction to the Treasurer saying that it must be done once a year. It was one of those things noted as the Ordinance was read and reread and reread.

Mr. Watt: Mr. Chairman I have one question of Mr. Spray, who would the auditor be, would it be Mr. MacKenzie's office?

Mr. Spray: The Council of the City or municipality appoints an auditor, generally a firm of Chartered Accountants.

Mr. Watt: I am thinking of a lower level right now.

Mr. Spray: The Council should still have their own independent auditor. Mr. MacKenzie as inspector of municipalities oversees this.

Mr. Hughes read Section 42: That is where Mr. MacKenzie steps in.

Clear.

Committee recessed until 2:00 o'clock p.m.

.../93

Thursday, March 18th, 1965
2:00 o'clock P.M.

Committee was called to order.

Mr. Chairman: We will proceed with the Municipal Ordinance Amendments. Prior to our recess we were discussing Item 26, and if we are clear on Item 26 I will proceed to Item 27.

Mr. Chairman read Item 27

Mr. Chairman Read Item 28

Mr. Shaw: What objection would there be to not having a City Council appoint an assessor?

Mr. Spray: This section follows on with the objection to allowing the Council to transfer their executive authority to the Clerk or City Manager. But this is not done.

Mr. Chairman: Would this not be clarified by placing the powers in the Clerk by and with the advice of the Municipal Councillor, contingent upon by the advice of Council?

Mr. Boyd: There is some confusion in my mind - are we talking about a Clerk or are we talking about a City Manager? I mean, there's a vast difference. I can see the City Manager appointing somebody, with proper experience, but I can see a Clerk in Watson Lake or some such place - in such cases it would seem to me that the Council should not pass its responsibilities over to a lonely individual. Look at this Clerk deal, which should be clarified in my mind. I'll go on record right now as saying the City Council better share the responsibilities among their own set-up, unless they're talking about a City Manager.

Mr. Spray: This would read for a City Manager, and it's to be the Clerk of a Village Council, it could be that the Clerk handled executive duties of the Council. Now if you wish to break it down I've made a note for the Legal Advisor that you have suggested, Mr. Boyd, the City Council should appoint the Assessor, unless the City has the Manager type of assistance, a difference should be made between the two types of Municipalities.

Mr. Shaw: It would appear to me that if we just left it and let the City Council do it, what harm is there? They'd probably go on the advice of the City Clerk or the City Manager in any event. If you kept it that way it would be certain, and there you have the situation.

Mr. Boyd: That's very fine, Mr. Shaw, but we're talking about two different things. We're talking, first of all about a City Manager - if he's going to run the show Council will legislate, and if they need a man to dig the sewers the City Manager's going to get him, if they need him for something else, he's going to get him. He isn't going to run to the Council. But it's a different story where you have just a Clerk, and nothing more than the word indicates.

Mr. Shaw: I'll agree, but assessors don't dig sewers. It may be quite a factor if we get an assessor from British Columbia - this firm that firm, and the other firm - under

what system that they want the assessment made. I can't see any harm, and I feel it's up to the Mayor and Council to appoint or recommend who they want to assess the area. After all, if they want to get a certain firm, and say the Manager doesn't want to get a certain firm, then you've got all kinds of complications, haven't you? You have four men at least to pick out an Assessor, whereas the other way you have one man picking out the Assessor, and he could affect the whole tax structure.

Mr. Chairman: Could I ask a question from the Chair of Mr. Spray. I notice in the Municipal Ordinance as it would stand, assuming most of these proposals were accepted, that the Auditor is appointed by By-Law. Now would it not follow that the Assessor should be appointed by By-Law? Thus showing, of course, that the Council would have to appoint this Assessor. Would this solve the problem.

Mr. Spray : This would be in the hands of the Council, although at the present time under the Ordinance it is in the hands of the Council, inasmuch as they may appoint by Resolution an Assessor. I don't know if it's more effective to have them appoint an Assessor by By-Law, I'll have to see, or Resolution. As I understand it Mr. Taylor suggested a By-Law rather than Resolution.

Mr. Hughes: I didn't understand Councillor Taylor to say that. Councillor is aware that the difference between a Resolution and a By-law, the Resolution is for now, whereas a By-Law is a matter of record and continues on, so there's really no difference. So I don't think Councillor was saying that, he was raising the point that Section 41 "The Council may from time to time by resolution appoint an assessor". For appointment of an Auditor it does take a slightly different form. He is for a particular job, whereas the assessor is for the whole of the period. Now that was my understanding. That was the note that I was making. I would be glad if Councillor Taylor would set me right if I've got the wrong idea.

Mr. Chairman: Well, no, I just suggested in the light that this would still provide of course that the Council appoint the Assessor. Even if they did do it by By-Law they could always amend their By-Law. Is it every five years that this assessing is done, or is this the annual assessment which is referred to here?

Clerk: This is the annual assessment where it refers to the City Assessor .

Mr. Chairman: Just a final remark so I can give my own point of view, I would sooner see the powers of appointing an Assessor left in the hands of the Council, rather than solely in the hands of the Clerk.

Mr. Chairman read Item 29.

Mr. Boyd: I take it that this means if you are referring to Mayor it should also refer to the Chairman of a Village. Does that mean that the Chairman of a Village is going to be classified as Mayor? Then the same thing would apply to a City. All three are going to be Mayors. It doesn't seem right to me.

Mr. Chairman: I wonder if what we're not really writing the name of "Chairman," as we pointed out it is a loose word, and it could be "Reeve" or it could be something else too. It just makes provision "Village" as apart from "Municipality".

Mr. Spray: That right, Mr. Chairman, this is adding in the head of a Council of a Village as well as the Mayor of a City.

Mr. Chairman read Item 30.

Mr. Chairman: Would this Public Service By-Law affect Village legislation as such?

Mr. Spray: Inasmuch as the Village could also pass the Public Service By-Law as well as other By-Laws this sets out the or provides for the Public Service or employees of the Municipality.

Mr. Chairman read Item 31.

Mr. Chairman: I have one question I would like to ask, possibly direct to Mr. Hughes. Why should we allow or insist the Municipal forms of government become subject to the Labour Provisions Ordinance when the when the Territorial Administration are not:

Mr. Hughes: The position is that if the Municipal did do this by our Ordinances it seemed appropriate to put in a reminder there. Now in regard to ourselves you get to this involvement with the Constitutional thing and the Crown, and you can't bind the Crown unless the Queen consents. That is why we record these situations. Our Ordinances must be specific. The Crown can be bound at the Federal Level but we have this problem if the Queen were here, and she would probably bind herself by the Territorial Government. There is a sort of difficult area in the Constitutional argument.

Mr. Chairman read Item 32.

Mr. Chairman read Item 33

Mr. Chairman read Item 34.

Mr. Chairman read Item 35.

Mr. Hughes: That is rather sweeping.

Mr. Spray: I think this is only the reference to Service Tax in Section 62, not to the rest of the Section.

Mr. Chairman: The Business Tax and the Real Property Tax would remain and the Services Tax would go. Would this Services Tax include such things as sewer and water, garbage collection and fire protection?

Mr. Shaw: When I came to council we had such things as Poll Tax, so at a later date we found that Poll Tax hard to define and called it a service tax. Later on it was felt that was unnecessary too. Service Tax sounded better than Poll Tax, and after a while that was repugnant, so Service Tax went out too. Now it is an improvement tax.

Mr. Chairman: Under this Municipal By-Law is there provision to levy a tax to collect garbage or any other facility, sewer and water and that sort of thing?

Mr. Hughes: If the budgeting is properly handled they would know what they need and they would just make normal levy on the basis of assessment of property. The term "Service Tax" was originally, as I understand it, was partly a pleasanter word in terms of smell, and it meant that people who were in lodgings, single men, enjoyed part of these services offered by the Municipality, even if they were in lodgings, so this was a way of keeping check on them. It was in respect of the services they enjoyed, although they were just living in lodgings and hotels. It was the same cat under different names.

Chairman: I was quite aware of this, but what I was wondering is if in the Municipal Ordinances there is anything which empowers the Village or Municipality to levy a tax for civic services such as garbage collection etc.

Mr. Hughes: It arises out of the general power to levy the cost by the Municipality, they have power to pass a By-Law for garbage collection. This is a proper function, therefore they can budget for it.

Mr. Chairman: Yes, this provides for the collection, removal, and disposal of garbage refuse and ashes, but does it provide for the collection of revenues for this? Yes, it does, yes. Very good, my question is answered.

Mr. Boyd: It is very interesting to look at it now after it has all gone by how the attempt was made to make a black jack white just by changing the name, rather than going to the heart of it and saying "It stinks, and we'll get rid of it."

Mr. Chairman read Item 36.

Mr. Watt: I would like to ask Mr. Spray, is this section have the effect of giving the City jurisdiction over the Whitehorse Metropolitan Area?

Mr. Spray: No. The City Council has only jurisdiction within the limits of the City of Whitehorse.

Mr. Shaw: I agree with section 36 myself.

Mr. Chairman read Item 37.

Mr. Shaw: I would just like to ask one question. I notice this is done by the Clerk, and that is done by the Clerk, and every other thing is done by the Clerk. It would appear to me - now, here's a very good section - this particular one about the officers appointed by the Clerk, it would appear to me that appointments such as that - officers - should be with the concurrence certainly, of the City Council. This could run into a deal where one whole family could be working in the Municipality. There's nothing to stop it. Now, I would ask the Legal Advisor if perhaps he could state is that exactly what it means, or are there some provisions elsewhere where it does give the City Council some say in, at least to approve or otherwise certain appointments, particularly officers.

Mr. Hughes: It was put there in order to promote exactly this sort of discussion. because if you are going to have a City Manager you don't want to allow an opportunity for conflict between the Manager and Councillors as to who is making appointments. If you subscribe to the idea of City Manager it must be remembered that this is the sort of control the City Manager will want. He will not want to be surrounded by Councillors. This thing goes a lot further than just having a super chief, he will want his own team. This is why it's here. It's brought to your attention now so that you can comment on it and examine just how far this thing can go. If you feel it is undesirable and you agree with the City of Whitehorse attitude then obviously we will strike it out to keep the wording as it is now.

Mr. Boyd: May I ask how would it sound if "the Clerk with the consent of City Council", in other words the Clerk could pick his man but the City Council would have to agree to it, to his choice?

Mr. Shaw: Well, the reason I brought that up was this - say, for example, the Clerk fires Joe Blow, the chief of a Department, an officer, and they don't like this particular person, the City Council don't, for some reason they feel he is not competent to do the job and so on and so forth. Then there would be nothing but dissension from time to time, it would just go on and on. Have the reference first to the City Council to get the approval and have it for discussion will finish the matter right there, so from there on it should go on in a normal manner. I would feel, personally, that if unless they were to consent, or approve, or whatever word you want to use for City Council of officers appointed, they should certainly have that authority, otherwise I can see that you would have much more trouble than the initial wrangling with the Manager to put that person in.

Mr. Hughes: I am making a tentative note that you support the City of Whitehorse.

Mr. Chariman read Item 38

Mr. Shaw: In that particular matter perhaps there are certain things to consider in the matter, such as this - the licence fees in the City of Dawson, for example, are quite high. For a jewelry store it's \$150.00 and quite large amounts. On the 31 December or times such as that when you collect these licences, many of the merchants, er, business is pretty quiet, they just don't have the money. So they have been collecting licences on the first of July, I think. I'm not quite sure on that now, it's some time in the summertime, when business has picked up, and these people have a little spare change after a very hard winter. If you make this too solid, something like this, I think myself perhaps it should be done at a certain set time each year. I'll agree, but I would leave a little discretion in view of the economic circumstances of these things. If I haven't explained myself or if there are any questions on that matter I would like hear from the Clerk.

Mr. Boyd: Well, I agree with Mr. Shaw, at least, don't put it to December 31, no matter where it is.

Mr. Watt: I would like to ask Mr. Legal Advisor - why this suggested change? Why don't we have the Territory decide .

Mr. Hughes: I'm sorry, I can't remember the reason, I may be wrong, but I think Mr. MacKenzie could speak on this, so could we defer that question for consideration.

Mr. MacKinnon: Yes, I would like to comment on that. The people in the country part are very opposed to the time of the year their licenses come due.

Mr. Hughes: I may say that in my recollection of the discussions we have sat in our ivory tower and completely forgotten that the ebb and flow of available cash for the man who is making his living in Dawson doesn't fit the idea of a perfect calendar.

Mr. Spray: This suggestion was put forth simply to ease the bookkeeping of the Treasurer of the City.

Mr. Boyd: That's just exactly as I surmised it.

Clerk: The solution is to really make these licences payable on 1st July or end of July but have them expire at the end of the fiscal year. This is the whole thing, we don't want to have to split the revenue between two fiscal years.

Mr. Shaw: It's very simple. All you have to do is just pass an ordinance the licences shall be due on and payable on July 1 and they must be paid by July 30, you're out of business. Swish! You've got all the money in in the fiscal year, and that'll do for the whole year.

Mr. MacKinnon: This is just what the people on the Highway are asking for.

Mr. Shaw: I'm quite in favour of discussing this when Mr. MacKenzie comes here, but I don't know if it will alter the situation very much.

Mr. Boyd: It would create no hardship at all if what we hear is right. They can set 31 December, but they should go further and say that they shall not be collected, so that the public is protected until such and such a date. If they say 31 December and leave it at that, which means they can nail you down on 31 December, if they want.

Mr. Hughes: Could I just say that we get Mr. MacKenzie here. From my point of view I see no objection to July, but there may be disturbance in the timing of the payment of grants, and so on.

Mr. Chairman read Item 39.

Mr. Chairman read Item 40.

Mr. Chairman: I don't think it is wise to take this out of here. I think some thought should be given to this one.

Mr. Southam: I don't agree with that. Why it should be a City, just a City, there's places up and down this Highway, why I think their entitled to a little better hospital and

nursing stations than they're getting now. Why, if I understand it right, that Whitehorse figures it should only be the City, and not a Village - well, if your going to have places Karmax, and these mining communities, you're going to have to sooner or later give them some service. And if you make it a City, how are you going to do it?

Mr. MacKinnon: Yes, I agree with this. We do have to have a nursing station of some type at Karmax, that's all there is to it. There are 100 men in the mines, and 100 and some people in the Village.

Mr. Shaw: I don't think there's anything here about not having these facilities, I just fail to see how a little Village can make grants up to \$10,000 to to a hospital. There can be no necessity for that.

Mr. Hughes: Of course, even the City is looking very far ahead, because the Commissioner has to approve or veto. We can't really need it, but the City Council may, but it's still subject to veto when they come to present their By-Laws to the Commissioner. You may feel the suggestion is interesting but not very practical, and just leave it as it is.

Mr. Chairman: Well, just speaking from the Chair, as the Member from Watson, I'd certainly like to see it left there, because if it is possible and sometime necessary that a grant be made from a Village to its local nursing station or hospital, as provided in this paragraph, it might only be \$200, but we do then still retain the vehicle to do this. I feel it should more properly left in.

Mr. Chairman read Item 41.

Mr. Boyd: I would like to have Mr. Herb Taylor's opinion on this.

Mr. Clerk: As Territorial Tax Assessor I've got some very strong views on this section and I've expressed them to the Commissioner in my memorandum, and I requested a meeting with the Commissioner, the Territorial Treasurer, and possibly some of the City officials to straighten out this whole matter of assessment, because I think the assessment of land and improvements in the Territory should bear quite a close resemblance to the values in the City also. There are a couple of items here which the City of Whitehorse request, and I am very strongly opposed to, and that is that is, for instance, in paragraph (b) where they say that land to be assessed at fair actual value exclusive of any improvements thereon, in other words, if you are in an area of the City that is zoned commercially and you have a small home on this lot, and you had it on there for years, the mere fact of re-zoning it to a commercial property knocks your assessment sky high. I don't think this item is at all fair to people that have lived in a place for years. Indeed, I also attached to this memorandum to the Commissioner a long address that was given on this same matter at the Assessors' Conference in one of the eastern cities. The address was made by the City Assessor of the City of Saskatoon, and he expressed the opinion very strongly that the Assessor had no right whatsoever to charge a man commercial assessment when the land was probably being used exclusively for residential purposes. The other one is this subsection (d) where they apply this Business Residential Adjustment,

all I think

B.R.A., they call it. I don't think we should use that BRA at all. I think they should be guided by the purpose to which the property is being put, and not look into the dim dark distant future, as they have on Second Ave. in the City. They've knocked the assessment up sky high there by the mere fact that some day the road is going to come in from the South Access and make Second Ave. a business artery, so now they've raised all the assessments all along there. I happen to be there myself so I know. This is something that is very definitely frowned on by the Assessors' Association so far as I can gather right across Canada. I have asked for this meeting and I would like to have this whole section here under review.

Mr. Boyd: In view of this memorandum that Mr. Taylor talks about I think we would be very wise to leave this paragraph alone, because it's loaded with dynamite from my point of view. What Mr. Taylor says, in fact, is absolutely true. To give you an idea - I have a lot on Second Ave., vacant, absolutely vacant, lying there and I got it from an Estate through relationships, and it's assessed at \$12,000 and some odd dollars, a lot on Second Ave., and you pay 100% of assessment value, as far as your rates are concerned. Houses you don't - they give you a little break. Well, they finally, after a little squabbling, they finally made a correction on that and put it down to \$8,000 and something. I'd like to give it to them for about \$6,000, and I think they'd drop over dead if I offered it to them, because they wouldn't pay it. So let's leave this paragraph alone until we know a lot more.

Clerk: There's one other point there I would to mention, and that's where they are asking that "Rather than reference to a specific manual, however, I think it would be preferable if the Subsection replacing Subsection (1) of Section 136 stated simply that improvements to land shall be assessed in accordance with an assessment manual approved by the Commissioner." I think this should be done.

Mr. Chairma: This is something that I've asked for too. I think that should be put in the Ordinance, it should also be put in our Territorial Ordinances.

Mr. Clerk: Then the one other item I did want to mention is where it says "Land to be assessed at fair actual value exclusive of any improvements thereon." But this is pretty hard to do because "fair value" has never been defined in the Ordinance, so in our Municipal Ordinance it says there that land should be assessed at 65% of the fair value, yet "fair value" is not defined in the Ordinance, which leaves the discretion right up to the Assessor. One other thing that I have to ask for is that "fair value" be defined.

Mr. Spray: How would you define it?

Mr. Clerk: Well, you would define it as being that value which is arrived at by the use of the manual approved by the Commissioner, as is expressed here. I think this Section 41, the recommendations here for the suggested use, is very good.

Mr. Chairman; Would this be assessed fair value, or a fair value for property?

Mr. Clerk: This would be a fair value for assessment purposes only.

Mr. Hughes: I don't know when this meeting that Mr. Taylor proposes would come on, but of course I would like some indication of the Committee's views, and if this meeting wasn't going to come on until April, when we get the views on this Section, so I hope that you will come back to it. I may say that I have fought assessment cases across Canada and just about provincial jurisdiction, and the use of a manual does not always work very happily. The Boeckkh formula, the Boeckkh manual, is applied in Canada and many areas of the United States, and it produces figures quite as unpleasant as Councillor Boyd's. It's quite logical. But you've asked for a definition of "fair value", some jurisdictions have attempted it, but you'll have to ask yourselves whether saying fair value is a value established by a manual. Is that a definition, or is that just a signpost worth trying, the answer to be written. There is really no very satisfactory definition of fair value. What may seem fair to one person isn't fair to another. The usual thing is to try and aggregate the experience of buying and selling similar pieces of ground in that general area. The application of an enhanced value to residential ground simply because it is commercially zoned has been condemned, and if the Alberta manual does support that view we would have to approach that matter with considerable caution.

Mr. Spray: Mr. Chairman, I may point out points (a), (b), (c), (d) and (e) are suggested to the City of Whitehorse by the Assessor they engaged this summer.

Mr. Hughes: Well, if he was only available to explain point (a) I could understand it, Mr. Chairman, but I can't, if you ask me for any guidance on what is meant by point (a), I can't give it to you. I don't understand it.

Mr. Spray: I might say this is a direct quotation from the letter received.

Mr. Chairman: Was this "fair value" established under Section 135, Mr. Clerk?

Mr. Clerk: That is an attempt to give instruction as to how to arrive at fair value.

Mr. Boyd: Just as a matter of getting it on the record, I wonder if Mr. Taylor could tell us how much more revenue the City are going to collect on this new assessment they are going to collect, than they would collect before it, and when you hear that figure, take into consideration what more you are getting, what's happened in the last three or four years to warrant this excessive amount to be collected from the public. What is the City giving you that you are not already paying for.

Mr. Clerk: Well, in view of the fact that the old assessment picture is still in a state of flux they haven't arrived at the actual assessment figure, it's up in the air again I understand there were so many appeals to the judge the judge ordered a re-assessment of the land. An attempted re-assessment

was made, but so far it hasn't been completed, and I understand there are some problems. We haven't gotten the new figure yet. I heard a rumour but it was so fantastic I wouldn't repeat it.

Mr. Thompson: Well further to Mr. Boyd's question, and it's a little off the line as far as Municipal Ordinances are concerned, can you give me, Mr. Taylor, any indication as to the increase in monies or revenue to the Territory by this new assessment over last year. It was my opinion or my understanding last year when we asked for this revision of the tax rate that the reduction in the mill rate would offset any increased assessment, so that we would arrive at a figure comparable to the gross of last year's tax revenue, but from my own particular area I would say that all the assessments, I shouldn't say the assessments, but the taxes themselves have doubled and tripled, which means that offhand I would say we were going to, if this is any indication that your tax revenue would be about double what it was for last year. Am I right in this.

Mr. Clerk: No. From what I can gather from the Territorial Treasurer the attempt was made to keep the taxes fairly close to the gross figure that was collectable last year. You must remember there were some cases where properties were deleted from the tax roll. In some cases assessments were increased, yes, but the mill rate was dropped rather than raised this year, and I think the gross figure is very close to what it was last year. I think you better ask the Territorial Treasurer that.

Mr. MacKinnon: I've got a letter here I would like to read.

Mr. Chairman: Is this relative to the assessment of taxes.

Mr. MacKinnon: Yes. "The enclosed letter from Tax Assessor is enclosed for your information. I'm not in the least interested in how he arrived at the figure, only that the tax is away out of line. from \$205.36 in 1964 to \$500.53 in 1965, without us spending one cent."

Mr. Boyd: Is that residence or business?

Mr. MacKinnon: Business.

Mr. Watt: I would like to ask Mr. Taylor from what areas have this property been deleted, there must be some area in particular. I don't think it's in the Whitehorse area, these properties have been deleted to the extent. You've got a slight decrease in your mill rate, but the increased assessment and the tax assessed in just about all these properties is far greater than it was a few years ago.

Mr. Clerk: Well, there have been additions and deletions to the Tax Assessors Roll in every area, in some areas more than others.

Mr. Shaw: In view of the fact that the City Councils have at times gone a little overboard in the matter of taxation, I think that this subject could be approved by the Commissioner, and as this 41 outlines is the one that I believe is most advisable to follow, myself.

Mr. Chairman: Gentlemen, this will be coming up for final review, and I've also noted that you wish Mr. MacKenzie to be with us when we give this our final scrutiny, is this correct?

Mr. Watt: I have two more questions for Mr. Clerk, the Tax Assessor, and one is the statement he made a little while ago concerning this section. Did I hear you right when you said that you believed that buildings outside the municipality of Whitehorse, Territorial lands, should be assessed equivalent to those within the Municipality?

Mr. Clerk: Not in so many words. I said there should be some relationship. There should be a closer relationship.

Mr. Thompson: You mean the ones in the City should come down or the ones in the Municipality should go up?

Mr. Clerk: Well, let's put it that there should be a sensible relationship in the buildings outside Whitehorse.

Mr. Boyd: I'll use an example. Take a fairly good home on the Highway south within the next seven or eight miles. Taxes there seem to be quite sufficient for all they receive. They receive nothing from the Territory except when a government grader goes by the plow the snow up this high, and they have to jump it with their cars when they go home at 5 o'clock at night when it's fifty below. But they have no sewer and water they supply everything themselves. Now I don't think there should be any comparison between the taxes there and the taxes on an equivalent house in Whitehorse, because they have no sewer and water. They spend their own money to put it in, and so on. I think the living is much cheaper, and should be. They travel ten miles to get to work and they're buying gasoline and fuel oil a Whitehorse merchant doesn't have to buy, and all this kind of stuff.

Mr. Clerk: Well this is quite true, and all these factors are taken into consideration. What I meant was the same method of arriving at the value of a certain building should be used in the outlying areas as is used in this particular area. In other words it all has to do with the zoning in a city. This is what I am getting at.

Mr. MacKinnon: Then, you mean that we should have a different mill rate in the country areas?

Mr. Clerk: No, the mill rate doesn't have anything to do with the assessment.

Mr. Chairman: There is one question I would like to ask direct to Mr. Hughes, and that is, is it the intention then in sub-clause 2(136) to remove the item of 65% of its fair value and substitute this as well with the use of this manual?

Mr. Hughes: No. The proposed sub-clause 2 would really be a safety valve. Having told the assessor he is going to use **this important** manual, and if you find that circumstances don't fit the bill, then you can use your own opinion. Where ins his opinion the advantages of location detract from the value of the property you can ignore the manual. It's telling him he's going to be stuck with the manual, and then it's tell him he can go outside the manual.

Mr. Chairman: One supplementary question from the Chair would be - then it is still the intention to retain the spelling out of 65% of assessment of value that we will tax on?

Mr. Hughes: I think that the reference to 65% won't be necessary if the man is using the manual, but if you advise the man it doesn't suit because the manual itself, if you had one of these manuals in front of you, you would see that everything is catered for. For instance, if you dealt with compressed sawdust then they'll give it a value of so many cents per square foot, if it's made of concrete it would be worth so many cents per cubic foot, and so on. All this has been worked out in great detail on building costs basis, and then they work in obsolescence factors and depreciation. They scale it up and down. In theory, you can pick up these manuals, and by putting together all the constants and come up with the perfect answer.

Mr. Chairman: One final question. I realize this, but what we have done with the manual is to determine the fair value of the property is going to be. Having determined the fair value, as the Ordinance now states, we assess on a basis of 65% of that fair value, and this is what we are doing at the present time now. What I mean is will this remain in the Ordinance, and will it be spelled out in the Ordinance. This is what we're doing?

Mr. Hughes: It won't be 65%. I can't tell you what it will be because I haven't got a copy of the manual. If we had a copy of the manual I would study it and try and give an answer. Would Mr. Taylor have a copy of this?

Mr. Clerk: We use the manual, and the figure we arrived at is, for all intents and purposes, 65% of the fair value here, because it is based on Alberta prices, etc., and even as you mention, the use of this subsection 2 is I think fair value, because we use it throughout the Territory. This means exactly what we do when we apply certain capital allowances in various locations. We use the manual to arrive at a figure then we depreciate it and give it a certain obsolescence, if you wish to use the word. We depreciate it even further, because of its disadvantages of location, etc., as laid out in subsection 2. I can't agree with the section when it says that should be left in there so the assessor can, after he's arrived at the figure, by using the manual, he can lower it further, by reason of the disadvantage of location, etc.

Mr. Chairman: Yes, well this is one of the things I am trying to get at, the wisdom of changing this section, and in what manner it should be.

Mr. Clerk: When we used the old manual that was based on 1942 replacement costs in Alberta, we had to add, when we arrived at the figure, we had to add one-third on top of that, to get Yukon prices, to get Whitehorse replacement costs, because again, this was based on the older manual, and based on costs then. By making all the investigations we could possibly make we arrived at the figure of one-third additional cost for Whitehorse, then it was scaled down by the use of this, by the use of capital allowances, if I may use the term.

Mr. Chairman: I, for one, would rather see something left in the Ordinance spelling out for instance, this 65% factor rather than say, consult a manual . Something which is, I mean, it may be tangible, yet in relation to the Ordinance it isn't. It's not part of this informed part of the Ordinance.

Mr. Clerk: But you must have something to use to arrive at whatever value you want to arrive at. You can't leave it up to some individual's discretion.

Mr. Chairman: No, in determining your fair value you would use your manual. But in determining the rate, the percentage upon which you assess the result in fair value, then you should have it stipulated by Ordinance it seems to me it must have a very wrong impression.

Committee declared in recess for tea.

END

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The Chairman called the Committee back to order.

Mr. Taylor (Mr. Boyd in the Chair): Having given consideration to this I still feel that in Section 136 of the Municipal Ordinance we must leave in a factor (in this case it is presently set at 65%) for this reason. First of all I think that there are 3 main factors involved in establishing a tax levy. First there is a manual, or a proposed manual, which we accept in this section upon which we find fair value (total or assessed) of the property. Secondly we establish a mill rate. Having established a mill rate and found the assessed value of the property, I feel that this 65% factor is equally important. Then we say we will apply this mill rate to 65% of the assessed value of the property. If we took that out of there and let the Municipality arbitrarily decide whether or not they are going to assess at 65% of the fair value or 55% or 85% I feel that we would be taking protection away from the tax payers, and so I think that this percentage should be established by the Ordinance.

Mr. Taylor resumed the Chair.

Mr. Boyd: Who sets the ~~mill~~ rate for the Territorial Government? Is it the Territorial Council or who?

Mr. Clerk: It is set by the Territorial Treasurer in consultation with the Commissioner.

Mr. Boyd: Whether you set that mill rate at 65% or not makes no difference because they could compensate by changing the mill rate to get anywhere they want to get.

Mr. Chairman: The 65% doesn't affect the mill rate. The mill rate is established to any figure but the 65% is the amount of the assessed value to which you apply the mill rate and I feel that this should remain defined in the Ordinance without taking it out and throwing it away.

Mr. Clerk: I don't believe that having 65% in there or not in there would make any difference whatsoever if it read 100%. Theoretically your tax bill should be the same because it would be refunded when the mill rate was set as Mr. Boyd has said. The theory is that when the assessment is done the Assessor shows it to the Territorial Treasurer. He by then knows how much money he must raise on the tax roll and he sets the mill rate accordingly so that it would not make any difference.

Mr. Chairman: I would like to pursue this a little further. Mr. MacKenzie should be here when we discuss these items. Is there any further discussion?

Mr. Boyd: Just one more short question. Has the mill rate for the coming year been set yet in the Territory.

Mr. Clerk: It has been set in the Territory and tax demands have been mailed out.

Mr. Chairman: Are there any further questions?

Mr. Watt: I asked a question some time ago and this is the second one that I have asked. When you were giving us a rundown on this particular section you mentioned that if you have a piece of land that is used for residential purposes in a commercial area it should be assessed as residential. Did you say that?

Mr. Clerk: I did say that.

Mr. Watt: Did you mean it?

Mr. Clerk: I did mean it.

Mr. Watt: I disagree with it. If you look out the window here you see property that is commercial, some of it being used as residential. The property that is being used as residential has wide sidewalks the same as the commercial, it has lighting, it has heavy pavement, it has all the facilities of the commercial and heavily taxed property beside it and I don't think it would be fair to let this top quality property be assessed merely as residential. If it were it could be kept for years and years and years and years and not be used for commercial purposes at all because it wouldn't cost much to keep it.

Mr. Clerk: The only comment I have is that I don't agree. I base my opinion on the views of men who have been in this line for years and are far more acquainted with the topic than I am. This only proves that my opinion differs from yours, that is all.

Mr. Chairman: Is there any further discussion on Item 41?

Mr. Watt: I would just like to pass my opinion on this for what it is worth. You have a residential home on a commercial property. You are right in the centre of town and get wide sidewalks and power lighting and the best of everything. Is our Tax Assessor saying that this land should be assessed and at some land 4 blocks away you are 50 ft. from a mud puddle, 200 ft. from a light post and you have to drive your car through half a mile of pot holes to get there.

Mr. Shaw: I don't object to the pot holes.

Mr. Chairman: Any further discussion.

Mr. Clerk: I have nothing further to add.

Mr. Chairman: I believe Mr. Spray has some information concerning Item 38 on page 9.

Mr. Spray: This item was put in at the request of the City of Whitehorse. The Territorial Administration is free on this. It is just that the fiscal year of the city is the calendar year. They would prefer that business should be done in the calendar year. There is apparently often controversy as to whether the City operates within the terms of the Ordinance.

Mr. Chairman: I believe Mr. MacKenzie will be joining us for that discussion.

Mr. Boyd: That seems to be overcome to the satisfaction of all.

Mr. Chairman read Item 42.

Mr. Chairman: It already does.

Mr. Spray: This again is referring to the chairman as the executive part of the council.

Mr. Chairman: This would be like the mayor or reeve really.

Mr. Clerk: It states in this particular section that the Court of Revision shall be presided over by the mayor or in his absence by the chairman chosen from amongst the members present. In other words the city council sit as a court of revision and I think we should take another look at that and alter it to bring it more in line with the Territorial Taxation Ordinance where the court of revision for territorial taxes is not made up of the Territorial Government Administration which would be parallel to this. I think myself that the City Council should get out from under this burden and set up a new one as we do in the Territory. I have had all kinds of people complain to me in the city that the City Council make up the assessment rolls and they listen to the complaints too. In other words, it would be very similar if I was to sit as a member of the court of revision for the territorial taxes after I had set the assessments. It would be just on a par.

Mr. Chairman: How would you arrive at a neutral group in the case of a village or municipality? Where would you find them?

Mr. Clerk: Maybe the word neutral would be pretty hard to arrive at but at least you would arrive at something other than city fathers who had been instrumental in making up the assessment roll in the first place. In other words, it should be somebody other than the tax officer who sat in the court of revision. This is a point that I thought should be brought to your attention.

Mr. Boyd: I think this is a good idea and I think it should be recommended right now.

Mr. Chairman: Mr. Hughes, have you so noted the intent here?

Mr. Hughes: I have.

Mr. Chairman: Is there any further discussion: Next item is Item 44, I believe there is no Item 43.

Mr. Chairman read out Item 44.

Mr. Boyd: I disagree. I have listened to too many increases and nothing but all the way through. Let's keep some of the things where they are. The man who cannot pay his taxes when they are due is a little hard up, and to crack him again while he is down right off the bat is just getting a little thick.

Mr. Shaw: What is the difference in section 4. It says municipalities may by law add 6%. Might I ask the Legal Advisor where that present difference is.

Mr. Chairman: I failed to bring this to your attention but apparently the city of Whitehorse agrees with this and the council of the city of Dawson points out that it would appear that this means a 12% penalty. If this is correct City Council feels it would be too harsh and recommended that sub-section 4 remain as it is.

Mr. Clerk: That is right.

Mr. Hughes: I am having a little trouble with the meaning.

Mr. Boyd: It seems to me that we pay 6% interest on the taxes that are due for the first year and after a certain period of time, whether it be a year or not, you are penalised as well as the 6% being charged. The moment the taxes are not paid on the due date they want to start a 6% penalty as well as 6% interest. That is the way I see this.

Mr. Chairman: Do you wish to note this as an item for discussion with Mr. MacKenzie?

Mr. Clerk: This is the way it was in the old Municipal Ordinance. On the first day of the month your taxes were in arrears you were penalised by a flat 6% on the unpaid taxes. Then to that was added an additional one-half of 1% per month until the taxes were paid. In other words, if your taxes were in arrears for a full 12 months it would mean a full 12% penalty. When this Ordinance was passed that 6% penalty was left out intentionally by this Council.

Mr. Shaw: There was very good reason for the change at that time. I was there at the time and I see no valid reason why it should be changed again. 12% is just too stiff altogether.

Mr. Spray: This item was also one of those which were put in at the request of the City of Whitehorse.

Mr. Boyd: There is some merit in it. The person it hurts is the man who is hard up and can't pay his taxes and I note that there are business people in town who are using this money to do their financing and run their business. They can get it for 6% straight per annum whereas they probably can't get it that way any other way. They are taking advantage of the situation but the man it is intended to help is the household owner and so on and he is the one that we don't want to stick.

Mr. Chairman: Do you wish me to note this for discussion with Mr. MacKenzie and the Tax Collector?

Mr. MacKinnon: Yes, it would be a good idea.

Mr. Chairman: There is a suggestion that he will be with us for discussion at our final review. May I proceed to Item 45.

Mr. Chairman read Item 45.

Mr. Chairman: This would be dependent upon whether or not you wish to change your year. This would not apply if you did not change your licence year, would it not?

Mr. Spray: No, this is so that the business tax assessment will be dealt with at the same time as the property tax assessment.

Mr. Chairman: But your date changes, would they not reflect a difference if you kept your calendar year a fiscal year?

Mr. Spray: These changes are made so that the City can keep the calendar year as a fiscal year and so deal with the business tax assessment at the same time as they deal with the property tax assessment.

Mr. Chairman: But if it were decided that we go back to a fiscal year rather than a calendar year, would we not also then alter these dates?

Mr. Shaw: Do it all at once. Might someone inform me why it need be changed now? Is it not working all right the way it is set up? I think it has been changed a couple of times this last 5 or 6 years.

Mr. Spray: I stand to be corrected on this but to the best of my knowledge the City of Whitehorse does not use the business tax assessment.

Mr. Chairman: What I was getting at was in Item 38 which we have not yet agreed to and it does not appear that we will. If we do not change Item 38 and agree with it then Item 45 would not be changed as well insofar as the dates are concerned.

Mr. Shaw: I don't agree.

Mr. Spray: The City of Whitehorse charges a business licence fee. They do not use the business tax as provided for in the Ordinance.

Mr. Clerk: That is right.

Mr. Hughes: I am just wondering how the city addressed its mind to the question of "shall sit this Court of Revision". It looks as though there is a duty imposed on it. In 181 "The Council shall sit as a Court of Revision".

Mr. Clerk: They did not levy any taxes.

Mr. Hughes: A business tax shall be based on the assessed value. The Assessor shall in each year prepare a business assessment roll. That is 179.

Mr. Clerk: No one said anything to me.

Mr. Hughes: But look at 179. "The Assessor shall in each year prepare".

Mr. Shaw: There is something wrong somewhere.

Mr. Hughes: It may be only on every person or partnership carrying on a business but there is a duty on the Assessor to put together this assessment roll. There is no point in moving these dates if in fact they don't have these business assessments. It is certainly news to me. I don't know how the Assessor says that he has performed his duties according to the Ordinance if he doesn't strike a roll on 179.

Mr. Chairman: Any further discussion here?

Mr. Shaw: I wonder what the Legal Advisor says.

Mr. Chairman: How do you wish to deal with this item?

Mr. Shaw: I know how I would like to deal with it.

Mr. Boyd: Until someone informs us why, leave it alone.

Mr. Clerk: I don't think it should even be discussed.

Mr. Hughes: I would like to pick up one point that Mr. Taylor had made before. He had suggested that if they are sitting in a Court of Revision they should follow the Territorial taxation formula and not have the Council set as a court of revision and in 181 you will notice that they ask for us to sit ourselves as a court of revision, just as under section 146 so you may want to give expression to the idea that some change should be made. You already decided that Council should not sit as its own court of revision. Do you feel that this change should also follow?

Mr. Shaw: I think it should be just the same as we had on the other by having the same set-up as the Territorial Government has.

Mr. Chairman: Hear, hear.

Mr. Boyd: Agreed.

Mr. Chairman: I have noted this for further discussion with Mr. MacKenzie when he is with us.

Mr. Watt: Mr. Legal Advisor, has the legal advisor of the City of Whitehorse contacted you?

Mr. Hughes: No.

Mr. Chairman read Item 46.

Mr. Boyd: Proceed.

Mr. Watt: Agreed.

Mr. Chairman: Here again the City Council of Whitehorse have referred this to the city legal advisor for comment. Mr. Hughes, would this not propose a change again in the days and the dates only if we decide to alter the calendar and fiscal years?

Mr. Hughes: I will make a note of your question and come to the answer on that one slowly.

Mr. Chairman: I note that the City Council of Whitehorse had sought legal advice on this one.

Mr. Hughes. That is what I was proposing to do too.

Mr. Chairman: Shall I proceed.

Mr. Boyd: Proceed.

Mr. Chairman read Item 47.

Mr. Clerk: Agreed.

Mr. Shaw: Has this whole thing not been taken out before?

Mr. Clerk: No.

Mr. Shaw: It has been taken out of the Territorial Ordinance but was not applied to the Municipality.

Mr. Clerk: It was. They just did not use it.

Mr. Chairman: Are we agreed?

Mr. Shaw: Agreed.

Mr. Chairman read Item 48.

Mr. Chairman: Is this clear? I believe here that it is writing the name of reeve into mayor, giving him the power as a village status.

Mr. Chairman read Item 49.

Mr. Spray: May I point out that the City Council is absolutely right.

Mr. Clerk: Section 228.

Mr. Hughes: That note was left in because these work sheets had started about 2 years ago and just stayed there.

Mr. Chairman: Are we clear on this item?

Mr. Shaw: Just a minute. I can't quite get the idea of all these sections and sub-sections and amendments and sub-amendments. I am trying to get the whole picture clear in my mind. However, this was a matter at one time that came from the City of Dawson and they made a request that the one year period be construed as a six months period for the sale of taxes for the simple reason that when you got this thing started, by the time the Territorial Court got to it and confirmed it and half a dozen other factors, it took 2 or 3 years before you could get this property sold, and the results of that were that there was property that was in abeyance. It sat there and no one could buy it for about 2 or 3 years and it held up matters mainly because of all the ramifications it had to go through, and at that time they made representations to me to bring it before Council and I asked that it be put through a period of 6 months. Now this has been changed back and forth so much that at the present moment, before I can do some investigating, I don't know whether it is 6 months or one year.

Mr. Clerk: It is 6 months.

Mr. Shaw: And it is desired to changed it to one year now?

Mr. Clerk: That was a mistake. That whole section should be deleted. The minimum suggested here was put through in 1961.

Mr. Chairman: I have noted it is not applicable as already revealed. Are we all clear on this item?

Mr. Shaw: Clear. We will cross this one out then?

Mr. Chairman: Right.

Mr. Chairman read Item 50.

Mr. Boyd: It says "to unpaid taxes upon which a penalty is not due". When interest is being charged is this considered a penalty?

Mr. Hughes: I think that it would have to be regarded as a penalty. I don't think this has been tested. It is a good question but the interest doesn't run from the moment taxes are paid. It is one month, is it? For the person who has political ambitions they should get on with it because they can always bring themselves up to date by going in and paying taxes. This has been known to produce taxes at the last minute. This was an attempt to be a little more specific, that is all. I might

mention that at the exclusion of paragraph (b) there are great pains to try and exclude a lot of them. I find that I am not excluded because I am an employee of the Department of Justice. You might want to write that in as well.

Mr. Shaw: Why should we exclude all these people? If they are taxpayers and have the property then they eligible to run and have an interest in the community too. I can understand an employee of a municipality yes, but an employee of the Government of the Yukon Territory, an employee of the Northern Administration Branch of the Department of Northern Affairs? They are taxpayers. Why should they be excluded from something like this. I don't quite see the point of it. I see the point of an employee of a municipality but not an employee of some other department. I don't quite see that. And then to extend it to their wives, I think that is going too far. On what basis should they be excluded from taking an interest in the municipality?

Mr. Boyd: I think I can answer that. I am taking the Legal Advisor's position here. I can go to one of these Government men that you are talking about and I can ask him a plain simple question but I can't get the answer from him because he is employed by the Government and doesn't dare put himself on the spot. This will happen. That is one of the answers. He is no good in a council or some such thing. If you can't say what you think because you might lose your job or offend somebody with all due respect to language and so on.

Mr. Shaw: If you are an employee of the Department of Northern Affairs and National Resources you can't run for election, but if you belong to the Department of Fisheries or the Department of Citizenship and Immigration then you are okay? I don't see the point in this at all.

Mr. Spray: The only reason that this reason was put in is because in Whitehorse and in Dawson I think to some extent they are involved in the administration of the city and as much as the Commissioner has powers throughout here to refuse to allow by-laws and many problems of the city are discussed with the Administration of the Territory.

Mr. Chairman: I certainly cannot see excluding the wives.

Mr. Shaw: I can see the point that Mr. Spray has raised. After all these people are citizens of a community. If they are sufficiently interested to own property in a community they certainly have the right to have some say in how the community should be run and they have no financial implication in it, I would not imagine. To me it would appear that they should not be excluded by law from taking their part in the community. It would also appear to me that from the particular job they have had in any department, prudence would dictate to them but there are many examples where you have a filing clerk working in the Territorial or Federal Department. Why could they not run in a city? What would be wrong about it? What would be morally wrong, let's put it that way. I would say that it would be morally right to allow them to do it rather than take away this opportunity to take a leading part in a community.

Mr. Boyd: I believe that certain Government employees are employed and they are instructed as to how they will conduct themselves and it is different to how you or I or anybody in the ordinary walk of life will conduct themselves. All you have to do is turn around and ask Mr. Taylor here some questions. If he feels that it is not going to do him any good he won't answer it. You can't blame a man for this but I mean from the viewpoint of his position and status. Somebody else would answer in another status and think nothing of it and he should rightfully so do it.

Mr. Clerk: Right, absolutely right.

Mr. Boyd: I would like to go back to a point in interest. I would like to have it stated that it is a penalty. The Legal Advisor didn't say yes exactly but it is a penalty and it should be put in there as such.

Mr. Clerk: The Ordinance calls it a penalty. Section 174(4) calls it a penalty.

Mr. Hughes: I said it was a penalty, but you have 3 months.

Mr. Chairman: Are we clear on this subject. Do you have any further discussion as to whether or not you wish to accept or reject it.

Mr. Watt: I would just like to say that I think Mr. Boyd had a good point in clarifying just when it was a penalty and when it wasn't a penalty so that we don't have some city councillor who could lose his seat because the Ordinances weren't clear on it. It is cleared up one way or the other.

Mr. Hughes: You will give a final direction on exclusions later?

Mr. Watt: Are we considered employees of the Government? We had a case where we had a member sitting both as a territorial councillor and as a city councillor.

Mr. Hughes. No, you are not an employee. You don't work for the Government.

Mr. Shaw: Are you on the City Council?

Mr. Watt: No, I am not.

Mr. Chairman: read Item 51.

Mr. Chairman: Mr. Hughes, do you have any comments on this Whitehorse Council's proposal.

Mr. Hughes: With respect to them I don't think it is mandatory and it would at least establish quite clearly how the clerk stood in this situation. He shall act as returning officer but he may not be sworn in. He has just got to pick up the thread and carry on and finish the job and there may be areas where he will be acting before he is formally appointed so it is just as well to establish it and there is no gap between the death of the returning officer and the takeover and the formal establishment of the next man. It is not mandatory at all.

Mr. Boyd: Agreed.

Mr. Chairman: Are we clear on this item?

Mr. Chairman read Item 52.

Mr. Shaw: Agreed.

Mr. Chairman: This is, I presume, to maintain law and order, is it? May I proceed? Is there any further discussion?

Mr. Boyd: Clear.

Mr. Chairman read Item 54.

Mr. Chairman: Where is the city of Dawson in this?

Mr. Shaw: Agreed.

Mr. Chairman: Are we clear on Item 54.

Mr. Boyd: Clear.

Mr. Chairman read Item 55.

Mr. Boyd: Agreed.

Mr. Thomson: May I ask Mr. Legal Advisor's opinion on this?

Mr. Hughes: It is an attempt to get round the situation where a person is going to give notice of his objection and it comes down to the court of revision and they say "sorry we cannot hear you, lodge your objection!" This is perhaps all right in sophisticated areas like Toronto and places like that but it is not the neighbourly way that we deal with things in the North. We just try to ease the situation for the taxpayer.

Mr. Shaw: Agreed.

Mr. Chairman: Are we clear?

Mr. Chairman read Item 56.

Mr. Hughes: The effect of that is that those people who have been farsighted enough to write in and say I have an objection will get a notice but the council will have to send out notices to people who have not filed a notice with them.

Mr. Chairman: Are we clear?

Mr. Shaw: Clear.

Mr. Chairman read Item 57.

Mr. Boyd: Clear.

Mr. Chairman read Item 58.

Mr. Hughes: There is a little bit of legal history in that. The candidate at one municipal election went down to the office and presented his papers. They were accepted. The returning officer was aware at the time that they were invalid but felt bound to accept them and was then torn in a matter of conscience as to whether there was a duty to tell the candidate or whether he was compelled to let him enter his papers whether they were good or bad and proceed to run in the election and wait for somebody to unseat him. Obviously an undesirable situation. This gentleman was in arrears with his taxes at the time and was subject to disqualification on that point, so the question is, is there a duty on the returning officer to say to the man "well, sorry they are not good" and the chap immediately takes steps to correct the position and does not put the municipality to the expense of running through an election which is going to be opposed. That is the background to the issue and you will see how the City Council feels about it. With that before you perhaps you would like to indicate your views.

Mr. Shaw: I agree very much that somebody has to have the authority to say whether something is valid. Otherwise, if it is apparent and right there, it is going to resolve the situation without further ado. I don't know what would happen if the returning officer was not justified. I would say that he would be putting himself in a very bad situation. Something I don't think would happen. It would have to be extremely obvious, I would say, before they would go to this extent.

Mr. Hughes: Perhaps it might be better that if the returning officer perceives any irregularity, he or she shall draw the candidate's attention to it rather than an outright refusal. This was the conflict which confronted this particular returning officer. Eventually the matter ironed itself out but it was an awkward moment.

Mr. Chairman: Would this problem not be resolved by ensuring that if you have a candidate who was so refused and agreed that he could have a right of appeal again to appeal the returning officer.

Mr. Hughes: You only have two hours. You come in, possibly you have left it till the last minute and then the whole business of election procedure may be held up for perhaps a week because of a right of appeal.

Mr. Chairman: But if the man was wrongly refused he should, it seems to me, have a right of appeal. Do you not agree?

Mr. Hughes: I am putting the returning officer's duty a little lower than a firm refusal, laying on the returning officer a positive obligation to draw the attention of the candidate to an apparent irregularity over a circumstance which the returning officer believes will disqualify him. You can do it like that. I will take your papers but I notice that 3 of the people who have signed in support are not taxpayers in the city. This would be a fair thing to do, but to say I won't take your paper and I won't tell you why, would be a pretty arbitrary position.

Mr. Shaw: It is clear to me that to get around something like that we could have the returning officer pointing out the error and if the person wished to continue to press for his claim then there would be some form of appeal within a few days that they could have recourse to and if the returning officer's judgment was upheld then the person would lose his deposit. That might stop frivolous nominations. If the appeal upheld the decision of the person who was nominated then of course everything would be fine and dandy. That might perhaps solve the dilemma because I quite agree that if it is accepted and then left up in the air it can be a lot of trouble. Could something like that be put in to clarify this? Could something like this be changed around?

Mr. Hughes: It is getting a little bit involved but it could be worked out. We would have to have rather a lot of sub-clauses to spell it out in detail. I have no reason to think that we could not work it out and also I am in here to pronounce not on the fairness but on the possibility.

Mr. Chairman: Do you wish to leave this item for further consideration at this time. I wonder if I could have you direction as to whether Mr. Spray and Mr. Hughes would be required on Monday for further consideration on this municipal item. Do you agree.

The suggestion was agreed with and Mr. Spray and Mr. Hughes left the room.

Mr. Boyd: I would move that the Speaker now resume his chair and hear the report of the Committee.

Mr. Chairman: It has been regularly moved and seconded that Mr. Speaker now resume the chair and hear the report of the Chairman of Committees. Are you prepared for the question?

The motion was carried to hear the report of the Chairman of Committees and Mr. Shaw went to the Speaker's chair.

Mr. Speaker: I will now call this Council to order and hear the report of the Chairman of Committees.

Mr. Chairman: Committee convened at 10:35 am. this morning to discuss bills, sessional papers, and motions. Mr. Commissioner attended committee to answer questions of a general nature. Committee then furthered discussions relative to proposed amendments to the Municipal Ordinance with Mr. Hughes and Mr. Spray in attendance. Committee recessed at 12 noon and re-convened at 2 p.m. this afternoon. It was moved by Councillor Boyd and seconded by Councillor Southam that Mr. Speaker do now resume the chair and hear the report of the Chairman of Committees.

Mr. Speaker: You have heard the report of the Chairman of Committees. Are you agreed with the report?

All agreed with the report.

Mr. Taylor: I rise to point something out prior to the establishing of our agenda. In relation to the daily question period it was noted this morning in Committee that the question period should be in its proper place under orders of the day in Council where questions must be direct and I would suggest, for Council's consideration of course, that we return on our agenda to a question period on Friday establishing a half hour limitation to it, and that possibly following orders of the day and upon arrival back to Committee on Friday we could have the Commissioner join with us for general discussion period. In this way possibly satisfy the wishes of all members of Council.

Mr. Watt: I would object to the limitation of half an hour for question time. As you know this morning there were quite a few legitimate questions asked and this question period lasted an hour and a half. If it had terminated in the first half hour possibly just one or two councillors could have asked their questions. Often a question has a supplementary question to it and if Council starts a question it should be allowed to finish it. I would object to a time limit particularly as there is only one per week with the Commissioner here.

Mr. Taylor: As I pointed out, our discussions this morning got into a semi-debating period and this took up far too much time. I certainly feel that if there are any direct questions, and the question period is usually reserved for direct questions, that we keep the question period with the Commissioner down to half an hour and any questions which may require partial discussion can certainly be brought up in the discussion period in Committee and this is why I suggest a discussion period for these items and we can deal with them then more liberally

Mr. Watt: I sympathise with Mr. Taylor in that he wants to have a place where we can possibly have something of a debate with the Commissioner and I certainly go along with asking the Commissioner to be with us the same day or another day. I don't think we should cut our question time off into half an hour because there are 7 of us here and we are only here for 3 or 4 weeks and to cut it down would be cutting it pretty short. If Mr. Taylor were to suggest that we have another period either the same day or another day then I think that would be a good idea.

Mr. Speaker: What is your wish?

Mr. Taylor: I certainly cannot see where more than half an hour with the Commissioner would be required for the question period and if necessary we can resolve this situation in another motion. I would propose a motion on the subject because I feel that half an hour is sufficient for members to ask their direct questions and get their direct answers and we have a question period every morning to ask questions.

Mr. Watt: If such a thing were ever to be passed I would like to see that each man gets a chance to ask one question before anyone asks a second question. I would hate to have any member here get up and say we only have half an hour and take up the whole half hour. If Mr. Taylor would like to suggest that we have the Commissioner down here at another time during the week I would certainly support his motion on that.

Mr. Speaker: I think the idea is generally to despatch the business as efficiently as possible. I might add that a question period is a period where discussion is not entered into. It is merely asking a question and the only discussions in question periods are those that are necessary to explain the question. You could of course always have a supplementary question to the original question so that it is not a matter of time, it is a matter of getting the business in its right category which is merely questions, not debates. However, it is whatever you gentlemen wish to have.

Mr. MacKinnon: I would say that we should continue the question period as long as there are questions.

Mr. Taylor: In adding to that I can only say that had the question period, which was given a trial run in Committee today, been in effect done in Council 85% of the entire period was completely and utterly out of order this morning and if members wish clarification on this point I would suggest that they read Standing Order 39, one of the rules of this Council.

Mr. Boyd: I am inclined to disagree with Mr. Taylor. We deliberately diverted from having a question period in Council. We had it in Committee as a whole so that it could be more than just questions. I thought this was the gimmick but Mr. Taylor's motion is no hardship if you want to put it in. It won't hurt anyone because you can get all the questions, you've got all the week to get them in and you don't have to worry about having the Commissioner there in the morning. He can't answer them anyway 9 times out of 10. You can get them in writing just as well. You are not stuck if you want to put it that way.

Mr. Speaker: Is it the feeling of the Council that there should be no restrictions on the time spent during the question period.

All the members, except Mr. Taylor, agreed that there should be no restrictions.

Mr. Speaker: The motion is carried and we will just continue as before and that will be for Friday morning.

Mr. Taylor: I wonder if Council would then consider the discussion period for matters of a general nature which we wish to discuss with Mr. Commissioner on Friday, following the Speaker resuming the chair.

Mr. Speaker: Is that what you wish?

Mr. Watt: I think that Mr. Taylor has got a very good idea. I know that when I first came to Council here several years ago, during the question period of the day the Commissioner was here almost every day for a while and we didn't have any weekly question period like we are having now and a question period then was more informal. I certainly agree with Mr. Taylor and I certainly go along with this suggestion.

Mr. Speaker: I might offer one suggestion in relation to the discussion period. We have a question period and a discussion period. One is almost the same as the other. Would Council consider it wise in the discussion period, to make the business operate as efficiently as possible, to give notice which can be given to myself on what each member wishes to discuss so that the Commissioner will be prepared and have the data in relation to the subject matter.

Mr. Taylor: The only problem here again is that if we make this too inflexible many of the questions asked would result in answers given formally. I think if someone has something in particular then it may be of benefit to give notice to the Clerk but I don't think we should be rigid on this point. I think we should be free to discuss anything even if it just comes to mind during the discussions.

Mr. Speaker: That was not my object. It was the object of knowing what subject matter would be brought up; not the questions, the subject matter. It would give the Commissioner an opportunity to have some data available. Perhaps we could put it in this way: that if possible notification is given ahead of time. Would that be acceptable. So that we don't go charging all over the country. So the discussion period will follow the question period next Friday.

Mr. Taylor: Did you say that no questions could be asked unless notice is given.

Mr. Speaker: No.

Mr. Taylor: Pardon me, I misunderstood you.

Mr. Speaker: I said that it would be most helpful to the Commissioner if he did get some notice of subject matters that were to be discussed. What is your pleasure for the agenda for Monday?

Mr. Taylor: We have bills, sessional papers, motions, and in particular the Municipal Ordinance to continue with on Monday morning.

Mr. Speaker: Is it agreed that we continue with the routine and go on to the Municipal Ordinance on Monday?

There being no further business Mr. Speaker moved that the Council be adjourned until Monday March 20th at 10:00 o'clock.

Monday, March 22, 1965
10:00 o'clock A.M.

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

The following correspondence was tabled for Council's consideration:

- (1) A memorandum from Commissioner Cameron, dated March 19, 1965, stating: During my attendance at the question period on Thursday, March 18th, a question was raised by Councillor Watt regarding an addition of \$350 per child taxable income to be claimed against Federal Government employees. I have now been informed by the Income Tax Department that this was a clerical error and has now been rectified.
- (2) A memorandum from Commissioner Cameron, dated March 19, 1965, stating: As I mentioned in my opening address, I would appreciate discussing the subject of daylight saving time for the Yukon with members of Council. I have now received some additional information on the subject regarding the people's wishes and would therefore appreciate the opportunity to discuss this at the earliest convenient time.
- (3) A memorandum regarding Motion No. 11, 1964(2nd Session)Sessional - Arrangements being made for the payment of fines by Paper motorists under the Motor Vehicles Ordinance - (Set out as Sessional Paper No. 29) #29

Mr. Watt gave Notice of Motion concerning the Robert Service Motion Campground. #10

Mr. MacKinnon gave Notice of Motion for the Production of Papers regarding Campground Contracts. Production of Papers #2

Mr. Watt gave Notice of Motion for the Production of Papers concerning the Engineering Report of the Whitehorse, Camp Takhini, Valleyview and Hillcrest areas. #3

Mr. Speaker: Mr. Southam are you prepared to proceed with Motion #1 on the brief by the Mine, Mill & Smelter Workers Union.

Mr. Southam: I contacted the President, who is in Carmacks, and he hasn't got my letter but he advised me he would send the brief down as soon as possible.

Mr. Taylor moved, seconded by Mr. Boyd, that in the opinion of Council the Canadian Broadcasting Corporation be asked to make a study concerning the possibility of establishing local television services at Whitehorse with a view to extending these services throughout the Territory on a phased program basis. #8

Mr. Taylor: Mr. Speaker, of course we are all aware of the keen desire of many of our citizens to be able to view television as people in the Outside areas of Canada do and to derive any benefits that may accrue from this particular service. We are told that the cost of provision of these services to the Yukon Territory is extremely high, almost prohibitive in scope. While in Ottawa and during our discussions with a representative of the Northern Service of the Canadian Broadcasting Corporation we discussed in some detail this problem with him. However, we were unable to get the Director of this particular Branch as I believe he was ill at the time. This one assistant pointed out that we can definitely not even consider taking television north towards the Yukon for at least a minimum of five years

and he said it could be double that. He said that they have projects elsewhere across Canada, Sackville, New Brunswick, and so forth, which has tied them up so to speak. I got to thinking about this after these discussions and it seemed to me that the Canadian Broadcasting Corporation could, if they so desired, come to Whitehorse and possibly purchase at fair value the existing television service here in Whitehorse, or make some other arrangement with them to operate a service here, tear down the co-ax and put up some antennas, or an antenna, to service the general area around Whitehorse here with television and then start feeding co-axial feeds to the outlying districts over the period of say the next 5, 6 years. In the next five, six years it might be possible for a Watson Lake to Beaver Creek to Dawson to have this local broadcast television facility following which in another five to six years it might be possible then to hook this thing up to the Outside national network. This is what this motion really does, it asks that the Canadian Broadcasting Corporation make a study concerning the possibility of doing this and implementing this program.

MOTION CARRIED.

Motion
#9

Mr. Taylor moved, seconded by Mr. Boyd, that in the opinion of Council the Canadian Broadcasting Corporation take any steps necessary to insuring continuous radio broadcasting transmission on a twenty-four hour basis at Whitehorse, Yukon.

Mr. Taylor: I have placed both these motions on the Order Paper together and here again while in Ottawa and while having discussions with the people connected with CBC. This problem was voiced and it appeared that only two things could be done to alleviate this problem. One would be to have a manned station, which these 1,000 watt stations should be, or the other would be if for that 6 or 7 hour period, or whatever it is, when this service cannot operate that a low powered relay transmitter could be used. I don't know whether it would be powerful enough to service the entire Whitehorse area. It seems the answer here is to have the station manned, this requiring to have someone on hand in case of a mechanical failure. As you know, I think all members are aware of the history, certainly the old members are, behind this. Each session, for the past many years we have asked that this service be provided to the City of Whitehorse as it is now provided everywhere else in the Yukon Territory. I offer this as a solution. I feel that the cost of one additional person should not be prohibitive and the benefits that accrue to the people of Whitehorse and the area and the possibility too of providing continuous news every hour on the hour at night for the enlightenment of the general public and the Emergency Measures Organization provision should be considered here, so I leave you with the motion at that point.

Mr. Thompson: I would just like to concur with the previous remarks. I feel this isn't out of mind and we should definitely have this whether it is a case of an added person in the local station or a case of going on the all night facilities of the Canadian Broadcasting Corporation. I feel some definite steps should be taken in this matter forthwith.

Mr. Watt: I recall that this motion has been made before in this Council, I believe at the last session. What was the reason that time, was it the cost, does anyone remember, for not complying with this?

Mr. Taylor: There was never answer given that I know of. This has been up just about every session and they have just never acted upon it for some reason.

MOTION CARRIED.

Mr. Watt: In several of these sessional papers and memoranda from the Administration there is requests for the Commissioner to discuss items with us. Would the Clerk like to suggest that some time be given for these discussions or would the Commissioner be around that he could be called upon to discuss these in Committee or would you like a special time set out for this.

Clerk-of-Council: I believe that the period set aside for discussion of these matters with the Commissioner would be satisfactory. I don't know of any urgency that they should be discussed prior to Friday morning after the question period. This was set aside for discussion of various matters with the Commissioner.

Mr. Speaker: That is correct however what does happen and has been happening to date is that in the past we have discussed sessional papers in Committee and at that time the Commissioner has been requested and has attended in relation to these sessional papers. Would that answer your question Mr. Watt?

Mr. Watt: Yes, Mr. Speaker, that would be fine.

Mr. Taylor moved, seconded by Mr. Southam, that Bill No. 6, Third Reading
An Ordinance to Amend the School Ordinance, be given THIRD Reading
reading. Bill #6

MOTION CARRIED

Mr. Taylor moved, seconded by Mr. Southam, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, sessional papers and motions.

MOTION CARRIED.

In Committee of the Whole:

In
Committee

Committee proceeded to discuss Amendments to Municipal Ordinance Yukon Territory with Mr. Spray, Area Development Officer and Mr. Hughes, Senior Advisory Counsel, present.

Discussion
S.P.#23

Item 59.

Mr. Hughes: Would you wish me to read Subsection (2) of Section 30 of the Canada Elections Act?

Mr. Chairman: Please Mr. Hughes.

Mr. Hughes read the above mentioned section.

All Clear.

Item 60

Mr. Chairman: Mr. Hughes could you enlighten us on this matter.

Mr. Hughes: I think the best way of dealing with this is giving you an opportunity to compare the two forms.

Mr. Chairman: What would be the reason for objection in the present form, what purpose does it serve?

Mr. Southam: This would just be in the case of a sworn vote, wouldn't it?

Mr. Hughes : If a person objects to being sworn, look on Page 278.

Mr. Shaw: Mr. Chairman, would that be that this person sworn in the objection is the objection one of the scrutineers made to this person voting.

Clerk-of-Council: Somebody there might object to the person being sworn in.

Mr. Hughes: I am just trying to remember the discussions surrounding this suggestion. The basic point was to get away from compelling people to take an Oath if it was against their conscience. That's how we got onto Form N.

Mr. Spray: Mr. Chairman does it follow with enumeration of your electorate it is no longer possible for them to be sworn in at the polls. If they are not enumerated then they are not eligible for voting. This Form N amendment follows on with the fact that there being enumeration rather than the present system of compilation of the voters list.

Mr. Hughes: I'm sorry, Mr. Chairman, I can't be too ready in my recollection of this. I would have to look back on some work notes on that.

Mr. Chairman: I wonder if it would be wise at this time to defer this item for further consideration until more information becomes available.

Committee Agreed.

Item 61

Mr. Boyd: I see no reason to object to it.

Mr. Chairman: I can't understand this where it states that the forms O and P are gravely inadequate in that there is no possible way for a deputy returning officer to relate the ballots issued to electors to the ballots he receives. I wonder if Mr. Hughes could clarify this.

Mr. Hughes: They are not numbered so that you don't have a numerical control.

Mr. Chairman: This would then be the intent then to provide this.

Mr. Hughes: Yes, so we don't issue 300 ballots and get 500 votes.

Clear

Item 62 - All Clear

Item 63

Mr. Thompson: Contrary

Mr. Chairman: I wonder if I might ask Mr. Thompson what his thoughts are on this section.

Mr. Thompson: I just don't agree with it, I feel that you should be able to campaign right up until the time that the polls close - say a matter of six, four or two hours why twenty-four hours.

Item 64.

Mr. Chairman: Might I ask why the detraction from two to one Mr. Hughes.

Mr. Hughes: I'm not too sure, I have a recollection that in practice there seemed to be an awful lot of agents in the polling station. Where the request really came from I don't know, it was just put down there. There was a sort of rapid rotation of agents and you saw quite a large number of agents there in the polling stations. Why particularly it's reduced to one I can't remember. I have no idea really.

Item 65.

Mr. Chairman: Would this exclude the possibility of anyone being sworn in at polls who ~~may~~ have been missed in enumeration.

Mr. Hughes: Yes, it would. It is tied in with that remuneration proposal.

Mr. Watt: I would like to ask is this the general procedure of municipal elections throughout the Northwest Territories and other parts of Canada.

Mr. Hughes: I don't know, I would have to lock up the NWT position and I don't know what the position is across Canada but I will check on the NWT and give you an answer later. It is obvious Mr. Chairman, we can't have both. If you are going to have enumeration, the only way enumeration will justify the time and expense is to do away with the last minute swearing which I can say, from personal observations, did get rather loose and informal. It is fine, if on election day, you take somebody like myself and just sit there and make these people really come through with their Oaths and point out to them that for a false affidavit they can get 14 years and make them understand that they just don't walk in and make a careless Oath. The choice is really going to be between careful enumeration of getting them on the list or much tighter process of scrutiny at the polls. I was not impressed with some of the swearing I saw in one or two places. You are going to have to decide which way they are going to cut the cake. I will look at the NWT - I don't think they have moved to enumeration, I could be wrong. I don't think they would be able to handle it very well. You will remember that the City, in commenting on this, they favored enumeration in urban areas but was against it in more scattered localities. This may be the reason that they have to distinguish between the two. It is feasible to enumerate here but it may not be so feasible in the back country. I will give you an answer later on the NWT position.

Mr. Shaw: Talking on behalf of the back country I would say that it does present some difficulties. We have two ways of looking at it, I agree with the Legal Counsel in respect to there can be quite some nuisance in swearing in and so forth. The area that I happen to represent is an area that many many people work outside of the exact municipality. They are working for different companies and unfortunately they do not comply with all these - just dropping in at the right time and getting their name on the list and so on and so forth. There are many people that are eligible to vote that may live in hotels, for example, and pay the amount of required rent and so on, that entitles them to vote. But they will be out of the municipality at the time - they may be 50 a 100 miles out and they certainly trot into town to register and enumerators

could easily lose them in their list of names. I am afraid that it would create possibly more, certainly in that area, it would create more difficulties than the - I would imagine very small amount of uneligible voters that vote. I would feel myself that the right attitude, and I am talking about the northern end of the Territory, but there it would create a lot of difficulties and I would suggest to possibly assure that the swearing is more legal that perhaps a form could be printed that before they took the Oath, the enumerator or the poll clerk could read this particular subject to the prospective voter, point out the penalties, make sure they understand it and work from that end. I don't think this enumerating deal would work so well and I'm positive it won't in that area. Myself I would prefer to leave it as it is - the general manner in which it is carried on.

Mr. Taylor (with Mr. Boyd in the Chair): I have one important thought on this subject and that is first of all that I cannot agree that even though we have enumeration we should take out provisions now specified in 288 of the Municipal Ordinance whereby a person who is eligible to vote but whose name does not appear on the revised list of electors may vote by taking an Oath in the prescribed form. If we don't provide this safeguard it would mean that, as Councillor Shaw has in one instance pointed out, that an eligible ratepayer in the village or municipality would in fact be denied his right to vote, through a situation that arises through no fault of his own where he was missed in enumeration or a mistake or error on the part of the enumerator. Even though you enumerate, as we do federally in the Federal elections under the Canada Elections Act, we also make provision for the swearing in of these people who were missed. I think not to include this would deny these people their right and I must agree and concur with Councillor Shaw in this regard. Though we enumerate we still must provide that these people can be sworn in. It has been pointed out that people swearing in are subject to very severe penalties. Mr. Hughes pointed out that you could get up to a maximum of 14 years for falsely swearing in so I think this is the safeguard. It is up to the officers running the election or the deputy returning officer and your returning officer to ensure that this is policed properly. These are my thoughts on it.

Mr. Hughes: I haven't completed my research so that I can give you a competent answer, but in Section 40 of the Municipal District Ordinance, Chapter 73, the NWT for 1956, it was quite clear that they do have the present safe-guard that we have. A person who, under Section 7 of this Ordinance is eligible to vote but whose name does not appear on the voters list, may vote at an election upon compliance with provisions of this section. Then it provides the oath that the Deputy Returning Officer shall administer to a person who applies. "Do you solemnly swear or affirm that you are a Canadian Citizen, that you resided here for three months and that you have not voted before at the election and that you have not received or been promised any consideration." A person applying to vote has to be vouched for by a person whose name is on the list and the person vouching has to take an oath also. That is just about the way the thing operates here and looking quickly I haven't come across any change in that in the NWT. Possibly the suggestion regarding enumeration does present too many difficulties and cause too many hardships among genuine people, and you may wish to advise Administration that you are not in favour of it.

The Chairman read Item 66.

Mr. Watt: Mr. Chairman, could we not leave this in abeyance until Mr. Hughes completes his research.

Mr. Chairman: Yes, we could pick this up in final review if you gentlemen agree.

Agreed.

The Chairman read Item 67.

Mr. Shaw: Mr. Chairman, in other words, with a Territorial Election, where they submitted the paper to you stating the amount of ballots cast, rejected and for and against, that condenses the paragraph, is that correct?

Mr. Hughes: It tightens up the record, there is no suggestion that anybody is doing anything improper but until you run it on the basis of balancing out the books of the number of votes and the number of spoiled ballots and the number of ballot papers issued, you have no real sure check. It is more in line with the principles of governing your own elections, and if we abide by the Canada Elections Act, there doesn't seem to be an argument in favour of refusing Mr. Ravenhill's suggestion. I don't know if Mr. Spray has anything to add to that.

Mr. Spray: Mr. Chairman, this item was put in at the request of the City of Whitehorse, and only to tighten up the reporting procedure. It was an item that was noted by the Returning Officer at the Municipal elections.

Mr. Chairman read Item 68.

Mr. Chairman: This would fall in line with the matter discussed in Section 66 for deferment until a later date.

Mr. Boyd: Mr. Chairman, it seems to me we are going to have deferments till a later date on this one subject all the way through. I feel that this Council should go on record now as to what we are in favour of. Are we in favour of carrying on the same as the Territorial Election was last year where in the rural areas you could be sworn in, and in the Whitehorse area municipality you couldn't be sworn in. I think we have to make our thoughts known to the people who are trying to compile this paper, and unless we do it now there is

going to be so much left behind here all hinging on this one point of view.

Mr. Chairman: Yes, I would like to point out to Councillor Boyd that the deferment referred to here is final review where we give absolute direction to the Legal Advisor. It was my intention on having completed this to determine whether or not committee would like to start and give the direction so that Mr. Hughes would be in a position to direct the legal draftsmen on the line suggested by Council. So this is what this deferment includes. In other words this could come up again this afternoon for final determination, if committee so desire.

Mr. Boyd: Can't we determine something now and then we don't have to stop and talk about it again this afternoon. We are talking about it now why don't we finish it and make up our minds then we don't have to worry anymore about - you say agreed about a lot of things, why don't we agree on this or disagree on it.

Mr. Chairman: I am quite prepared to depart from the normal routine. I thought it was agreed by Committee that we would view these items as they cross refer to others and then in the final review, pick them up and tick them right off. We have not given any firm direction to any of these points.

Mr. Boyd: Mr. Chairman, I agree we are wasting somebody's time if there is something we can give an answer to we should give it. If there is something we can't give an answer to and we have to have further information this is fine, I see that, but just to sit here and say well we're not going to make up our mind yet - lets make it up - I'd like to make it up - I'd like to know which way you are going to do this. You don't have to wait till this afternoon, or next afternoon, or a week from now to decide a thing like that.

Mr. Chairman: If Committee wishes to change what we have already been doing it is fine with me.

Mr. Watt: I disagree with the proposal here. My disagreement may not be based on enough information and we left it with the Legal Advisor to get more information, give us more reasons why they didn't want to be sworn in at the polls. I myself, would like to check with the City at noon, we haven't had this Ordinance very long, and I would like to check with some Members of the City Council to find out why, there may be something that they have run into that doesn't appear to me, but if you are in a hurry to vote on it I would, at the moment vote against it, but if I got more information from the City or the Legal Advisor, I may vote with it. So if you can straighten out the questions here Mr. Boyd, maybe you could give us complete reasons why the City of Whitehorse object to having swearing-in at the polls, could you do this?

Mr. Boyd: No Mr. Watt, I am quite prepared to let you wait and find out from some Member of the City Council, I presume he's got the necessary ability to decide, we have a Legal Advisor here but if you want to wait its fine with me. I don't want to wait, but I am quite happy to wait if this is the way you want to do it.

Mr. Shaw: I can see the Chairman's point of view and I can also see Councillor Boyd's point of view. The Chairman's point of view, I think we all agreed, was that not to make a decision at the particular time because later on there were some factors that might come up that might change the picture so we would review the whole works and then later on come up with the

the suggestions we went through. I can also see Mr. Boyd's idea in this suggestion, because that is pretty clear cut this particular one and there are sections that are connected with it all along that it does seem like deferring them, however in view of the fact Councillor Watt wants to get more information from somebody, I would move that we proceed.

The Chairman read Item 69.

Mr. Hughes: It deals with secrecy Mr. Chairman.

Mr. Hughes read Section 44 (1) of the Canada Elections Act.

The Chairman read Item 70.

Mr. Shaw: Could the Legal Advisor read Section 47 of the Canada Elections Act?

Mr. Hughes read Section 47, Sub-section 1 dealing with the time to employees for voting.

Mr. Shaw: Mr. Chairman, I feel that if a person were allowed say an hour for this particular purpose, it states three hours, but have it the same as that except say one hour, but if there is reason for a longer period I think that should be allowed, I think that is in the book and seems very reasonable, and I don't think there is anyplace in the municipality that you can't go and get that done in one hour.

Mr. Boyd: Mr. Chairman, I know of some people who couldn't get away to vote. The stores weren't closed and so on and polls closing at 6:00 o'clock made quite a rush because there was no co-operation with management so there must be at least an hour given but this paragraph where it says that if more time is required, I think we have an example of where some of our Territorial employees living in Whitehorse but working on the Canol Road figured that they were entitled to time off to come and vote and I guess they were. It certainly should be an hour at least allowed.

Mr. Shaw: Mr. Chairman, it does state a certain fixed time. That is for a Federal election for which you can come from quite some distance. This is meant within a municipality and generally speaking I would say that that can be covered within an hour. Where it states that if necessary a reasonable extension can be allowed - if its three hours it may be a case of where the employee might decide he's got three hours, that's maximum, you've got to have three hours, well okay you just take off the three hours. This has got to be something that's reasonable for all people concerned. Possibly an hour isn't long enough, I don't know, it seems to me it would be. But if longer time is required, well we have the qualified permission, and it seems to be very fair.

Mr. Hughes: Could I just mention one point of difference. The Canada Elections Act is designed to provide for an election at any time of the year. Municipal Elections come at the end of the year and your climate conditions are different its not as though a man may have an easy summer road to come over. Maybe the hard and fast time limit is not applicable because the Yukon has special problems. On the other hand there wouldn't be very many men working out on the far end of the Canol Road at the end of November. So that to try and pick this section up here and apply it to the Yukon may leave local reasons why it doesn't quite fit. I just thought I would mention that we do have a point of difference there.

The Chairman read Item 71.

Mr. Shaw: Mr. Chairman, could I have that explained in a little more detail?

Mr. Hughes: Mr. Chairman, this is a matter of observation, apparently there was no prohibition, and in practise this did happen and it seemed undesirable for somebody who has spoused the candidates cause one moment was charged with the responsibility of assisting the returning officer, so if people used common sense it wouldn't have happened at all. But people do overlook these things. Candidates have been known to suggest that their agents be sworn in as assistants so one candidate makes a suggestion, so the other candidates want it, until in no time at all you've got nothing except candidate's agents acting as assistants, so you may want to draw the line.

Mr. Shaw: Does that mean poll clerks?

Mr. Hughes: No. Assistant Returning Officer has a special function. You are thinking of the poll clerk, the candidates nominee, sitting in at the ballot count, they are entitled to be there and they are entitled to be present. The Agent is entitled to be present in the polling booth, at the moment the figure is two, I suggest this might be changed to one, but not perform two functions, that is the idea.

Mr. Shaw: I am beginning to see it now. In other words we have scrutineers and poll clerks separated.

Mr. Chairman: I believe the poll clerk is the one who keeps the record at the poll for the Deputy Returning Officer.

The Chairman read Item 72.

Clear.

Chairman read Item 73.

Mr. Chairman: May I asked what discretion did the Judge wish in this matter - what was his reasoning Mr. Hughes?

Mr. Hughes: This is a recommendation exercising special words with which I disagree, I can't advise you that this is a necessary change, this matter has remained there, it was probably an original thought and has been crystalized in the draft and possibly we've missed it. I can't support this, I don't think its necessary. I agree with City Council, the word "shall" merely confers a power of, doesn't in this case impose duty and obviously the first set of notes that was made somebody formed the idea that it imposed a duty really it simply gives him the power. I see no reason for a change.

Mr. Boyd: Mr. Chairman, I go along with the recommendation of the City of Whitehorse.

The Chairman read Item 74.

Mr. Spray: Mr. Chairman, this paragraph would be clearer I think if the second sentence read "if the vacancy was caused by death, resignation or incapacity of an appointed member",

The Chairman read Item 75.

Mr. Watt: Mr. Chairman I would like to ask Mr. Hughes if this is a normal prohibition. I am thinking now of the City of Edmonton where a Mayor had been-I don't know if he had been convicted of a practice, had he, apparently he just ran again.

Mr. Hughes: Mr. Chairman, I can't comment on the position in another place, I don't have first-hand knowledge of the matter referred to. There is frequently a disqualification imposed on electors and candidates for some improper practice. It is a matter for review by you as to what you feel is appropriate, for instance there is a distinction in the Municipal Ordinance and the Territorial Ordinance on the question of disqualification of candidates for different reasons. The Municipal Ordinance disqualifies persons from remaining in office or run, if they have committed certain offences. There are many offences that we could hardly class as criminal. **It is conceivable that sooner or later** some member of the City Council will find himself disqualified because **he** has been judged guilty of an offence - today there are so many offences for which you can be disqualified for. Maybe you would like to discuss this with members of the City Council, see whether they want something done. In B.C. recently there was a case where a Member of long standing on a particular Council lost his position as a result of a conviction but no one at any time suggested that he was less fitted to serve on the Council because of that conviction, this is the way the wording goes of the law. You may want to take the opportunity of drawing on the local City Council's views, and give us some broad lines to follow. I can't marshal for you any special reasons for or against **distinguishing** between a candidate and an elector, for instance if I am found guilty of an offence which could be visited with imprisonment I am not disqualified from voting in a Canada election so long as I am not in prison. But I might be unable to stand for City Council. You may think that there is little lack of cohesion on general thinking. I would not suggest that you drive towards any conclusion today you might give it a broad review.

Mr. Watt: Mr. Chairman, I would like to pursue this part about proper practice a little more. You say **that** case in B.C. was concerned with "somebody who got picked up for impaired driving - he was disqualified for holding a seat by the Council, not by the Ordinance itself. Is that right Mr. Hughes?

Mr. Hughes: I think the B.C. Municipal Acts covered his position, but they didn't pass a special resolution throwing him out, I think it is already on their books. If he had been a member of the **Federal Department** he wouldn't have lost his office, so why should the Member of the most senior House in the country continue in office when the man who is serving the local Council is removed from it. It doesn't really seem quite sensible.

Mr. Boyd: Mr. Chairman: It seems to me that the Federal ruling is a **very** good one. I don't think that any municipality should attempt to go beyond something that we don't have to do. I would like to see us use Federal elections.

Mr. Watt: Mr. Chairman I would like to ask Mr. Hughes a question. Would you call something like impaired driving an improper practice. This thing could make a difference between your municipal Councillors holding a seat or not holding a seat or being able to run or not being able to run or in many cases it depends on where you live as to what you've done.

Mr. Hughes: The corrupt practices are set out pretty extensively in Section 312 of the Municipal Ordinance and if I remember it in detail, impaired driving is not such an offence. There is a long list of them it is generally **bribing** or intimidation - nothing at all to do with what I would call a social misdemeanor, but unfortunately in the City our eligibility - it rather indicates that a person who is a City Councillor who is convicted of impaired driving, he would not be eligible.

This has never been tested in Court, this is only my opinion. There is nothing which would limit that person from being a Federal Member.

Mr. Shaw: Mr. Chairman, in reading Subsection 2 of Section 314 that "every member of a Council who is judged guilty of a corrupt practice", now that can be interpreted in very broad manners. I feel myself, that in matters such as this it should be corrupt practices in relation to the municipality itself. On the other hand you may have a person who would possibly come and run who may belong to a mafia organization or some such thing, and just got out of jail. I think that would cover that too, would it Mr. Hughes?

Mr. Hughes: The definition of corrupt practice is pretty wide in 312. Before you change that if you would like to give us time to really go into that.

Mr. Boyd: Mr. Chairman, it seems to me that we are talking about corrupt actions and so on in connection with getting elected and I don't think this is what we are discussing here we are discussing something which happens after you are elected. Or before, if you have been involved before, but not during a campaign or election time. Isn't there a little bit of a difference here.

Mr. Hughes: Councillor Boyd is quite right, and 314 is every person who commits and then every member of the Council who is judged guilty shall forfeit his seat and shall be disqualified. This is a rather contemporaneous statement. It's speaking in the present tense there "commits a corrupt practice" but any person who committed a corrupt practice twenty years ago, I think would be impeachable on that point. You are limited by a summary conviction procedure and they hope to spare the time if you came up three years later, there is a bit of a limit on section 314 (1).

Mr. Shaw: Mr. Chairman, this particular section seems to have worked alright in the past I really don't see anything wrong in it and I am wondering why we are wanting a change in a question that has so many facets to it that would almost take a whole legal council to sit down and give the right answers. I wonder why it is necessary to change it.

Mr. Hughes: I am not able to argue with the sense of personal conviction that it is necessary to change it. It seems to work quite adequately and to be continually and pessimistically foreseeing difficulties that haven't arisen does lead to fairly unsatisfactory legislation we haven't had a situation where this is broken down and until it does and until we have the experience of a case where it has failed to work satisfactorily then there seems very little reason for disturbing it. I am speaking as your advisory

Mr. Watt: In the Canada Elections Act as it was amended to the Territory - I think what the case here is that considered practice for a Councillor to act a way during an election campaign or a certain number of days before it which is layed out in the Elections Act. That would make an act in a way so that he couldn't exercise complete freedom. We had an actual case here with some letters which were sent out by sub-committees of the Chamber of Commerce to be answered and it was clear that they wanted these in writing to get a definite commitment from us and any elector who had answered these letters, and possibly answered them without enough discretion and said absolutely nothing then he would be liable to lose a seat and possibly a \$250.00 fine or maybe to both. Would this also apply to this Canada Elections Act?

Mr. Hughes: No, I don't think that the particular instance referred to would have been a rough practice in fact it is pretty standard procedure lobbying groups to send out letters to candidates - that goes on extensively in Britain - if you are running for parliament you get questions from every dog lover, dog hater, canary keeper etc., you get hundreds of these organization letters. I assure you your parliamentary agent just looks at them, answers more of the same and away it goes in the waste paper basket. You are not going to stop it by passing a law because the same people can walk up to him on the street and ask for your views so why can't they write to you. My advice to you is to ignore that type of solicitation.

Council adjourned until 2:00 o'clock p.m.

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Monday, March 22, 1965
2:00 o'clock P.M.

Committee was called to order.

Mr. Boyd: I think this discussion got off on something that was really unnecessary. I think we should accept the recommendations on the City of Whitehorse and carry on.

Mr. Chairman: Any other comment here, gentlemen?

Mr. Shaw: Well, I don't see why there is any change necessary at all. Just keep it the way it is, subsection 2 of Section 314.

Mr. Chairman: Is there any further discussion, gentlemen?

Mr. Shaw: Well, to clarify it, I would say this Section 75 that we have here, just take it out. That leaves everything as it was before.

Mr. Chairman: Well, if there is to be a division on this we can pick it up on review. Should we maybe possibly proceed on.

Mr. Hughes: I have had time to look at Item 75 more closely and I think what it was intended to say was that "He is only deprived of his voting privileges, or until he has made good." I don't understand it, really, what it means, what it says. It is hardly conceivable that a man is going to get away with a fine and leave without paying it. It is dividing the penalty imposed on a candidate, it's mixed up with corrupt practice. It says really he may never, ever, run again. At least, that's what it wanted to say, but you may vote after three years. But you may feel that no harm has been done with this section in practice, and if you want to strike it out my advice to you must be there is no obvious objection to striking it out.

Mr. Chairman: Shall I proceed?

Mr. Boyd: Proceed.

Mr. Chairman read Item 76. (proposal only)

Mr. Boyd: Let's have some clarification. What does it mean?

Mr. Chairman: Mr. Hughes?

Mr. Hughes: I won't use the expression "nit picking", but this is what this suggestion is, and I find that I can't support it this suggestion either. It's quite obvious that the question of a "right of a person" to sit on Council, the only time a challenger comes is when he is elected. What the suggestion really means is that this would give people an opportunity of questioning the right of a person to sit on the Council, possibly before he was elected. But I don't see then how you could mount an election petition. It has been an exercise in semantics, in which the person who was putting forward this argument has rather lost his train of thought. I suggest that you just move to strike that one out.

Mr. Boyd: I agree.

Mr. Chairman read Item 77.

Mr. Shaw: Agreed. I agree with the recommendation.

Mr. Chairman: And this of course would provide the Chairman be the Reeve type of person. Very good. Are we clear on this, gentlemen?

Mr. Boyd: Clear.

Mr. Chairman read proposal and comments of council of City of Dawson and council of City of Whitehorse. (Item 78)

Mr. Hughes: Form R, of course, depends upon whether you are going to enumerate it.

Mr. Chairman: Well, would not form R, in keeping with our earlier thought, form R would still apply even if you enumerate.

Mr. Hughes: Well yes, only if you are going to enumerate and have last minute applications that you want to keep, but if you are going to say, "No, we enumerate and nothing else" then Form R would come out, this is just a note for the draftsman. But this follows very closely the questions to be put at the end of the T ordinance which I read this morning. That's the only reason for doing away with form R, is if you are going to clear **current** enumerations.

Mr. Chairman: Yes, but what I mean is if these go to enumeration and still allow the provision we would have to retain this form, would we not?

Mr. Shaw: Under 78 Form R can be repealed, and I note that the comments of the City of Whitehorse and the Comments of the City of Dawson are that they are opposed to this paragraph. Could I be advised as to what they are opposed to. I don't understand.

Mr. Hughes: I didn't accumulate the notes on the rejection.
Mr. Spray may have the file with him.

Mr. Spray: Yes, I have.

Mr. Hughes: Would you deal with that point, Mr. Spray?

Mr. Spray: The City of Dawson states: "Council is opposed to any part of these amendments where a voter would not be showing at the polls. It has been known that in the past for reasons beyond the control of the voter his name was omitted from the list and he should not be deprived of his right to vote."

Mr. Shaw:, Well, wouldn't that mean that they want this one in?

Mr. Spray: They are opposed to the deletion of form R.

Mr. Chairman read the **proposed** amendment No. 1 of the City of Dawson. (Item 78)

Mr. Shaw: Have they not this power already?

Mr. Chairman: Mr. Hughes, is this a situation whereby they are only given the right to grant a franchise, and wish further protection in this regard, or what?

Mr. Hughes: I don't know what other protection is really wanted, because before anybody could operate a power development they are going to have to have poles, they are going to have to dig trenches, they are going to have to run overhead wires. It is very difficult to see how they are going to get power from one house to another, or water, anything like that, without having to go to the City Council to get permission. This being so, the City Council has the reins in its hands right from the word go. The franchise that does exist in Dawson in favour of Dawson light and power is not an exclusive franchise. Really what it does give them is the power to open up a street, dig holes, in a municipal undertaking they don't have to go and get chits signed by the City Clerk, that's all. In my view the combination of the City's power to stop that or to prosecute any disturbance in the street circus is adequate safeguard and protection. What Section 102 does is give the City the power to grant a franchise. In fact, the City tomorrow could give the franchise to the John Smith Electric Light Co. or some other company. The City has remedies to some of the Dawson problems already available to it, but possibly the lack the financial capacity or have been able to encourage somebody else in putting up the utility undertaking. Sorry, i've just been handed something here. The explanation, dated 28 November 1963, was that the city said, "We feel that the local power, water and utilities situation demands that this be done by obtaining a franchise." Well, I don't feel they have looked too carefully at their own section 102. "It has been our experience over the years to be at the mercy of a utility company who made no effort to improve the system which was installed in the year 1898. Numerous complaints have been made to the utility company to remedy this situation and in many cases such complaints receive no attention. It is regrettable that the City and the hospital in particular should be at the mercy of obsolete stand-by equipment. It is regrettable that the residents of the City cannot enjoy the power comforts evidenced in other areas, for reason that the local system can not carry the load. It is a sad spectacle indeed that people have to leave their homes in below zero weather for reason that their power motors burned out as a result of this antiquated system. We feel that an amendment as suggested would improve the situation, in that a utility company could only operate under the terms of a franchise." Well, this is perfectly true. They go on - "We do not feel we are asking too much for something that is out of the ordinary. It appears that it is customary throughout the country to operate within a Municipality. Utility companies are obliged to do so under the terms of the franchise." They're mixed up. Any franchise, any utility company, who wants to go into Dawson, has, by the very nature of things, to run wires and so on - it's got to go to the City Council. The City Council then says "Alright, we'll let you do this. We'll give you a franchise for 10, 15 years then pass a by-law. Your franchise will be the start of the agreement." They haven't done this. They have had a most aggravating situation, but it has been pointed out to them, and section 102 enables them to grant a franchise. Now, they're really askin you to interfere and grant a franchise, or give them a power to grant a franchise. Well, it's already there. They have it. And nobody can really do business with Dawson unless they havethat.

Mr. Shaw: I would like to ask a question further to this of the Legal Advisor. It does appear that insofar as the Government of the Yukon Territory 65 years or so ago did give a

franchise for the existing company to operate in the City of Dawson . If perchance the City did not wish that to be in effect now, have they power to say "You cannot operate".

Mr. Hughes: No, I don't think they could say that, but they could say to somebody else, "We **will** give you a franchise." It's all set out in 102, "No franchise shall be granted for a period in excess of twenty years" and so on, it's got to have two-thirds approval, it's all in here. They have to, of course, be sure that somebody else is prepared to go in and the utility. That's another thing. They've got the power to give a franchise, but the person who wants the franchise doesn't show up. That's the weakness.

Mr. Taylor (With Mr. Boyd in the Chair): In this regard, it seems to me the way it was spelt out here that they don't want any of these facilities in Dawson unless they are a franchised facility, and I don't think it is fair and reasonable that this should be interpreted this way, by reason of the fact that propane people, for instance, two propane organizations in the gas business, if they wish to operate in competition with each other - they shouldn't be forced to have a franchise to operate within the city. Take water services, for instance, truck water service, or transportation services or anything else, I think that I must agree that the provision already exists in the Ordinance under section 102 for them to grant franchises. There would be no useful purpose served, or let's say that the interests of the ratepayers wouldn't best be served by creating such legislation as is recommended here.

Mr. Hughes: Well, I point out, for instance, the mention of propane - I think we all know that propane is sold there by the cylinder to the householder - there's no franchise there. It's **strictly a** customer and supplier relationship. If you put in this new subsection then no person may do this without first obtaining a franchise. What are you going to do with the propane vendor? He's already there in business. The City would have to **give** a franchise or he'd be taking the stuff out.

Mr. Taylor: Well, franchises are, franchises virtually tie you right up. If someone has a franchise you've got to deal with them. There's no room for competition and good enterprise in a franchise.

Mr. Taylor: (Back in Chair) Thank you, Mr. Boyd.

Mr. Watt: I notice in the Northwest Territories for the granting of a franchise, you must have a majority, "A councillor of the town may make a by-law approved by the majority of the ratepayers". In other words you have a vote in the municipality or town and in our case, "voting thereon **to grant a franchise** exclusive or otherwise", etc., etc. Part two of that gives the maximum length of time, twenty years plus ten. In 2(a) it says it has to be approved by the Commissioner. I think that would be a good idea. It would have helped us in the last couple of years here if there were communities organized, and improvement districts organized, and it had gone to a vote of the ratepayers in the community, and had a majority approval, before it went to the Commissioner and Council. I think that possibly this should be written in to our Municipal Ordinances, or something similar. Mr. Hughes, could I have your comments on that?

Mr. Hughes: Well, it is difficult to take votes among rate-payers if you haven't got a unit, if you don't know where the boundary is. If you go through with these plans, and you have your tiered government structure, this all finds its way in to the controls. We have over the last ten years been hampered by franchises, on franchise giving. I don't know whether there was a plebiscite or a vote when the City of Whitehorse franchise was given, it was before my time, I don't know exactly when it happened. It is certainly I think a principal which I think must be clarified, (I'm not speaking now as Legal Advisor, I've got my other hat on for the moment). It must be entirely acceptable to the Administration or there is no point in the amendment. People who are in a recognizable settlement unit, it is something that affects their lives for the next twenty or thirty years, they should be given a chance to voice their opinion. If on analysis I find that a utility franchise by-law provision, which also calls for two-thirds of the unit in the Yukon, if it is not going to be found in the fabric of the Ordinance, then we will see that it is written in. I will make a special note of that.

Mr. Boyd: This goes on beyond naming certain things, it says "Or other similar related services". Now, I think it would be possible in Dawson City, within their Municipality, to find a spot where they're not getting any lights - not wired, not set up - and according to the history of the services they get, they're not likely to get them. What would be wrong with me having a small diesel plant and my own lights? I might have three neighbours that I could supply. This would prohibit such a thing, for one thing, and I think we should disregard this recommendation entirely, and leave things as they are.

Mr. Chairman: May I proceed? Is there any further discussion on this item then?

Mr. Boyd: Proceed.

Mr. Shaw: I don't think I get Mr. Boyd's point.

Mr. Boyd: Well, maybe it wasn't clear, and maybe it didn't mean too much, so it doesn't matter.

Mr. Shaw: I think that if somebody did want to start and sell light and power in there, or any of the related services, that you would have to have a franchise in order to do it. You couldn't get a license to do it, you would have to get a franchise to do it. Of course, a franchise is a license too, that's just what is in existence right now. It's not exclusive, and as the Legal Body pointed out, if any company wishes to go into the City of Dawson right now and sell water, set up a water system, or put up a light system, all they have to do, is the Council can give them a franchise. It's no problem. The problem is getting someone who would undertake to accept the responsibilities of putting in these services. That's where the problem is.

Mr. Chairman: May I proceed, gentlemen?

Mr. Watt: I would just like to point out that I take it it is important in these franchises that if we can establish boundaries, people within the boundaries would be given an opportunity to vote on it. This is similar to the provisions.

that are made for this is the Northwest Territories, and I think it is clearer than our own at the moment.

Mr. Hughes: And now if I may, on that note make sure that sure that citizens are people who vote on the utilities franchise. This I think would serve to keep the thing in our minds.

Mr. Watt: Yes, and in the Northwest Territories it relates to quite a number of different types of utilities, - water, gas, telephone, transportation - a lot of different things.

Mr. Southam: Do I take it now that you're talking about an organized territory now, or something that's unorganized? Why I ask is, I was thinking about this situation that's coming up around Keno.

Mr. Watt: I think this would be any kind of organized community. We are providing the Ordinance for now where the organized communities can become a little more highly organized, and participate in their own affairs. I feel that when it comes to the question of a franchise that people of the community should be given the chance to vote on it, by way of a plebiscite. A by-law of the community council can make it so that they can put the polls up. I am not saying we should follow everything the Northwest Territories has done. There is one point they had a circumstance, close to what I feel would help in the Yukon Territory, in this particular instance.

Mr. Hughes: I am not sure, but I don't know whether in N.W.T. there is a corporation like the Yukon Electorate. I rather think there is more direct association with N.C.P.C. I think Mr. Spray has this information. I think it is the public organization, the governmental body, who supplies the power to those places. There may be an exception like Pine Point or Yellowknife, but I think if we were to rely on the N.W.T. situation it may lead us astray. Now the question about identification of areas, Keno, for instance - the franchise which you are thinking about there. Recently there was manifest support of the Citizens' Association, then there was a change in the control of the Association, then it became obvious there was no support of the franchise. Now there has been another change in control of the Association and the people support the power applications. So it is very difficult to rely on the views of the community as reflected in the Community Association, really you want a local government area to take a proper vote, not just a sample. You may be misled between one change of management and the other of the Community Association.

Mr. Chairman: Is there any further discussion, gentlemen?

Mr. Shaw: I would just like to ask one question. Under the existence of the by-law, I should say, section 102, does the City have the power to say to a company supplying power - electric power, gas power, and so forth - to make them accept a franchise, as part of the condition of their operating in the City, I mean?

Mr. Hughes: Well, a franchise, as we all know, establishes several things - control of the rate structure, charge, sets out conditions under which the streets may be opened up, poles may be put in on street corners, and so on, the number of

the number of street lights and where they are to be located, and provides the machinery for consultation between government and the operator for all these things. If a utility company will not enter into the franchise agreement - that is the right to carry on, that is the franchise - the City may legitimately say to the newcomer in Dawson - "You may not charge more than ten cents a K/W, and if you don't want to operate on these terms then you don't get the franchise." This is your opportunity to bargain with the utility firm, if they want to do business there, then you write out the conditions under which they can do business, otherwise they can't tear up the street.

Mr. Shaw: Another question to the Legal Advisor. This particular franchise we are referring to is one drafted by the Territorial Government sixty odd years ago. Now under subsection 3 of section 102 it states; "No franchise shall be granted for a period in excess of twenty years, but the Council may by By-laws, approved" etc. etc. Would that mean that the present existing franchise would be called invalid? It has been running for sixty years or so?

Mr. Hughes: No sir, that one was granted. What you did there sixty years ago was to incorporate it, the company, and you gave it certain powers, a special incorporation, you gave it these powers, and this franchise we are talking about here was granted by a City by-law. Your decision sixty years ago can't be lightly swept aside by City by-law. You get the maintenance, not the City.

Mr. Taylor : (with Mr. Boyd in the Chair) This brings up an interesting question in this case. It seems to me it is the power of this Council to undo anything that it does, and so consequently it seems to me that could be undone wherever it is necessary to do so by merely repealing the Ordinance incorporation that company. Is this not true?

Mr. Hughes: Yes, it is your power to make and unmake. Obviously, of course, it is of such a nature that it has to be considered carefully, otherwise it might result in the town having nothing at all. The supplying company, if it thought you were going to do this, might shut up shop tomorrow. It is one of those questions that you have to approach quite carefully.

Mr. Taylor: This is quite correct, and I don't ever see us doing that, but I was just pointing out that it is within our right to do so. I just wanted to ask a question. I believe it was some time in '63 when this submission was received back from the City of Dawson in this regard. Is this correct?

Mr. Hughes: This explanation that I read to you? Yes, that was in November 1963. I thought this had been discussed with you, perhaps not in the exact words, with representations of the rather dismal situation where motors were burning out. I thought that was discussed with you at that time.

Mr. Taylor: The only thing I was going to point out is two things. First of all is that possibly the City of Dawson feel differently about this at this time, and quite possibly

they feel differently about several things in this submission. And the other would be that it seems deplorable that we have gone through four sessions of Council and now we are embarking on our fifth before we take action on this submission. This also points out the need for additional staff in our Legal Department.

Mr. Shaw: I have thought many times about this particular subject. The incorporation of the company is tied up with a franchise. As has been stated, it is possible to rescinding the incorporation of this particular company. However, it has appeared to me that if Council were asked to rescind the incorporation of this company, that would mean that the company, whether they wish to or not would not be able to operate as they now operate. In other words, it would not be their option that they could turn the switch on or turn it off. They would be forced to turn the switch off, because they lost the right to operate as a distributor of electric power or electric light. In other words, the people of the City of Dawson would not have the opportunity of saying whether they wish to accept the terrible conditions that exist, or not. It would mean that they would be forced to accept a condition whereby the company would be forced to turn the switch. In other words, it would provide a very unsatisfactory situation. That has been my understanding. Perhaps the Legal Advisor might inform us if I am correct in my assumption, that if we rescinded their incorporation they would have to, by virtue of that, close it down.

Mr. Hughes: They wouldn't have to close it down, but they would have increasing difficulty, because any time a wire broke, or they had to dig up a street, unless they got the City's permission they would be unable to carry on. As a matter of bargaining tactics the City might be embarrassed because the power company could quite possibly say, "Well, if that's how you feel about it we'll pull the switch, and leave you without water, without heat." It might be a very useful ploy to indicate that if this matter is not resolved to your satisfaction you might consider doing it. I am not sure but that I would go away until you have a good stand-by plant.

Mr. Taylor: It seems to me it is interesting to note that the City of Dawson cannot issue at any time a franchise to anybody to provide electrical power within the City of Dawson as long as this remains on our statutes, by reason of the fact that the Ordinance has precedence over a By-Law, say under the Municipal Ordinance.

Mr. Hughes: No. I again emphasize that **the Ordinance that created** this power company didn't give them exclusive franchise, it just gave them a franchise. So the City itself, even today, could give a franchise by By-Law to an entirely new group. You can see the practical bit of all this, if he came in there and wanted to put down a pipeline you would be continually running into the pipelines which were already down. If you try to run wires you'd be fouling up **on existing** wires. The City tomorrow could say to Dawson City Motors or somebody, "You've got a generator. You can start supplying **power** to the City Council." There is nothing that the Dawson City Power Co. could do about it. It is possible, but the bargaining powers that go into this are a little weak.

Mr. Taylor: What is the purpose of having a franchise if it doesn't give you exclusive rights. I mean, there would be no necessity for a franchise, would there?

Mr. Hughes: Presumably the corporation is quite happy with what it got, what it thought it got, but maybe they didn't notice the word "exclusive" wasn't in there. I think it's a very important omission.

Mr. Taylor: Thank you, Mr. Boyd, I'll take the chair again. Is there any further discussion on this item, gentlemen? May I proceed to item 2.

Mr. Boyd: Proceed.

Mr. Chairman read the proposed amendment No. 2 of the City of Dawson (Item 78)

Mr. Shaw: Could we have the reasons for this request?

Mr. Chairman: Mr. Hughes?

Mr. Hughes: Maybe you will remember that these reasons all apply to Dawson City. This too is dated November 28, 1963, and addressed to the Commissioner, and it recites Section 124 (1)(a) and (2), then it says, "The following, to be amended, should be added after the word 'taxation' where this word appears at the end of paragraph (2)." (Do you have that before you?) (Then the explanation) "Property held under the Veterans' Land Act is considered exempt from tax sale although in arrears for some years. What would be the result if fifty percent of the houses in a community were under V.L.A. and such arrears existed? In this City we have several V.L.A. houses under this exemption, and we do not feel it is fair to other taxpayers. There are no grants paid in lieu of taxes on such property, and the occupier makes no effort to pay the taxes. We have numerous letters on file with the V.L.A. people, but it has not produced any results. All property is paid for, either by grant or taxation, and we do not feel that any property should be free, which appears to be the case with the V.L.A. We feel that if the Crown allows persons to occupy their property, which removes such property from the grant list, then the Crown should recognize that any such occupier is subject to all the tax demands, as any other person, which includes putting property in arrears of tax sale." Well, I'll try and put it in my own words, and hope that I'll keep faith with the point I am trying to make. I feel that two cases I know of, a man called Gautier, and a fellow called Warren or Warner, and they had acquired V.L.A. property, and when they were informed that lenis practicum could now be issued in their names, and satisfy the qualifying requirements, and necessary payments they took no further action. All they had to do was to pay to the Registrar something like four dollars apiece (I was Registrar at that time), and I would registrar the property in their names. Unfortunately, before I could register I had to have the deed paid, and we wrote to them many times over a period - and got no response. They weren't going to ante up with the four dollars, because as long as the land was in the Crown's name they were exempt from tax payments. It's a mistake in the City's application to refer

to "occupiers", these chaps were not there as far as I understood. They were not "occupiers". If they had been there we would have been able to come to terms with them. In the end we recommended to Ottawa that four dollars be provided out of some fund or other and sent to register the property in the names of the men, and then the full tax recovery procedure could begin to work. I doubt whether this situation will arise again. Certainly it won't occur unless V.L.A., as V.L.A. ceases to be of any importance. Since we succeeded in getting four dollars, or rather, eight dollars out of Ottawa we were able to register this property, we won't have to go through all that procedure again. This submission was written in November '63, and I don't think the City feel quite the same way about it today, although they did last year. But once a man is entitled to fleece the Crown naturally we were reluctant to dispossess him. We moved slowly, perhaps a little too slowly. I don't think this will happen again.

Mr. Chairman: Thank you. Is there any further discussion on that item?

Mr. Boyd: I'd just like to be perfectly clear. Was this land vacant, or were there homes on it, and were the homes drawing rent?

Mr. Hughes: Councillor Shaw has personal knowledge of the problem. It was just a title, as far as I was concerned.

Mr. Shaw: Well, concerning the homes - in the first place the home was the reason for having the loan in the V.L.A. However, in order to build a house they had some kind of a phony deal whereby you had to have so many lots before you could do this. So these people had to gather up five or six lots in order to qualify for a loan to build a house on one of them. I think the original Act was for settling soldiers on acreage rather than in the city. However, it was later rectified to so many lots, so these people got the loan, fixed up the house, and most of them paid taxes. They continued, in order to receive this grant, they continued to the end of the agreement in holding these various and sundry lots, which they did not need. As soon as they got tired of the lots they, in most cases, let the surrounding acreage go back to the city. In these two particular cases they had houses on the property, and you've heard all about that. It's always involved with building, because the loan is to improve the building. Something like the National Mortgage and Housing deal, except that you have it as a direct grant if you occupy a period of tenure for so long. It belongs to the Crown until you have completed your payments. Obviously the City can't sue the Crown. And they don't seem to try and stop it, if the owner won't pay - well, it's one of those things. It's not something, it only covers a minor portion, but it's very annoying.

Mr. Boyd: Then there are homes there which have been rented, and the owner has got the rent, but he has in the meantime paid no taxes whatever on this property where this home is.

Mr. Shaw: Well, I think that all these people paid taxes with the exception of these two, who took off and left the country. They left the country about fifteen years ago, and that property just sat there. I feel sure that all the

other persons who participated in this scheme paid their taxes from time to time. I don't think the City has lost out on it.

Mr. Southam: I think the V.L.A. as I understood it, and do understand it, was that you had to have small holding of a half acre, which would probably take four or five lots before you could get your loan and build on it, and as the Legal Advisor said, when you paid the loan then you started to pay the taxes. Up until this particular time, I believe, there was a certain amount, that, when you paid the loan, was counted as taxes, but it went to the Crown, if I remember the Act right. Once you were given the deed or Crown grant, or whatever you want to call it, then you had to pay to the Municipality. That's the way I had to do in Ontario with one that I had.

Mr. Chairman: Thank you. Any further discussion, gentlemen? Gentlemen, that has concluded the initial reading of the Amendments to the Municipal Ordinances. If at this time you wish to go through them and give some direction to the

Mr. Watt: I have a couple of questions I would like to ask.

Mr. Chairman: Do you wish to defer the final review of this, Mr. Watt?

Mr. Watt: Well, it's just some things I think might be missing in it. I would like to ask if it would be better if they were concluded. Or do you want to go through it first? I'd like to ask the Legal Advisor about some things I noticed in the Northwest Territories that might be handy for us. One of them is the saving clause they have included here, now do they have one (this is the Northwest Territories) do we have a savings clause for electec members allowed for in our Municipal Ordinances?

Mr. Southam: Which?

Mr. Watt: Section 6, subsection (3). The savings provision in subsection (3) which is provided for in the Northwest Territories. Do we have one in our Ordinance, first of all?

Mr. Hughes: Which section?

Mr. Watt: Section 6, subsection (3), of the Northwest Territories.

Mr. Hughes: I'll find this in a moment. If I could have the other questions, and then if I've got to do some digging, I could do it during tea, and not waste any time.

Mr. Watt: The next one would be, - Is there any provision for any responsibility of the Municipality towards the rate-payers and the home owners? This is going to arise here, possibly in the Whitehorse area. It has arisen here before. There's no responsibility spelled out for the Municipality towards the people in the area that they may take in, or may be taking in. For example, the area between here and Camp Takhini, they may want Camp Takhini, and take it all within their municipality, and say "We'll condemn this area because it doesn't look good, and then we'll condemn this area if it

doesn't look good." There may be people living in these areas. There should be some responsibility, if the municipality is going to take in an area they should have some responsibility towards those within the boundaries, that doesn't jeopardize the position and make it any worse than it is now when it's in this area.

Mr. Hughes: No. I think that is a question which the residents and the taxpayers would have to ask when they were voting on annexation. It would be very difficult to enter a deal now and say, "Alright, we will draw in the dope provided this area is condemned for residential purposes." It might be a practical position in ten years, but if the town grew and things improved, it might be very unreasonable, very unfair to the rest of the town. One area would have a special privilege after a certain point of time, if our information is going to be complete there shouldn't be a special privileged section. That's breeding trouble. In ten years' time somebody might say, "well, how about doing something down in the Reserve area?" And you say "no, you can't do that. Don't you remember when they voted they insisted upon, and they got the agreement from the City?" It's pretty tricky ground there. There isn't anything, really, which would spell out responsibilities in an area. You can't make a long term prohibition.

Mr. Watt: What I'm getting at is not some special privilege for some area when they take it in. It is that the whole area, the community as a whole, everything within the boundaries should be treated the same. We don't get, we had a situation here, a situation that did happen here in the past, and is causing hardship yet. They had taken an area and said, "It's been condemned." Now, how did they condemn this? Did they go to the City and have a By-Law passed? No, they didn't. There was no By-law passed in the city. Was there a motion made in the City Council? There was no motion made in City Council. The only record of anything that did happen was a meeting was called. There was the C.O. of the air base there, the C.O. of the army there, and a group of interested citizens; said "We will condemn this area of Whitehorse. So now they will no longer get sewer and water, they will no longer get the privileges, and we won't rent them a City grade, we won't let them use a City grader." I want to see some provision in here so that the City cannot do this type of thing again. This was something that the City acted upon, but they hadn't actually participated. This wasn't even done at a City Council meeting, there was just some discussion later on saying, "Well, this is a good idea, we'll just condemn it, then we can forget about it." As soon as any problem comes up in some parts of the larger Metropolitan area, if the Camp Takhini area was taken in and put in under this Ordinance they may do the same thing there. So I'm not asking for something special, I'm just asking for each one of us to be treated the same. There should be some responsibility on the part of the Municipality or the Local Improvement District towards the people in the area.

Mr. Hughes: I want just to make a point. I think I know the thing that the Councilor is referring to. It is the "Slide" area. It is an example of the old adage that if you say something loud enough people will believe it. In fact, that's

all they did. They published a proclamation saying this was a condemned area, but if they looked at that tiger they would see that it really didn't have any teeth. But the point about it was, it was trying to discourage people from moving in to an area which was regarded as dangerous. It was an indication that Government would not sell lots, and in fairness to the area, and in fairness to the City they were indicating that they wouldn't service lots there, so anybody who bought a lot thereon, or squatted there, was just asking to be left out in the cold. You may think that on the basis of the advice the City received at the time the area was dangerous. This really was an act of kindness. Many years later the wisdom of the action was open to question, but if those circumstances repeat themselves we might very well find that the City, in the general interest of the people and the people who attempted who live there, could make some proclamation. Suppose it was discovered that the area now reserved was sinking at the rate of two feet per year, the kindest thing to do is to put a great big sign over it and say "Unsafe!", let people get out before it is too late. It was just a practical course, but from the legal point of view it didn't really have a basis, but say it loudly and everyone will listen.

Mr. Shaw: I have thought at different times, discussions at the table in relation to the City zoning certain areas, and saying taxes will be so- and-so. In order to zone an area, (I have the zoning law here, section 87) and it states, in subsection 2 "The council before passing a by-law under this section shall give notice of its intention to do so by notice posted in four conspicuous public places within the municipality at least ten days before the date fixed for the final passing of the by-law." And then further, for more protection, in section 59, it says "A judge, upon application by any resident of a municipality or by any person interested in a by-law of the municipality, may quash a by-law in whole or in part for illegality and may award costs of the application according to the result thereof."

Mr. Watt: If Mr. Shaw was answering my question - there was no by-law passed, it had nothing to do with a by-law. There was no election involved, no nothing.

Mr. Shaw: It isn't legal, then.

Mr. Watt: What I want to do is, we have responsibilities, the Municipality has, towards maintenance of highways, towards maintenance of sidewalks, areas of responsibility. They have responsibilities towards their citizens in different areas. Ordinarily this wouldn't be necessary, but it seems we're going to have to write something in here to establish a responsibility of the Municipality and of the City towards their ratepayers. The simplest thing appears to be, or if some little thing goes wrong, (I don't mean something serious like two feet of the Reserve sinking, obviously in a case like that, something drastic will have to be done), but even the minor inconvenience to the City, the amount of land that they've got, and it's so easy to obtain, and they appear to have to accept no responsibility in getting it. They just take it, and say will you pardon me, we want it, and they don't have too much bother with it. I think that this is going to come up further when we start taking in this Camp Takhini area. I think then we are going to run into quite a

few more of these problems, and I think a lot of people may get hurt. A lot of citizens that are now Territorial citizens, and are getting along alright, but when they become part of the City they may be damaged, they may be hurt.

Committee declared in recess for tea.

Mr. Chairman: I will call Committee back to order. Councillor Watt, you had some questions I believe prior to our final review.

Mr. Watt: Yes, I think Mr. Legal Advisor has an answer to this. I think he has had time now to find an answer to this one question I asked him.

Mr. Hughes: On the saving provision. I couldn't put my finger on it before. The Municipal Ordinance says quite a bit in Section 242 which corresponds very closely to the N.W.T. saving provision.

Mr. Watt: I would just like to leave the thought with the Legal Advisor that broadening it a little bit would have saved the Municipality of Whitehorse possibly the loss of one alderman. If he thinks it should be broadened he could let us know when the Ordinance is actually being drafted. In a community such as this where so many people are doing business with the different levels of government, I think that so long as there is no conflict of interest then this saving clause should be broadened as much as possible and still keep a copy of relations between the business community and the councillors for either the municipal or the improvement districts because the number of people, particularly in improvement districts, that you can draw on to be councillors will not be too many. If they are doing any good at all with the Government then there is very little chance of their being able to run as it is now.

Mr. Chairman: Are we clear now? Are there any more questions in relation to this before we start in to final review?

Mr. Boyd: I have no more questions but I have one thought that Government employees are not the best councillors in my opinion, and I was wondering what Mr. Watt has got in mind when he thinks he is going to have to elect Government employees to run the development area, which is what we are doing now anyway.

Mr. Watt: I did not necessarily mean a Government employee. We had a case in Dawson City a few years ago when the City Council passed a special by-law so that one of their members could pick up a couple of tins of garbage and still be an alderman. He had a bit of a noncontract with the City and it was through a saving clause. If the saving clause had been made clear enough then they would not have had to go to the special trouble of passing a by-law and if you have to do this in all the outlying areas of the little municipalities then I think provision could easily be made for it here. There is a saving clause now and I wonder if it is possible for the Legal Advisor to expand it a little bit.

Mr. Hughes: I can't cut a suit out of a whole cloth but if there is need for a change possibly it is something which could be initiated by the municipal councils. It is their problem. It would be a little embarrassing if you gave the instructions to do something on this and then you found that the city council involved had repudiated your efforts and did not want it, so one can always widen its things. This is true but one is always provoking new questions. It is difficult to decide whether it is better to stay with a known quantity or really have a fling and try and widen it in some way.

Perhaps that is something you would like to discuss with the City Council. There have been unfortunate instances where councillors have been unseated and civil servants winning seats on a council. That is something that should be stamped out in the future.

Mr. Watt: We had another case here in Whitehorse where somebody was taking a \$50.00 assignment that meant very little or next to nothing and we were just fortunate that after he was thrown out we put his name back in for re-election and it was just a formality. If someone else had put his name in to run against him it would have cost the taxpayer quite a bit of money and would have saved nothing and if our saving provision was widened just enough but not necessarily to cover all civil servants and all Government employees and everybody that is making their full living from the city or the municipality or the local improvement district, I think it would be a good thing. I am just of the opinion that it should be broadened and if the rest of the Councillors don't agree with me ...If our only answer is that this should emanate from the city then our whole Ordinance should just about emanate from the city. This whole Ordinance is pertaining to municipal ordinance and the whole improvement districts.

Mr. Hughes: These suggestions, as they were originally put together, were sent to the City and they were told that the Municipal Ordinance might be re-opened and were asked for suggestions but did not make this suggestion. This does not mean that what Councillor Watt is advocating is not a desirable idea but they did not make the suggestion when they had an opportunity to do so. If you want me to do something I would ask for the most particularized instructions on this because with the best will in the world I could sit down and could possibly overreach. When you open the door it is very hard to tell whether it has been opened a little or a lot. All sorts of things could creep in on that point so if, for instance, the Councillor has a specific case which he feels does not constitute an isolated case but will repeat itself so often as to become a source of embarrassment and expense and he could frame a resolution round that, then certainly I will do my best to pick up what he has to say. I am not the person wholis asking for it to be brought up and it is rather a lot to put on my shoulders especially as I still don't know where it is to be broadened. Is it to be broadened in (a) or (b) or (c) or am I right in thinking it is to be a new provision which almost names the person involved? Is it a contract for the painting of signs?

Mr. Watt: Yes.

Mr. Hughes: Or is it a contract for the repair of bicycles? It is very difficult to deal with one isolated case and still maintain a principle. The principle always has been so far of discouraging people from dealing with a body which they in part control.

Mr. Boyd: I have heard controversy and some moaning and groaning about baby sitters being required to have licences and I wonder if Mr. Watt has any opinion on this that he would like to direct to the Legal Advisor or to Council. They have to have a licence to baby sit.

Mr. Watt: That seems a little off the point.

Mr. Chairman: Order please.

Mr. Watt: Are we talking about municipal licence or territorial licence? We were asked to make comments on the Municipal Ordinance so we will let that point go, but I have one other point. Is there anything in our Municipal Ordinance that would allow for payment of fines for the offences in the Municipality such as going through a stop sign within the Municipality. I have a note here that I ran across in the Northwest Territories Ordinance but I just can't find it right now. Do we have anything like that in our Ordinance at all.

Mr. Chairman: Mr. Spray has informed me that he has a tender to open at 4 o'clock and I wonder if he may be excused at this time.

All were in favour of excusing Mr. Spray and he withdrew.

Mr. Hughes: After that tender farewell for a tender opening, the baby sitting thing applies to the people who have the babies rather than the people who do the baby sitting. I am sorry if I have discouraged Councillor Watt from commenting. I never intended to. I can't think of the provision regarding payment of fines if the Councillor was thinking of an on the spot payment. I don't think there is any provision. I think the practice that goes on here is one of shall we say convenience. This business of quick payment for parking too long and so on is a bit difficult to put your finger on to the exact authority. I have not seen that by-law tested so unless the Councillor can put his finger on the N.W.T. provision I am not sure how to answer that. With regard to the other matter I think we now have a paper before you on page 5 which the Councillor raised at the last Session. We are hoping to bring it into practice shortly.

Mr. Taylor (Mr. Boyd in the Chair): One thing that crops up every once in a while is where we start relating items which are municipal in nature here with our function as a Council here. I notice in here that all these recommendations that we are perusing at this time were referred and properly sold to the Councils of the Municipalities of Dawson and Whitehorse for their consideration. I do feel strongly about one thing and that is if we make any new proposals which have not been considered here by the Municipalities in question then I feel that the members themselves who make these proposals spell them out in written form, and that they should be referred by the Administration to the Councils of those Municipalities before we make any changes which would detract from these which we are already considering. It seems to me that maybe the answer to this problem (the problem of communications between the municipalities and the Yukon Legislative Council) possibly lies in setting up a select committee of council to consist of 3 Whitehorse members to enable them to hold a meeting every 3 months with the Council of the Municipality of Whitehorse in order to clarify many of these positions, because it seems to me that we are getting into a lot of unnecessary work here and very ill prepared work whereas if we had the committee of the 3 Whitehorse councillors to meet with the Municipality from time to time (and this would ensure that they would meet) then possibly we would get a lot of this stuff ironed out and those things which are our responsibility we could deal with, and those things which are the

responsibility of the Municipality we could then deal with. However, so much for that. The only other comment I wanted to make was that we were talking about savings clauses and things of this nature and we were earlier discussing a point relating to the Municipality's right or whether or not the Municipality should be forced to take in areas around its present boundaries or not and I didn't rise on that occasion as I was in the Chair, and I wish to say that any consideration of doing that would hamstring the Municipality and would detract from its autonomy and this is the very thing we are trying to provide to the Municipality.

Mr. Watt: I don't know why we don't just turn the Municipal Ordinance over to the City and let them draft it themselves. I don't know if the speech was made for the benefit of our audience. It seems like a bit of a new twist. The Councillor from Watson Lake is offering helpful suggestions to Whitehorse and I would like to offer helpful suggestions to his area and that is that the members from his area should have a meeting every 3 months with the Chamber of Commerce there and offer suggestions. We have been simply listening to the member from Watson Lake and I have some questions I would like to ask as to whether that is actually the feeling of the Municipality of Watson Lake or the improvement district or what. This appears to be your doubt with any suggestions that we make here. You seem to doubt whether it is the Municipality that wants this or who wants it. I have a lot of faith in our Municipal Councillors and if they would like to draft the Municipal Ordinance themselves I would be glad to go along with it but I would hesitate to give them complete jurisdiction over the 10 mile radius of Whitehorse any more than I would give them any jurisdiction over Watson Lake, otherwise there is no purpose in us being here at all. As a matter of fact, I kind of agree with that.

Mr. Chairman: I think we have carried this discussion sufficiently far enough. I would like to suggest that we go on to something else and decide what you are going to do with this now that you have gone through it.

Mr. Taylor resumes the Chair.

Mr. Chairman: Is there anything further before we start a final review here and give Mr. Legal Advisor the answers he is looking for?

Mr. Shaw: I have nothing further.

Mr. Watt: I would like to suggest that we invite Mr. Daniels to sit with us on this Committee as a member of the Municipal Council of Whitehorse. I think any comments he has on this Municipal Ordinance and how it affects the City would be welcome. May I suggest that if the Committee is agreed?

Mr. Chairman: If there is any item that you wish to discuss with Mr. Daniels I see no reason why not but it is whatever Committee wishes to do. I believe we have gone through this already at one stage.

Mr. Shaw: I have no objections whatsoever to Mr. Daniels being here. On the other hand, he may have some objections. As he is not a duly authorized delegate from Whitehorse some of the questions asked might embarrass him. I don't object myself but I think any objections from him would be quite valid.

Mr. Boyd: I have a lot of respect for Mr. Daniels but I read in the paper the other day where somebody got blasted for not being appointed an official of the City Council and went back with a lot of information that no one else knew anything about nor why. I just draw this to your attention and maybe Mr. Daniels might be a little bit wary at the moment.

Mr. Chairman: Order please. May I have your direction as to how you wish to proceed. I would just like to further this matter along for we have wasted quite a bit of time on procedure on this that and the other thing when we could be spending the time dealing with the issue.

Mr. Shaw: I have no questions. As far as I am concerned we can start going through the review of the Ordinance and complete this matter.

Mr. MacKinnon: I have no objections to Mr. Daniel sitting with us.

Mr. Chairman: May I have your direction.

Mr. Boyd: If Mr. Daniels wishes to sit in, we have no objections but I think we'd better ask him if he wishes to do so. We have already been through this once and we are going to go through it I hope quickly this time so it is entirely in the hands of Mr. Daniels I would think.

Mr. Chairman: Mr. Clerk, would you so endeavour to find Mr. Daniels and see if he wishes to attend Committee or not?

Mr. Clerk left to find Mr. Daniels and returned to say that he would prefer not to attend Committee as he would only be expressing his personal views.

Mr. Chairman: May we proceed with the final review?

Mr. Shaw: Agreed.

Mr. Chairman: The first item is Item 1 which relates to the use of the term Chairman or Alderman or Councillor. Do you feel that the word Chairman would be sufficient or the word Reeve or how do you wish to deal with this situation?

Mr. Shaw: This is purely a personal matter as far my suggestion goes. I would suggest that Reeve would sound all right if it would fit in. We do have Reeves in small municipalities and so on and you would know it was a small village by the word Reeve.

Mr. Chairman: Is Committee agreed with this proposal?

Mr. Boyd: Agreed.

Mr. Chairman: Do you so note Mr. Hughes?

Mr. Hughes: I do.

Mr. Chairman: Item 2 states that as a result of these changes in terminology it will be necessary to revise the interpretation section of the Municipal Ordinance. Would this follow through from Item 1?

Mr. Hughes: We will pick it up as we go through any time you come to this now. I think it is a question of collection versus appointment and I have marked that down as no appointment. I think that is an accurate feeling of your view.

Mr. Chairman: Would Committee agree that there should be no appointment of members or that there should be?

Mr. Shaw: I feel that they should all be elected except possibly the administrators.

Mr. Chairman: Will Committee agree that these people should be wholly elected?

Committee agreed with this.

Mr. Chairman: Item 3 deals with the intention to incorporate. Have you sufficient direction on this item Mr. Hughes?

Mr. Hughes: My note is....

Mr. Shaw: We felt that there should be more ratepayers than 50, I believe.

Mr. Hughes: My concluding note is a safeguard for objecting or petitioning ratepayers to be written in. That is on the other aspect. I have a note here that there was a feeling that maybe the scale was too low and that there should be 200 or 300 taxpayers. The figures which we have in the notes are based on N.W.T. figures. I think that is an adequate note.

Mr. Boyd: I feel that the first stage of whatever it is going to be called should require at least 100 taxpayers to become a village.

Mr. Shaw: Agreed.

Mr. Boyd: I feel that this is quite a compromise and from there on up there should be quite some difference between a town and a village and again quite some difference between a town and a city.

Mr. Chairman: How would you feel if they now propose 100 ratepayers to make a village into a city? How would you wish to increase that?

Mr. Boyd: My interpretation of a city is something different to what this talks about. The next step is a town before you become a city and a town to me should be at least 600 taxpayers at the very minimum.

Mr. Chairman: Are there any other thoughts on this subject?

Mr. Shaw: My thoughts are very much along the same lines except that a town could be established with 300 taxpayers and a city could have 600 taxpayers. I would like to mention that whereas if it should be agreed that there should be 100 taxpayers in an area the change will have to go from 25 taxpayers petitioning to 50 taxpayers petitioning to get a fairly equal concept of opinion.

Mr. Watt: This Ordinance concerns some of the smaller outlying areas which I have not consulted before talking about them but I would like to ask Mr. Boyd if by raising these levels we are not accepting areas that want to become local improvement districts. Part of the reason for this Ordinance is to make it available for some of these smaller areas to become a more highly organized district and they are to have a say in their own government and by raising these we may be eliminating some of the smaller areas such as Carcross or places like that that want to form a type of government that would fall under this Ordinance. I feel right now that I don't have enough information on how many communities this would exclude from making use of this Ordinance. Does Mr. Boyd have any idea?

Mr. Chairman: Before we continue, I might point out that anything can be altered when it becomes legislation and whenever this is presented for ordinance form the number of ratepayers can be altered so I don't feel that there is any great problem here.

Mr. Boyd: If you are going to form this set up you are going to be loaded with added expense - you are going to have an office, you are going to have to keep records, telephone and everything else. You are going to pay for it and 100 taxpayers are quite few enough to take on their own responsibilities. Carcross would not want to be set up with a stenographer and the whole paraphernalia to run their own show and be asked to pay even 50% of it. I am sure they wouldn't. I think they would resent being charged. They are doing very well the way they are. They can have this first stage before you become a village, what do you call it, development something. They can have that but certainly 100 is the least you can get away with.

Mr. Chairman: Are we agreed that 100 ratepayers should be required for the incorporation of a village?

Mr. Hughes: That is what we will write in. It will be 100 with 50 petitioning and then when it comes before you in draft form you can give the thing further consideration. We are only really interested in the dynamic residential areas. You may have a place which has got 50 taxpayers but has had 50 taxpayers for the last 60 years. It is not going anywhere but in introducing these different levels of government you are hoping to encourage local improvement districts to become villages, to become towns, to become cities. This is a growth thing but for those areas which are not developing the question does not arise.

Mr. Boyd: At Carcross we have 154 taxpayers. I am one of them. He is one of them (pointing at Mr.) and there may be some more of them around here. I think Mr. Daniels is one of them. This is not a picture at all you see. There are 154 taxpayers which would make it possible for them to become a village. Porter Creek has 161 as against Carcross with 154, Teslin 61, Mayo 207, Carmacks 126, Haines Junction 142. It wouldn't be cutting anyone out would it? Bju they are going to have to be prepared to pay a lot of money to keep their own business going. Right now someone else is keeping their business going for them.

Mr. Chairman: Have you sufficient direction?

Mr. Hughes: I think so.

Mr. Chairman: May we proceed to Item 4. This provides the direction on the two-thirds majority. Whether it should remain as it is. We wish to change the three-fifths of the residents of the area to a simple two-thirds majority. Is that correct?

Mr. Hughes: That is so.

Mr. Chairman: Are Committee in concurrence with this section?

Mr. Shaw: Agreed.

Mr. Chairman: Item 5. (He reads it out). This is of course where they are decreasing in size.

Mr. Thomson: Maybe the Legal Advisor could clarify a point. Mr. Boyd mentioned here a moment ago that there is nothing in these Ordinances to establish a town as such. It goes from a village to a city.

Mr. Hughes: That is the way it has been working but really we are only dealing here with the changes in the Municipal Ordinance. I have no instructions on the town situation. I am sorry I cannot give any information on that.

Mr. Thomson: This clarifies the point if it has in effect been that you only needed 50 for a village and 100 for a city and this is why we have the City of Keno and the City of Dawson and a few other miscellaneous cities around the place.

Mr. Hughes: The City of Keno is not a city. It is just called Keno City but it is not a surname, it is a Christian name.

Mr. Chairman: Do you agree with Item 5?

Mr. Shaw: Agreed.

Mr. Chairman: Item 6 refers to Section 11. I believe it was pointed out here that a city could yet have more than 3 aldermen. Is this not correct?

Mr. Hughes: Yes, there is a later provision which does allow the increase in the number on city councils and you had a discussion on salary at this point. It was felt that the smallest city could operate quite comfortably with a mayor and 3 aldermen, which is what Dawson does. It is always possible to increase that if a new city grows but in our present Ordinance we have referred to Dawson and Whitehorse by name and now you have to introduce the general figures so that if you have 6 cities should you refer to them by name. It would be possible if there was a city of Haines Junction to bring in a section which would refer to Haines Junction and say there should be a mayor and 10 aldermen but it is a lot simpler just to give the general picture and start them off with one reeve and they could increase it later on.

Mr. Southam: I think if you had a city with only 300 rate-payers you would be over governed, especially if you are going to pay them a salary.

Mr. Boyd: I think there is confusion in my mind in the difference between a town, a village and a city. It is not as I noted. We could have practically every hamlet being classified as cities and there would be more cities in the Yukon than there are in British Columbia and many more places if it goes along this way.

Mr. Chairman: I don't believe there is any mention of town. We are dealing with villages and cities and I believe it is proposed that we make local improvement districts as a starting point.

Mr. Hughes: The choice is between a city and the hinterland.

Mr. Chairman: Do you agree as noted with Item 6?

Mr. Boyd: I think it could be changed.

Mr. Chairman: Item 7 deals with the provision for the Commissioner to increase the size of the council of a city, if this becomes necessary, and I believe it was noted by the Council of the City of Whitehorse that they wished protection to the degree that no village or city would be established within the Whitehorse metropolitan area in competition with the Municipality of Whitehorse. What is your pleasure on this one?

Mr. Watt: There is some doubt about the City of Whitehorse wanting the outlying areas and there is an alternative offered and I think the comments are on record.

Mr. Chairman: Mr. Hughes, what are your directions on this to date?

Mr. Hughes: I have not made a positive direction. These are the points that I noted in the discussion. Councillor Thomson had objected to the Whitehorse request that no other village be created in the area. Mr. Watt supported the view and criticized the Administration. Councillor Watt suggested that Council should have a voice in the distribution of an area. There was some talk about higher and lower Whitehorse. Councillor Thomson objected to that. Councillor Boyd said that we are running into this all over Canada. He referred to the fact that he thought it was up to the council to designate the boundaries and there was a suggestion that decisions be on the Advisory Council for discussion and Councillor Thomson said in effect "They control our sewers but they won't give them to us". There was a bit of frustration there. Councillor Watt referred to a downtown group controlling the general area. He was critical of the proposed distribution of seats and he also discussed the City's land policy and felt the City was not releasing the land and he did not want to see residents chased outside the 10 mile area because of restrictive conditions imposed by the City in the 10 mile area. Councillor Boyd said "You are becoming too concerned about our own bailiwick but he did not deny that some of the land was locked up.

Councillor Shaw said "Perhaps it will work itself out". Councillor Thomson said "I must make it clear that I am against the Whitehorse idea. . He was taking a very positive stand then. Councillor Watt suggested that the 3 city councillors had objected to the suggested motion and it was rather difficult to get a clear cut impression of what the Council as a group wanted. Councillor Watt said that he was suggesting a corporate council for Porter Creek, Takhini, Valleyview and Crestview and that discussion wasn't carried too far but Councillor Thomson said "All these local groups have their associations and will resist engulfing (this is my wording) by Whitehorse". He felt that no one had approached the Council and he seemed to find that there was room for thought in the suggestion that the Commissioner might increase the size of the Council and there was a question as to how to ascertain the wishes of the local people and then Mr. Spray pointed out that there was provision for a two-thirds majority of petitioners. However, there wasn't very much there and no one felt confident as to how they would petition because there is really only one land owner and there was no conclusion beyond that.

Mr. Southam: I see no reason why, as the town grows, that you can't add to the Council. You can use the ward system or whatever system you wish. I had occasion years ago when I started out in life to belong to what was a village at that time. It had 1300 people in it. It grew to a town of 30,000 and that is all it is today but as the sections grew and were taken into the town then we got an alderman or a councillor or whatever you want to call him from that particular section to represent us but there had to be a certain amount. The Town Council itself divided the town into wards or sections and that is where we went on. We started with the mayor or the reeve and 3 aldermen and today I think they have somewhere in the neighbourhood of 12 on the Council plus the mayor and this was the way that thing built up.

Mr. Thomson: I would just like to clarify some of my wanderings for the Legal Advisor. I feel that Porter Creek, Camp Takhini, Valleyview, Hillcrest will all become and are, a part of the metropolitan area but I don't think that they will all become a part of Whitehorse and this is what I am trying to establish. Taking the case of Vancouver, Burnaby, New Westminster, Coquitlam they are a part of a development area but they each have their own council, they each have their own individual problems but they/an overall body that /have they send representatives to, and this is what I feel for at least Porter Creek. Very definitely we don't feel at this time that we want to become a part of Whitehorse but this does not preclude us from being in the overall picture of the development area and this is the point that I want to stress.

Mr. Hughes: Perhaps an indication of the long term results could come from Alderman Daniels by telling us how many seats they are providing around the City Hall table.

Mr. Chairman: How do you wish to resolve this Item ?? Do you wish to accept the idea that no village or city be established with the exception of Whitehorse in and around the Municipality or do you wish to take the other view that a village or city may be incorporated if it would seem worthwhile to do so.

Mr. Watt: It seems I said quite a bit before but I didn't make myself clear that I disagree with the fact that no other community should be developed because there is a realistic alternative offered if Whitehorse does not want to take in Camp Takhini and by passing this it would be closing the door. Mr. Spray was telling me that it is realistic to think of incorporating a district that would compensate for a kind of loose series of councils. It would encompass Camp Takhini, Porter Creek, Valleyview, Crestview and possibly Hillcrest later on and by passing this we would exclude that possibility and it may be a realistic approach to it depending on the approach the City of Whitehorse takes.

Mr. Hughes: It is not by passing this. It is by accepting the city as a suggestion. It was the city that was trying to put the tackle on the people. I now take it that the view is that the city suggestion is not acceptable.

Mr. Chairman: I am endeavouring to get a vote on this point.

Mr. Shaw: I feel that this is a matter that is primarily the concern of the Whitehorse Councillors, the members that represent the area who would be better acquainted with the facts than I would be. However, I still have to give an opinion on this matter. I won't answer at the present moment. I am inclined to agree with the last remarks of Councillor Watt insofar as it may possibly come to a vote between the ratepayers of Whitehorse whether they will take over that area and the people in that area coming in to Whitehorse. It has to be by the wishes of the people in the long run and it may be possible that the people of the City of Whitehorse would not want to accept these other communities into the area which would mean then that these areas may wish to progress and amalgamate amongst themselves in some form. They would then have the opportunity of setting up a village and therefore I feel that there can be no restrictions on what they may do in the future.

Mr. Chairman: Are you agreed that no prohibition be placed on the metropolitan area with respect to cities and villages.

Mr. MacKinnon: Yes, I agree.

Mr. Chairman: Would you so note Mr. Legal Advisor. Have you sufficient direction beyond this point on this section to come up with something?

Mr. Hughes: I think I have enough direction.

Mr. Chairman: Next is Item 8. (He reads Item 8).

Mr. Hughes: I note that you appeared to agree on that.

Mr. Chairman: This provides for the increase of the Council. Are we agreed?

Mr. Boyd: Agreed.

Mr. Shaw: Oh yes.

Mr. Chairman: Item 9. This is the matter of overlapping terms.

Mr. Shaw: Agreed.

Mr. Chairman: They also note that the last two sentences should be deleted and this is a matter of appointed members and so will be duly noted by us.

Mr. Hughes: I have noted that there was no discussion really but you all agreed with the Whitehorse suggestion that these two sentences be deleted.

Mr. Chairman: Are we agreed?

Mr. Thomson: I make one small note towards the end of Section 10. It said "therefore that Council be able to delegate, by By-Law, any or all of its executive or administrative powers to the Clerk of the Municipality" and I have Clerk marked out as manager. There was some discussion about the difference between a clerk and a manager.

Mr. Chairman: Where is this?

Mr. Hughes: The Councillor has gone to Item 10.

Mr. Chairman: Are we clear on Item 9? Item 10, which Councillor Thomson has just referred to deals with the empowering of a clerk or city manager. Is this correct?

Mr. Boyd: We had a lot of discussions on this and my understanding was that if it be a manager so be it but if it is a clerk in one of the outlying places it is a clerk and the Council will carry their own load rather than putting it onto the lowly paid clerk who might be a stenographer or a girl or something.

Mr. Chairman: I would think that the clerk in an improvement district or in this case a village would still have to exercise administrative powers under the direction of the council, but a city manager would not be required until you got into more autonomy by taking over a municipality. This is all it refers to here. As an individual member I would agree that the clerk of a village should be empowered with administrative powers by the council of that village.

Mr. Boyd: If I understand you right, you are saying that the clerk should run the village and advise the council what he or she is doing. This is the point I am trying to get around: that council must take the responsibility for the management of the village.

Mr. Shaw: All it states, as I see it, is that the council may by by-law give the clerk certain powers. I can't see that it could be understood any other way. They can give it more or less as they see fit, simply that.

Mr. Chairman: Do Committee agree with this item?

Mr. Shaw: Agreed.

Mr. Chairman: Next item is Item 11. (He reads Item 11). This is purely a terminology problem, is it not Mr. Hughes?

Mr. Hughes: Yes. The question I was asked by yourself, as a matter of fact, as to how the city was defined was answered by referring you to the suggested definition at the top of page 2 and that concluded my notes on the discussion. It was just terminology.

Mr. Chairman: Are Committee agreed.

Mr. Shaw: Agreed.

Mr. Chairman: Item 12. (He reads Item 12). Are we agreed?

Mr. Boyd: Agreed.

Mr. Chairman: Item 13. (He reads Item 13). Are we agreed?

Mr. Shaw: Agreed.

Mr. Chairman: Are Committee agreed?

Mr. Shaw: Agreed.

Mr. Chairman: I require your direction. Are there any disagreed?

Mr. Boyd: What did we conclude in the first place?

Mr. Chairman: It is a case of terminology again.

Mr. Hughes: This was just drafting and changing words around to be in step with the suggested ideas.

Mr. Chairman. We will move on to Item 14. (He reads Item 14). This is terminology. Are we agreed?

Mr. Hughes: Plus aldermen. Councillor Thomson made a point here.

Mr. Chairman: Are we agreed?

Mr. Shaw: Agreed.

Mr. Boyd: Clear.

Mr. Chairman: The next is a remuneration section. How are your feelings on this?

Mr. Thomson: Cut 'em off.

Mr. Shaw: I will give you my feelings on the point. We refer to starting up one of these affairs where we have 100 taxpayers then we can get this thing going. You figure now 100 taxpayers and you say an average of \$50.00 taxes on each piece of property which would give you the sum of \$5,000.00, so the taxes that you are taking from this section is \$5,000.00. So you become very generous and you set up a reeve and an alderman and you pay them, it states here (a) for a population of 2,000 and less and 2,000 and less can encompass this small outfit, and you have a mayor or a reeve for \$1,000.00. You have each of them receiving \$500.00 so you would come to a situation whereby, as soon as you got started, these people will receive \$2,500.00 from this \$5,000.00. This is your total revenue. They are receiving for their services \$2,500.00. Now, you require a stenographer, you require a city office, you require a few other things, so you can tack another \$2,500.00 on that so that will take care of all your taxes. It would appear to me that this could not possibly work in a place as small as it is designated as can have one of these forms of self-government. I think something more in line and compatible with the financial capability of the village for a start would be some basis where they received \$10.00 for every

meeting. Maybe \$15.00 for the mayor. I am merely suggesting that as a basis to start from. It would certainly be more realistic. You could not possibly operate where you started a salary like that in a small area that will have this form of self-government, so I would suggest that some other proposals come forth, possibly not right now, some other time, that we can still have a form of self-government in these areas but the self-government is not going to take up all the taxes that are going to be paid and leave nothing for the balance of operating this community. That is absolutely too unrealistic and I think we must start in a smaller way. In this respect, with \$2,000.00 or less for aldermen and mayor, I would say that when it was 2,000 or over you could pay this particular amount of money but certainly not for what could be a village of 100 taxpayers which might bring you \$5,000.00 in revenue. You would spend it all in administration and that wouldn't be enough, so it could not possibly work under those circumstances. That is my opinion.

Mr. Chairman: Can I draw your attention to the time? It seems to me that there may be some debate on this particular item and I am wondering if we could conclude this, possibly tomorrow morning and have done with it so to speak.

Mr. Boyd: Agreed. I would move that the Speaker do now resume his Chair and hear the Report of Committee.

It having been regularly moved and seconded, Mr. Shaw resumed the Speaker's Chair and Mr. Hughes left the room.

Mr. Speaker: I will now call the Council to order and hear the Report of the Committee Chairman.

Mr. Chairman: Committee convened at 10:25 this morning to discuss bills, sessional papers and motions. Committee first discussed proposed amendments to the Municipal Ordinance with Mr. Hughes and Mr. Spray in attendance. Committee recessed at 12 noon and re-convened at 2 p.m. this afternoon. It was moved by Councillor Boyd, seconded by Councillor Southam, that Mr. Speaker do resume the Chair and hear the report of the Chairman of Committees and this motion carried.

Mr. Speaker: You have heard the Report of the Chairman of Committees. Are you agreed with the Report?

All agreed with the Report of the Chairman of Committees.

Mr. Speaker: What are your suggestions as to the business for tomorrow.

Mr. Taylor: We have spent most of the day, or the entire day, on the Municipal Ordinance. I believe that it may be possible tomorrow morning to conclude our deliberations in this regard and I would suggest that we follow along with our regular agenda of bills, sessional papers and motions, and that following discussion on this sessional paper we could continue and review the sessional papers which have come in since, some of which I believe require immediate attention and thence of course on to bills or motions as the case may be.

Mr. Speaker: Are there any further suggestions for the agenda for tomorrow?

Mr. Thomson: With reference to this one from the Commissioner this morning, saying that he would like to discuss daylight saving time at the earliest convenient, I think that with the time growing imminently short and the possibility that we might instigate daylight saving in the Yukon, I think it would be in our best interests to have this matter discussed as soon as possible, preferably tomorrow.

Mr. Taylor: This is one of the forthcoming sessional papers and memorandums.

Mr. Speaker: This is a sessional paper?

Mr. Thomson: No, I would differ. It isn't a sessional paper. It is a memorandum.

Mr. Taylor: Yes, it is a memorandum, and I have it for first consideration following the conclusion of sessional paper #23 for the Municipal Ordinance.

Mr. Speaker: I think you are quite within your right, Mr. Thomson, to set a date or propose a date or a set time for this.

Mr. Boyd: I think the procedure, as outlined by the Chairman of Committees, is adequate. We should finish by noon hour this municipal ordinance tomorrow and then we can go on with what is most important.

Mr. Speaker: Are there any further suggestions?

Mr. Watt: I was wondering what the feeling of the Council is to requesting the Municipal Council to delegate a representative to sit with us as we finish with the Municipal Ordinance. It appears that some of the suggestions that have been made from the Councillors of Whitehorse have run into the argument by some of the hinterland that this is not necessarily the wish of the Municipality, so I think it would be better and the Councillors from the municipal area would be safer if there was a member of the Municipal Council of Whitehorse at least appointed from the Council to meet with us. I think there is a schedule with this view in mind available if it is going to cause any financial hardship or difficulty, and in the light of remarks that were made this afternoon I strongly feel that some member of the City Council should be here as an official delegate.

Mr. Taylor: I feel exactly to the contrary and I think it is only too clear that this matter that is under discussion before Committee as a whole has been referred to the City Council and to both Municipalities. They have expressed their views quite plainly. They have had time to consider these things and possibly in consideration they may have had a division and I feel that any one member of the Council would be put in a very bad spot to have to come here and make a decision off the cuff, as one member of that Council so informed us today and consequently I think we should conclude those items that are considered in the sessional paper in the manner we have been doing.

Mr. Watt: I don't know what the member from Watson Lake wants. I make a comment at this table and he says "Well that is not necessarily the wish of the Municipal Council" and then I ask for a member of the Municipal Council to be here and he says that they don't need to be here. I think the member from Watson Lake wants nothing more than an argument and I would like to leave this request and have the question called to see if we are in agreement with having somebody, and if we are in agreement with having somebody here with us then maybe they could comment on any new suggestions or anything else. Then we can send a request to them so at least we have requested it.

Mr. Boyd: With all due respect to Councillor Watt, I feel that a City Councillor sitting here would accomplish very little. After all, there are not many instances where we did differ with the City and even if we did differ now, he isn't going to be of much influence. After we finish tomorrow they will have our recommendations made available to them and they can take action then if they are alarmed about anything. I can see nothing that they should be alarmed about, absolutely nothing. I don't think it is necessary.

Mr. Thomson: I think at the present rate of progress, if the Liquor Ordinance is any criterion, that we won't have this back for a year or two so I imagine there will be a few other changes in that time.

Mr. Speaker: I would like to point out at this time that there are certainly some merits in the various suggestions that have been brought forth. However, there is as a matter of consideration, if the City of Whitehorse should come up before Council, there are no provisions for time for the representative from the City of Dawson to get there. Another further matter for this is that this is merely a draft Ordinance that is coming forth. It is not something that is passed and put up for proposals and further discussion and I think there will be plenty of opportunity to discuss it when it comes up.

Mr. Watt: I don't think the member from Dawson City came under question. I don't think his suggestions here were under question. One member from Whitehorse particularly keeps running into the argument that this is not the opinion of Council or if it is how do you know, so I think that we should have equal representation to Watson Lake. If my suggestion can't be taken under consideration the same as those from Watson Lake - I have more constituents actually in my constituency than three times as many people in Watson Lake altogether, and so I am getting offended everytime there is a slight discussion on the Municipal Ordinance and the member from Watson Lake comes up and says "We need representation from the Municipality", so let's have it.

Mr. Boyd: I can't see where we are going to gain anything by having the Council of Whitehorse here, or the Council of Dawson, either one. All we are doing is entering into a bunch of arguments and, as you said, it is just a draft and is coming back to us again and it can be rectified. Maybe in time we could get some other ideas from some of the Councillors but I don't see why we have to have them. We've got them in writing right at the present time and we are only wasting, to my way of thinking, a whole lot of time arguing about the thing when it has got to be redrafted again at a later date. It is just a draft.

Council adjourned until 10 p.m. Tuesday March 23rd, 1965.

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

The following correspondence was tabled for Council's consideration:

- (1) A memorandum from Commissioner Cameron, dated March 23, 1965, stating: In view of the fact that only six (6) working days remain before the end of the current fiscal year is reached - 31.3.65 - it would be appreciated if attention could be given to the following Bills: -

No. 1 - Second Supplementary Appropriation Ordinance 1964/5.
No. 2 - Interim Supply Appropriation Ordinance 1965.

In order that tenders may be invited without further delay it would also be appreciated if attention could be given to the following Bill: -

No. 3 - First Appropriation Ordinance 1965/66.

- (2) A letter from the Yukon Federation of Home and School Associations, dated March 20, 1965, addressed to Mr. G. Shaw, Speaker, Yukon Territorial Council, stating: Last year, Territorial Council approved a \$500.00 grant for our Federation. In view of this, we felt that the Councillors may be interested in the enclosed report on our activities during the past year. Signed Mrs. M.E. Alford, President.

- (3) A letter from the Whitehorse Chamber of Commerce, dated March 22, 1965, addressed to Mr. George O. Shaw, Speaker, and Members of Yukon Council, stating: The Directors of the Whitehorse Chamber of Commerce invite Members of the Yukon Council to a luncheon in the Blue Room of the Whitehorse Inn Cafe on Friday, March 26th, 1965, at 12:00 Noon.

Please advise if you accept this invitation. If this date is not convenient, a date suitable for Members of Council can be set. Signed Ralph E. Hudson, President.

Mr. Speaker: In this correspondence, there are two items that require an answer. The first one at this time would be the Commissioner's request for processing the supplementary ordinances on account of the very few days that are left in which to discuss this matter.

Mr. Taylor: Mr. Speaker, if it is the wish of Council. I believe this morning we should be concluding the matter of the Municipal Ordinance Amendments and if so desired, following the discussion on memorandums and additional Sessional Papers we may proceed with those bills if Council so desires.

Mr. Speaker: Thank you Mr. Taylor. Are there any more comments on this? If not we have the matter of the invitation from the Board of Trade, it is necessary to reply to such an invitation. What was the date set there Mr. Clerk.

Clerk-in-Council: The date was Friday, the 26th of March. That is this coming Friday.

Mr. Speaker: What are Council's wishes in this respect?

Mr. Boyd: Well Mr. Speaker, it is somebody's anniversary, and it might be a very good day to sit with these people who invited us, and partake of their food.

Mr. Taylor: I concur Mr. Speaker.

Mr. Shaw: Thank you. Is there any further discussion on this matter? I will inform the Chamber of Commerce that we are willing to attend this function on Friday.

Agreed.

Mr. Watt gave Notice of Motion concerning Historical Copies of Hansard. Motion #11

Mr. Taylor gave Notice of Motion respecting Medical Treatment Facilities at Teslin. Motion #12

Mr. MacKinnon gave Notice of Motion respecting Re-Development of Thermo Power at Carmacks. Motion #13

Mr. Watt gave Notice of Motion respecting Fairer and More Equal Representation on the Territorial Council. Motion; #14

Mr. MacKinnon gave Notice of Motion respecting Nursing Station at Carmacks. Motion #15

Mr. Shaw gave Notice of Motion for the Production of Papers respecting Tax Analysis. (With Mr. Taylor in the Chair). Production of Papers #4

Mr. MacKinnon moved, seconded by Mr. Watt, it is respectfully requested that the Administration provide Council with a list of contracts for both capital expenditure and maintenance of territorial and forestry campgrounds within the territory over the last two years. It is also requested that information be included telling us if these contracts were tendered for and how many bids were received. Motion re Prod. of Papers #2

Motion Carried.

Mr. Watt moved, seconded by Mr. Thompson, re Engineering report of Whitehorse, Camp Takhini Valleyview and Hillcrest. It is respectfully requested that the three Whitehorse Territorial Councillors be provided with copies of the recent engineering report concerning water and sewage services in the larger Whitehorse area. Motion re Prod. of Paper #3

Motion Carried.

Mr. Watt moved, seconded by Mr. Thompson, that it is respectfully requested that the Commissioner of the Yukon Territory and the Chairman of the Whitehorse Chamber of Commerce campground committee and another member of the Chamber of Commerce in addition to a representative from Chenechee Campground be invited to appear before Council to discuss the future of Robert Service Campground. Motion #10

Mr. Watt: As the Members here know there has been a little difficulty over the Robert Service Campground and the Commissioner had asked us during the last session after we deleted this item from the budget to try to come up with a possible solution to the problem, to be fair to as many people as we possibly can be fair to. A couple of meetings were held, one at which myself and Mr. Thompson and several members of the Chamber of Commerce were present, and another one concerning other members of the Chamber of Commerce and the Commissioner. It seems to me there is two solutions that have come up, and one of these should be a good one, so if we can all get together and resolve this thing - if the Council in Committee would spare half an hour on your agenda some day to have a little discussion with these people, it may save a lot of difficulty in all our agreements, and our words would be on record.

Mr. Taylor: I certainly recall this item from the last session, I am wondering if possibly the situation could be best resolved by possibly having a committee of the Council meet with these people and bring forth recommendations to Committee of the Whole. This could possibly be a better solution, than attempting to thrash this out in Committee.

Mr. Watt: Mr. Speaker, I think this has been done to a certain extent - a committee of this Council had met with a committee of the Chamber of Commerce Camp Ground Committee plus a couple of their other members and a tentative area of agreement was reached and after that the Commissioner called another meeting of different members of the Chamber of Commerce and a different area of agreement was reached. So I think if we all got together here and all decided on one thing and carried on with it - at the moment the thing is pretty well up in the air and in a state of flux and confusion - so if we could all get together, get our words on record and I am not asking for much time, a half an hour or an hour at the most on the agenda, as you know the Whitehorse area doesn't take up too much time of this Council in the Votes and Proceedings.

Mr. Taylor: Mr. Speaker, I will go along with the Whitehorse Members, what ever they collectively decide.

Mr. Thompson: Mr. Chairman, I seconded that motion and I sincerely concur and I feel that this is one of the ways to settle this matter, whether somebody is going to be a little chagrin at the findings but I feel that in order that we can come to some equitable solution that we have all these interested parties together to establish this.

Mr. Boyd: It seems to me that the Commissioner while discussing that the other day did make a definite concrete statement that certain things were going to be done and that indicated a decision had been made. I wonder does Mr. Watt agree to this reasoning, as explained by the Commissioner? I recall very well asking him if these certain things would be done and so on - this was things he had said were going to take place.

Mr. Watt: Mr. Speaker as I said before there was two meetings held. The Commissioner asked us and asked the Chamber of Commerce to get together if we could and come up with some area of agreement. This we did and I don't know if the Commissioner liked the area of agreement or not but anyway he called other members of the Chamber of Commerce and they reached another agreement. I suggest we all get our heads together and the Commissioner may have said this is going to be done, this may be true and maybe not. I suggest we get our heads together here and put our words on record and our areas of agreement on record.

Motion Carried.

Question
#2

Mr. Boyd directed the following question to the Administration:
What will the property tax revenue be in dollars for the ensuing year in the Yukon Territory exclusive of municipalities?

Mr. Taylor: Mr. Chairman I have one question that could possibly be directed to Mr. Clerk. I wonder if Mr. Clerk is aware as to whether or not there may be any Labour Legislation produced at this session, in relation to the Labour Provisions Ordinance?

Clerk-in-Council: As far as I know, Mr. Speaker, there will be no further legislation at this session.

Mr. Southam: I am a little green around this table Mr. Speaker, and I was wondering what is the proper procedure. Last night we had a little flare-up and should Mr. Boyd's 5:00 o'clock be seconded or what. Could you put us right on this subject?

Mr. Speaker: In a matter such as this, I, of course, have the onus of following the Rules of Council and if they are not there I am supposed to know all of this in this book of 550 pages and it is obvious that it would take quite some years to digest this thoroughly, so a lot of this I have to go along on and do the best I can with what knowledge I have. Last night it was a somewhat animated discussion and one of the members rose and moved that we call it 5:00 o'clock. I accepted that and immediately adjourned Council and I think that perhaps I should read the standing order in respect to that particular motion. Under standing order number 3 it states as follows: At 6:00 o'clock p.m. on Wednesdays and Fridays and at 5:00 p.m. on Mondays, Tuesdays and Thursdays, unless otherwise divided, Mr. Speaker shall adjourn the house without question put until the next sitting day. In the House of Commons they have various **times** for the closing of business. In the Council we have the closing of business at 12:00 o'clock and at 5:00 o'clock. My interpretation must apply to the closing of the Council here in which case I had no alternative on the motion to adjourn but to adjourn the Council because it was the end of the sitting day. And that of course is without question put. When it applies within the course of the proceedings when it isn't 5:00 o'clock or 12:00 o'clock then of course it is necessary to put the matter to a vote. In relation to that, to go a little further and in all fairness to all Members we have Section #7 and this states as follows: Standing order #7 - At the ordinary time of adjournment of the House unless otherwise provided the proceedings shall be interrupted and the business under **consideration** at the termination of the sitting shall stand over until the next sitting day when it will be taken up at the stage where its progress was **interrupted**. We also have section 21 of our own rules of Council, Chapter 3, where it says: All motions, except for adjournment are **debatable**. In other words the motion to adjourn is not debatable, it has to be immediately voted upon or has to be accepted as an adjournment if it happens to be the time in which we finish our business. When this occurs at 5:00 o'clock or 12:00 o'clock, according to standing order 7 it provides the member, providing they don't talk any longer than 40 minutes, to proceed with the business where it left off at the time the motion was done. Which of course indicates that Mr. Watt, or Mr. Taylor, or whoever it happened to be at the time, would then have the right of discussing this immediately after the Orders of the Day.

Mr. Southam: Thank you Mr. Speaker.

Mr. Watt: Mr. Speaker, could I ask you a question? I agree 100% with your interpretation of what happened last night and I think your ruling was 100% correct but do you think that possibly we should add another rule into our Rule Book for a situation where a discussion is going on about 10 minutes before the ordinary closing time and some ill-mannered individual gets up and wants to cut the conversation off and says I now move that we adjourn.

Mr. Speaker: Mr. Watt, I would say that this Council can make any rule they wish in the conduct of these particular matters. It is merely up to me to interpret the rules as laid down. It is a matter for Council to decide whether they

want to change the rules or how they want to change it. We have the rules of Council which takes many pages - there are many things that are not applicable to this matter, particularly when some spirited debate occurs I am called upon to satisfy everyone and give them their just dues, and all I can do is refer to the book and study it up, but if Council so wishes it is their right and privilege to make any rules which they want, I merely interpret them.

Mr. MacKinnon: Mr. Speaker, I suggest you revise the complete constitution of this Council.

Mr. Taylor: Mr. Speaker, I would like to ask the Honourable Member from Carmacks-Kluane the reasoning behind such a request.

Mr. MacKinnon: Mr. Speaker, it is a matter of getting away from a lot of this nonsense .

Clerk-of-Council: I would just like to add something that the Councillors may have lost sight of and that further to what Mr. Watt has said about have a new rule, this new rule is not necessary. The only time the Speaker adjourns the Council without putting the question to the motion to adjourn is when it is not quite 5:00 o'clock, or not quite 12:00. If some individual then tries to cut off a debate by moving an adjournment then the question has to be put and voted on but only when its 5:00 o'clock does the Speaker adjourn without putting the question.

Mr. Taylor: Mr. Speaker I might also point out standing order 32~~2~~ states that all other motions including adjournment motions shall be decided without debate or amendment as well.

Mr. Thompson: Mr. Speaker, there is a difference between adjournment and saying, we will say that its 5:00 o'clock or 12:00 o'clock, this is your prerogative to say the meeting now stands adjourned, I believe, and I feel much the same as Councillor Watt that in a matter of this that it should be brought to a vote and decided amongst the members.

Mr. Speaker: It is my duty, that when it becomes 12:00 o'clock, or when it becomes 5:00 o'clock I just naturally stand up and adjourn Council. This should not require a motion. However it is customary that we have a motion, and last night it was 5:00 o'clock when the member from Whitehorse West moved this motion and I had no alternative but to accept it. However, at any other time that is a choice of Council if before the time limit.

Mr. Watt: Mr. Speaker, can I gather from this that in the future if it is not 5:00 o'clock the question will be called.

Mr. Speaker: This is quite correct.

Mr. Taylor: Mr. Speaker, one point I should raise at this time if I may be permitted to do so is that there seems to be some difficulty which is understandable, due to the fact that we have several new Members who have certainly not had sufficient time to acquaint themselves with some of the basics of the rules of Council, but I think that I would like to go on record as asking the Members, both as Deputy Speaker and Chairman of Committees, if they could give some spare time consideration to the rules as I feel that it would be to their benefit and to the benefit of Council as a whole, if they would acquaint themselves as much as possible to the rules, it would certainly speed up our procedure in Committee of the Whole.

Mr. Watt: Mr. Speaker, could I say something with respect to Mr. Taylor's remark? When this Council first sat I had a motion to Council respecting going over the rules and revising any that we wished to change, and I had some definite changes in mind at that time. I put the motion in to this Council and I thought this was a good precedent to follow, this is what we had done when we previously started with a new Council after the election before this one. This motion went in and I was out of the House for about ten minutes one day and the usual ~~etiquette~~ of the House said that we will discuss this motion of John Watt's when John Watt isn't here and consequently it ~~went~~ no further. I think in the future of this House if a motion is put in by somebody they should wait until the member is here if at all possible. It is common etiquette and if we use a little bit of etiquette and a little respect towards each other then I don't think that we will have to change any rules.

Mr. Speaker: Thank you Mr. Watt, I assure you that I endeavour at all times to be fair to all Members

Mr. Taylor: Mr. Speaker, I should also point out it is the duty of all members to be in the House when ever possible.

Mr. Taylor moved, seconded by Mr. Southam, that Mr. Speaker do now leave the Chair and Council resolve itself into Committee of the Whole for the purpose of discussing Bills, Memorandums, Motions, and Sessional Papers. COMMITTEE OF THE WHOLE

Mr. Hughes, Senior Advisory Counsel, and Mr. Spray, Area Development Officer, attended Committee.

Committee continued discussion on Sessional Paper #23, Amendments to the Municipal Ordinance.

Mr. Watt: Mr. Chairman, last night I attempted to make a motion that a request be made to the Municipal Council of Whitehorse to have them appoint a member to come and discuss with us a few items that have been brought up as we discussed this Municipal Ordinance. I don't know if the Municipal Council have appointed such a man, but I am going to make a motion that this request be made and if it is carried I am going to suggest that we adjourn discussion of the Municipal Ordinance for a couple of days to give the Municipality an opportunity to appoint someone to meet with us for our final review on suggested changes for the Municipal Ordinance.

Mr. Watt moved, seconded by Mr. MacKinnon, that a request be made to have a member of the Municipal Council present with us for **review of suggested changes to the** Municipal Ordinance. Motion re representation from City Council

Mr. MacKinnon: Mr. Speaker, I seconded the motion, I feel it very necessary to include these people here, and I think **they should have some say** concerning the City.

Mr. Shaw: I agree with Councillor MacKinnon, I also agree that to be fair we certainly should have representation from the City of Dawson. That Municipal Council is just as concerned with this as possibly the Council of the City of Whitehorse. I would also feel, to be eminently fair that we need representations from these places that are going to become villages because it does effect their particular form of government, they are people, they have their rights the same as any other people. As far as having representations from the City I have no objections to that at all but when it is discussed as to a matter of fairness it does seem to be a little lopsided. I don't mind listening to anybody.

Mr. Watt: Mr. Chairman, the reason I mentioned the City of Whitehorse is because yesterday I was discussing some suggested changes and asking the Legal Advisor to look into the possibility and ~~the thought that it may improve~~ the Ordinance and prevent some difficulty later on, particularly in elections and the Member from Watson Lake said that we should ask a Member from the Municipal Council here as he didn't believe what I was saying was too concerned with the members from the area. I don't think that you are under question, I think that the ability of the members from the Whitehorse area are under question at least by the member from Watson Lake in that we're not confidence, the alternative is we should have somebody here from the Municipality. As a very large part of this Ordinance is concerned with the Municipality and their elections, and a lot of things that go on in the municipality, I made this request, if you don't want it, vote it down.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman, I think we went over this situation last night and I cannot agree with the motion, for this reason. The first instance, this document was produced because both the Municipality of Dawson City and the Municipality of Whitehorse have been asked what their opinions were in relation to any one of these several questions of which there are some 90 I believe. Not only that ~~but~~ anytime references were made by the Municipality to these proposed amendments they are written right there in each members document. The Council of the City of Dawson comments as follows. The Council of the City of Whitehorse comments as follows. What is more clear than that? Secondly, it seems to me, and it was pointed out here yesterday at this table that if a member of the Municipality of Whitehorse was brought before this Council table and sat at the end of the chair beside possibly Mr. Spray here, and asked to comment, that he would be in a very poor and ill position to make any comments because possibly the comments he makes may be quite reasonable but possibly the other members of his Municipal Council do not agree. Thirdly, we are attempting in some manner or another to conclude the deliberations ~~respecting~~ this document and the idea behind this is to give direction to the legal department so that they in turn can give direction to the legal draftsman as to the philosophies to be adopted in drafting these new amendments for presentation to Council. The people that have to accept the responsibility for this are the Members at this very table, and nobody else we don't have to trot people in and out of here and ~~haggle~~ and hassle this thing around, this is our responsibility, this is what we were elected to do and by God this is what we have to do. I would also point out in case the members who would favour such a motion have forgotten or overlooked that once we have concluded our deliberations and have given the legal department our direction in the matter there will result an Ordinance, a piece of legislation which this Council have to consider and ~~either~~ reject or approve. Between the time this drafting is done and the time this is approved or disapproved by Council is the time to once again seek the opinions of the Municipalities of Dawson and Whitehorse and possibly any of the areas which could come into the qualification of becoming a village, they maybe have representations as the Honourable Member from Dawson has pointed out, and there will be sufficient time to have consultation with these municipalities and I feel that we are doing nothing more than wasting the time of Committee both in procedural matters and in matters such as this in contemplating anything or detraction from our present needs of dealing with this bill.

Mr. Watt: Mr. Chairman, yesterday when we were discussing this proposed Ordinance, the Member from Watson Lake got up and said we should have a member from the Whitehorse Municipal Council here, we should have one here before we carry on with it. Now I propose the motion that this be done, thought it was a good idea; now the Member is completely opposite. He wants a member here, then he doesn't want a member here, he doesn't want anything but an argument, it doesn't matter whether you agree with him or whether you disagree with him. I agree with the member from Watson Lake in saying this is just our suggestion on the proposed Ordinance and that the Legal Advisor's interpretations of what our suggestions were then his play-back of them yesterday is any indication of what this whole overall picture is then I think we might as well save our time here and wait until the Ordinance is drafted and then save a lot of haggling and if we don't like a part of the Ordinance just make a motion amending it, that's all there will be to it. This is a new procedure that has been tried the last couple of years and I don't think it is very successful. I think it is prolonging our sessions here. Some of us have things to do besides sit here and haggle with somebody over Watson Lake.

Mr. Taylor: Mr. Chairman, I rise for the last time on this debate, I am not going to take up the time of committee, I would like to get down and get this job done and get on to these other important matters of Council. I will say that at no time yesterday did I make a proposal that the member of any municipal group be present at this session as the honourable member has intimated here and if he consults his votes and proceedings and his tapes he will find that I did not do such a thing. I did say as Chairman of this Committee at the time, that if the members so desired this would be done, because when Chairman of Committee I am at the direction of Committee of the Whole.

Motion Defeated with
Mr. Boyd, Mr. Shaw, Mr.
Southam and Mr. Taylor
opposed.

Mr. Shaw: Last night before we adjourned I discussed the matter of where it is quite conceivable that the community formed under the financial commitments contained in this that their whole tax structure could be easily taken up in the indemnities of the elected officials and in the costs of the clerk, in fact it is quite conceivable that there wouldn't be enough money left over after all the taxes had been collected to pay for the rent of the City Office. To discuss just what this should receive and that should receive at this time would take a great deal of time and perhaps not give too good results. In view of the fact that this is to be a draft ordinance subject to changes, I would suggest that the Administration in the insuing time when this draft ordinance comes again before Council that they take and they consider some of these indemnities that have been proposed here in a more realistic manner. Taking into consideration the small communities that are to be established I think that the change in this particular thing was ingendered by dividing some form of small government for smaller communities, however there is nothing in this section 15 that would indicate that they had received any realistic consideration. In view of the amount of monies that are to be paid out. I think that they could come up with more firm suggestions in the final analysis. If committee feels that this other

thing should be discussed, Mayor of a City or something, it is quite alright with me but there certainly is no provision in here for these very small communities, it is just impossible, it just couldn't work.

Chairman: Would Committee agree with such proposal as put forth by Councillor Shaw that the Administration review this and possibly come up with more realistic figures.

Mr. Watt: I would like to find out from Mr. Legal Advisor what have you gathered from our conversation on this before? What is your interpretation with respect to our conversation on this? What do you propose to put in the Ordinance?

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Mr. Hughes: My notes on Item 15 shows that the discussion was attended by Mr. MacKenzie who reported that salary increases requested by the City had been refused and he was suggesting that consideration be given to the appointment of a City Manager. You will remember that most of the talk on this was item was about a city manager. Mr. MacKenzie was saying that the present system seemed somewhat inefficient and there was a very long discussion on city managers, which as it was a matter of principle, I didn't make any detailed notes. Mr. Thompson wanted to know who the city manager would be responsible to, he was under or above or side by side with the Council, what salary he would be paid, there was a long discussion about salary and then the discussion seemed to be inclusive and you left it there and went on to 16 having decided that you would return to this subject. So I have no conclusive position at all. I have noted Councillor Shaw's remarks on the salaries which he made yesterday and his suggestion that people be paid a fee per meeting and he had noted that the present structure would absorb virtually all the tax revenue from some of the smaller areas. I have no conclusive thing. I have now made a note that you are asking for saner figures to be suggested, more realistic figures and that is the sum and substance of my comments on this.

Mr. Chairman: Would committee agree.

Mr. Shaw: I didn't make a motion, these were more or less suggestions. Motions make it too rigid and there has to be some give and take.

Mr. MacKenzie joined Committee.

Item 16.

Mr. Chairman: This deals with the item we have just discussed Mr. Hughes and will be given further consideration.

Mr. Hughes: I have a note here that the best idea here would be to change the marginal note to indicate relief from income taxes. It was a little misleading - the object of this section was a little obscure.

Mr. Chairman: Is Committee agreed with this section?

Agreed.

Item 17.

Mr. Chairman: This provides where an Alderman fails to attend meetings of the Council for a period of three consecutive months the seat shall become vacant.

Mr. Hughes: Councillor Shaw suggested two months and noted that there seemed to be general agreement.

Agreed.

Item 18.

Mr. Hughes: That was agreed last time Mr. Chairman.

Mr. Chairman: This is where one of these gentlemen may resign from his office by submitting his resignation to the Clerk.

Agreed.

Item 19.

Item 19.

Mr. Hughes: This would depend on whether you were going to have appointees. If you are not going to have appointees then this point doesn't arise.

Mr. Chairman: This is correct, we have no appointees so this will not apply.

Clear.

Item 20 and 21 - Clear.

Item 22

Mr. Chairman: Is this the provision which would allow the Council of a village to appoint a Clerk or City Manager sort of thing.

Mr. Hughes: I wish you hadn't asked me that Mr. Chairman, I had that noted as clear. I'm not so clear now. This would enable the development of the manager system, unless you can delegate and give the Clerk these powers they are not going to streamline some of the operations. That's as I understand it the limit of the purpose here.

Mr. Chairman: Subsection (2) would remain rather than be deleted in view of the fact we have no appointed members. Is this correct?

Mr. Hughes: This was the issue and if you delete subsection (2) you are putting the Clerk in charge of personnel. You may not wish to do it. The mayor would not have any interference.

Mr. Shaw: We have two separate functions in which these elected and appointed officials of the city are concerned. We have the situation where it appears that the City of Whitehorse would like to have a manager. Now I think that is fine that you have a manager and provisions made accordingly, that is what they desire. However, when we get to a very small community, a village etc., it may be a situation where you employ a clerk for to work 2 hours a day. I recollect in the City of Dawson that we had a part time clerk for many many years - just worked in the afternoon. It would be some lady or person that had the time for a part time job to work at. In certain cases it is not desirable to give the clerk the authority that is called for here and quite frequently the clerk didn't want to accept that kind of responsibility. So I think, it would appear to me, that there should be separation in the Ordinance in some form, that is a matter of drafting, whereby you had certain terms and conditions where you had a city manager and other terms where it was a very small affair, a small government and possibly part time efforts to try to improve the community under some form of organization. I think that is where the difference should be laid out in this draft Ordinance because it is a certainty that you cannot have the same rules and regulations governing the city and governing a village of say a hundred taxpayers for three to four hundred people.

Mr. Chairman: I wonder, Mr. Hughes, on subsection (2) is it the intention to throw this out.

Mr. Hughes: It was felt that if they were going to have a city manager it would be wrong to leave this power here for the mayor to interfere. If the city manager is hiring and firing he is going to be the only person cracking the whip.

It is illogical to have this left in unless you do as Councillor Shaw was just suggesting and leave this in for the smaller areas or make it in some way cater to the different needs of the smaller areas. I could try and work that out along the lines suggested by Councillor Shaw. But if you do have a city manager the only way in which you will get the best mileage out of him is to put him in charge.

Mr. Chairman: I was wondering about the right of appeal of the employee.

Mr. Hughes; He would have the normal employment conditions. If a man is suspended it obviously must be for cause and if he is suspended without cause then he is going to have an action against somebody and that is going to be the city manager. So it can't be completely arbitrary. In fact we have known instances where people have been hired and fired on the street, just as they stood in their boots so to speak, and that is pretty arbitrary.

Mr. Shaw: I agree that when you hire a manager to run the thing, he has the job of running it and that's all there is to it, under the policy direction of the Council and that is really someone who tends to all the minor details and I think it is a very good thing. I was wondering if it is possible for the Legal Advisor to draft these things keeping where it would apply to a smaller community as it is in the Ordinance and then perhaps another section that states notwithstanding section such and such that a manager would have this authority to do that. Something along those lines without disrupting the whole small government setup because it will if you try to run the two in, I think, as one piece of legislation.

Mr. Chairman: Does committee agree with this general line of thought and direction.

Agreed.

Item 23

Mr. Boyd: Didn't we go along with 2/3 and agree to this as we were going through it.

Mr. Hughes: Mr. Boyd had suggested that 3/5 should be the figure, this was the initial conversation and you had said - would it apply to a village of under 3 members and then another member said, Mr. Spray said yes it would apply, we are talking of cities as well you mustn't lose sight of that. Mr. Shaw wants to know why not a majority, how can we split a person and Mr. Spray said well the Administration has no special axe to grind, if I might carry the metaphor a little further, but Mr. Boyd pointed out that if councillors are away you might end up with one vote, one person voting on that wording and Councillor Shaw said it should say a majority of Council not just a majority of those voting. That was the last note I made on it. I was therefore changing it from 3/5 to a majority of council. Does that reflect your view.

All Agreed.

Item 24.

Mr. MacKinnon: I note here that under paragraph 24 that City Council are agreeing, but with paragraph 23.

Mr. Chairman: Are you agreed gentleman.

Clear.

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Item 25.

Mr. Shaw: I think, Mr. Chairman, this would apply to the same thing on whether it was a very small place or a larger city.

Mr. Boyd: I think we discussed this before to the extent that in the case of Whitehorse it might be that the top person in charge is the treasurer, so that is it, but she just delegates the work. But in the small places here again you are going to have to differentiate. The Clerk will probably be everything so it is the case of the Legal Advisor being able to come up with something in the legality of it and wording of it that coincides.

Mr. Chairman: Mr. Hughes have you got the general idea here of all this gathering of all these thoughts.

Mr. Hughes: I will have to study it, I don't feel too confident but I will have a go at it.

Clear.

Item 26 - Agreed.

Item 27

Mr. Chairman: This is appointment by resolution, is it not Mr. Hughes?

Mr. Hughes: Yes - in many situations there will be no acting treasurer appointed, they will probably overlook it. So it was felt that if we just cater to those places where the Clerk would be the treasurer as well we would make sure that we have armed him with powers. But there is no great depth of thought for that suggestion it is just one of those suggestions put forward to ease the problem if the treasurer is not around. However, it is one of those self cancelling suggestions because probably you are going to have a separate treasurer in the bigger places and you are already going to have a clerk-treasurer in the smaller places. So when he is absent his acting clerk is going to do his job. It is a lot of word trading but it doesn't do anything very dramatic.

Mr. Boyd: Talking of treasurers, what about the bonding. Are these treasurers bonded? Has this been brought into the picture anywhere or will it be?

Mr. Hughes: Well I think that section 38 would apply. I am going to make a note of the point raised by Councillor Boyd. I am not confident that we have thought of this and if there is a weakness in the bonding then we will put some provision in.

Mr. Chairman: Are you gentlemen clear on this point?

Clear.

Item 28

Mr. Shaw: I think that I agree with the fact that this should be approved by the Council. It still gives the clerk the job of looking after things but that must have the approval of the recommendations of Council.

Committee agreed.

Item 29

Mr. Chairman: I believe this is just a matter of inserting terminology. Are we clear?

Clear.

Item 30

Mr. Shaw: Could the Legal Advisor perhaps give the opinion on this.

Mr. Hughes: All I have here is that the Committee was agreed. I have no note at all. It is a case of trying to have ones cake and eat it really. It is trying to give the Clerk a degree of control and on the other hand one must placate the city councillors by giving them a degree of control, we are talking now of a clerk not a city manager. The Clerk makes the appointments if the city has provided the appointment, he simply fills the appointment and they approve of the establishment of it and they approve the salary to be paid. The clerk should not hire somebody because he thinks somebody should be appointed but he may appoint the particular person.

Mr. Boyd: I would say that we should be in agreement with this because if you are going to have a city manager he probably should be empowered to hire the staff. He certainly can't hire them unless he has got money in the budget to do it with so he can't go overboard that way. I don't think that he should be required to go to the City Council and say can I hire so and so, if he is the manager, otherwise he isn't a manager. I would agree with this proposal.

Mr. Shaw: I would just ask if I think what the confusing part of this is if we had City Clerk and not putting down manager because there is a difference between a City Clerk and Manager, a vast difference. I agree with what Councillor Boyd has just stated but not for a City Clerk. I agree for a manager but not for a City Clerk. There must be a difference made all along the line I think for many of these things.

Mr. Boyd: I am clear but I would like to have it understood that from hereon and what has gone in the past, when we are talking in terms of a manager that we should use the word manager and then we are going to eliminate a lot of confusion. If we are talking about a clerk let it be a clerk but there is a difference. A manager is one thing and a clerk is another and it should be in here.

Mr. Chairman: Mr. Hughes have you so noted.

Mr. Hughes: Yes, Mr. Chairman.

Mr. Chairman: Is committee agreed with this section?

Agreed.

Item 31, and 32 - All agreed.

Item 33.

Mr. Shaw: Just one thing, in relation to the manager presenting a budget, in Item 33, will that be, I felt that this was just normal procedure. Am I correct in that Mr. Legal Advisor?

Mr. Hughes: I'm not sure that I quite get the point of the cities request because I would have thought that they couldn't have operated without a budget and you've got to decide if you are going to have a city manager that you are going to have a city manager and he may very well present a budget, which for local political reasons, may be unacceptable but may still represent the best plan. City manager's have been called dictators and this is the pattern you've got to recognize might develop, certainly it is an accusation which has been heard. If you put this man in the job as city manager and you do not give him as firm as possible control of the budgeting, but make the budget subject to the approval of Council, you might just as well not bother. They can put all sorts of pressures on him immediately that he can't have such and such in the budget and he must have so and so. You have really divested him of his most powerful weapon, this is the control of the money. You will have to decide what you want there.

Mr. Shaw: I don't know, I don't know too much about managers in city councils and so forth and municipalities, but I do know that a manager of a corporation or company, he presents the budget for the coming year to the directors and the directors say okay, we'll spend this, we won't spend this, we'll spend something else. This request from the Council of the City of Whitehorse is compatible with that form of operation and it would occur to me that it would be necessary that this manager present the budget for the year to the Council for their approval. They are the persons, after all, that are responsible directly to the people. If the manager can say I'll do this and that ~~at the beginning of the year and the Council~~ don't want to have this particular sewer installation, or whatever it may be, they should be able to say well we can't have this in the budget we are going to spend this on new pavement or something else. It would appear a fundamental right that the elected representatives to set the policy which is contained considerably in the budget. The administration of that is up to the manager, I agree with that, but the policy which of course must come through the expenditure of funds in the community, they must be able to approve that general policy, I think, at the beginning of the year as would be contained in the budget.

Mr. Hughes: The Administration takes no position on this. I am just drawing your attention to the fact that if you do want to provide for a manager, then you've got to take a risk that occasionally he may be a bit of a dictator. There is a limit to the amount of appropriation that even a city manager, on a firm contract, will risk. Certainly since the city operates very largely on monies advanced by the Territory there is a degree of control that isn't always present because the city manager would find that he is probably having some difficulty drawing his pay check if he got too radical in his suggestions. But this is the question you have got to ask yourself, is this city manager going to have full powers or are you going to tie his hands because when he comes to Council and has to have approval for a budget you've delivered him completely handcuffed. It is a question of principle for the Committee to consider and decide.

Mr. Boyd: It seems to me that the manager could be a dictator, but if I own the store and it is my money he is spending, I would like him first to show me how he is going to spend it and I don't think there would be any difficulty about me

cooperating with him and I don't think this would work too much of a hardship on the manager. This much I would say.

Mr. Shaw: The directors tell the manager to set up the general policy and they point out how much money he has to spend and it is up to him to make the best of that job. If the manager is going to be able to tell the directors what he is going to do regardless of whether they approve it or not, what's the point of having the directors. Let that one fellow run the show. I think there is a difference in policy and administration. We have it very well illustrated in the Council of the Yukon Territory. We have it illustrated in Parliament, where the government presents the budget and the members of this government, whatever it may be, say we won't expend this sum of money on this, we'll cut this out. In that the policy of the government is maybe not written out but it is contained in the budget and they are the governing body. The City Council are the governing body and they give the manager so much money and tell him to make the best job of it but I think they should have some control on whether they give him the money or whether they don't as set out in a general budget at the beginning year, which is presented here, something like this or what the Government of Canada present.

Mr. Boyd: I suggest that Mr. Shaw and I have expressed our opinion in what we are in accord with and I don't hear Mr. Watt or anybody else saying very much and if they have nothing further to say on it well I suggest that the Legal Advisor take into consideration as what has been said as the opinion of this Council and let's get on with another subject.

Mr. MacKinnon: This time I do agree with the member.

Mr. Watt: Most of us have put opinions down when we first went over this and if there is anything else I would like to add I would certainly do so but for the moment I feel satisfied.

Mr. Hughes: You agree then Mr. Chairman to write in the recommendation of the City of Whitehorse - that is the budget be approved by the City Council.

All agreed.

Item 34

Mr. Chairman: Here again I believe this is a matter of inserting terminology. Are you all agreed?

All agreed.

Item 35 - All agreed.

Committee recessed until 2:00 P.M.

Tuesday, March 23rd, 1965.
2:00 o'clock P.M.

Committee was called to order

Mr. Chairman: We have come to Item 36 on page 9 of your documents here.

Mr. Chairman reads Item 36.

Mr. Chairman: What is your thinking here?

Mr. Hughes: The note that I made before was that Mr. Boyd had said "Agree as proposed" and Mr. Shaw had indicated agreement and that is all the sign of discussion I had on my paper.

Mr. Shaw: I indicated agreement because I assumed that this is the Metropolitan Plan that we are discussing and the members from Whitehorse are much more conversant with the ramifications of that particular legislation and if they feel that that fits in with their requirements, I agree that it should be left as it is.

Mr. Hughes: Could I deal with one aspect Mr. Chairman?

Mr. Chairman: Proceed.

Mr. Hughes: It is the question of whether the Commissioner should approve a by-law before it is approved. In this case it does not argue strongly for or against. The Commissioner does have the authority to disallow a by-law after it has gone through Council, but here where there is a degree of integration of planning required he might be aware of reasons that had escaped the City Council as to why a particular provision of the by-law just could not work or would not work. It is a question really of whether you want to allow the City to put itself possibly to a lot of trouble working its way through a by-law and then have the Commissioner disallow it, or whether he indicates his approval in principle before they pass the by-law. It seems rather a kindness to give them an idea what the Commissioner's views will be before they get involved in passing a by-law and perhaps tempers won't run quite so high, if it is done like that. However, this was a thought that it might be a good idea for the Commissioner to show his hand before the by-law is passed. You may disagree and may wish to follow the general lines of the Municipal Ordinance which allow him to kill a by-law after it has been passed.

Mr. Boyd: My opinion is that both organizations need each other and both have got to know what the other is doing in order to come up with intelligence as they go along. I think it is no hardship whatever for them to let the Commissioner see the by-law. If he doesn't like it, he doesn't like it for a reason and there might be a good reason for them to change their mind. I think this proposal is quite all right.

Mr. Chairman: Are you agreed with Item 36?

Mr. MacKinnon: Agreed.

Mr. Chairman: Are there any contrary?

Mr. Thomson: Contrary.

Mr. Chairman reads Item 37.

Mr. Boyd: Here again this seems to me to be one of these things where we don't know if we are talking about a clerk or a manager. If it is a manager then it is to the point. If it is a clerk then we are in another category.

Mr. Hughes: My note before on Item 37 was that the Committee appeared to support the comment of the City of Whitehorse. That is all I have got.

Mr. Chairman: Are you agreed with this proposal as outlined? It is also noted that the City of Whitehorse disagree with this paragraph and feel that the sub-section 1 of Section 104 should remain the same. I wonder if I might have your direction in this regard.

Mr. Boyd: I wonder if we could have the reason why the City objects to this. Possibly Mr. Spray has the comments.

Mr. Spray: The City Council of Whitehorse stated that Council disagrees and feels that sub-section 1 of Section 104 should remain the same. No reason stated.

Mr. Boyd: Could I ask the Legal Advisor's thought? Are we talking about two things here? Are we talking about a manager or are we talking about a clerk as it is generally known?

Mr. Hughes: I think that this brings us back to a weakness which has appeared in this memorandum and that is that we have not been clear cut enough in our thinking in deciding whether we are talking about a clerk or a manager. There was an observation made by a Councillor this morning suggesting that when we are talking about a clerk we should mean a clerk, and when we are talking about a clerk who is acting as a manager we should be using the term manager. Obviously this suggestion in Item 37 contemplates the clerk who is acting as a manager. That is, he has powers of appointing officials to do certain jobs. The City of Whitehorse feels that this power of appointment for the clerk should not be given to the clerk. This is perhaps inconsistent with the other view that provision should be made for a city manager. It may be as a result of these discussions that what we will work towards now will be separate ordinances rather than trying to graft this on to the present Municipal Ordinance. It has appeared to me several times that our thinking is imprecise because we have been trying to add it on to the Municipal Ordinance instead of making it a separate ordinance. Suppose we read Item 37 so that it was an officer of the municipality appointed for that purpose by the city manager, the meaning would be quite different and that, I think, was the intention. It was to make provision for the city manager to run his own show, but for the clerk to appoint then it does become a question. I think that we failed to go all the way through with our thinking on this question and an appointment by the manager is wholly consistent, and the appointment of a clerk would be wrong. The City has what appears to me to be a good point.

Mr. Chairman: As noted, would Committee concur with this section?

Mr. Hughes: We are comparing what are the comments of the City?

Mr. Chairman: Yes, taking into consideration the comment made by the City on the objection by the City as outlined by yourself. Would Committee agree to this?

Mr. Shaw: Agreed.

Mr. Boyd: The City states that the situation should remain the same. In other words, the manager shall not have the right to do whatever this is referring to. If we are to accept the wording in 37, the last word reads clerk. If we change that word to manager, and they agree to what this implies, I could see it.

Mr. Chairman: I think this is what Mr. Hughes has in mind. I wonder if you could clarify this Mr. Hughes?

Mr. Hughes: That is right. I am suggesting that you do accept the City's comment that the clerk should have no power of appointment and I am indicating that we will have to separate the list of functions and powers for the city manager, just as in the early part of this Municipal Ordinance you have a section devoted to the clerk and his duties. I think we will have to set up a special section for the city manager and spell out what he is to be able to do rather than put it in by changing a word here and there in the body of the Ordinance.

Mr. Shaw: Agreed.

Mr. Chairman: Are you clear Mr. Boyd?

Mr. Boyd: For the time being, yes.

Mr. Chairman: Is there any other discussion on this point? Are we agreed on this point?

Mr. Shaw: Agreed.

Mr. Chairman reads Item 38.

Mr. Chairman: Mr. McKenzie was to join with us to offer some thought on this item, I believe.

Mr. Boyd: Before we go on, I wonder if we could just have a refreshment of what we said about this from Mr. Hughes.

Mr. Chairman: Certainly. Mr. Hughes?

Mr. Hughes: In my notes it appears that Councillor Shaw said that licence fees in Dawson are really chargeable at a time when costs are high and cash is low and they develop the system of picking up the fees in the middle of the year when people have some cash in their pockets. They don't operate on a December basis. In fact it would be impossible to go around collecting licence fees for cash and endorse them. Indeed, in many parts of the North they collect in July when cash is available. I note that Councillor Boyd agreed and I made a further note (this is a private note of course) that it was obvious that the Administration was out of step with the facts of life. I

felt that we had looked at it from a rather limited point of view. It was suggested that the matter be deferred until Mr. McKenzie came here, but it might be the best solution to allow the City, if it were possible and would fit into the framework of Government financing and the timing of available cash, to allow the cities to set their own licence election period by by-law so that if Dawson has a special problem, they could tailor their collection time to the needs and possibilities of the citizens. However, I did suggest that Mr. McKenzie might bring to your attention some arguments against this. It may be that the Government grants are tied over the year. I don't know what the cash release is or the flow and what the needs are. I think Mr. McKenzie could tell you much more about that.

Mr. McKenzie: I don't think there was any problem in this. There is no reason why the fiscal year end of municipalities should govern the end of the licensing period at all. The municipalities can set a renewal date for licences at any time they wish and I think they do like to set it during the summer when business is brisk and money is available.

Mr. Chairman: Are they empowered by by-law at the present time to do this? Is there a vehicle within the Ordinance for them to establish, other than by ordinance, their licence period?

Mr. Clerk: Section 112 gives you your licence year.

Mr. Chairman: Do they not have at the present time the ability to establish by by-law the licence year.

Mr. Hughes: They can get round it but Section 112 does make the licence end on March 31st which rather ties them down, but they could always pick up the fees by instalments or on a delayed basis. It is not a good bookkeeping situation, however, to have the licence ending at one particular time and picking up the cash in instalments and so on. Your administration costs become heavy and you lose track of the thing. They don't really control, although they have freedom to do so. The facts operate against them.

Mr. Shaw: In the City of Dawson, the dog licences start on January 1st and there are other minor licences that start on the same date. When it comes to business licences it costs you \$175.00 or \$200.00 and so forth for a year's operation. It is set to fit in with the ability of the people to pay and I think that in respect to something like this, it could be left up to the various councils so that there is some flexibility to when it is possible to collect these things. A mandatory date, such as is set down here, might fit in fine for administrative purposes but it is not the administration that pays the shot, it is the people that pay the licences. I think that that should get considerable thought.

Mr. Chairman: Would Committee agree in this regard?

Mr. MacKinnon: I would like to express my agreement with Mr. Shaw.

Mr. Chairman: Mr. Clerk has indicated that he may have something to add here.

Mr. Clerk: I would just like to say that, due to the fact that we get business licences from all over the Territory outside Whitehorse and Dawson City, we stick to the fiscal year and I don't see why the City of Whitehorse or Dawson should be worried about when they collect their money. I think, however, that the expiry date should coincide each year. It would be much easier if it did coincide with the end of the fiscal year. This is what I would like to do in our place. I would like to stagger the payments for some of our licences because everything comes due during the month of April. I would not wish to change the expiry date but I would like to change the date for collecting the fee, so that I can stagger some of our work.

Mr. Boyd: Mr. McKenzie has intimated that there should not be any difficulty. The only thing you are trying to satisfy is the people's ability to pay. They don't care whether the licence finished in February, March, April or November. When you ask them to pay is the point we are trying to get straightened out to the satisfaction of the people. There is a problem here. I have had certain of them come to me and in particular one man who lives out on the Highway who was required to pay his licence fee before he even got in business. He had been sitting idle burning fuel all winter and was broke. He had to borrow the money and was lucky to be able to get someone to sign his note for him, whereas if he had had another two months he would have been in business and would have had the money.

Mr. Chairman: How do you gentlemen wish to deal with this item? I believe it has been suggested that the answer to this problem may be by allowing, in the Amendment Ordinance, the provision whereby the city councils or village councils could establish their own period.

Mr. Shaw: Agreed.

Mr. Chairman: Do you agree with that?

Mr. Boyd: Yes.

Mr. Chairman reads Item 39.

Mr. Hughes: I think the City of Whitehorse has a negative comment there. I made a note that the Committee appeared to accept the comment of the City of Whitehorse.

Mr. Chairman: Yes, this is what I noted as well. Do Committee agree that we are in **not in favour of the suggestion** here? Mr. Thomson, did you have some comment? Are we agreed to disagree on this one?

Mr. Boyd: Clear.

Mr. Chairman reads Item 40.

Mr. Chairman: This was the one relating to the making of grants to hospital or nursing stations within the Municipality.

Mr. Hughes: It appeared to me that the Committee favoured leaving Section 118 as it is in the book now and the point was made that there seemed to be no reason why the smaller municipal groups could not also authorize the making of grants, subject always to the fact that the Commissioner yeys or neys. That is already in and Committee appeared to feel that there was no danger, and indeed a positive good in allowing the power to remain there.

Mr. Chairman: Would Committee agree?

Mr. Shaw: Agreed.

Mr. Chairman reads Item 41.

Mr. Chairman: You will note the comments raised by the Council of the City of Whitehorse.

Mr. Boyd: Here again we have had quite a lengthy discussion. I wonder if the Legal Advisor could, in just a few words, enlighten us as to what we wound up with.

Mr. Hughes: These notes may be helpful in refreshing the memory as to how the discussion progressed. Councillor Boyd asked Mr. Herb. Taylor for comments as the Assessor and there was an extensive discussion. Then I have a note that Councillor Taylor said "A factor should be left in because the manual will give a fair total value". You made 3 points. I had some difficulty in getting the first one but it said that we would establish the mill rate and the provisions must be designed to stop Council being arbitrary. Councillor Boyd wished to know who had set the mill rate and was assured that it would be the Territorial Treasurer. Mr. Spray suggested that the 65% should be defined while Mr. Herb. Taylor said "The existence of the 65% should not make any difference". There was discussion at that time as to whether, by leaving out the 65% and just making a straight fair value proposition to improvements, this would have any real effect, and it simply means that mill rates would go up and down to compensate. The general assessment was lower. It was noted that the mill rate would be up to compensate. Councillor Watt raised the question of the different assessing techniques for residential property in commercial zones and there was a discussion on that. I have not got a very full note. It was too rapid and too extensive. The Territorial Assessor gave us his opinion that residential property should not have the same value as commercial property alongside it in a commercial zone. Councillor Watt had raised the point "If there were wide sidewalks and good street lighting and so on, would this not mean that residential property in a commercial zone should not reflect the increased value". You reverted briefly to Item 38 for another look at that and a report by Mr. Spray. I really have not got what I would call a very firm picture of your thinking. I have just managed to note these high points in the discussion but I am still rather unsure as to what you want.

Mr. Chairman: I note that in 136 (1) it states that "improvements of land shall be assessed at 65% of their fair value". Unless I am mistaken, which I very well could be, I heard on the News from the North on the radio this morning that lands were in fact assessed at 100% of their fair value and real property at 50% in the last Session at Whitehorse. If this is the case (now this is just what I heard and I don't know for sure) it is not being adhered to in any event.

Mr. Clerk: I did not actually hear the announcement but the only end it refers to is taxes. Taxes are based on 100% of the land value and on 50% of the value of improvements but the assessment is as laid down in the book.

Mr. Chairman: I see.

Mr. Clerk: I might say that the last time we discussed this, I suggested that I had asked for a meeting with the Commissioner and staff on this point here and we have had a discussion since that time. I pointed out in that discussion that the Assessor and my assistant were going out to the Assessor's Conference in Edmonton which is being held at the end of the first week in April (I think Council will still be sitting when they get back) and I have asked them to take these recommendations that the Assessor has forwarded to the City to that Conference, and find out how the various municipalities in Alberta do assess because I know there is a difference in every province. A lot of the provinces agree that improvements and land should be assessed. I would like you to defer this whole section until we can get some more information from the Assessor.

Mr. Shaw: Agreed.

Mr. Chairman: Would Committee concur that this item be deferred?

Mr. Boyd: Very good.

Mr. Chairman: I will so note in order that it is not forgotten. May we proceed now to Item 42?

Mr. Chairman reads Item 42.

Mr. Boyd: Clear.

Mr. Chairman: I have noted here "independent court of revision".

Mr. Hughes: It was pointed out to you that the City Council sits as its own court of revision and it was suggested that this should be changed to follow the Territorial formula. The Assessor and the Territorial Councillors don't sit as a court of revision to judge what they have already decided and it was felt that this would be an appropriate time to change that and have an independent court of revision.

Mr. Chairman: Do Committee agree?

Mr. Shaw: Agreed.

Mr. Chairman: With regard to Item 41, I have noted in the Committee Report that Item 41 was deferred pending further study by the Administration. Does this meet with your approval?

Mr. Shaw: That is right.

Mr. Chairman: We will proceed to Item 44, there being no Item 43.

Mr. Chairman reads Item 44.

Mr. Chairman: Mr. McKenzie was to be consulted in this regard. Mr. Hughes, I wonder if you could bring us up to date on the various arguments that were put forward on that.

Mr. Hughes: No sir, I saw this one coming and I ducked and all I have is "Reserved for K. McK".

Mr. Chairman: Mr. McKenzie, I believe the crux of this argument was, as the City Council of Dawson City had pointed out, that this would in effect be a 12% penalty.

Mr. McKenzie: No, not correct. This particular section has been put in at the request of the City of Whitehorse. They are, or were, experiencing difficulty in collecting taxes, and they felt that it would be a good idea to go back to the original Municipal Ordinance of 1958 which included the 6% clause in addition to 6% per annum. I think so too because 6% per annum means you are simply acting as a bank. They use your tax money for their own private purposes and pay interest at 6% per annum and I want to see the same clause put in the Taxation Office as well.

Mr. Boyd: I would just like to ask Mr. McKenzie what type of people are they having trouble collecting taxes from? Is it a certain class, for instance business? Is the private person dwelling in the same category as the businessman.

Mr. McKenzie: I cannot supply that information. It would have to be obtained from the City Clerk.

Mr. Shaw: This is something like the Income Tax Department. They give you 2% and take 8%. I can quite understand that when taxes are unpaid it creates quite a lot of work in collecting and so on. After all the person who has property runs a little short of money at the time so in relation to that you attack him with all you have and give him more dire penalties and so forth. Of course, if he should pay this in advance, you won't give him the 5% so that it seems to be very much one sided. It would appear to me that the amount of money that has been used by these people for nefarious means may be being utilized but the Municipality is also getting interest on this particular matter and if it is a month delay it may be too small a rate of interest to handle all the clerical work. It would appear to me that to work something out would be fair to all concerned that would pay the Municipality. When taxes became unpaid and went up for tax sale, then you would make quite a penalty on them of a certain amount which covered a whole year, but just for someone to be a little bit behind in their taxes why charge them a penalty at 6%. I think it is a little bit too rough. The fact that someone can make laws hardly seems fair if you make laws where you soak the other guy and you will only pay a very small amount yourself because you happen to be making the laws at the time. I cannot see this penalty proposition. Perhaps you can raise the penalty date if that is what you want. That seems to be a standard practice but that would create quite a problem too working it out at 9 months at 8%. Nonetheless I disagree with this penalty. It has worked very well so far and I would suggest that it stays the same way.

Mr. Hughes: Since it was in the old Ordinance I was wondering if anybody could remember why it was taken out of there. Councillor Shaw, I think, has enough history on Council to remember that.

Mr. Shaw: This was taken out for exactly the same reasons I have stated. Because someone is making laws, why should they make it hard on the person they are making it for and make it easy for themselves? It is just a fair way. If you prefer to give 5% or 6% then you should be prepared to receive the same amount. The people that are paying it are

entitled to just as much respect either one way or the other. That was the general attitude at the time and I have not changed my opinion.

Mr. Boyd: Here we have a Council who asked that the tax land be held. It is all right to say that it is costing us more to live. We are spending more money in this City and so on. But the people by and large are not getting any more. Secondly we turn around and we increase taxes, the Territory and the City, by quite something I think. I notice in the paper that they are afraid to even estimate how much more their increase is going to be. They don't know they say. They should know and they do know. People are faced with an extra tax problem on their homes and if they don't pay it you are going to hit them on the head with another 6%. This is what you would get in places where you don't even have a council. In fact the council hasn't anything to say about this. People are entitled to some consideration living in this country. Believe me, they are paying plenty for the privilege of living here. I'll admit that they are getting plenty but they deserve it. They are getting plenty in the way of education but they are paying for it. They are paying right through the nose. Because they are broke can spring from buying clothes and fuel and so on and you are going to tax them again. I disagree with this wholeheartedly. The penalties now, when you go to get your taxes back, are plenty high. The City is not suffering. If the business mercants are using it to finance with, that is fine. I notice that there are plenty of them in arrears with plenty of tax penalties added. I hope they collect all the penalties. We turn around and we get the property back in lots of cases because it is not worth paying the tax. On top of this, people are afraid to finish their homes off. I was in one while I was away. His taxes are up plenty. He was going to stucco it. It is a new home. He ain't gonna stucco it. I have a neighbour living there for 10 years. He'd like to stucco his house. He says "If I stucco it, they are going to charge me more taxes". This is the wrong attitude. We should have some incentives around here for people to live by. Give them some encouragement to stucco their homes and fix them up. They should not be charged for it to the extent they are being nicked.

Mr. Chairman: Any further discussion.

Mr. MacKinnon: I would like to concur with Councillor Boyd and also Councillor Shaw. This tax has got very absorbitent. I read a letter to Council the other day pointing out where one person in my area has had his taxes increased over double with no improvements.

Mr. Shaw: We have to pay taxes. We have to pay for the particular services but there are various parts of this assessment deal which seem to be somewhat unfair. If they have their own services they provide them themselves and then they charge them extra for that although it doesn't cost the community extra. As Mr. Boyd has mentioned you stucco a house. So you get charged extra for it. It would appear to me that if there was a flat charge for a building of a certain construction, either frame or log or brick, that could be clearly defined without getting into all the tiddly little pieces of whether it is a stucco siding or whether it is a wooden siding. I think that possibly people wouldn't be afraid to go out and make their house look nice and pay the taxes on the square foot that they had

on that particular building. It appears that one of the biggest complaints I have heard around this table whether it makes a difference if you stucco a house and stuff like this, I don't think that it actually gives more house space or takes up more room or requires many more services and I think that we have just got too many manuals on this assessment business. Perhaps we should get down to a little common sense and base it on the square foot that is being used without getting into all the details and soaking the people, and possibly stopping them from improving their houses as Councillor Boyd has just outlined.

Mr. Boyd: I notice that the increase in taxes that the City is talking about is for more pavement. There are some people living in this town that are not going to get pavement for years. They are going to be charged for this. I maintain that if you are going to do a certain section of pavement in an area then the residents in that section benefitting by the pavement should be charged for it over a period of so many years, and when they do the next section the next group of residents will be charged for it. Just don't cut everybody's taxes. Next year they will do another section of the street and they will want another \$70,000.00 or whatever figure they are going to use and then the taxes will have to go up for everybody again, even although they are only accomodating a dozen people or 2 or 3 or 4 streets or 5 dozen people.

Mr. Chairman: Do I take it that you are not in agreement with this section, that you do not wish this 6% additional penalty levied?

Mr. Clerk: I would just like to make a correction on Mr. Boyd's statement. Wherever they put pavement down in the City they pay for it. It has nothing to do with the general mill rate. Pavements, sewer and water are separate items and it is called a local improvement tax. Whoever gets the pavement is the person who pays for it and nobody else.

Mr. Chairman: What direction do you wish to give me on this item? Do I take it that you are not in favour of Item 44 respecting the addition of 6% per annum penalty?

Mr. Shaw: I am in favour of leaving it as it is.

Mr. Boyd: Agreed.

Mr. Chairman: There is one other matter that Mr. McKenzie might be able to help us on. This is Item 45.

Mr. Chairman reads Item 45.

Mr. Chairman: What is your consideration?

Mr. Hughes: May I refresh your memory? Mr. Spray had said that there was no business tax in the City. I confessed my surprise - I was unaware of that. Then there was discussion as to whether Council should sit as a court of revision on its own business tax and in line with your earlier statement, it seems fairly obvious that you feel it shouldn't. The matter was then reserved for discussion with Mr. McKenzie and I was also asked whether Mr. Hudson, the City solicitor, had raised a question with me regarding a change in the by-laws on business tax. I had not heard then and I have not heard from him since on this point.

Mr. Chairman: What is your disposition on this one?

Mr. Shaw: If there is no business tax there is no necessity for a clause about it, is there?

Mr. Chairman: Did you have anything to add on this, Mr. McKenzie.

Mr. McKenzie: No.

Mr. Chairman: Are we agreed?

Mr. Boyd: Agreed.

Mr. Chairman: Will you have any further need for Mr. McKenzie?

Mr. Hughes: Of course, the suggestion to change the date was made in the faith that they were requiring a business tax in the City. I don't know whether they do in Dawson either. We may be talking about something that doesn't happen.

Mr. Chairman: May Mr. McKenzie be excused at this time? Could I have the attention of Committee? May Mr. McKenzie be excused at this time.

It was unanimously agreed to excuse Mr. McKenzie and he left the room.

Mr. Chairman reads Item 46.

Mr. Hughes: I have heard nothing from the City Legal Advisor and the only note that I have against it is "examine the effect of a suggestion". This is something that I was going to do and I have not yet done that.

Mr. Chairman: Would you like me to note that as being in abeyance?

Mr. Hughes: If you please.

Mr. Chairman: I will so note that Item 46 will be left in abeyance.

Mr. Chairman reads Item 47.

All: Agreed.

Mr. Chairman reads Item 48.

Mr. Chairman: Are we agreed?

All: Agreed.

Mr. Chairman: I have stroked out Item 49 for some reason.

Mr. Boyd: We agreed to cut it out.

Mr. Chairman reads Item 50.

Mr. Chairman: I believe this was also deferred for further consideration. Have you any comment here Mr. Hughes?

Mr. Hughes: I have no comments that would carry the matter any further.

Mr. Chairman: What are your feelings on this item?

Mr. Shaw: I think this came in where certain people were running for public office in the Municipality, for elective office. I objected very strongly to exempting anyone except those who were working for the Municipality but if they worked for a Government department that chose to dictate whether they ran or whether they didn't, except those that had direct financial connection with the Municipality. I felt that there should be nothing to prohibit them.

Mr. Chairman: Would Committee concur with the thoughts as outlined by the Honourable Member from Dawson or do you have any other views?

Mr. Hughes: You will remember that Councillor Watt wanted to broaden the position and I felt I would have to have very specific instructions on exclusions and so on.

Mr. Chairman: Are you agreed with this item as outlined by Councillor Shaw?

Mr. Boyd: Agreed.

Mr. Hughes: So you would not include the suggested exclusions?

Mr. Chairman: Correct.

Mr. Chairman reads Item 51.

Mr. Boyd: I think we are agreed on the decision on this when it went through on the first discussion.

Mr. Hughes: My note was that I had advised you that I could not agree with the City's comment that this was mandatory and the Committee, to my mind, seemed to agree to the item as submitted.

Mr. Chairman: Do you agree with Item 51?

Mr. Shaw: Agreed.

Mr. Chairman reads Item 52.

Mr. Chairman: Are you agreed with this section? What are your comments or notes Mr. Hughes?

Mr. Hughes: I have noted it as agreed and indeed, to further your work, I have 52, 53, 54, 55, 56 and 57 all marked as agreed or clear. There was not any extensive discussion.

Mr. Chairman: Are you agreed with Item 52?

All: Agreed.

Mr. Chairman reads Item 53.

Mr. Chairman: Are you agreed?

All: Agreed.

Mr. Chairman reads Item 54.

Mr. Boyd: I think this was what we virtually agreed to. Mr. Shaw, as I recall it, pointed out that it would not be applicable in small areas and I think we just left it at that.

Mr. Chairman: Yes, I note that the City of Dawson has not been represented. Possibly instead of City of Whitehorse it should say Municipality. Do you agree with Item 54?

Mr. Boyd: Agreed.

Mr. Chairman reads Item 55.

Mr. Shaw: Agreed.

Mr. Chairman reads Item 56.

Mr. Shaw: Agreed.

Mr. Chairman reads Item 57.

All: Agreed.

Mr. Chairman reads Item 58.

Mr. Chairman: What are your feelings here?

Mr. Boyd: I feel sure we concluded our opinions on this and I would ask the Legal Advisor to tell us what they are.

Mr. Hughes: Remember that I gave you a little local background to an incident and I have summarized the discussion here by saying "Pick up the suggestion made by Councillor Shaw and leave it to the draughtsmen". I was unable to get it down adequately and I was going to pick it off the verbatim report in the Votes and Proceedings. Councillor Shaw seemed to have resolved a formula which was acceptable to you and I was proceeding along those lines.

Mr. Chairman: Are you agreed?

Mr. Shaw: Agreed.

Mr. Chairman reads Item 59.

Mr. Boyd: Agreed.

Mr. Chairman: Item 60 was referred to Mr. Hughes for further consideration.

Mr. Hughes: I have got this marked "Defer and check" and I have not yet come to that, so could it be moved back?

Mr. Chairman: Yes, also note Mr. Hughes that Item 60 is also deferred for further information and consideration.

Mr. Chairman reads Item 61.

Mr. Chairman: What is your thinking here?

Mr. Boyd: I feel that we agreed to this unless Mr. Hughes has anything on it.

Mr. Hughes: Items 61, 62 and 63 are all marked "Clear" except that Councillor Thomson was against 63. 64 was marked "Clear".

Mr. Chairman reads Item 62.

Mr. Shaw: Clear.

Mr. Chairman reads Item 63.

Mr. Chairman: How do you wish to deal with this one?

Mr. Shaw: Agreed.

Mr. Thomson: Contrary.

Mr. Chairman: Is there more than one person who agrees with this?

Mr. Boyd: I would like to know why Mr. Thomson disagrees.

Mr. Thomson: No comment.

The item having been agreed with, the Chairman declared a short recess for tea.

Later

Committee was called to order.

Mr. Chairman read Item 64

Mr. Chairman: What are your thoughts on this one? Whether or not, I believe, a candidate may have two agents or one agent.

Mr. Hughes: I have marked this "clear" the last time it was considered. You will remember that there was some history of a rather large number of people surrounding the voters going to pick up their ballot paper. I am not sure who asked for this but I think it was the City of Whitehorse. I haven't got a note on it though. Perhaps Mr. Spray know.

Mr. Chairman: Mr. Spray.

Mr. Spray: I am afraid I don't remember whether it was the City of Whitehorse, that asked for it.

Mr. Chairman: Do the Committee agree with 64?

All: Agreed.

Mr. Chairman read first paragraph of Item 65.

Mr. Chairman: I believe we had quite a discussion on this item.

Mr. Hughes: I noted your conclusion that you wished to stay with the position you were taking with last-minute applicants, there has been a general tightening up on the swearing procedure. I think there is nothing wrong with the provision.

Mr. Chairman: I have it that the Committee disagreed as noted on 65. Is this agreed?

All: Agreed.

Mr. Chairman read Item 66.

Mr. Hughes: I had that marked as "deferred" but I am not sure why at the moment.

Mr. Shaw: It seems to me to my recollection, that if we are all agreed on Section 65, then Section 66 is redundant.

Mr. Chairman: Yes, Section 288 pertains to electors whose names do not appear on the revised list.

Mr. Hughes: Well, you are going to have to leave then, Section 288, since you are not, since you are continuing to allow last minute applications.

Mr. Chairman: Are we agreed on this point?

All: Agreed.

Mr. Chairman read Item 67.

All: Agreed.

Mr. Chairman read first paragraph of Item 68.

Mr. Chairman: I believe this refers back to Section 286 again.

Mr. Hughes: Well, this would mean leave 291 in because you have now decided to continue to have the taking of affidavits.

Mr. Chairman: Agreed.

All: Agreed.

Mr. Chairman read the first paragraph of Item 69.

Mr. Chairman: Are we clear on this point?

All Agreed.

Mr. Chairman read from Item 70: "There is nothing in the Municipal Ordinance at the moment providing time off for employees for voting."

Mr. Chairman: Are you agreed with this item as noted?

Mr. Hughes: That was a three-hour provision in Section 47. The question was whether there should be reasonable hours, reasonable time to vote, or whether you wanted to set a firm figure. There was no decision taken.

Mr. Chairman: Yes, I had noted one hour here, I don't know whether anybody raised it.

Mr. Shaw: I did raise one hour, but later on in the discussion when it came out as a reasonable time, I think it would be quite satisfactory.

Mr. Chairman: Does the Committee agree with this point?

All: Agreed.

Mr. Chairman read the first paragraph of Item 71.

All: Agreed.

Mr. Chairman read the first paragraph of Item 72.

Mr. Chairman: Are we agreed on this?

All: Agreed.

Mr. Chairman read the first paragraph of Item 73.

Mr. Chairman: It was noted that there was some disagreement here.

Mr. Hughes: The note that I have here is that the suggestion would be deleted. I felt that in the preparation of the memorandum we had been led astray, or we led ourselves into thinking that the judge didn't have some discretion. The "shall" here does not lay a duty upon him, it simply gives him the power, and the change is unnecessary.

Mr. Chairman: The Committee agrees that this be deleted?

All: Agreed.

Mr. Chairman read the first sentence of Item. 74.

Mr. Chairman: They went on to point out the resignation or incapacity of an appointed member, which, of course, is thrown out. It is noted here that the Council of the City of Whitehorse commented that provision should be made for an election of a member to fill the vacancy of a member who dies, and so forth. As noted, are you agreed with item 74?

All: Agreed.

Mr. Chairman read the first paragraph of Item 76.

Mr. Chairman: Are you in agreement or disagreement with this Section?

Mr. Boyd: There was quite a bit of discussion on that, I think. I wonder if we did finalize our thoughts on it. Could the Legal Advisor tell us.

Mr. Hughes: I suggested that I couldn't see any reason for distinguishing, any really strong reason. Councillors Boyd and Shaw also held the view there didn't seem to be a reason for a change there. I think that was the key-note of the Committee's thinking.

Mr. Chairman: Is the Committee agreed?

All: Agreed.

Mr. Chairman read the first paragraph of Item 76.

Mr. Chairman: What were the thoughts on this one, Mr. Hughes?

Mr. Hughes: I have got that marked as "delete".

Mr. Chairman: Yes, that's what I have as well. Is it agreed that we delete this section?

All: Agreed.

Mr. Chairman read the first paragraph of Item 77.

All: Agreed.

Mr. Chairman read the first three paragraphs of Item 78.

Mr. Hughes: I thought the decision was to leave form R alone because there is still a need for it. You are going to repeal section 288.

Mr. Chairman: Are we agreed that this should be deleted, the suggestion should be deleted, and form R remain?

All: Agreed.

Mr. Chairman read the paragraphs **four and five** of Item 78.

Mr. Chairman: What is your thinking on that?

Mr. Boyd: We came to an agreement on that whereby we would ignore this recommendation.

Mr. Chairman: Do you wish this as being in disfavour of this recommendation?

All: Agreed.

Mr. Chairman read the sixth paragraph of Item 78.

Mr. Chairman: What was you thinking here, gentlemen?

Mr. Hughes: It just wouldn't work, because you are dealing with tax exempt property of the Crown. You can't put Crown property up for sale so Dawson just didn't think through on that. When you concluded your review of this second suggestion I was unable to hear the remarks on the first suggestion because of passing traffic. I wonder if you could restate that for me.

Mr. Chairman: Deleted. Gentlemen, do you agree that item 2 should be deleted?

All: Agreed.

Mr. Chairman: That concludes our discussion of the Municipal Ordinance with the proposed amendments to the Ordinance, with the exceptions of items 41, 46 and 60, which I have noted for further consideration when next we review Sessional Papers. Do you feel that you have sufficient on those items, Mr. Hughes, apart from those which have been deferred?

Mr. Hughes: I hope so. I appreciate the time spent by the Committee. There will be some things that have been overlooked, but I can go a long way towards developing legislation.

Mr. Boyd: Mr. Chairman, I would like to ask the Legal Advisor a question. This recommendation number 2 of Dawson City - you say it's not workable. Now, thinking of all these homes on the Lakeshore of which we cannot buy the land, but we are paying taxes on the property that we own on that land. In the even that we don't pay the taxes on this property, nobody can do anything about it, can they?

Mr. Hughes: You're not going to be that lucky. Under the Taxation Ordinance, section 73 would apply and that provides "Where the taxes imposed in respect of any right, interest, or estate of a person occupying or leasing Crown land are in arrears, the following proceedings, amongst others, may be taken: The Collector may serve a notice on form D, which gives them thirty days in which to pay their taxes; the Collector may after thirty days file a Notice of an Affidavit with the Clerk of the Court, and at the City's report the judge may hear and make such order for the payment of the taxes and costs as he thinks proper." So it would then form part of the normal court judgements and executions. With those thoughts in mind I wouldn't encourage Councillor Boyd with what seems to be crossing his mind.

Mr. Taylor: The same provisions are in the Municipal Ordinances.

Mr. Chairman: Gentlemen, at this point I wonder if Mr. Spray may be excused.

All: Agreed.

Mr. Chairman: Thank you very much, Mr. Spray for your time. (Mr. Spray withdraws.)

Mr. Chairman: I have for consideration three memos which shouldn't take us very long to deal with. Then we have the matter of jury fees, and you may wish Mr. Hughes to remain with us for the discussion on jury fees. Is this agreeable?

All: Agreed.

Mr. Chairman: This will be coming up with Sessional Paper No. 24.

Mr. Hughes: Could I get my file on jury fees while you are discussing this?

Mr. Chairman: Yes. We will now deal with the Memoranda.

Mr. Chairman read memorandum dated 19 March, 1965, addressed Memo. to Mr. Speaker and Members of Council, concerning question dated raised by Mr. Watt regarding an addition of \$350 per child 19 Mar./65. taxable income.

Mr. Chairman read memorandum dated 19 March, 1965, addressed Memo. to Mr. Speaker and Members of Council, concerning discussion dated of daylight saving time for the Yukon. 19/Mar/65

Mr. Geneltmen: If you wish, we could bring this item to the attention of Mr. Speaker in preparation of the agenda this evening, if you so desire.

All: Agreed.

Mr. Chairman read memorandum dated 23 March, 1965, addressed Memo. to Mr. Speaker and Members of Council, concerning Bill No.1 dated Second Supplementary Appropriation Ordinance 65 and 65, 23/Mar/65 No. 2 Interim Supply Appropriation 1965 and Bill No. 3 re Bills the First Appropriation Ordinance No. 1965-66. Nos.1, 2, & 3.

Mr. Chairman: It was noted this morning, gentlemen, with your concurrence my thoughts possibly would be to deal with these as soon as we have completed the several Sessional Papers which we have for our attention. I am at the direction of the Committee, in this regard. May we have order.

Mr. Shaw: I would propose that these could come up on the Agenda later on, and that we give attention to these urgent matters of the Bills, and so on.

Mr. Chairman: I just thought that possibly we could tentatively line up the procedure so that I could have direction from the Committee of the Whole as to which way you want to proceed. Do you wish to set a day for this or carry on with Sessional Papers.

Mr. Shaw: Sessional Papers, a lot of them are important but they don't have any urgency attached to them. There is no question that the Bills have urgency attached to them I would suggest, Mr. Chairman, that we give those immediate consideration possibly starting tomorrow.

Mr. Chairman: Does the Committee agree?

All: Agreed.

Mr. Chairman: I was wondering if, with your concurrence, we may get to this this afternoon. We have one Sessional Paper, No. 28, in which he states "there is some urgency to this matter, and I would appreciate an opportunity of discussing this further with you". It's in relation to the proposed new liquor store. It seems to be the only urgent Sessional Paper, so that if we could continue this afternoon with the Sessional Papers and put this in the Agenda, why I will make a note of it.

Mr. Shaw: We should start tomorrow with these Bills.

S.P. #24 Mr. Chairman: read Sessional Paper No. 24, concerning Jury Fees.

Mr. Chairman: We will proceed.

Mr. Watt: This was a motion that emanated from myself, to bring our jury rates to something at least comparable to one province in Canada that I was familiar with, and it was set aside here to get the rates in other provinces. All I expected to get here was Nova Scotia, so much; New Brunswick, so much; and all across Canada, so much. If we're not out of line with the other provinces then, as some of the Council suggested, we must be getting it now. If we are out of line, and if we're not paying enough to be comparable to other parts of Canada then I think we should pay more. The one particular province that I used was Quebec, because I have been informed that there has been increases. I had experienced difficulty because of this, and I don't see why the rest of the people in the whole of Canada, I don't see why it shouldn't be the same all across Canada without your differences in population and costs of living. It's Federal money, and if Quebec can get twenty-five dollars I don't see why a man in the Yukon can't get twenty-five dollars. You can talk to me all you want about personal duty and I am just as patriotic as the next person, but when it comes to something like this I think it should be the same all across Canada, or something comparable to it. I don't think my question is out of order. We've got a delightful history lesson here, but this is what I'd expect. It is noted that the objections Mr. Taylor had for the motion at the time, but I think you should have noted that I think he voted for the motion too. I would like to see this motion simply turned over to the Clerk and ask him if he could just request from each Province what their scale is. Could you do that? Just in simple figures. All the Provinces?

Mr. Clerk: B.C., Alberta, Saskatchewan, Ontario, Northwest Territories:

Mr. Watt: That is the five high ones, and the five low ones. The five averages, the only five you asked for.

Mr. Taylor: I didn't ask anyone.

Mr. Watt: The object, then, of having this sent over was to just have a request made to all Provinces of Canada. When I see a request like this made and then you nastily come back with "several provinces" I don't know whether the high one has been picked, or the low one has been picked or an average has been picked, or they haven't been written to. I would personally just like to see this put back into the hands of the Mr. Clerk.

Mr. Clerk: It wasn't the Clerk, it was the Legal Advisor, and he's sitting right here, and he would answer you if you would ask him.

Mr. Watt: I think the original request was made to the Clerk.

Mr. Chairman: Order, geneltmen. Could we just have on thing at a time.

Mr. Watt: I think the original request was made to the Clerk of the Council, and not to the Legal Department.

Mr. Clerk: The original request was made to the Clerk of the Council, the Clerk of the Council made the request to the Legal Advisor, who prepared this memorandum, which Council has just read.

Mr. Chairman: Mr. Legal Advisor.

Mr. Hughes: The message is in response to Motion #33, and as I understood it Mr. Watt moved, seconded by Mr. Southam, that it is the thinking of Council that jury fees be increased to \$25 per day. There is nothing in that motion about writing to all the different provinces. If the Council had made this clear in the motion it would have been done, but it is an incidental part of the Review that I thought it was worthwhile to bring to your attention the information that I have been able to put together. It is not completely representative, but you may feel that we are looking at a broader pattern and be able to proceed. The Councillor is mistaken when he says this is Federal money. This is not Federal money. All we tried to do was to put the facts before you. The Administration doesn't say the fee line must be held to \$12. The Administration would like to hear what your recommendations are, and rather than come up with a firm increase of, say, \$18 or \$25, I have drawn your attention to the way they deal with it in Alberta, where all cases of hardship, the judge can make recommendations. We could work it that way perfectly well, and then we would be tailoring the allowance not only to the special needs of the Yukon but to the special needs of the jurors in the light of their own circumstances, and in the light of the duration of the case, which may have a very profound effect on what we should do. There's no resistance to an increase, it's just that we thought you would like as much fact as possible. I am sorry for the history lesson, but there is a fundamental point of philosophy in jury service.

Mr. Taylor, (with Mr. Boyd in the Chair): I would just like to clear up one thing. It seems that I am getting blamed here in this Council for doing a lot of things by one member. He stated that I have voted in favour of this increased jury fee, and I just wish to point out for the member's edification this motion carried with Mr. Thompson, Mr. Watt, Mr. MacKinnon, and Mr. Southam for, and Mr. Taylor and Mr. Boyd against. This appears on page 218 of the votes and proceedings of last session, in case the member is not acquainted with this. Now I must also say that this is of course, as the member pointed out, quite a history lesson. But I think it's a history lesson we should all read very carefully, absorb very carefully. We cannot throw up the idea after reading this that this is not a civic duty, because it is a

civic duty. It's a very important civic duty, because the law of the land is such and decrees that a man, any man, who goes before a court has the right to be judged by his peers they being his fellow citizens. Consequently it is one of the most important civic duties that any citizen can ever perform in his lifetime, serving on a jury. Secondly, it has been outlined here some of the expenses paid in the various provinces, and as to whether it is out of line or not, the only way that our jury fees, set at \$12, are out of line with any of the provinces, are that they are more than any of the other provinces, with the exception of Quebec. I think in considering Quebec you must also consider that Quebec is not necessarily Federalistic, or view the Federation or Confederation of Canada quite in the same manner that we do, judicially or otherwise, as has been pointed out recently. I still feel, very very strongly, on this item, that a jury fee of \$12 is more than adequate, but I also do like the proposal put forth by the Administration respecting the situation, whereby, if \$12 a day does not seem to be sufficient and is in fact imposing a hardship on a person who has been impanelled for jury duty, say a person who is the recipient of Welfare payments or something, not Welfare payments but in a situation whereby they cannot carry on, let's say, with this \$12 a day, let's put it on that basis, for one reason or another, that the judge be given the authority to increase his fees, but not over a given sum of money. I believe the sum of \$18 was suggested or possibly \$25, if this is the case. Consequently, I just wish to go on record as stating that I still am opposed to any increase in the jury fees, for those reasons which I have just enumerated, but I would certainly give consideration to a provision whereby the judge had this particular authority.

Mr. Hughes: Could I just give you some figures from 1964, the jury fees paid. The jurors' fees in 1964 amounted to \$3,312, and the jurors called in to form panels, but not actually working, added another \$888, expenses, food, and so on cost another \$1,271 for a total of \$5,472 to the nearest dollar. The Priest and Bobsick cases were of course outstanding, and the jurors' fees there \$1,944, with the panel \$116, expenses, carrying it to a total of \$2,855. The Cosset case, for instance, ran jurors' fees and expenses up to \$476. I bring these to your attention because of the experience to be gained. In 1964 there were nine jury trials. There 276 man days at \$12 day. Now if you pay a straight \$25 you've doubled the bill. You've not only doubled the bill though for criminal matters, but for the civil litigent. He has to find the same fee, and he has to put his money down if he wants to have a jury trial. He has to put the money down with the sherrif, and the sherrif will panel the jury for him. Now, instead of having to put \$300 down the man puts \$600, and this puts him rather at the mercy of the insurance companies and the litigents with long pockets. So you may want to keep it at \$12, and let the judge handle individual cases. I bring these figures to your attention, not because the Administration has any firm point of view, we're most attentive to what you have to say.

Mr. Watt: I think that this motion had passed Council, which means that the jury fee is increased to \$25. Now what we have done is go over old arguments as to whether they should be increased or not. We've already done this once. We have a debate here on whether jury fees should be increased. One member that I know of is making a personal crusade of going around insisting we save effort. Quite a few people have received these letters from the Legal Advisor asking for their opinion on the price of the jury fees. They have either phoned me or come to me, and that's what it's been all about. I don't think one of the ones I was talking to has said they thought it was enough, and some are Federal employees, and they say "well, it's fine for me, but I sure wouldn't want to do it if I had to lose wages", and things like this. About three weeks ago a man came up to me and he was called for jury duty, and he said he couldn't afford it. So he went down and spent a few dollars of his own money and got a form which said he didn't have to go, because it was a financial loss to him. This isn't the only consideration, but if there is any chance of this lack of money affecting the type of justice we've got in the Territory I think it should be increased. As far as the civil cases are concerned, you could make exceptions if you wish, but at least for criminal cases, I don't think this should be the case. As for civil cases, if there is going to be any hardship - I don't really think there is. The type of people that ask for a jury trial are usually pretty well-heeled, and can afford this type of thing.

Mr. Hughes: I brought down all the letters which I summarized towards the end of that memorandum - 25 replies were received out of 47 written to and they are all here - a Councilor, an Inspector. With regard to the motion itself, I was not aware that the material I placed before you today had been considered when you were looking at that motion, and then of course there is the additional difficulty that the motion really initiates a money matter and therefore, while we examine it with interest, (and when I say "we" I am talking with my other hat on) we feel that perhaps we could give more sympathy and a little more support to a more flexible position. Twenty-five dollars a day, and there is no evidence, I am giving you my opinion, to support the view that everybody should get \$25 a day. Now that, in effect, is what you have said on Motion 33. If I was wrong in bringing these matters to your attention now, then I apologize for that. I felt that Council might very well want to look at it again.

Mr. Boyd: I think Mr. Watt is asking for something to be done here that is going to be the peak of anything in Canada. He has chosen Quebec, of all places, on which to govern his thoughts. Now, these Quebec people appear, from what we read and hear, to be very different, with furniture and race tracks and manipulations and fixed jail breaks and a thousand and one things. And I'm not surprised that these paid spectators, who are jurors, expect to get \$25 to sit and keep up with this bunch, whatever name you think would appropriate for this type of people. But there is after all some responsibility on the part of the individual resident of any area, some responsibility towards his fellow man, and if he is going to put money as his god then I don't want him for

my jury man. I want somebody that's got a conscience and a heart, and where the money is not involved. I know of no man who can't get off if it's going to be any hardship. The Administration and whoever it may be are very wise in their thoughts and they are very considerate. There are no obstacles this way, believe me, and after all I take the attitude that I am, that a man has a certain responsibility in this country. We all have some, and we all do many things without getting paid for it, and I don't think anyone should be singled out as not being in that category. I am in favour of leaving the situation the way it is.

Mr. Watt: There is a segment of the population that are immune from this because the wages don't cover what they get ordinarily. What about your doctors, what about your lawyers, what about other professionals? They get too much money, they can't afford to go. Are you suggesting that if you were a mining man and you had a half-million-dollar case coming up that me and my family should suffer for your argument with somebody else? Is this what you are offering, are you calling this a patriotic duty? I want to get out of there, if I am in jury duty that's going over and over and over for a long time. The least they could do is make sure I didn't go in the hole too much. I don't know what this exercise is all about, the motion passed, it was the opinion of council, this resolution, and presumably they, the Administration could have enacted it, or part of it, by resolution, or changed the Ordinance. Here we are going over the old argument again, I think right now I'm wasting the Council's time by standing up and talking.

Mr. Hughes: At the risk of wasting the Council's time, I should draw attention to subsection 2 of Section 16 of the Jurors' Ordinance, "When serving a summons upon any person, the Sherrif shall ascertain, or attempt to ascertain, whether that persons' service as a juror would inflict upon him undue hardship, or serious inconvenience. If in the opinion of the Sherrif, such hardship or inconvenience is likely to result, he shall report the same to the Clerk. Once that is done, suitable notes are made." Now then, there is that, which seems to have escaped Councillor Watt's attention, and I mention that, but the reason that doctors are not on the panel - the point's really obvious - they have to be available for emergency calls. There are other people who are on emergency calls, who don't have to be on a panel. The reason that lawyers are not on there is that nobody trusts them, so that takes them out of the picture.

Mr. Southam: I seconded this motion. I still believe in it. I might have made a slight error in the amount, but I still think the amount should be increased. When you start talking here, as it says here, that the winter hours you can't earn as much as you can in the summer, to me that's all eyewash, because all you have to do is go in the mine and go to work, and the wages are the same the year round. The thing is this, I think, in my own mind, I am just as good or just as patriotic as anybody else, I served on juries. I served on two juries, in fact, in Ontario, and in both cases I lost money on it, money I could ill afford to lose, because at that particular time I had quite a bit of sickness.

But this is not the point, the point as I see it is, if you expect to get the best out of anybody then it's the same as anything else. If you want a business man, what do you do - you go to get the best you can. You pay him the money, and you get it, you get the brains, if there is such a thing. Now in picking a jury, you know they pick anybody, and pretty near everybody. I agree with you that we have a certain responsibility to any municipality you are living in, jury duty or whatever it is, and we do do a lot of it without remuneration. But I do think, in my own mind, that the jury is underpaid, but I am quite agreeable, as far as I am concerned, in this one, if it is proved that the jury cannot afford it, and if the judge sees fit to raise it to the \$18, or some effort is made to remunerate the fellow that is in, shall we say, hard circumstances, or whatever the case might be. I think I would go along with that. Maybe the \$25 is a little too high, I don't know. But I don't think that \$12 is quite enough.

Mr. Shaw: I am a believer in jury trials as part of the system of freedom, I can also understand the points that Councillor Watt and Councillor Southam brought out, that the economic facts are that one must eat, whether you are serving on a jury or anything else. A two-day jury, or a three-day jury does not affect most people in an undue manner. It's part of their contribution to our society, look at it that way. However when a person has to leave at a trial for a period of 27 days, and I imagine that is the days the trial is in effect, not counting Saturdays and Sundays, which makes it into probably four or five weeks - that can definitely create a hardship a person is not capable of withstanding. It's unreasonable, you might say. My idea, and I think every member should stand up and say what they think, either for or against, I feel that \$12 in the normal course of events is adequate, however, the provision which has been recommended in this paper, that the judge has the power to fix increased fees in the case of hardship, (and the Legal Advisor has received judicial assurance that the system seems to be working quite well) is the answer to this particular problem. Myself I think that that is a very good way of resolving something to the benefit of most people, and still have our system work.

Mr. Watt: I would like to ask Mr. Legal Advisor just how would this work when the member says "Well, judge, I'm kind of short", are you going to put it more or less in the classification of welfare, this particular jury duty?

Mr. Hughes: There is nothing dishonourable about welfare, particularly, and there is nothing dishonourable about jury duty. A man could tell the sheriff, quite simply, that he was out of pocket over this thing, that normally he was earning \$18 or \$20 a day, and could he have a further allowance approved by the judge. This is how I see it working. If not by the judge he could come to me, I'd look at it, and make a recommendation for the judge's final approval. One can do this in a variety of ways. It could be done and it would be done. You might like to recommend that the fee stays at \$12, but the persons who are affected can be paid up to \$25. There is no real objection, it's just that I don't want you to leave

the civil litigant in a bit of a hole. It's a bit difficult to distinguish between the fees for a criminal jury and not for civil.

Mr. Taylor: Mr. Hughes, what type of direction would you require as a result of this Sessional Paper. Do you wish a firm direction as to what procedure to follow along these lines? What would you suggest?

Mr. Hughes: Well, if it is the wish of Council that a procedure be introduced so that fees up to \$25 a day and not less than \$12, where the judge is satisfied that hardship is occurring, may be paid, rather than a flat \$25.

Mr. Taylor: Thank you, Mr. Hughes.

Mr. Watt: The reason that this seems to be here is just that there seems to be some question about the money. It's come back to us, we've already passed our opinion that jurymen should get \$25 a day. It has come back to us, and you ask for different direction, and so, would the money be made available for this, or would it come back again? This seems to be more personal opinions than anything else.

Mr. Taylor: There is a great point in making a motion, but there are limits to what we can do. I will refer you to Section 24 of the Yukon Act, and it states "It will not be lawful for the Council to adopt or pass any vote, resolution or bill or the appropriation of any part of the Public Revenue of the territory, or of any tax or impost for any purpose that has not been first recommended to Council by message of the Commissioner on the Session of which such vote, resolution, or bill is imposed." I think thought might be given to that section of the Yukon Act.

Mr. Shaw: I would like to make a motion that fees of up to \$25 per day be paid to jurors that can satisfy the judge that hardship hardship has been created, and that this will come into effect when trials last over a period of four days.

Mr. Taylor: (Back in Chair) May I have a written copy of this so I can mark it down. Is there a seconder for this motion?

Mr. Boyd: I'll second it.

Mr. Chairman: Will you proceed with discussion of the motion, gentlemen.

Mr. Boyd: Is the motion in order in the first place, in view of our powers? Is it not a recommendation that is required rather than a motion?

Mr. Chairman: Yes, this should be in the opinion of Council.

Mr. Shaw: Well, I didn't put it in the opinion of Council because we're not in Council, we're in Committee. This is the opinion of this Committee regardless

Mr. Chairman: In the opinion of Committee? Is there any discussion, gentlemen?

Mr. Watt: Speaking on the motion. We have a motion passed through Council that a certain amount be paid, now we have a motion of the Committee that a certain lesser amount be paid. Now, what is the position? Is the, does the resolution of Committee take precedence over the previous motion of Council? I don't know, it's not worth arguing about, I'm tired of this.

Mr. Chairman: Mr. Watt, the position in this regard is that the motion referred to was at a former session. Consequently the motion is quite in order.

Mr. Shaw: If we had enough power we could say to the Administration, you pay this, you pay that. Whether one likes it or whether one doesn't, the facts are that we do not have this power. But we do have the power of recommendation. Apparently the first recommendation and the motion we have been discussing was not acceptable to the Administration. Otherwise there would be no argument about it now. So they have come up with their ideas on the matter, and I am endeavouring to ameliorate the situation by putting forth a motion which I hope, or recommendation which I hope they will accept. If they don't, well, then, they don't.

Mr. Chairman: It has been moved by Councillor Shaw, seconded by Councillor Boyd that in the opinion of Committee, fees of up to \$25 per day be paid to jurors who can satisfy the judge that hardship has been created, and this to come into effect when trials last over a period of four days. Are you prepared for any further discussion on the motion, gentlemen?

Mr. Watt: I object to the motion. There has been no reason given to us why the original motion of Council was not approved. There has been no suggestion that the money isn't available, I don't know what this is all about, or why this is all about even, or why this has been presented to us. There has just been a list of arguments, and there has been no suggestion that the money wasn't available. I am going to object to the present motion on the grounds that the earlier motion should have been acted on in the first place, unless some sufficient reason was given why it hasn't been.

Mr. Chairman: Is there any further discussion on the motion? Are you prepared for the question? All those in favour of the motion please signify.

MOTION CARRIED

Mr. Watts wished to have his vote recorded as being opposed to the motion.

It was moved by Councillor Boyd, and seconded by Councillor Southam 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 convened at 10:40 A.M. this morning to discuss Bills, Memorandums, Sessional Papers and Motions. Committee first considered proposed Amendments to the Municipal Ordinance, with Mr. Hughes and Mr. Spray in

Committee
Report

attendance. It was moved by Councillor Watt, seconded by Councillor McKinnon, that a request be made to have a member of the Municipal Council of Whitehorse present for the review of the suggested changes of the Municipal Ordinance. MOTION DEFEATED. Mr. MacKenzie also attended Committee deliberations. Committee recessed at 12 noon and re-convened at 2 p.m. this afternoon. Item 41 was deferred pending further study by the Administration. Items 46 and 60 were also deferred. It was moved by Councillor Shaw, seconded by Councillor Boyd, that in the opinion of Committee fees of up to \$25.00 per day be paid to jurors who can satisfy the judge that hardship has been created, and this to come into effect when trials last over a period of four days. MOTION CARRIED. Mr. Watt wished to have his vote recorded as being opposed to the motion.

Committee adjourned until 10 A.M. March 23, 1965.

March 24, 1965 - Wednesday
10:00 o'clock A.M.

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

Mr. Watt: I will try to have the Financial Advisory Committee report ready for Friday but if not it will be ready on Monday. We have a copy of the minutes of the Financial Advisory Committee meeting here that was held in Whitehorse and I looked these over, read them, and signed a copy for Mr. MacKenzie. I had notes on the report but just about every item that I covered was in the minutes here. So it seemed like a duplicate of doing the same thing twice and just bogging us down with paper work. I did that last time and what the Administration prepared and my report, there was so little difference in them that we might just as well of had one of them. If it is the Council's wish then we could consider this the report. The only time that a separate report was made by a Chairman of the Financial Advisory Committee was the first time they had this committee when Mr. Livesey was the Chairman. This wasn't done the second time and by myself, my first Financial Advisory Committee meeting. That was the only time that a separate report was made and from experience it added so little to it that when we went through it the document that we used was the minutes.

Mr. Speaker: This is a report and needs to be tabled and brought to the attention of Council.

Mr. Taylor: In view of the fact that this document is the Administration's document it should be tabled by the Administration.

Mr. Taylor gave Notice of Motion respecting Labour Legislation.

Notice of
Motion #16

Mr. Taylor gave Notice of Motion respecting Territorial Taxation.

Notice of
Motion #17

Mr. Shaw (with Deputy Speaker in the Chair) moved, seconded by Mr. Taylor that in order to complete the tax analysis recently provided, could the Administration supply data in relation to the taxes levied for school and general purposes by the Municipality of Dawson and the Municipality of Whitehorse for the last year in which the complete data is available. Production of Papers #4

MOTION CARRIED

Mr. Watt moved, seconded by Mr. Thompson that it is the opinion of Council that the Administration inquire into the obtaining of a historical copy of Hansard's House of Commons debates and the feasibility of providing library space for them.

Motion
#11

Mr. Watt: In our recent trip to Ottawa the members of the Financial Advisory Committee were informed that there was two or three copies of Hansard that were available and our Member of the House of Commons had suggested that if an application was put in for them we would possibly have a chance of getting them otherwise they will be grabbed up by different universities across Canada. In the future when our children, or ourselves or anyone wants to refer to debates in the House of Commons then we can refer back to Hansard.

From what I can understand these will be a gift from Ottawa and we would just have to provide the shipping and the space in the library. From what I understand the cost would be possibly less than \$1,000.00. This would be an asset to the Territory if we want to refer back to anything that was said in the House of Commons by our Member or a previous Member of the House of Commons and some day in the future we may have a library or may have a university in the Yukon Territory and this could then be turned over to them and form part of a reference library. I think it is something we should take advantage of now if we can and if the Administration can see fit to find the funds for it. It is an opinion and resolution of Council that they be obtained if possible and be left up to the Administration to carry the ball from there. At the moment there is a few things I would like to look up.

Mr. Taylor: Mr. Speaker I think this is a very good motion. As the Honourable Member has pointed out these documents may become available to us. We of course have to get our request in fairly early as one of the universities across Canada may grab them up and I think for a historical record that these volumes could possibly be placed in our new library or somewhere whenever this is completed and will offer to the children or students of this country, as well as the legislators and others who may be interested in the historical data contained in these volumes, I think they will really be of benefit to the Territory and I certainly agree that we should make every effort to obtain a set of them.

MOTION CARRIED.

Motion
#12

Mr. Taylor moved, seconded by Mr. Shaw, that Whereas the resident citizens of the settlement of Teslin and district have pointed out their desire for treatment care facilities within their community, and

Whereas the aforementioned citizens of Teslin and district reside at some distance from central medical facilities at Whitehorse, resulting in undue discomfort and expense to these citizens, and

Whereas it would appear that the lack of adequate treatment facilities have and are presently placing a great hardship on this settlement and district,

Therefore, be it resolved that in the opinion of Council, a full-time permanent registered nurse be installed at the settlement of Teslin to provide treatment and public health facilities to both Teslin and surrounding area, and that such nurse be provided with sufficient equipment and supplies to ensure that the initial needs of the settlement and area be met.

Mr. Taylor: This is a matter of some concern which was once again brought to my attention yesterday morning. These people have asked that possibly they could send a delegation at this sitting of Council to meet with Council and explain their problems in Teslin. I would ask that this motion be referred to Committee and that I could have the concurrence of Council to deal with this matter in Committee with Dr. Kinloch and say possibly three members of the community to explain what their position is.

Mr. Boyd: Surely we are able to know what is going on in Teslin and can decide adequately and fairly, I would think, without bringing a delegation in here. I don't think this is necessary.

Mr. Taylor: Mr. Speaker, it was they that suggested the delegation, not myself. They were going to come swamping in here and I said no - that I felt that no more than three representatives of the community, representing say the Indian area and so forth of the community, come. The reasoning they gave me for this was that they have been pounding away, and I know I have at this table for the last four years for this facility so they feel something has to be done. This is why they would rather come and explain with Dr. Kinloch right here. We have only heard Dr. Kinloch's point of view on the medical end of it plus what I have been able to produce from the village of Teslin so it was felt, and they feel very strongly, they have asked that they could do this.

Mr. Speaker: Perhaps to ease the situation, I would suggest that this be referred to Committee and then discuss it from that point if that would serve the purpose, as an amendment to this particular motion.

Mr. Taylor: Mr. Speaker, I would have included the item in this, this is a resolution but I thought that possibly if we asked the concurrence of members to consider this in Committee and at that time I be allowed to have say three representatives with us. I didn't feel that an amendment would be necessary, however, if it is so necessary I am quite in agreement.

Mr. Speaker: I might add that there is nothing in the motion that says anything about how it should be disposed of. Generally speaking you dispose of it at this time and I think it would be in order that an amendment to the motion be made.

Mr. Taylor: I cannot propose the motion - all the other matters in Committee have just been referred to Committee by consent of the House.

Mr. Speaker: You might have a point there Mr. Taylor.

Mr. Watt moved, seconded by Mr. Boyd that this be referred to Committee for further consideration.

MOTION CARRIED.

Mr. MacKinnon moved, seconded by Mr. Watt that it is Motion respectfully requested that the Administration investigate #13 the feasibility of producing power using coal as a source of energy in the Carmacks area. It is requested that this study be made with a view to the possibility of supplying power to Carmacks and the Mount Nansen and Discovery Mines area.

Mr. MacKinnon: I believe you are pretty well acquainted with the situation and the necessity of producing an economic power for that area. We could have a great mining development in the whole surrounding district.

Mr. Watt: In seconding the motion and in supporting it I have heard a great deal of talk about the development of thermo power both from the member from the area and from members of the Administration. I think that there is quite a bit of local information on this and a lot of this could be obtained at the local level and reported back to Council by Mr. Oliver, and people such as that who are familiar with it. There is a possibility of a mining development not too far away that will need power and the advances that have been made in the last few years in the transmission of power, it may be feasible to do this in the Mount Nansen area, at a scale that could be economic. If this study is made and it does prove economic then chances are either some private corporation or the government would be interested in proceeding with this further and supplying the area through to Carmacks and the mining area just beyond Carmacks. It is a motion

that is worth the time the Administration spends on producing a paper on this and I would be happy to spend the time in studying it, after it is produced.

MOTION CARRIED.

Motion
#14

Mr. Watt moved, seconded by Mr. MacKinnon that it is the opinion of Council that the distribution of seats in the Territorial Council has little correlation to the numbers they represent, and it is respectfully requested that the Administration look into the feasibility of having the Yukon Act changed to allow for either:

- (a) Re-distribution of seats so that the outlying areas have a greater percentage of the population to represent,
- (b) Increasing the number of seats in the Territorial Council to give the Whitehorse area representation more in line with that of the lesser populated constituencies as at present the three Whitehorse councillors represent about 65% of the population of the Territory.

Mr. Watt: As the members here know it is a long time since we have had a redistribution of seats in the Yukon Territory and I think the population fluctuation has been sufficient so that by the time the next Territorial election comes up, which is two years from now, then I think the population fluctuation will be even greater. There is a tendency to concentrate the population in the urban areas. The members from Whitehorse, their constituencies expand into the outlying areas quite a bit. The basic reason for the motion is that the problems of the people from the hinterland, the outlying constituencies, are so far different than those in the areas in and around Whitehorse that there seems to be an area of difference of opinion, a gap that can't be bridged very well, between our thinking and the thinking of the members from the hinterland. It appears that when a problem comes up here concerning the Whitehorse area we are in a sense snowed under and we represent the large percentage of the population and when we are snowed under then 65% of the population of the Territory are snowed under. I would like to go further with this and say that not only are we snowed under within the Council here but our representation is thought so little of, even by the Administration, that when it comes to a problem such as something beyond the city limits of Whitehorse, instead of coming to us and even consulting us they go over our heads and go to the City Council. An example of this is the cemestros. We have had a motion in Council here and this Council wasn't even considered, wasn't even asked. The Commissioner held a meeting and went right to the City Council and to Ottawa and said it was something - he acted in a way that doesn't affect the Territorial Council at all and I think it is an important part of our job - to help take care of the areas outside of the municipalities as well as in the municipality. Another area in which the esteem of the Whitehorse Councillors are held is the Whitehorse Metropolitan Plan. The Commissioner formed a committee at which the three Whitehorse Territorial Councillors attended and the rest were all businessmen in town here, 90% of them, so we were three in approximately twelve, so again we were snowed under. The land involved is 80% outside of the municipality of Whitehorse. I would like to add that in this committee there was, when it was originally set up, the three Whitehorse Territorial Councillors were automatically to meet with members of this committee and the new member from Whitehorse wasn't even asked to join it yet. There was two requests made that he

should be asked. Another point, we have an engineering report and it concerns the City of Whitehorse and it also concerns Hillcrest, Valleyview, Camp Takhini and possibly intricately involves Porter Creek and maybe Crestview. We have a request through Council here now to have a copy of this report tabled to the Whitehorse Councillors. This should have been done automatically by the Commissioner to at least one or two of us that are intimately involved, or invited us to a meeting concerning this. I think that this a motion that I would like the support of this Council on to have the Administration look into the addition of seats in the Whitehorse area. I think that our representation, we are completely snowed under in most of these issues and we haven't got an adequate voice to adequately represent about 65% of the population. This could not be done before the next Territorial election but by that time, if we start the ball rolling now and the Administration can look into the possibility of doing this and maybe report back to us at the next session or the one after and say that this is possible it should be done after a nose count, or it is impossible because of the money involved or something like this. I would like the support of this motion and this will be putting it into the hands of the Administration to have a look at this and possibly report back to us.

Mr. Taylor: Mr. Speaker, having heard the presentation of my Honourable Friend, I must say I cannot agree with his arguments. I would be unalterably opposed to any move along these lines and to accepting this motion. I might say it is one of the most ridiculous motions I have seen since I have stood at this Council table. In the first instance the Honourable Member has stated that it has been a long time since we had a review of the distribution of seats in the Yukon Territory. That long time is only four years ago. He gives his basic reason behind this is that the problems of Whitehorse are far different, far unrelated, from those of the outlying districts, the hinterland. This also, I am sure all members will agree, is ridiculous and foolish. He says that Whitehorse has been snowed under, absolutely snowed under, well this I cannot agree with Mr. Speaker and in order to give an explanation of why Whitehorse, which I assume is the municipality and area surrounding Whitehorse, why does this come about is because, the member has pointed out, the Administration have gone to the municipal Council rather than the members of the Yukon Legislative Council. I just pointed out the other day that I thought it would be a real good idea if the individual Whitehorse members felt strongly about the municipality of Whitehorse they themselves would go to Council. If they don't go to Council there is nothing in this whole world to stop the Administration from going because somebody has got to do the job. Now this is a problem between the members themselves and the Administration and the municipality of Whitehorse. There is nothing to either increase or decrease membership at this table is ^{not} going to change the situation. The second reason he gave for this being snowed under was that they have problems with the Commissioner over the Metropolitan Plan. How can anyone reason that increased membership at this table is going to change this situation? Here again it is a problem between the member or members and the Administration. For his third argument as to why Whitehorse is snowed under, the Whitehorse members as he points out, is because there is an engineering report out and he hasn't had anything to do with it. I do believe a motion has been placed before Council, or is being placed, in this regard. Here again the problem doesn't lie between the Council of the Yukon Territory and anybody. It lies between the individual members or possibly members involved and the Administration. So this is no valid argument. He has pointed out in this motion to the

effect that representation is unequal because 65% of the population of the Territory resides in Whitehorse. Well I wonder just how many of that 65%, if this figure is reasonable, are tax paying residents of the Yukon Territory. Possibly the honourable member has forgotten about that. It seems that when you go and look at the facts and figures you will find out that it is the hinterland that pays the bill and taxes in this Territory. The last figures I have are a breakdown of revenue into districts of 1958 and 1959 for the Yukon Territory in which they show that ~~the~~ total revenues derived from all sources from the Whitehorse area were \$1,090,400.64. The total revenues derived from the hinterland, all other areas, were \$1,284,677.98. I suggest that this is a consideration if you speak of distribution and fair representation. Possibly the member had overlooked that point. I don't know what the problem is here with the member, whether he has an individual personal problem or whether there is a real problem. I see no real problem. At no time at this table has the three Whitehorse members, contrary to what the Honourable Member of Whitehorse West may feel, at no time have they ever been snowed under. Each time that the three members of the Whitehorse area have risen, both in this Council and the former Councils on matters of any importance whatsoever, the outside members have wholeheartedly supported them or at least have never voted them down. This is one of the democratic rights we have and that is to disagree where we feel that we should disagree. However, at no time, and I say at no time have the Whitehorse suffered for anything which the outlying members have done. We have always gone along with anything the Whitehorse members have asked us to do. So Mr. Speaker, I also point out that this motion was ill advised in my opinion, and this is the first time at this Council table that I have seen anyone stand up and try to separate the Whitehorse members from the outlying districts and I feel it is very, very wrong thinking. At no time has there ever been any separation in the minds of Council as a whole, to my knowledge, both in the former Council or in this Council. I don't feel there should be and this motion should be defeted and the matter tucked away and forgotten about and let's get on with the job as a good group of Councillors working in the common interests of the Territory without this nonsense. If we have to win our battles, let's win the, if we can't win them let's take our defeat like men and go on to the problems of the day. Let's not try and solve our problems by putting in legislation.

Mr. Watt: I think the Honourable Member from Watson Lake made a very good point and he was establishing that the amount of money that is produced by the hinterland, I don't know how accurate his figures are, but it is the basic principle involved. Now he feels as if we should have representation by the size of the pocketbook. I feel we should have representation by population. I think there should be a closer relationship between the numbers that we represent. I'm not saying they should split this right down the middle and divide the population into 7, 8 or 9 or 2 or 3 and give each one exactly so much because you have to take into consideration ~~the~~ areas involved. I am flexible on the point. I think until we get a more accurate distribution of seats, more accurate relationship between the numbers that each Councillor represents, then we can't expect to have much respect either by the Administration, this is the point that I was making. We can't expect to have much consideration or respect by the Administration or anybody else unless we are a true Council and have more accurate representation. As far as the Whitehorse area is concerned, look at your

Votes and Proceedings, look at how much time is spent there by the Whitehorse Councillors. Look at going over the Municipal Ordinance - a couple of the Whitehorse Councillors were trying to make points and it was suggested that it be deferred, deferred. These are examples of how we are, in effect, snowed under here. We have a minority vote and the member from Watson Lake said we should fight our battles and take our licking and I agree with that if the cards aren't stacked against you. But if the cards are stacked against you you are going to have an awful tough time winning in this game or even breaking out even.

Mr. Taylor: I can only say that I am very, very depressed to hear that the cards are stacked against anybody because I wasn't aware of this. I can only say that representation by population is a good factor. We had a census in 1961 which showed the population figures for the Territory and as I pointed out you also have to take into consideration who is paying the bills as well. We have transient people coming and going who have no real stake in the Yukon and this must be taken into consideration. I think our representation by areas is quite reasonable and quite acceptable and proper and there is no need of a revision. With regard to the last comments of the Honourable Member stating that the Whitehorse Members or member, as the case might be, cannot make their point. This was evidenced yesterday but I feel yesterday we could have used a little more representation at this table from the Whitehorse members or a member at least because it seems that the newspapers and other things became more important than their own Municipal Ordinance so I don't there is any valid argument here. There was a vote taken yesterday on a matter of representation of the municipal Council, I believe, to come and for some purpose or another to this table and a simple vote was taken and the gentleman in question lost so consequently I don't feel he has any valid argument here at all.

Mr. Southam: I don't know if I am very much qualified to speak about this but I feel myself that the representation, as it is at the present time, is quite enough and to put it any other way, any further or extra members from around Whitehorse, I think the people from outside would resent it for one thing. It may be proper, it may not be, I don't think it is. I would certainly vote against it. Population wise it is pretty hard, as you know yourself, the population is very scattered but we are the people that are paying the shot, the biggest part of it, in our industry. We should all work together and I think leave it as it is for the time being. As the Territory grows then talk of better redistribution of the seats.

Mr. Boyd: I didn't know anything about this motion and it has taken me by surprise but truly speaking I don't feel I am having any trouble with these outside Councillors. I am having a little trouble with a horse wrangler from 1016 or up in that direction, once in a while but I can overcome him too. I am not in favor of any more Councillors, I don't see that we need more to administrate, maybe less would do better sometimes. I think that we could go on for another three or four years as we are and see what the trend of things are, there may be quite a change in three or four years. I don't think we are suffering too badly.

Mr. MacKinnon: As seconder of the motion it wasn't my intention to give Whitehorse more representation. I did see the point of redistribution on account of for instance my area runs from 1202 then around to Pelly River. It is so far to travel it is hard to give them good representation.

Mr. Thompson: I was wondering if Mr. Clerk could give us some figures as to the number of persons enumerated in the Territory for the last election and those that voted so that we could get some **o**omparison for population wise.

Clerk-of-Council: Mr. Speaker, I don't have on hand at the moment the number of people on the voters list. The only thing I have is the 1961 census figures and they aren't very close to the mark, I don't think. I have been able to account for a total of, breaking it down into various areas, my total comes to 10,050 people and I know there is over 16,000 now. Even in 1961 the population was 14,628 in the Yukon and of that there were 8,000 in unorganized areas so those population figures aren't too realistic. The only thing they do show is that each Councillor has between one and two thousand persons in his area according to these figures. They still leave two or three thousand that are in unorganized areas that aren't shown in the statistics so they aren't too realistic but I can give them as I have them if you like. In the Carmacks area, taking into consideration the breakdown they give us for instance Aishihik, Carmacks, Champagne, Destruction Bay, Haines Junction, Pelly Crossing it gives you a total of only 846 in the Carmacks area. In the Dawson area you come up with a total of 1364, the Mayo area a total of 1270, Watson Lake area a total of 1209 and in the Whitehorse area I come up with a total of 5,361 divided by three which gives you very close to 1700-1800 in each of those areas.

Mr. Speaker: For the information of Council when this matter was altered from its previous status, it was necessary to take into consideration three items at that time in relation to this history, geography and population and that was the answer that came up. Any further discussion on this Motion #14.

Mr. Watt: The City of Whitehorse alone has a population of around 6,000 and then you have the outlying areas. In my constituency alone you have got Hillcrest, Valleyview and the three areas together cover Carcross, Porter Creek, Valleyview Hillcrest, Camp Takhini, Crestview, Canyon Crescent and MacRae. I think that this motion is a request for the Administration to look into this further and give us more accurate figures on what we are representing. A voters list would be a pretty good guide - it gives you roughly the number of people that are on the voters list and then you can add your dependents on top of that and it would probably be roughly the same throughout the Territory that would be represented. I feel that and as Mr. MacKinnon has said that if the **C**ouncillors in Whitehorse are representing a greater proportion and there is a thought that no more Councillors should be added, then all the outlying areas could absorb some of the areas close to Whitehorse and this would bring your thinking closer to what our problems are. This is part of the motion - so that your thinking, the thinking of the outlying Councillors - their problems are more common to ours, they will be closer to Whitehorse, at least one or two of you will be closer to Whitehorse. Your line of thinking will be closer to **o**ur line of thinking and you will be more familiar with our problems. You will have a constituent from Whitehorse phoning you up and saying look, this is our problem here. At the moment you are so far divorced from what our problems are that there seems to be a wide gap.

Mr. Thompson: There is a report prepared, I am not sure who prepared it, I think probably it comes under the elections act that is prepared after each election. I don't know how long after it takes to come out but I know this report is prepared and I think that this would probably give us a much clearer position on the actual numbers involved. So I would suggest that this motion be referred to Committee until conceivably the Clerk could inform us whether this report is available for the last election and if not the last election then those who were actually enumerated and counted in the election previous.

Mr. Taylor: Mr. Speaker I could not agree with such a proposal and I don't feel that the information to be gained will be of any value to this Council or the Committee of Council. I think we are all aware of the facts. The information gained from an enumeration at the last Territorial election isn't going to change the situation one wit and Mr. Speaker I would suggest that the question be called on this matter and it be dealt with once and for all.

Mr. Thompson: Mr. Speaker, I made a motion that this be referred to Committee.

Mr. Speaker: Did you make a motion?

Mr. Thompson: Yes, Mr. Speaker.

Mr. Speaker: Is there a seconder for the motion? There is no seconder for the motion. Are you ready for the question on the main motion?

MOTION DEFEATED with
Mr. Thompson & Mr. Watt in favor and Mr. MacKinnon
Mr. Southam and Mr. Taylor contrary.

Mr. Taylor moved, seconded by Mr. Southam that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda, sessional papers, motions and in particular public bills.

MOTION CARRIED

IN COMMITTEE OF THE WHOLE.

Mr. MacKenzie, Territorial Treasurer, and Mr. Baker, Territorial Engineer, attended Committee.

Committee proceeded with Bill #1, and after the Chairman read the Bill, Committee referred to Schedule "A". Discussion Bill #1

Committee passed Item (1), Territorial Buildings.
Committee passed Item (2), Dempster Highway
Committee passed Item (3), Canol Road-Special Winter Maintenance
Committee passed Item (4), Dawson Boundary Road-Special Winter Maintenance.

Total Expenditures \$ 62,000.00
Total Recoveries 44,000.00

Clear.

Mr. Watt: Mr. Chairman, I would like to ask Mr. MacKenzie on establishment number 271, are there no recoveries on that item? That is for the maintenance of Territorial Buildings.

Mr. MacKenzie: No, no recoveries. If you are dealing with Federal Buildings, naturally you recover the whole of it as we do.

Mr. Watt: Couldn't a territorial building such as garages be considered part of maintenance and operation of say the Dempster highway as part of the up-keep on it? This is 85% recoverable isn't it?

Mr. MacKenzie: This is different. These Territorial buildings are not the road side garages.

Mr. Watt: Would it be 85% recoverable if it were road side garages?

Mr. MacKenzie: If it were, yes.

Mr. Shaw moved, seconded by Mr. Southam, that Bill #1 be reported out of Committee without amendment.

Motion Carried.

Committee proceeded to Bill #2.

Mr. Chairman: I have a question I would like to ask Mr. MacKenzie at this time if I may be permitted to do so, and that is, is it clearly understood that in adopting 1/12th of the budget figure as contained here, that we will not be expected to accept in principle those items as they reflect in the budget?

Mr. It is Mr. Chairman.

Committee passed Item 1, Yukon Council.
Committee passed Item 2, Territorial Treasurer and Collector of Taxes.
Committee passed Item 3, Education.
Committee passed Item 4, Territorial Secretary & Tax Assessor
Committee passed Item 5, Health.
Committee passed Item 6, Municipal & Area Development Administration.
Committee passed Item 7, Game.
Committee passed Item 8, General
Committee passed Item 9, Roads Bridges and Public Works.
Committee passed Item 10, Vocational Training.
Committee passed Item 11, Yukon Hospital Insurance Service.
Committee passed Item 12, Travel and Publicity

Committee passed Item 13.
Committee passed Item 14.
Committee passed Item 15.
Committee passed Item 16.
Committee passed Item 20.
Committee passed Item 19.
Committee passed Item 31.

Total gross expenditure \$819,301.00.

Mr. Boyd moved, seconded by Mr. Shaw, that Bill #2 be passed out of Committee without amendment.

Motion Carried.

Committee proceeded to Bill #3. An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory.

Mr. Chairman: The first item under Vote 20 is Education. Christ the King High School - Extension and Renovations - \$105,000.00.

Mr. Chairman: May I ask what are the 48 Oak chairs for?

Mr. MacKenzie: I suggest, Mr. Chairman, for the detail of these schools we ask Mr. Thompson to attend.

Mr. Chairman: Do you gentlemen wish Mr. Thompson to attend.

Mr. Shaw: Mr. Chairman, it is better to buy an oak chair than a spruce chair, it will last longer.

Mr. Boyd: Mr. Chairman, are they having the same kind of a renovation in the F.H. Collins School as well.

Mr. Baker: Mr. Chairman, the extension at the F.H. Collins School is an extension to the metal workshop the woodshop and provides also for a new draftroom. This is entirely different from what is proposed for Christ the King.

Clear on this Item.

Dawson Elementary/High School Extension - \$106,000.00.

Mr. Shaw: Mr. Chairman, I thought this was going to extend the classrooms up, in other words make two floors out of the existing school, is that the way it is going to be?

Mr. Baker: Mr. Chairman, we looked at this very closely and it was concensus of opinion of the Department of Education that perhaps it would be better to provide a new extension entirely and not to undertake renovation to the existing building. The Department of Education has some objection to the operation of woodworking machinery within the present school and thought it would be disturbing the other classes.

Mr. Shaw: Is the existing heating equipment adequate to handle this addition?

Mr. Baker: It is so.

Mr. Shaw: There is just one item here I have noticed and that is electric stoves. That is a normal kind of stove to have here, I just hope that the members of Council don't complain too much when the bill comes in for operating the stoves. Although I hope that by that time we will be able to afford to run them.

Mr. Boyd; I would like to ask Mr. Baker, Mr. Chairman, if we have any trouble with sewage problems in this school, this year, and water,

Mr. Baker: Mr. Chairman, to my knowledge there has been no trouble with water and sewer.

Mr. Boyd: May I take it that there will be no extra monies required for sewer and water problems concerning the further addition on this school.

Mr. Baker: Mr. Chairman, I don't think there will be.

Mr. Watt: Mr. Chairman, I would like to ask Mr. Shaw if this school is on the new proposed sewer and water system ?

Mr. Shaw: Mr. Chairman, it is right across from the Federal Building so it seems that if any place should get sewer and water it should go past that particular area. Further to go on and answer the question that Mr. Boyd has raised, the present water and sewer facilities are adequate for the school.

Mr. Southam: Mr. Chairman, may I ask if these stoves and all this equipment is bought by tender.

Mr. MacKenzie: We buy nothing without getting quotations from more than one supplier.

Mr. Boyd: Is it right to assume that the Indian department will month by month, or year by year, increase their contribution according to the extra money spent for this purpose? Or do they just remain at a set fixed figure?

Mr. MacKenzie: I take it gentlemen that this annual fee of \$350.00 is concerned. That will remain fixed for the term of the life of the Financial Agreement, on the 1st of April 1967 it will be revised upward and remain fixed for a further five years.

Mr. Boyd: Concerning this electric light bill I am wondering if we are in a position to bargain with this Electric Light Company and to get a rate with them or something. Surely we are not going to stand up and pay the rate that these individuals pay, we'll go broke as far as bills are concerned. The cost of educating a pupil there on account of the electric light bill is going to be ridiculous.

Mr. MacKenzie: Well I think that the Dawson City situation is temporary anyway. The hope is that in the very near future electricity costs will come down through the use of N.C.P.C.

Mr. Boyd: This is a certainty?

Mr. MacKenzie: No, a hope.

Mr. Shaw: Yes this is quite correct. I am very happy to see that Mr. Boyd is so concerned. We hope that this will be rectified in the very near future.

Watson Lake Elementary/High School Extension \$ 65,000.00.

Clear on this item.

Carcross School - New 114,350.00.

Mr. Taylor (with Mr. Southam in the Chair): Mr. Chairman, during our discussions on the Financial Advisory Committee this matter raised a great deal of attention and consideration and it was generally felt, or I got the impression it was

generally felt among all concerned that it may not be advisable to build this school at this time. It was thought that possibly some of the children in Carcross could be absorbed into the Carcross Residential School by merely bussing the children to and from the community to the school, and it was also felt, or I certainly feel at any rate, that this may be a very premature move in building the school at this time however I think that possibly Mr. Thompson should be with us when we discuss this.

Mr. Watt: Mr. Chairman, I think in the Financial Advisory meeting before there was anything struck out we wanted to hear from the member from the area as he is more familiar with the circumstances.

Mr. Boyd: Mr. Chairman, I know there is some talk that we could use that school, and I would certainly have liked to have been able to suggest that this would be so. How they come to put this school a mile or two where nobody lives is beyond me. Strictly a case of segregation is all I can see that prompted their thinking when they built that school. They certainly didn't look forward to ever using it by the people of Carcross because they don't live there, its miles away. I don't think that it is feasible or logical when you have to bus them year after year from Carcross over there. The Indian School was empty here a year ago, now its full to capacity, you can't tell who is running who or what they're doing, nobody seems to know. I think in a long run they will have to find another means for this school, I think the people of Carcross will want the school, they got one now and they are not going to give that up to go two miles to school they'll keep what they've got rather than do that, I'm sure of that.

Mr. Taylor (with Mr. Southam in the Chair): Mr. Chairman, I would again suggest that Mr. Thompson join with us in this discussion. I believe he could lend information similar to that provided at the Financial Advisory meeting. And I think the intention was, as I understood it was that the present school at Carcross would still function but possibly one or two of the grades could be integrated with the other school thus not necessitating a large capital expenditure on the new school at this time.

Mr. Shaw: Mr. Chairman, perhaps if you just skip this particular item and go on with the rest and Mr. Thompson could be here at 2:00 o'clock this afternoon.

Agreed.

Committee proceeded to the next item, Roads, Bridges and Public Works.

Road and Garage Equipment in the amount of \$221,200.00.

Mr. Chairman: May I ask Mr. Baker as to whether or not three graders will be replaced. Would it be possible to put the smaller graders and surplus units in the smaller communities in the Yukon for purposes of snow plowing and such thing?

Mr. Baker: Well Mr. Chairman, this is a question of policy of course and I don't know how the Commissioner would reply to it but I will say; that in most small communities the graders are owned by small contractors and we do make use of these machines. In some cases for road maintenance summer and winter. It is our intention that possibly one of these machines here that we are replacing, to send one of these to Old Crow when we get around to constructing the flight strip there. Some of this equipment we turn over to the Vocational Training School and they undertake repairs to it and of

course they contemplate an operators training course and they can make use of this equipment.

Mr. Shaw: These 30' trailers Mr. Chairman, are the flatdecks or lowboys or would they be bunkhouses?

Mr. Baker: This is a bunkhouse type trailer Mr. Chairman.

Mr. Boyd: Mr. Chairman, I am wondering if we are going to take over the Alaska Highway one year from now if the equipment there will become somewhat surplus, or will we need that as well as this?

Mr. Baker: Mr. Chairman, we have looked at this and have determined that the equipment now held by the Alaska Highway will be staying there, and we will require additional equipment for all the development roads which of course will be turned over to us.

Clear on this Item.

Dawson Garage - New \$ 63,000.00.

Mr. Shaw: Mr. Chairman, where will this be located?

Mr. Baker: Mr. Chairman, it will be located in the existing compound.

Mr. Boyd: Mr. Chairman, I'm wondering what is wrong with the other garage. Also if we don't need a garage at the top of 60-mile in view of the activity that is going to take place there. Have we got more equipment in Dawson now than before or what is creating the shortage?

Mr. Baker: Well Mr. Chairman, the existing garage is quite old, it is very delapidated and hard to heat and for this reason we have elected to replace it, we feel that this garage will, in its present location, be able to serve the 60-Mile Road and it will not be necessary, as far as we know now, to construct a small grader station on the 60-Mile Road. We hope to be able to operate entirely out of Dawson City.

Mr. Boyd: Mr. Chairman, is this old garage going to be demolished and in view of the fact that it is so old has no value?

Mr. Baker: Mr. Chairman, we did contemplate demolishing the building but the City of Dawson approached me and asked if they could have the building for their purposes and I have tentatively agreed to this. This of course requires the Commissioner's approval also. They feel it is good enough for their public works operation.

Mr. Chairman: Is the proposed building to be steel and fire-proof.

Mr. Baker: Yes it is.

Mr. Shaw: I might add, Mr. Chairman, that this garage services an area from Dawson to Gravel Lake which is about 70 or 80 miles, then it goes 100 miles up the Dempster Road and now it is going to encompass another 60 miles up this other road besides, it has quite an area to look after.

Mr. Boyd: This new garage you are proposing to build, do we have the ground, do we own it now, or are we going to have to acquire ground to put it on?

Mr. Baker: Mr. Chairman, we own the property.

Mr. Watt: I would like to ask Mr. Shaw, do they have a separate public works system in Dawson City for the maintenance of the streets. Wouldn't it be cheaper for us instead of increasing the grant, to do the work for them? Rather than have two garages, two machine shops, two repair shops and duplicate equipment?

Mr. Shaw: That is a matter of policy. It might be cheaper if the Territorial Government looked after the streets. Then of course you also get the sidewalks, the sewers, and delivering water, which would be a little bit out of line of work for the Territorial Government.

Mr. Boyd: Mr. Chairman, ~~the thought that~~ you would let Dawson City Council have the old garage, means that they can use it only, you're not giving them anything property-wise or other wise, just the use of the garage.

Mr. Baker: That is correct Mr. Chairman.

Mr. Thompson: Is this an outright gift or is there any money changing hands. There is \$177,000.00 in the capital expense for Dawson, I was wondering if the Territorial Treasurer can tell me if there is anything more in the budget off hand that he knows of for this area.

Mr. MacKenzie: Offhand, Mr. Chairman, I would say no. I would have to examine the budget to see. You have to take into account the grants that we make to the City of Dawson every year. There would be the hospital and the nursing home, if you tried to extract all the figures to the Dawson area it would probably run into millions.

Mr. Watt: Am I correct Mr. Shaw, is the generator at this electrical plant that was purchased by the Territory is it housed in the old Territorial Garage, and if so will it be put in the new one?

Mr. Shaw: This generating plant is a lone from another department of Government and it is a trailer that you can put a tractor underneath and move it anyplace in the Territory, it is just parked along side of the power plant and it is quite a few blocks away from the new installation. This is a loan proposition I understand through the NCPC Department of National Defence and the Department of Public Works, I couldn't explain all the details.

Mr. Boyd: Mr. Chairman, I don't know why Dawson needs this garage I don't know what they are going to use it for. The thought strikes me that we will move out as its not good enough for us and then we will be asked by the Dawson City Council to fix this garage up, make it so that it is warm enough to work in and so on, we move out of it because it is cold, but they apparently want to use it and I am wondering if this proposition came to us would we be spending some money on it fixing it up for the City of Dawson, and how much money have we spent on it in the last few years?

Mr. Baker: Mr. Chairman, I don't know just how much money would have to be spent by the City of Dawson to put this building back in shape. They would have to install some heating units, there is some insulation in the building, that would have to be repaired. How much money has been spent over the last little while over the maintenance of this building by the Territorial Government is something that I cannot answer, and whether or not Dawson would be asking the Territory for money to make these repairs is something I cannot answer.

Mr. Boyd: Do you know what they are going to use it for?

Mr. Baker: It will be used primarily for the storage of their Department of Public Works equipment.

Mr. Boyd: In other words it is a live garage. It is going to be heated and occupied, and they are going to do their repair work and so on in their just exactly what it has been used for in the past.

Mr. Baker: I don't know if they do their own repairs or not Mr. Chairman, perhaps Councillor Shaw could tell you.

Mr. Shaw: Mr. Chairman, I am not quite sure just what repairs they do but I don't think that it amounts to a great deal, they don't have very much to repair, except a pick-up truck, a couple of dump trucks and a grader. They need a place to store the steam boiler and their picks and shovels and other sundry pieces of equipment. They need a place to store the truck they use for a water wagon. The one they use at present is an old one dates back to 1900 which was the original Territorial Garage. This is where the Territory gets better facilities - instead of tearing down this building it is utilized by the City. I don't think it costs the Territory anything in the sense of a direct cost as far as the garage is concerned, it is just a little better facility. The Territorial Government gets the best of quarters, they have the money and the City takes what is left over rather than tear the building down.

Mr. Watt: I would like to ask Mr. Baker if he has any idea what it costs to keep the old garage in operation each year?

Mr. Baker: I couldn't say Mr. Chairman.

Mr. Watt: The point I was trying to make is that if the Territory can't afford to heat this thing and keep it up which is one of the main reasons why we are building a new one, it might possibly be better to add on to our present garage, make it larger and let the greater portion of that to the City and we would be money ahead, because a lot of this money the city is going to have to get from us anyway and this would give them an upgraded building cheaper, and if we were to, under the same construction contract, make a larger building and rent part of it out to Dawson City and let the old one fall by the wayside - because it appears it is not economic to the territory to keep the old garage up so it must be uneconomic to the City too, and the Territory would be saving nothing but money.

Mr. Shaw: Well Mr. Chairman, I can visualize quite an affair there where the City has a welder and the Territory has a welder - there would be things like you are using my equipment, bring that back.

Clear on this Item.

Committee recessed until 2:00 p.m.

Wednesday, March 24, 1965
2:00 o'clock P.M.

Committee was called to order.

Mr. Chairman: We are proceeding with Bill No. 3, and we Discussion
come to the item Dawson Storage Shed - New - \$8,000.00, this Bill #3
is found in your Votes and Proceedings, Vote 20, Page 32.
Are clear on this item?

Mr. Boyd: No.! What have we been using up to now?

Mr. Chairman: Mr. Baker.

Mr. Baker, Well, there is an old storage building that is in
decrepit condition, and we want to replace it with a new
building, because it is in such decrepit condition.

Mr. Boyd: Mr. Baker, it seems to me indications are that we
are going to have a pretty fair establishment beyond Dawson
City, which is going to require a lot of attention. I would
think that you are taking this all into consideration before
spending this kind of money in Dawson City. Would this be
right?

Mr. Baker: That is right, after all Dawson City will re-
main the base of operations for that section of the country,
and we must have these facilities so that we can operate
efficiently. We may still, of course, require additional
facilities well outside of Dawson. It goes without saying,
of course, that eventually we may require something on the
60-mile limit, but we still have to have these bases in
Dawson City.

Mr. Chairman: Is that clear?

Mr. MacKenzie: May I say something here. Before the lunch-
eon adjournment Council asked about the amount of money to
be spent in Item 6 in the Dawson area, of course, those
figures are not easily available, we have very few of the
estimates in abstraction, but I do have before me figures for
three years, which might be of interest. I don't know
whether they are or not.

Mr. Chairman: By all means.

Mr. MacKenzie: In 1963-64 we spent in the Dawson area
\$1,629,172.47, in 1962-63 the figure \$856,516.42, and in
1961-62 \$803,030.22. So, as I said this morning, the fig-
ures are quite substantial.

Mr. Shaw: Who's we? I don't quite know.

Mr. MacKenzie: Did I use the word "we"?

Mr. Shaw: You used the word "we" in all connections.

Mr. MacKenzie: Oh, I see. I think perhaps the Territorial
Government is intended, in that case.

Mr. Shaw: You spent over a million dollars in Dawson!?

Mr. MacKenzie: Yes. I have the breakdown right here.

Mr. Shaw: Would you give me the breakdown, please.

Mr. MacKenzie: Certainly. Yukon Council - Travelling Expenses (in other words, the cost of bringing Councillor Shaw to Council) \$1,699.27; Education -

Mr. Shaw: For travelling expenses?

Mr. MacKenzie: Travelling expenses.

Mr. Shaw: This, of course, is the same for all the Councillors. Right?

Mr. MacKenzie: Not quite. In the case of the Whitehorse Councillor there is no travelling expense involved.

Mr. Shaw: They receive thier indemnity and they can stay at home.

Mr. MacKenzie: Education, \$93, 840.15.

Mr. Shaw: Just a moment. That't out of of one million and a half dollars. Is that correct for the Territory?

Mr. MacKenzie: Yes, yes, yes.

Mr. Shaw: Thank you, thank you.

Mr. MacKenzie: Health, \$46,896.56.

Mr. Shaw: I wonder how the hospital here would compare. Since we are getting these figures we might have the comparison.

Mr. MacKenzie: The hospital here. You mean Whitehorse General Hospital?

Mr. Shaw: Right, Whitehorse General Hospital.

Mr. MacKenzie: Comparing the Dawson Hospital with Whitehorse Hospital? How can you?

Mr. Shaw: I'm merely comparing costs, I have not the qualifications -

Mr. MacKenzie: The in rates?

Mr. Shaw: No, the cost. That amount there, it would be ten times as much for say -

Mr. MacKenzie: But of course.

Mr. Watt: Is it Mr. Shaw's suggestion that we're sending as many people up to Dawson City to go to the hospital as he's sending down here? If you want a fair figure -

Mr. Shaw: I'm not suggesting anything. I'm asking for facts.

Mr. Chairman: Proceed, Mr. MacKenzie.

Mr. MacKenzie: Welfare, \$75,379.89; Municipal and Area Development, \$73,393.32; General, which included Yukon Regional Library, Museum Grant, Sport, and so on, \$7,544.96;

Mr. Shaw: Could I have that last one again?

Mr. Chairman: Mr. MacKenzie, please.

Mr. MacKenzie: \$7,544.96; Roads, Bridges and Public Works, \$297,460.43.

Mr. Shaw: Well, I suppose you have the Alaska Highway put in that too?

Mr. MacKenzie: Not the Alaska -

Mr. Shaw: That is, not money spent, that is maybe money that is spent for roads, and so forth, but three hundred thousand dollars included in the cost of operating Dawson City might create the wrong impression.

Mr. MacKenzie: The roads included in this amount are as follows: Stewart Crossing - Dawson Road, \$141,000.00, the Dawson Boundary Road and Ferry, \$57,000.00; the Dawson Dome Road, \$1,300.00; Bonanza Road, \$1,400.00; the Dawson Airport \$3,100.00; Granville Road, \$15,000.00; Dempster Highway, \$77,000.00; a total of \$297,000.00. Hospital Insurance Service, \$67,291.00; Travel & Publicity, \$2,777.60; Justice, \$17,939.26; Capital, \$371,245.47; and Maintenance of Buildings, \$32,698.49. That's a total of \$1,069.00, which, as I said this morning, is a lot of money for Dawson.

Mr. Shaw: Could we have a breakdown in all fairness to find out what is expended in the City of Whitehorse? And the area surrounding it.

Mr. MacKenzie: Yes, of course. I could obtain those figures in due course. It is not actually available now. This is a special project.

Mr. Chairman: Thank you, Mr. MacKenzie. Gentlemen, may we proceed. The next item is the Ross River Garage, \$50,400.00, that is on page 33, Establishment No. 2916. Is that clear, gentlemen?

All: Clear.

Mr. Chairman: Power Plant Building - Ross River Garage, \$7,500.00, Establishment No. 2917.

Mr. Thompson: Has there been any consideration given along this line with surveying of Ross River and such like, and the possibility of Yukon Electric going in with a plant? Has there been any consideration that this might supply the balance of the village, or is this going to be strictly a production plant, or just the garage itself.

Mr. Baker: This is primarily concerned with the garage building itself. I don't know at the moment whether Yukon Electric or any other power firm would be interested in moving into Ross River to supply power.

Mr. Thompson: In other words, the diesel generating generating plant will be over and above this figure that you have in here for the building?

Mr. Baker: Not exactly, because we do have generating plants that we salvaged from Old Crow that we could use, and this is our intention, of course.

Mr. Chairman: (speaking from the Chair) Yes, I might say that the gentleman that used to run the Post, and so forth, at Ross River, is now deceased, a very short while ago had intended applying for the power franchise. Of course, with his leaving us, why, this means that there will be no such action in that way.

Mr. Watt: I'd like to ask Mr. Baker, what would be the feeling of the Administration if somebody, or three people wanted to locate in that area, and had the extra power to supply? Would it be allowed, or, if there are not too many homes in the village, if say, there was a store there that wanted to use Territorial power, and had it to spare, would the policy be to let them use it, and sell it to them?

Mr. Baker: I think if we had a surplus capacity, I think you'll find the Commissioner agreeable, to sell power, I should say, to the people in the community.

Mr. Chairman: I have one question - Would this also provide not only for the grader station but for the Forestry, Nursing Centre, and other Territorial buildings: would the plant be of sufficient size?

Mr. Baker: Perhaps the Forestry, but I think we may find that the Nursing Centre is just too far away.

Mr. Chairman: It is quite possible to relocate that building.

Mr. Baker: Well, I think the Council House should be relocated in any case. Last year it was surrounded by water, and it should be moved to higher ground, and if it was moved closer to the garage building then it could be connected to the power station.

Mr. Watt: On that point, I'd just like to go on record as saying I'm certainly in agreement that if the Territory has excess power sell it to the whole, the whole neighbourhood if they have it. If they're getting a plant that's already in the Territory that may have a larger capacity, if somebody wants to use it I think we should make it as easy as possible for the people in the outlying areas. I'd just like to go on record.

Mr. Chairman: Gentlemen, are we clear on this point?

Mr. Boyd: May I draw your attention to the fact that Mr. Thompson is here and maybe we are holding him up. We only need him for one subject, I think, and then he could go back.

Mr. Chairman: Yes, this is my intention. I wonder if we could just conclude these last two items, gentlemen, and clear away this section on bridges and public works? It shouldn't take us too long. The next item is the Whitehorse -Keno Road -

Mr. Thompson: Mr. Boyd, the Member from Whitehorse East made a suggestion, and I am inclined to agree with him. We've asked for somebody to come over here and give us some help and I think in view of this we should look into this at this time, rather than go ahead and spend another half-hour or so on these other two points, maybe we won't, maybe we will. But I think that this is a reasonable request, and I think that we should do it.

Mr. Chairman: Gentlemen, I am at the direction of the Committee. I am undertaking as your Chairman of Committees to conduct the business of the House in the most orderly and efficient manner possible. If you wish to detract from this I am, of course, at your direction. Do you wish to conclude this item or do you wish to leave this in abeyance. I only say this because we are going to get so confused here something will be missed. I leave it to your direction.

Mr. Shaw: Well, it's six of one and half a dozen of the other. Mr. Thompson might just as well get through. It makes no difference to me one way or the other.

Mr. Chairman: Does the Committee wish Mr. Thompson to come at this time.

All: Agreed.

Mr. H. Thompson enters the Council Chamber.

Mr. H. Thompson: Good afternoon.

Mr. Chairman: Good afternoon. This is on page 16 and is Establishment No. 2347, in the amount of \$114,350.00. Will you proceed, Mr. Boyd.

Mr. Boyd: Well, the School has been proposed here, and the Financial Advisory Committee have come up with a proposal that possibly the overflow at Carcross, for the time being, could go to school at the the Indian Residential School, and that they would dispense with the building of this building. I make these remarks for Mr. Thompson's benefit, and I would like to know what Mr. Thompson's reaction is.

Mr. H. Thompson: At the time that the Financial Advisory Committee met the enrolment at the Carcross Public School had dropped from 29 in September to 23 in October. I believe it was around 21 in the Sessional Paper which was presented to you last fall the enrolment of the school was given at 23. The pre-school survey taken in the Fall showed that 6 students would be starting in 1965, 7 in 1966, 5 in 1967, 5 in 1968, and 4 in 1969. Now with an enrolment of 23 and no children in grade 8, 6 beginning in September, the school would have 29 students, which, when we examined the Committee on Education's report, the school would qualify for two classrooms, two teachers. The present building, as those of you who have seen it know, is built like a house, the first floor is used for classrooms, the top floor is used as a teachers' residence. With the enrolment having dropped to 21 in January, the Financial Advisory Committee wondered if it would be right to go ahead with the construction of the school, as the enrolment seemed to fluctuate. The latest enrolment figure we

have for the school is 24, this is for the end of February, so the enrolment has gone up again. These 24 students are all in the first seven grades, 7 of them are in grade 1, 4 in grade two, 2 in grade 3, 4 in grade 4, 5 in grade 5, none in grade 6, and only 2 in grade 7. If we assume that the number of beginners will remain as the pre-school survey shows - 6 next year, and 7 the following year - you can see that the enrolment of the school would grow quite rapidly in, or over, the next two or three years. The school definitely would be overcrowded if we carry on with one room. Now, the suggestion was that perhaps these children could be transported to the Carcross Indian Residential School, about two or three miles away. I approached Mr. Fry on this and he said they would be quite agreeable to accepting these students providing the Territorial Department of Education said that there was room in the school for these students. That is, provided we weren't overcrowding the Residential School. Conversely, they would also be quite agreeable to having some of the children who are in residence at the Indian Residential School attend the public school if their school was overcrowded. In other words, the children could just live in residence at the Residential School, but not attend it. Well, in all honesty, if I were to examine the Carcross Indian Residential situation I would have to say the school is overcrowded. There are five classrooms in operation there, only four of the rooms are regular classrooms, the fifth room, which is used for the pre-primary class, is not a proper classroom, it's about half the size of a regular classroom. It's not up to standard. The grade 4 classroom at the residential school is also overcrowded, there are 37 students and this is a pretty heavy load, considering the variety of capabilities of the students in that group. Certainly I think that, my feeling is, that if we did have a two-room school at Carcross, if there was a two-room school in operation right now, Indian Affairs would be quite prepared to have, say, about 7 of those students who are in the overcrowded grade 4 room, attend the public school. They would arrange for the transportation, and help to fill up our school, and also this would help the operating costs, alleviate the operating costs of our school. This is the situation as I see it, and the facts as I have them.

Mr. Thompson: Could you tell me how many students, or how many residents, there are in the Carcross Residential School at the moment, how many students.

Mr. H. Thompson: Yes, I have the figures here. In the pre-primary room there are 19, in the grade 1 classroom there are 27, in the grade 2 classroom there are 27, in grade 3, 32, in grade 4 there are 37, making a total of 122 students.

Mr. Thompson: Is this as far as the Indian Residential School go, to grade 4, or is this because they don't have teachers for the other grades, or it's all the school will accommodate?

Mr. H. Thompson: No. The school just goes to grade 4, this is true. Some years ago, those of you who have been in Whitehorse the last 7 or 8 years recall, there was an Indian Day School operated in Whitehorse by the Baptist Missionary Society, which had grades one to eight. There was also a Residential School at Carcross. When a start was made to

integrate Indian students into the regular school system, the school facilities of the Indian Day School were not up to standard. The classrooms were in army huts. The agreement was, the Territorial Government and the Indian Affairs Branch, made an agreement that the Selkirk St. School would be constructed. This school would teach grades 1 to 8, The Indian Affairs Branch would pay approximately one-half of the costs of the school, and would be permitted to have one-half of the enrolment. Indian Affairs Branch would close down the day school here in Whitehorse, the children would be placed in the newly-built hostels, which would be operated by the Indian Affairs Branch. The school at Carcross would teach grades 1 to 4 only, then the children would come into Whitehorse for grade 5 and up. They would live in the Yukon Hostel at Riverdale. So that is the arrangement. Children, the Indian children who have to live in hostels, and if they are in grades 1 to 4 they are placed in the Carcross Indian Residential School. When they are promoted to grade 5 they come to town and live in the Yukon Hostel, and are students in town. This is another possibility at Carcross, sometimes you hear the principals of these schools, or supervisors, saying that if they had some older students around in the residences they could do a little bit more in them in the way of sports programmes, etc. I think it's entirely possible if our Public School at Carcross, which does go to grade 8, had room for some 6, 7, or 8 students, a few of these students could continue to live in the residence at the Residential School, and attend the school at Carcross. I have heard it said that possibly some of the students who come to the hostel here to live are somewhat immature for the large institution here, and there would be a better situation for them in a place such as Carcross.

Mr. Boyd: One more question. Would you know if Indian category in Carcross, with children, are they going to the Carcross school or are they going to the children's school?

Mr. H. Thompson: The ones that live in the settlement go to the public school. There are about four of them now, this year. Over the years we've always had Indian children in the public school. These are the youngsters who live in the Indian settlement at Carcross. There is a settlement across the bridge on the other side that neck of water.

Mr. Boyd: Are you saying that there are no Indian children whose residence in Carcross going to the children's school? In other words, all the pupils resident of Carcross, regardless of creed, are going to the Carcross school?

Mr. H. Thompson: Yes, to the best of my knowledge this is true.

Mr. Thompson: Am I correct in assuming that the Indian residential school is operating a kindergarten?

Mr. H. Thompson: No. There may be one or two of these students who are of kindergarten age, but they are mostly children who should be in grade 1, but we have actually been trying to get away from this so-called pre-primary, they call it pre-primary, and in the past they've been in the

habit of giving these youngsters who are six years of age, when they first come into school, kindergarten programme, if they haven't the readiness for the regular grade 1 programme. They put them in this what you call pre-primary classroom for a year, and then they go into a regular grade 1 class. Since we've taken over supervision of the school we have felt as much as possible that these youngsters should get right into their regular reading writing, and arithmetic, as soon as possible. Some of these youngsters who are termed "pre-primary" are actually into the grade 1 work now. Under our level system of promotion, we have three different levels, some of them may be at level one or level 2, they might not be at level 3, either at the first or second level. They are not of kindergarten age, though.

Mr. Chairman: May I ask a question from the Chair. I understand there are some 140 or so students at the children's school. It seems to me that rather than being jam-packed full this school should be reducing its number of children, and allowing these children to go to day school in their own community. Have you had any discussions with Allan Fry as to what possible reduction pupil enrolment to the school would be affected say this coming year?

Mr. H. Thompson: I was speaking with Mr. Fry on this for the next year. He thought that the enrolment at both of the Residential Schools, both Lower Post and Carcross, would not change appreciably, but remain about the same. On the other hand, he has also spoken to me very recently, expressing an interest in having a school established at Pellee Crossing. He is a little concerned about this because there is no economic base at Pellee Crossing, and any school that we establish there may not have an enrolment two or three years later.

Mr. Chairman: Does he refer to an Indian Affairs school or a Territorial school?

Mr. H. Thompson: It would be a Territorial school. I have suggested to him, if he is interested, he should write to the Commissioner.

Mr. Chairman: Well, I don't know. It's my opinion somebody should get after these Indian Affairs people they can't possibly be doing their job if this situation continues to exist.

Mr. Thompson: This matter was discussed with the Department of Education when we were in Ottawa, and there seemed to be some doubt in their minds as to who actually was administering this Indian Residential School. Some of them had the idea it was still a church-inspired activity, with the Department of Education assistant, and Indian Affairs participation. There seemed to be no common ground for discussions or for concrete proposals to be brought forward. After having gone through that, and having heard there is Indian participation, the Indian affairs participation, the Yukon Education side of it, and this includes the Territory, I am just wondering what is the overall picture? Are we taking it over from the Territorial side, or is the Indian Department taking it over, are we working in conjunction with them? Just how do we stand on this?

Mr. H. Thompson: Carcross Indian Residential School, the people who are administering the, (by school I mean residential areas, the dormitories and the classrooms, it's all in one building) it's operated by the Anglican Church. They are the ones who are actually administering it. The hospital is paid for by the Federal Government, that is, the Department of Citizenship and Immigration.

Mr. Thompson: Could I ask you one question. Now, in this church administration and operation, do they supply the teachers, or do you supply the teachers?

Mr. H. Thompson: Teachers are supplied by the Indian Affairs Branch, but Indian Affairs Branch has asked us to supervise the instruction in the classrooms, so we provide the same supervision in their classrooms as we do in our own. We have visited the classrooms, and we have had meetings with the teachers there four or five times during the past year. Now the long term plan, as far as Indian Affairs Branch is concerned, and speaking with Mr. Davey who is in charge of their Education Division, he would like to see us take over the complete operation of the school there. And he would like to see us take over the operation of the residence as well. From what he says the sooner this comes about the better, as far as their Branch is concerned.

Mr. Thompson: I can see why they were confused in Ottawa. It's quite a round about -

Mr. H. Thompson: The children come into our school, into the regular school, after grade 4, and they feel that because of this we should have some say in the education of these youngsters before they come into our school - the first four grades as well. This applies to the Lower Post Indian Residential School. We are, as of this current year, we are supervising the instruction in the classrooms now.

Mr. Thompson: One more question. From hearing your submission, and seeing the overcrowded conditions that exist at the Residential School where you say the optimum is 25 and over that, then we should be thinking in terms of different teachers. We're well over it there, so from all these figures I can see no other course but to approve the school at Carcross. Mr. Baker, maybe you could tell me of the \$110,000 that is set aside for it. There's also some in here for playground, would this amount to around \$10,000 or something like this out of the overall \$110,000 that is proposed?

Mr. Baker: Yes. This is approximately what it would cost.

Mr. Boyd: Well, to stick strictly to the subject, this deal is a mixed-up mongrel, alright. At the present time the school they have is definitely nothing much more than a dwelling, and there is no playground at all, not even a little 2 acres - nothing. Carcross is still going to be there for a long time to come. The population doesn't actually fluctuate very much one way or the other, but is standard this way now for many years, and I don't see much change, unless there is, unless a road goes through to Skagway, then there could be quite a change upward. So I would like to see this

school built, and then there would be something that looks presentable.

Mr. H. Thompson: I think it was taken over, and was a house at one time. It was taken over by the Territory, and the first floor was converted and used as a classroom. The school building that preceded it also is still standing. As far as the public school at Carcross is concerned, there has been a school there for years and years and years. In fact, a former Member of Parliament went to school at Carcross in the early 1900's.

Mr. Shaw: It's only been there 65 years.

Mr. H. Thompson: Well, it mightn't be as old as Dawson.

Mr. Watt: When we were discussing this in the Financial Advisory Committee meeting I didn't realize how many children were going to the Residential children's school, this is the reason why I mentioned there I differed until we heard from the Member, and got more information on it, rather than make a motion that it be struck from the Budget. I think we did the right thing in waiting until we heard more about it. I'd just like to ask - in our school there, what about the land and the land around it, do we hold sufficient acreage there? Or are we going to have to purchase some now or in the near future?

Mr. Baker: I think I can answer that question. We will have to purchase property there to build this new school, and to build a playground.

Mr. Boyd: A point here. This is a good one, I think. We have some of this White Pass-held ground when they amalgamated, and according to the Commissioner it isn't worth anything. Now, I hope you will get it just for about that much money, Mr. Baker.

Mr. Thompson: We picked our site at Christmas time. One day last winter we went with Mr. Bayer, who has lived there many years, and picked the most central site. It's away from the Lake and they do get a lot of wind there, but there's lots of land. It's kitty-corner from the present Community Hall.

Mr. Watt: This school is in a state where we hope that the contract will be called in in the very near future, so there must be some negotiating for the land. How much land have we got, and what did we pay for it?

Mr. Baker: The land question has not been solved as yet. When I last spoke to Mr. Spray on this he said that he was still corresponding with the White Pass and Yukon people.

Mr. Chairman: Is it possible to find out what price White Pass want for the land?

Mr. Shaw: There's no provision for land in this proposal.

Mr. MacKenzie: The expenditure could be taken out of this towards the development, although there is no specific provision to purchase the land.

Mr. Shaw: There's nothing in here to say to purchase land for for playground construction and the school, and a vacuum cleaner.

Mr. MacKenzie: There doesn't really need to be specific provision to purchase land. It is one round sum of money for the construction of the school and for everything.

Mr. Thompson: I feel that a long hard look should be taken at this new school in relation to the existing Residential School. As Mr. Boyd has said, Carcross has been there for a long time, and it's going to be there for a lot longer, and I agree. But I also agree that there hasn't been that much fluctuating in actual school attendance in Carcross. If the fact that we do build a new school there, and this will take off some of the load from the Residential School, then I say by all means. But if it's a case of still having the same old crowding in the Residential School, and you have a two-room classroom for 23, 24, 21, 27 - I don't think that this is a very economical outlook either. But if it can be integrated between the two, if there is something in the long-range picture that says the Territory are going to take over the operation of this residential school, and some change be instigated then, I say, then we are probably headed in the right direction. But if this is not the case, then I think I would be a little hesitant and take a second look at a brand-new \$100,000 school for anywhere from 20 to 29 or 30 children, because the fluctuation we have had in just this short time that we have been concerned with attendance there is, - I think it was 29 when we started, then it went down to 21, it's up to 24. Mr. Thompson has figures to show that we will have another 7 next year, how many drop outs, how many move away - I think these are all factors that should be considered.

Mr. Taylor (with Mr. Boyd in the Chair): I've got some thoughts on this school. I've think we also got to watch one thing, and that is the fact if we take the surplus away from the Indian School, then Indian Affairs will just chuck it right full again. I think it is everybody's wish that we empty these residential schools until they become absolutely vacant. I know a couple of years ago we went through the Territory and made great investments in classrooms in many of our schools, and school additions, based on pupil enrolment figures worked out with Indian Affairs. Then that same year they turned around and they jammed their schools full, so we were left with partially empty classrooms and this type of thing. And this is what I feel we've got to do, is start emptying the school. Now, just in further considering this item I thought that if we could have held off another year, until we saw what the economic future of Carcross would be, it might be an idea. On the other hand, if this is an old building, and these people require another schoolroom, I also feel that if we do take a load off the School that the Federal Government, Department of Citizenship and Immigration, should re-imburse us accordingly for the capital cost of this school. Now here we've got 5% recoverable from Canada. If they don't wish to do that, turn the whole thing over to us, but also turn over all the Citizenship and Immigration responsibilities in the Yukon, that is, the control and so forth of the Natives, integrate them, let us do it. I am not so

sure we should build out of Territorial Funds a school to get the Federal Government off the hook. They could possibly start cramming that school. So you can see the intertwining of several problems here. But if this school is required I would be the last person to vote against it, but I think that this is one aspect that should be looked into - this cost-sharing aspect and also whether or not the Indian Affairs are in fact going to start cramming that school full.

Mr. MacKenzie: This recovery factor of 5% is purely nominal. The actual recovery factor would depend on the number of Indian pupils

Mr. Taylor resumes Chair.

Mr. Shaw: We're getting into quite a subject here. We have been doing a lot of discussing on the Indian Affairs Department. I think that perhaps we should review this more in the line of what we should do, not what they should do. In the first instance, the Indian people in the Territory are the responsibility of the Federal Government. It is up to the Indian people to decide whether they belong to the Territorial Government or any other government. They are charges of the Government, and the Government has certain defined responsibilities toward them, toward these people. Part of these responsibilities are to try and educate them, and it is necessary to put up schools in places like that because so many of the Indian people are out trapping, and various places where there are no educational facilities possible, so that I think that is something for the Indian Affairs Department and the Department of Immigration, and also, I say also, the Indian people themselves. It's fine, perhaps, if you take and shuffle them around. I feel there definitely should be some agreement between the two governments, so we at least know how we stand. Are they going to put them in hostels in this place and that place, and do they want us to provide facilities, will they assure us that this policy won't change every year. In other words, so that we know exactly where we stand when we start putting out money. A number of years ago we did expand the school facilities in the Territory quite some extent in various locations. Dawson was one of them, these locations, and all of a sudden instead of the children going to school as was expected, they brought them to the hostels in Whitehorse, Carmax and Lower Post or Carcross. The results were they put our system somewhat helter-skelter because some schools that should have been fairly well filled were not filled. I do feel that there should be some understanding between the two Governments so that we can plan and they can plan and get together on this. Now as far as Carcross is concerned, the people going to school there are the responsibility of the Territorial Government, and if they need a school there we shouldn't have to go to the Indian Affairs Department and say "What are you going to do". We know their policy is to put them in that school. We know that it is our responsibility to educate the children in Carcross. I think we should just proceed and educate our children, or any of the other children that want to come if they're in the Territory, and just let it go at that. The Administration have possibly given us a lot of thought,

but they require educational facilities there. It does seem a lot. For a two-room school that's a lot of money, but it appears to me if we are going to have \$35,000 classrooms, may be it's a little expansive, but if they need a school there (this one is falling down around their ears, it's been there for 65 years) then it appears to me to be quite reasonable.

Mr. Boyd: I've just got one more remark to make to Mr. MacKenzie. This land is bugging me, this Lake land is bugging me ever since I heard what happened. I'd just like to mention I don't think, though they've held this land since 1900 or thereabouts, I don't think they've paid any taxes on it for years and years and years. So when you go to buy it from them they'll say they've held it for all these years, and they're entitled to quite a price, maybe. I can't forget what Mr. Cameron told me about not being worth anything, and it was o.k. for them to do a lot of things. I am going to be very interested in knowing what we paid for this ground. I hope you get it, and I hope you get it your price, not theirs.

Mr. Watt: I'd like to say a point on that same thing Mr. Boyd was talking about. I think when they're choosing a location for this the Government should take into consideration what isn't owned by the Company, because this may direct how the Council goes in the future. We have a situation here in Whitehorse where a company owns a large tract of land, and consequently there has been an exodus from this company-owned land. So if there is land up near the School it should be away from the sub-divided land, company-owned land. I think some consideration should be given to this if at all possible, if there isn't a location where in the future land can be purchased by individuals and used by individuals, because if there is a change, a fairly drastic change, such as the Skagway Highway, or something like this, then you are going to want, individuals are going to want to purchase land, and they're going to build homes there. If they have a situation something like they've got here in Whitehorse, where the company's not going to subdivide property again for fear of losing part of it, then your houses are going to be quite a way from the school. I think this should be given some consideration, and I certainly hope that the Administration does.

Mr. Chairman: Well, gentlemen, in the light of the remarks are there any further questions or remarks or comments in regard to the Carcross School?

All: Clear.

Mr. Chairman: Thank you Mr. Thompson.

Mr. Thompson withdrew.

Mr. Chairman: Are you agreed then gentlemen in the item under Education of \$390,350.00?

All: Agreed.

Mr. Chairman: The next item is the White-horse-Keno Road, page 35, Establishment No. 3100. Are you gentlemen clear on

this item? It is also noted that this is 100% recoverable, from the Department of Northern Affairs and National Resources.

All: Clear.

Mr. Chairman: Next item is the Stewart Crossing - Dawson Road in the amount of \$141,000.00, Establishment No. 3101. This is also 100% recoverable. Are you clear therefore in the sum of \$918,600.00?

All: Clear.

Committee declared in recess for tea.

Later

The Chairman called the Committee to order.

Mr. Chairman: Mr. Southam will not be with us for a short while and we will proceed to the Vocational Training School Extension in the amount of \$229,900.00.

Mr. Watt: Agreed.

Mr. Chairman: Are you clear?

Mr. Boyd: Clear.

Mr. Chairman: It says "50% recoverable from the Department of Labour".

Mr. Thompson: I just forget how many classrooms we are going to provide. Do you know offhand?

Mr. McKenzie: I believe it is 4 classrooms.

Mr. Boyd: I don't think there should be too much discussion on this.

Mr. Chairman: Order please.

Mr. Boyd: As it was understood, that building had to expand and has to expand in order to give proper services.

Mr. Chairman: Are we in agreement on this?

Mr. Clerk: Agreed.

Mr. Chairman: The next item is the Yukon Regional Library which is the new Regional Library of Whitehorse in the matter of \$150,000.00. This is found on page 45.

Mr. Watt: There have been several suggestions made that this new regional library be put in the centennial complex of Whitehorse and I don't think the Administration has given this adequate consideration. We asked them to consider putting the library in with the centennial complex money to see what type of a building we could come up with on this. Has the Administration taken this into consideration? What have its findings been?

Mr. Baker: I did discuss this with the Regional Librarian, this point of building a library down there between Wood Street and Steele Street, and she was against this because it would make the library adjacent to a cocktail lounge. She felt that this was not the way things should be.

Mr. Watt: Was that the only objection?

Mr. Baker: In addition to that, she desires this library this year and it would be impossible, of course, to construct it this year on that particular site because the site is not clear. It probably won't be clear until sometime in 1966.

Mr. Boyd: I discussed this with the Librarian and one point she brought up that I thought made sense was that this place should be where people can come and sit and be quiet and restfull and away from the throbbing pulse of the people.

Mr. Watt: What is the suggested location for this?

Mr. Baker: The suggested site is down at the corner of 2nd Avenue and Hawkins.

Mr. Thompson: 2nd Avenue?

Mr. Baker: 2nd Avenue and Hawkins.

Mr. Thompson: Right next to Jacobs Welding Shop, where it is quiet and peaceful?

Mr. Baker: No, this will be on the same block that the Hansen Street Teachers are on, where the old hospital used to be.

Mr. Shaw: Is this a Whitehorse Library or is it a library for distributing books to the rest of the Territory?

Mr. Baker: As I understand, it will serve two purposes. It will serve Whitehorse as a Whitehorse library and also serve as the regional library for the entire Territory.

Mr. Shaw: Could the library that they have at the present time not be a local library, and then could we set up a regional one for passing books all over the Territory and keep these things separate?

Mr. McKenzie: I think the idea is to have the existing joint library used solely as the Whitehorse library and then have a new regional library.

Mr. Baker: This is incorrect. The Regional Library wants both functions in the same building.

Mr. MacKinnon: Could we give some consideration to the Takhini area. It seems there are some nice buildings there.

Mr. Bjod: That is rather a long way for a student to walk when he wants to look up something in the library from the schools downtown. I don't think it would be applicable.

Mr. Shaw: I think we have a library down here that is used for both purposes. That is of course a Territorial Government building. We need larger facilities and if that was used as a Whitehorse library it would be a tremendous library. It would, in fact, be the only real library in the Territory. If that was done we would not have to go to \$167,00.00 to obtain exactly the same purpose. This building that we have down here is a fine building. I am sure that it will adequately supply the needs of this community for a long time to come and why, after this is all set up, should we go out and build another one. It seems to me that it is somewhat of a duplication and I don't quite understand the thinking.

Mr. Baker: Mrs. Collier, the Librarian, feels that if there were two separate buildings there would have to be two sets of staff. If both functions are under one roof then one staff could look after them.

Mr. Taylor (Mr. Boyd in the Chair): We have been reviewing this business of a regional library annually and I think there are a couple of points to consider here. One, of course, is the one Mr. Baker has just raised to do with maintenance, but I think the most important item is the fact that the space in the library down here is grossly inadequate. The problem has been that there is no shelf space to put up even enough books to serve Whitehorse and this restricts the amount of books that they can carry. Also, of course, they have books which they are currently circulating through the outer library. I feel that the library is warranted but what I question is whether or not we can get some participation. This is a cultural type of thing and I think it was suggested that possibly we approach the Canada Council for a grant or something of this nature. It was also suggested that we could contact the Carnegie Foundation or the Gugenheim Foundation or one of those philanthropic groups and see if we could get some contribution from them for this library. But I think the library is a very good thing, I don't need to expound on that, but I would like to see some contribution from some other sources on it.

Mr. McKenzie: I don't think we can expect any contribution from Council. We have received an annual grant from them for the existing library for the past few years and they have drawn the line at giving any more, but we did agree to explore the possibility of tapping other philanthropic sources like the Gugenheim Foundation and so on and that is being investigated.

Mr. Taylor resumed the Chair.

Mr. Boyd: Within the last 7 days there was quite a talk over the radio concerning this very subject and it was pointed out that Canada is 50% behind the rest of the world in this library set-up. It was pointed out that they are going to go ahead and catch up so it is obvious that we are in the same boat.

Mr. Shaw: What would happen to the existing building? I believe that the I.O.D.E. have some equity in this. Is that not so?

Mr. McKenzie: I don't know about facts, but the building is suitable for adaptation to housing if necessary. In fact it looks more like a house than a library.

Mr. Boyd: I asked Mrs. Collier about this too and she did tell me what they have planned for it. I have forgotten what it was but it sounded sensible to me. I have forgotten what she did say but at least I asked and I was satisfied with the answer I got, so that point I think is fairly well covered.

Mr. Watt: I still feel that the Administration should have given Mr. Thompson's original suggestion a little bit more consideration. So far, I see that there are two objections against putting this in with the centennial complex which would put a few attractive public buildings together and make a unit out of them. First of all the location and secondly the need of having it right now. I don't see where there is much difference in the location down on 2nd and Hawkins and on the proposed site where the City Hall is now. The City Hall and liquor store are still there and it is a block from a cocktail lounge but there are only these two disadvantages. I think that the advantages outweigh the disadvantages because, first of all, you are going to have

one heating system that will supply heat to quite a few buildings and secondly you will have your caretaker who can look after these several Government buildings. You have fire protection and the fact that you are going to have a spot where you are going to have a museum and a city hall which is usually a thing of beauty in a town, particularly a new one. A museum is a thing to attract tourists and is also a thing of beauty. You have a park in front of it, the Whitehorse Metropolitan Park along the river over a little bit. I think that the town is going to be sorry in a few years if they don't put all these things together and make a thing of beauty out of this library because \$150,000.00 is only 3 times the building that we've got there now. It will be a nice building off by itself and as far as the objection to time is concerned, it is just an additional year of waiting time which was sufficient up till now and we have expanded this far beyond what the Administration had requested us to do originally. I believe it was 2 sessions ago but the Council here added something to the budget on the suggestion of Mrs. Collier, and I don't think that the extra year before someone could move into the new library if they waited for the centennial complex to begin would cause any real hardship. I am sorry to see that this has not been given more consideration. I thought it was an original idea of Mr. Thompson's and a very good one.

Mr. Chairman: Is there any further discussion?

Mr. Boyd: I just want to say that I can't concur with Mr. Watt's remarks. First of all, it is more central where they proposed it than it is down here. Everything beyond here consists of trucks and warehouses. After all, that is a pretty fair location that old Yukon hospital site.

Mr. Chairman: Is there any further discussion? Are you agreed with Primary 3402, the Yukon Regional Library in the amount of \$150,000.00?

Mr. Shaw: Agreed.

Mr. Chairman. The next item is Welfare, St. Mary's Nursing Home, Dawson, \$30,850.00.

Mr. McKenzie: Page 47.

Mr. Chairman: Establishment No. 3504.

Mr. Clerk: Agreed.

Mr. Shaw: Agreed.

Mr. Chairman: Are you clear?

Mr. Boyd: Let me have a look.

Mr. Shaw: Take a look at this. This is something.

Mr. Boyd: Might I ask is this the building that they are now going to reclassify as a nurses' home?

Mr. Shaw: The nurses do stay there, yes. The heating plant they put in there is the heating plant they put in in 1901 so I think it needs review. Instead of having it underneath where it has been, it will be put on the same level. It is a fact that where it is now, when it floods, the first thing that floods is the boiler system. That has been happening for years and years and years. Last year it was necessary to

pump it out to keep it dry at all times and that raised heck with the foundations. If all those things were taken from the bottom and put on the same level as the hospital then you could let the water go in underneath and you could pump out the silt without making any difference to the foundation. This is a wooden foundation. It is not the original one. It was the old courthouse years ago.

Mr. McKenzie: This building houses the nurses' home and the aged men's home as well as St. Mary's Hospital. The idea is to put into the basement of a joint building all the utility equipment.

Mr. Shaw: It is just an old building converted half into an old folk's home and half into a hospital. It is a technical matter whether you call it a hospital or a nursing station and is something to do with how you get funds and how you don't get them and how you spend them and how you don't. It is a very sensible idea. This place is a building. The original hospital burned down in 1951 so they moved into this old Government building that had not been used for years. The Sisters of St. Anne spent \$100,000.00 converting it into a hospital. That was the amount of insurance they had for the old hospital and they put that into this new old place and tried their best to make it into a hospital so that there would be a hospital there.

Mr. Chairman: Are you clear on this item?

Mr. Boyd: Clear.

Mr. Shaw: Agreed.

Mr. Chairman: This brings us to a total project capital expenditure of \$1,719,700.00. Are you clear on that?

Mr. Boyd: Clear.

Mr. Chairman: You will note under Schedule B the recoveries as listed. For Christ the King High School, Dawson Elementary, Watson Lake Elementary and Carcross School. The Whitehorse/Keno Road, the Stewart Crossing/Dawson Road, the Whitehorse Vocational Training School extension, totalling \$702,968.00 on capital recovered. How do you wish to proceed with this Bill?

It was moved by Councillor Shaw, seconded by Councillor Boyd that Bill #3 be reported out of Committee without amendment.

MOTION CARRIED

Mr. Chairman: Do you wish at this time to discuss a matter with Mr. Spray or do you wish to go on with Sessional Papers?

Mr. Boyd: I think it would be wise to have Mr. Cameron with us at the same time as Mr. Spray, inasmuch as he was in this discussion some time ago with us.

Mr. Chairman: Would you agree then to go on with the Sessional Papers so that we may get caught up on those matters?

Mr. Thompson: Agreed/

Mr. Chairman: I will be two minutes here catching up on book work. I don't believe we will require the services of Mr. McKenzie and Mr. Baker at this time.

All were in agreement with this and Mr. McKenzie and Mr. Baker left the Council Chamber.

Mr. Chairman: The next item for consideration is Sessional Paper #25.

Mr. Chairman reads Sessional Paper #25.

Mr. Chairman: Any questions on this Paper?

Mr. Boyd: No questions.

Mr. Chairman reads Sessional Paper #26.

Mr. Chairman: Any questions on this Paper.

Mr. Shaw: I note that high rate for one month October/November, \$2,468.00. I was given to understand that the heating system broke down and they were using a special device so that it would not freeze up.

Mr. Chairman: Are we clear on this item?

Mr. Boyd: I think someone told me that this company was going to be asked to reduce their rates. I don't know, but it is certainly quite something to have to pay out that kind of money for what you get and I think if no change has come by the Fall then we had better think about it pretty seriously.

Mr. Shaw: I am also very concerned about this. However, I believe in all fairness that we almost have to let this run for a year to see what the situation is and that comes round about July. We will then have a year's picture to draw from and I think at that time it may be lowered although it may not be possible to lower it. The point is that in a reasonable manner we have to let it go for a year and then, if nothing is done I will certainly ask for a review of the whole situation. It is just a little early at this time. It is a very remote area and it is very expensive.

Mr. Chairman: Is there any further discussion on this Paper?

Mr. Boyd: Would Mr. Shaw know how many homes these lights are in. Do the natives have their homes wired or is this just for one or two Government installations?

Mr. Shaw: Quite a number of the natives do have their homes wired and they have complained to me about the cost of the thing. They might have 100 Watt bulbs and when you have to pay this kind of electricity you have to cut down on consumption. It is a new thing and as I say I am very concerned about the cost of utilities. I think the situation should be reviewed at the end of a year to find out whether these people are paying what they should or if it should be lowered. It appears to me that it should be lowered because I think the consumption is way higher than what it was intended to be but I don't know the answers at this time.

Mr. Thompson: It is not clear. I think all you are doing is perpetrating quite a racket here. \$1,000.00 a month for a year, that is \$12,000.00. Let's ask for some answers now and cut it off at \$6,000.00. I think this should be brought to the attention of the Yukon Electrical and have them give us some very concrete answers one way or the other. I think somebody found out that for one month in the R.C.M.P. barracks it was \$5,000.00, so there are \$6,000.00 a month just from 2 installations so it is not going to take them too long to get their capital costs back at this rate. I would suggest that this be looked into now and not a year from now.

Mr. Shaw: I also heard about this \$5,000.00. As far as this actual part goes it probably isn't costing us any more now than it cost the Territorial Government to produce their own electricity at the time. Certainly it should have an investigation. That is why I mentioned one year which will bring us to July 29th or something like that. That will be the time to have a look at this. Right at the moment I can't give you the answers.

Mr. Boyd: We are over the winter months. The lights are not going to be used too much till July or even till the Fall and I think Mr. Shaw should undertake to assure us that he will have all the statistics this Fall. Either that or Council will go through it again. I would like to see some of these accounts and an itemized statement of who is burning what and so on to show how that money is arrived at.

Mr. Watt: I think there is an item in the budget for the Public Utilities Commission and if we can get this Commission on the ball this summer and make this survey all through the Yukon Territory, including Old Crow, it would be a good thing. It would not take a group of experts long to find out what the cost is up there. It is a very basic thing, reduction of electricity. It would not take them very long to determine whether the cost was justified or not. It is too bad that this had not been carried forth a couple of years ago with the Northwest Territories. I think we should give all the encouragement we can and when we come to this thing in the budget just ask for this thing to be done right away and try and get some action on it. This problem of power comes up frequently in our discussions here and if we can find out once and for all what percentage of these costs are justified it will put an end to the matter.

Mr. Shaw: I am not trying to take the part of any particular company but look at it this way. Every month they have employed a local person in that area to look after the light plant and he is doing a very good job. He was born up there and is doing such a good job that, instead of sending a man every month (as they had to) to check over the plant, they have now reduced that to every two months. That in itself would be a saving of chartering a plane from Dawson, which is \$250.00, plus the cost from here to Dawson so that would knock off a considerable amount every month. That is one way they have brought this particular thing down and possibly more economies will be effected after they get the organization running. That is why I said that a year was not unreasonable. I am just as concerned as you, and perhaps more so. I shall certainly look into every phase of it but I can't just jump off like this until I get a few facts together.

Mr. Watt: Am I getting Mr. Shaw right? We are paying for the electricity and we are also paying for the service of it besides this? Does Yukon Electric charter an aeroplane to go up there? Who pays for this plane?

Mr. Shaw: When you go into a grocery store you see that they have clerks and they have this and that. I would assume the consumer pays for it. It usually happens that way and I imagine it happens exactly the same way in this instance. It is charged up to the cost of the electric light and the profit and loss of the company that is operating the plant.

Mr. Chairman: Have we concluded Paper #26?

Mr. Boyd: I hear remarks "I am clear", but I am not happy. I am willing to wait till this Fall.

Mr. Shaw: I am not happy either.

Mr. Chairman: May we then proceed to the next Paper?

Mr. Shaw: Just before we proceed, perhaps it might be a very good time to make a recommendation. I don't know whether it requires a motion but I would recommend that the Government certainly look into this and keep a very close eye on it, and to ask for a review of this sometime during the course of the Summer.

Mr. Boyd: I think a motion would be better.

Mr. Chairman: All these things would be noted naturally.

Mr. Shaw: I will move that the Administration, during the course of the Summer, check this over and see if everything is warranted in relation to the prices charged, with the possibility of getting a reduction in rates for all the people.

Mr. Chairman: Could I have a copy of your motion? I have learned that since the Financial Advisory Committee discussions on this item, at the request of the Financial Advisory Committee the Territorial Government despatched somebody to Old Crow to look into the situation and find out why this power was so high and I believe they have effected some changes in the school up there and there was some reasoning behind the fact that it was so high. I believe they are looking into it.

It was moved by Councillor Shaw, seconded by Councillor Boyd that the Administration, during this Summer, investigate the rates charged for electricity at Old Crow for the purpose of selling this power at a lower rate to all the users of this village.

Mr. Chairman: Are you prepared for the question?

Mr. Watt: I would like to ask the maker of the motion if this is instead of the Commission that is coming up.

Mr. Shaw: This is not my intention. In the event the Commission does not come up we have something to turn to. If the Commission does come up I would say it would be the duty of the Commission. Just in case they don't the Administration may come back with the answer.

Mr. Chairman: Is there any further discussion on the motion?

Mr. Boyd: Clear.

MOTION CARRIED

Mr. Chairman reads Sessional Paper #27.

Mr. Chairman: I believe that there are some efforts being made along this line at the present time. Are you clear?

Mr. Shaw: Clear.

Mr. Chairman reads Sessional Paper #28.

Mr. Chairman: I believe Mr. Commissioner is tied up at the present time.

Mr. Boyd: I would suggest that we do not discuss this at all without Mr. Commissioner being here and possibly any other interested personnel connected with the Administration.

Mr. Chairman: If it is your desire, we have a matter of daylight saving time requiring discussion with the Commissioner along with a matter in relation to the Carcross School and also this Liquor Store matter. Possibly we could set this up for tomorrow morning following the Orders of the day if Mr. Commissioner could be with us.

Mr. Boyd: Set all three of them up.

Mr. Chairman: Would Committee agree to this?

Mr. Shaw: Agreed.

Mr. Chairman reads Sessional Paper #29.

Mr. Watt: I think this memorandum was the result of a motion that I made and I would like to have this deferred until sometime when the Legal Advisor is with us. I don't think it is necessary for Mr. Cameron to be here, just the Legal Advisor.

Mr. Chairman: Do Committee agree?

Mr. Shaw: Agreed.

Mr. Chairman: We will be taking all these papers for final review at the end of the Session. That concludes the Sessional Papers and I have the other items set up for tomorrow.

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

MOTION CARRIED

Mr. Chairman: Committee convened at 10:55 a.m. this morning to discuss bills, memorandums, sessional papers and motions. Committee first discussed Public Bills with Mr. McKenzie and Mr. Baker in attendance. It was moved by Councillor Shaw, seconded by Councillor Southam, that

Bill #1 be reported out of Committee without amendment. Motion carried.

It was moved by Councillor Boyd, seconded by Councillor Shaw that Bill #2 be reported out of Committee without amendment. Motion carried.

Committee recessed at 12 noon and reconvened at 2 p.m. this afternoon. It was moved by Councillor Shaw, seconded by Councillor Boyd, that Bill #3 be reported out of Committee without amendment. Motion carried.

Committee then considered matters related to Sessional Papers. It was moved by Councillor Shaw, seconded by Councillor Boyd, that the Administration, during the course of this summer, investigate the rates charged for electricity at Old Crow with the purpose of selling this power at a lower rate to all the users of this village. Motion carried.

It was moved by Councillor Boyd, seconded by Councillor Watt, that Mr. Speaker do resume the Chair and hear the report of the Chairman of Committees. Motion carried.

Council accepted the report of the Chairman of Committees and adjourned until 10:00 o'clock a.m., Thursday, March 25th, 1965.

Thursday, March 25, 1965,
10:00 o'clock a.m.

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

The following memorandum from the Commissioner dated March 23, 1965, was tabled.

Attached is a copy of the Minutes of the tenth meeting of the Advisory Committee on Finance, held in Room 307, Federal Public Building, Whitehorse, during the period covering February 1st to 4th, 1965, inclusive. Sessional Paper #30

Mr. MacKinnon gave Notice of Motion respecting Historical Site or Tourist Amenities at Mount Kennedy. Notices of Motion #18

Mr. Watt gave Notice of Motion respecting Cemesto Buildings at the Camp Takhini Area. Motion #19

Mr. Watt gave Notice of Motion respecting Winter House Building Incentive Programme as applicable to North of the 60th Parallel and particularly the Yukon Territory. Motion #20

Mr. Thompson gave notice of Motion respecting Issuing of Motor Vehicle Licences. Motion #21

Mr. Shaw gave Notice of Motion respecting Yukon Fishing. Motion #22

Mr. Shaw (with Mr. Taylor in the Chair), gave notice of Motion respecting Airport Facilities. Motion #23

Mr. MacKinnon moved, seconded by Mr. Boyd that it is respectfully requested that the Administration make a study with respect to the establishment of a nursing station at Carmacks and report the findings of the study back to Council as early as possible. Motion #15

Mr. MacKinnon: As you all might realize the town of Carmacks is expanding very rapidly. We have near to 100 employees at the near by mining area. I think it is a real necessity at this time.

Mr. Boyd: I seconded this motion and all it asks for is that it be looked into and I think it is worthy of being looked into.

Mr. Watt: Mr. Speaker, I think this is a sensible motion and I think it is well worded we have had motions before here saying we should do this and we should do that, but this is a request to have the Administration make a study and as we all know it is a growing community and we hope there will be two mills in there within the next twelve months and the Administration probably know more about this than we do, and they can report back. As we heard from the Community Club up there there is need for this and the nurse in the area has suggested there is possibly a need for this. I think that

Mr. Southam: Mr. Speaker, while in the Carmacks area I took it upon myself to inquire from the nurse approximately how many men were employed at the two mines at Mount Nansen discovery and she told me there were approximately 50 in each mine. I asked her how many accidents they had whether severe or otherwise, and she told me they had a fair amount some of the men had to be tied up and so forth, and of course I inquired where they go from there. They come into Whitehorse. How much does it cost to bring them into Whitehorse? \$55.00 by taxi. It seems to me that when you have the two mines, the town, it seems to me there is adequate room for something,

especially if these mines go ahead. I agree with Mr. Mac-Kinnon it should be looked into first but it also appears to me that we should go further at another time maybe when we find out what all this amounts to. I have spoken to Mr. Hibberd at the Coal Mines on several occasions as you know being in my position I come down to the Coal Mines once or twice a year for safety inspection and he has told me on several occasions where people have had temperatures and things like this, and nobody to look after them, and they have had to rush them from Carmacks to Whitehorse, which I think anything could happen in that distance. I think is a thing that is well worth our support.

Mr. Taylor: I can only whole heartedly concur with the Members who have spoken before me. It is interesting to note that there are no less than at least three proposals voiced both in and out of Council over the past almost as many days of small communities seeking relief from their medical problems through the placement of nurses and I feel that this is a very legitimate request.

Motion Carried.

Discussion Mr. Taylor moved, seconded by Mr. Shaw that in the opinion of
Motion: Council, the Administration, in co-operation with the Northern
#16 Administration Branch, N.A. & N.R. and the Federal Department
of Labour, undertake at the earliest possible moment a complete study of existing labour legislation in the Territory, with a view to forwarding to Council at the Fall Session recommendations respecting legislative requirements in the Yukon Territory.

Mr. Taylor: This motion was prompted by two factors. One of course is the need for more adequate labour legislation in the Yukon Territory which is apparent here at home. The other is as a result of the discussions of the Financial Advisory Committee in Ottawa. During that time we took up some of the problems related to the strike that we encountered here last fall at the Tourist Services site and matters related to arbitration and this type of thing. We pointed out the need for basic minimums, protection for the workman, protection for the employer, and all these problems. We also pointed out the antiquity of our Ordinance, so rather than attempt to sit here and pick away at the Ordinance and amend it and change it and so forth, this motion would ask that a complete review of all labour legislation be made - our own existing legislation, and the compilation of a draft ordinance respecting labour in the Yukon Territory. I feel that certainly all Members who have dealt with labour will agree that this is a most important matter and I feel that it should be given the fullest and most immediate attention that the various respective government departments can give this request.

Mr. Watt: I believe it was last session or session before last that we had a document before us which gave a list of questions and the Administration wanted our opinion on this list of around 80 questions so that they could draft an Ordinance on our opinions. Does Mr. Taylor remember what considerations we had given in that document?

Mr. Taylor: Yes, Mr. Speaker, I have that document here this was forwarded to us, I believe, in October of 1963, and it asks in effect 86 different questions related to proposed labour relations ordinance - enumeration of points in which direction of Council is desired, in fact at that time we had asked that a senior official of the Federal Department of Labour come to Council and discuss this matter

so that we didn't feel that we were incompetent to decide issues in matters of this type of thing. Of course this was turned down by Ottawa and I think at that time I very strongly pointed out well if the Federal Government wont send us these people maybe the unions would send us somebody, and that is about where the whole thing died. There has never, to my knowledge been anything done about it up until the Spring Session of the Advisory Committee when I did raise it in Ottawa. Consequently it was suggested that this may be the best approach to have a review, so this is what I am suggesting in the motion.

Mr. Boyd: Mr. Taylor, you mentioned that you raised this in Ottawa, what kind of a reaction did you get?

Mr. Taylor: Well Mr. Speaker, as I just outlined, that the conclusion of the whole discussion, it was a very short discussion, was that they would be quite receptive to a review if the Council so desires.

Mr. Watt: Mr. Speaker, I think that was the general reception that was received on this point, I feel that the Administration has already taken steps towards drafting labour legislation and that the co-operation they had received from Council was very little. I think that we should take up where we left off and go make another request to have somebody from the Department of Labour and go through these 86 questions that have been asked of us and on the basis of that the Legal Advisor can proceed with the drafting. Something along that line - is this what you mean Mr. Taylor.

Mr. Taylor: Mr. Speaker, yes this is true. I won't get involved in the other argument.

Mr. Chairman: I believe last fall we did have a man from the Labour Relations Office.

Mr. Taylor: Yes, Mr. Speaker, this is true. He was only able, after many hours of discussion, to answer about 5% of the questions.

Mr. Southam: Mr. Speaker, I think that if you don't do something like this that the union will do something, from what I gather.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, that Council discuss in Committee of the Whole, matters related to general taxation, with Mr. Commissioner and Mr. MacKenzie in attendance. Motion #17

Mr. Taylor: I will be very brief in this Mr. Speaker, I think this is a subject near and dear to all our hearts around this table, and the motion would merely officially put this matter in Committee of the Whole for discussion and I did not include the Assessor as the Tax Assessor is also Clerk-of-Council, and I would assume that he would be here during the discussion.

Mr. Watt: Mr. Chairman, I believe we will be discussing the budget, and this would be coming up in Committee of the Whole and does the maker of the motion want two separate meetings on this or would he be content to wait until we discuss the budget, because there are several items relating to taxation. What is the point of the motion Mr. Speaker?

Mr. Taylor: Mr. Speaker, let us just say that this is another separate item respecting all facets of Territorial Taxation.

Mr. Speaker: Does that answer your question Mr. Watt?

Mr. Watt: Yes, if the rest of Council want two meetings on taxation, its fine with me/

Mr. Taylor: Yes, there is no duplication intended here.
Mr. Speaker.

Motion Carried.

Third Reading Bill #1 Mr. Boyd moved, seconded by Mr. Southam, that third reading be given to Bill #1. (Second Supplementary Appropriation Ordinance) 1964/65.

Motion Carried.

Third Reading Bill #2 Mr. Southam moved, seconded by Councillor Boyd, that third reading be given to Bill #2. (Interim Supply Appropriation Ordinance 1965).

Motion Carried.

Third Reading Bill #3 Mr. Boyd moved, seconded by Mr. Southam, that third reading be given to Bill #3. AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAID THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY. (First Appropriation Ordinance 1965-66).

Motion Carried.

Mr. Speaker: Now gentlemen to rectify a previous area you will now go back to questions.

The following question was directed to the Administration by Mr. MacKinnon: Does C.N.T. pay gas tax, and if so how much?

Clerk-of-Council: I can answer that Mr. Speaker, if Councillor MacKinnon will accept an oral answer.

Mr. Speaker: Will you accept an oral reply Mr. MacKinnon.

Mr. MacKinnon: Yes.

Clerk-of-Council: The answer is yes they do, they started last year and they pay the same as you and I, as a matter of fact last year there was a bill which went through the House of Commons which put all Crown corporations under the Provincial Legislation as far as motor vehicle licences and gasoline tax is concerned. They now, in other words, pay full price for their automobile licences, truck licences, etc., the same as you and I.

Mr. MacKinnon: Thank you Mr. Clerk.

Mr. Boyd: I have a question Mr. Speaker, it is out of the ordinary I think, in last nights paper I noticed a big ad -one girl looked as though she had just fallen in love, and the other girl looked as though she had just taken a dose of headache tablets or something and it was stating that if you were sick about your income tax you could go and get some forms at the Post Office. Now I notice that we paid - the Federal Government paid - \$200,000.00 to some advertising company to print our name on those personalized forms. Here we are squabbling and trying to save nickels and dimes and how far is this advertising going to go? Surely we have got into a funny state of affairs. I wonder if Council is concerned how there money has been spent with regard to advertising

girls and so on when they are squeezing the dollars out of you income tax wise.

Mr. Speaker: Who do you direct that question to Mr. Boyd?

Mr. Boyd: Anybody who feels they are capable of answering it will suffice.

Mr. Watt: Well if the question is are we concerned with where are tax dollars are going I can certainly say I am concerned.

Mr. Watt: I would like to ask a question. Has the Territorial Council in its official or unofficial capacity done anything towards congratulating Mr. Robert Kennedy for a successful climb on the mountain.

Mr. Speaker: Not that I know of in an official manner. Perhaps the Clerk could answer that question Mr. Watt.

Clerk-of-Council: You expected the Commissioner to be here at 10:30 this morning and I have sent the message to his office but he is tied up this morning with Senator Kennedy and I expect that he will be here with Senator Kennedy at approximately 11:30. You will be able to give him your congratulations at that time.

Mr. Watt: Mr. Speaker, this gives raise to another question. Would it be possible for this House to waive the regular Orders of the Day, I think there is a written motion before the house concerning Mount Kennedy and a historical site, so if we could waive the usual 24 hours notice so that we could consider this possibly before Mr. Kennedy came. It would of course take full agreement of the house here. Do you think this could be done Mr. Speaker? It is a very good motion.

Mr. Speaker: What would be the pleasure of the House?

Mr. Watt: Mr. Speaker, I would like to put that in the form of a motion, **the proper** way is to move that we waive the usual procedure of the House to consider Motion #18 respecting Historical Site or Tourist Amenities at Mount Kennedy.

Mr. MacKinnon: I second that motion Mr. Speaker.

Mr. Taylor: Mr. Speaker, if there was any urgency to this matter I could agree but in this case I don't feel I could. In the first place I would like a written copy of the motion before me before considering any motion regardless of what it is, and I do not see the urgency here, I of course have no idea of what the context is, and I don't feel that we should necessarily do this unless as I say it is a matter of some urgent concern, or at least until we find out what the context of the motion is, in writing.

Mr. Speaker: I might mention at this time, that due to the fact that this climb has recently been accomplished with a great deal of publicity, and **this gentleman** that has done this will be leaving in the very very near future. The matter which has been brought up, if it is just a matter of 24 hours earlier it can still get discussion in the normal manner, by handling it today.

Mr. Watt: Yes Mr. Speaker, anybody here can **throw** a monkeywrench into this. It is the right of any one of us here to agree to the suggestion that we discuss this now but if one or two Councillors would like to do that that is fine, but I think it is a motion that would have far more

effect if the Council were going to pass it anyway, if it were done today. Not only that but it may have results - more effective results.

Mr. Boyd: Mr. Speaker, I don't know what the motion is or how it reads but if we are going to pass it be it today, to-morrow or a week from now it seems to me we can be bogged down in red-tape all the time and I am prepared to listen to it, discuss it, and pass it if the wording suits me.

Mr. Taylor: Mr. Speaker, if the house so decides that they wish to discuss this motion I would certainly go along with it.

Mr. Thompson: Mr. Speaker, could we have Mr. Clerk read the motion and maybe we can decide then whether or not we shall proceed.

Mr. Speaker: If this is agreed to the motion will be read and then it will be up to the members to discuss it and pass ~~an~~ opinion on the motion. In other words we are just putting it a day forward. Are you agreed with this motion requesting that the Orders of the Day be put forward and this motion be discussed at this time?

Agreed.

Motion
#18

Mr. MacKinnon moved, seconded by Mr. Watt that because of the historical significance of the selection of Mount Kennedy to commemorate the memory of the late President of the United States of America in the Yukon and whereas the present successful climb by Senator Robert Kennedy is attracting international attention to the area it is respectfully requested that the Administration immediately assess the possibility of making the area more accessible to tourists and construct something of a historical nature to commemorate this historic occasion.

Mr. Watt: Mr. Speaker, in seconding the motion, it is the actual request in the motion is first of all to more or less congratulate the Government of Canada for selecting a mountain in the Yukon to commemorate the late President. Secondly to credit to the Senator from New York, Bobby Kennedy for the interest that he has taken in this mountain in the Yukon Territory, and the international attention that this occasion has attracted. Thirdly it is a simple request for the Administration to assess the possibility of making the area more accessible and possibly to construct something of a historical nature there. I think that if this motion did go to Ottawa, and after the attention it has received, possibly something could be done about this. We may get a lot of support from Ottawa on this and if we did and the cost was not too great and Ottawa was willing to supply the funds for something of a nature such as this, then I am sure that the number of tourists that come in to the country may multiply to over three fold. It may keep these tourists in the country an extra day or two, that is lovely area and if the mountain was accessible I understand it is a beautiful view you can see the Pacific Ocean on one side and the lovely Yukon on the other, and the fishing and the game - it is a request, it is not putting anybody on the spot and it is up to the Administration to proceed with this further and I certainly hope they will do so at the Federal level and possibly the Yukon could benefit possibly many times over.

Mr. Taylor: Mr. Speaker, I am just prompted to ask the Honourable Member if he has any idea where this mountain is when he talks in accessibility. I wonder if he does know or if he is talking about an area he doesn't know.

Mr. Watt: I haven't been up the mountain and I'm sure if anybody here has, then all the press releases aren't quite accurate. If the Member from Watson Lake has been up there I suggest that he not say too much about it. I have been in the area, and I have worked around the area, it may be a bit difficult, and if it is difficult I'm sure the Administration will take this into consideration. It is not saying that the Yukon Territory have to build a road there or the Federal Government has to build a road there. It is a simple request asking the Administration to assess it and consider it. It is not putting anybody in a spot it is a simple request. I don't think it is too demanding, and I think it is sensible, considering the occasion.

Mr. Taylor: Well Mr. Speaker, just to qualify one remark made, I prospected many years in that area even though I've never been on this particular site for the one reason that it is very isolated, very remote, high on the ice cap ranges and quite inaccessible except by aircraft or a foot party. There are no trees or anything of this nature in that particular region it is many, many miles distant and as I say I have prospected many years in the fringe areas of this mountain and I also had that in my district as a Park Warden in 1954, so I think I am familiar with the area.

Mr. Watt: Mr. Speaker, I would like to get Council's support of this. I have heard of Mr. Taylor's - I have heard of his figures all over the Territory and there is not much that he isn't professional on and it is a simple request and I would like to see the Administration assess this for themselves and they can do what possibly can be done, if something can be done, and I don't think the request is out of the ordinary if Mr. Taylor is an expert on it maybe he could advise the Administration on it. I would like to see this motion get the support of Council and I am sure if this mountain had been down in Mr. Taylor's area I would certainly support his motion in this respect if he had made it instead.

Mr. Taylor: Mr. Speaker, I just suggest to the Honourable Member that if he wants sarcasim he sure found the right place to get it.

Mr. Boyd: This monumental thinking may become an international deal whereby both Governments might do something together. The motion is quite in order, it is only a simple request to think about it, and I think we might as well agree to call the question.

Mr. Taylor: The only comment I can make at this time. Mr. Speaker is that unless I can see the motion written out before me, I don't remember what it was, and I am not prepared to vote on it, I will abstain, you fellows vote. I want to know what I am voting for.

A short recess was called to have the motion typed.

Mr. Speaker: We have a motion before the House moved by Mr. MacKinnon, seconded by Mr. Watt as follows: Motion #18

Because of the historical significance of the selection of Mount Kennedy to commemorate the memory of the late President of the United States of America in the Yukon and

Whereas the present successful climb by Senator Robert Kennedy is attracting international attention to the area

It is respectfully requested that the Administration immediately assess the possibility of making the area more accessible to tourists and construct something of a historical nature to commemorate this historic occasion.

MOTION CARRIED.

Mr. Boyd moved, seconded by Mr. Southam that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, memoranda, motions sessional papers, etc.

MOTION CARRIED

In Committee of the Whole:

In Committee

Committee proceeded to discuss Bill No. 5, An Ordinance to Amend the Engineering Profession Ordinance with Mr. Hughes, Senior Advisory Counsel, present.

Discussion Bill #5

Mr. Hughes: All you are being asked to do is to take out subclause (ii) of paragraph (d). The request, as noted, comes from the Association, we simply bring it before you. They do intend, sooner or later, to ask you to approve a completely new Ordinance, but this is just an interim change they want to be made. If you desire to hear any of the members of the Association or Mr. D. S. Collins, who acts for them, I can arrange for this to be done. The Administration has no comment on this, the Engineers try to run their own affairs and we try to stay out of it. There is one change in the Bill that you have in front of you - the word "and" is a typing error and after "Canada" there should be a period, "and" should be deleted.

Mr. Shaw: Mr. Chairman, I would be correct in accepting that this is professional engineers of any province of Canada or that he is fully qualified. Would that be correct? - deleting the stuff in between.

Mr. Hughes: Yes, that is correct. You take out (ii) and go on to (iii).

Mr. Boyd: What is the purpose of making this change, what are they trying to get around or accomplish?

Mr. Hughes: It is at this point that I think you would be best assisted by having those who want this change. The Administration doesn't feel either pro or con on this. We have no helpful comment. As you know they have had their difficulties and I don't know what the long term objective is here except that they do hope to upgrade their membership. At your pleasure I would arrange to obtain their attendance.

Mr. Chairman: Would there be anyone, Mr. Hughes, in the building or handy that would be able to attend at this time or would this mean a deferral of this item.

Mr. Hughes: We might be able to get Mr. Choate on short order and Mr. Collins was in the building. I could find out very shortly.

Mr. Boyd: I noticed Mr. Collins leaving the building ten minutes ago but I am still not - can't Mr. Hughes tell us what the purpose is. Do we have to bring a lawyer or someone else in to tell us the purpose of this. I'm not trying to be critical or sarcastic but I just don't want to accept the fact that we have to bring someone in here before we know why we are bringing them.

Mr. Hughes: The underlying purpose is to upgrade and obviously to keep out some people whose designation as a member doesn't satisfy the local Association. The local Association does work in step with the other bodies across Canada and whether this forms part of the pattern I don't know. I am not aware that it is aimed at any particular individual. I feel reluctant to offer any comment beyond that because I would be interpreting their wishes when I am not instructed to act as their solicitor. We just brought this before you for convenience rather than they should do the drafting on this thing we did and brought it in for them.

Mr. Shaw: My interpretation would be the fact that the only difference in this change would make would be that a person would not have to be a member in good standing of some Canadian Engineering Institute. In other words if he is a duly registered member of a corporation of Professional Engineers of any province of Canada then he doesn't have to belong to the Engineering Institute of Canada. In other words it opens the door to something that may have been to rigid. It is somewhat ambiguous because almost that very - sub item (i) and (ii) of subsection (d) are very closely associated. It is more of a technical part of what outfit this person belonged to or what he doesn't belong to, whether he is eligible to join this council in the Yukon. I agree with Councillor Boyd that perhaps some engineering explanation is necessary before we can really determine what this means.

Mr. Hughes: This is the point of my remarks Mr. Chairman, that these people know the whole background. I could only possibly succeed in misleading you if I offered you my comments. I can have these people here on quite short notice and I would recommend that you have them before you.

Mr. Chairman: Gentlemen would you then care to leave this matter until a later time in order that possibly Mr. Hughes may be able to obtain the services of one of these gentlemen to come and explain certain aspects of this matter and possibly if you so desire we can proceed to Bill No. 7.

Mr. Hughes: Could Committee give me a convenient time? Mr. Collins will be going out of town on business.

Mr. Chairman: Would 4:00 o'clock be suitable for everyone?

Agreed.

Mr. Watt: I think we would be better off to have someone from the Engineering rather than the solicitor. I would like to hear from somebody that can talk more basic language or is easier to understand. This is my preference anyway.

Mr. Hughes: I can assure the Councillor that I will concentrate on getting someone from the Engineers.

Committee proceeded to discuss Bill No. 7, An Ordinance to Amend the Workmen's Compensation Ordinance.

Discussion
Bill #7

Mr. Watt: Could I ask Mr. Legal Advisor to give us the intent of this. Is it as straightforward as it seems.

Mr. Hughes: The explanatory notes are the first edition of my comments and I am not sure that I can do very much more than that but to put it in actual cases and see how it operates at present. Take say Taylor's Tune-up for instance. Now that is what we would call a family business and because they were running it themselves they didn't have to take out Workmen's Compensation Insurance. When they incorporated they were on the payroll to themselves they found they had increased their cost. This is just one firm that I am referring to by name. The matter was brought to the attention of the Territorial Secretary and the Administration by a firm of accountants in the town who found that a number of their clients had been caught in this way. Now it is only a few hundred dollars a year but this is serious money in the Yukon for these small outfits. Now last time we came before you the test was more by reference to the title of the office. You felt, the point was a very good point, that you could give the fellow who swept the floors the title of vice-president and then refuse to insure him. Now you can't do this under the proposed amendment. You are going to have a look at his function, what he actually does. It seems impossible to come up with a really water tight definition of an executive. So you look at his job and also give him the right to consider whether he wants to be insured. We have put the reins in the hands of the man who is most affected and if he feels that the boss is promoting ^{him} with a brand new title but isn't giving him matching pay, he can say no, I want to be insured and get his protection that way. If this thing is to go through I can't think of any better formula for giving an optional privilege. The question which you would like to consider ^{is} whether they should be given the optional privilege at all, if so I can't think of any better way. Mr. H. J. Taylor may be able to give you some comments on how it works elsewhere and what the general feeling is.

Clerk-of-Council: Mr. Chairman, I don't think that I can add anything to what Mr. Hughes has said in his marginal notes or explanatory notes. I know it is the desire of every small company that has to incorporate that this option be put in the Ordinance because it works a hardship of sometimes \$400-\$500 by the mere fact of incorporating and not changing the actual working of the company and its management.

Mr. Shaw: This subsection (2) - I think is very well written for to prevent any person, such has been stated the office boy can be given the job as President in some section of the sanitary department and maybe as an executive be exempt. This I think ties up the ordinance and does permit these persons that are actually - it is a small family business but due to certain ramifications has to be incorporated under the Societies Ordinance. I myself very much concur with this bill and I think serves a very useful purpose and will prevent, as much as possible, contraventions of the meaning of the Act.

Mr. Chairman: One question I would like to ask Mr. Hughes, is there any possible way we can avoid a situation whereby we, as indicated in our Monthly Newsletters, where we find these great huge lists of exemptions from the Workmen's Compensation Ordinance. Is there any way that our system or ordinances can be designed to get away from this, I mean by publishing these exemptions?

Mr. Hughes: **Those** exemptions are requested very often and Mr. Taylor merely receives them. Some industries are exempted because of the nature of the industry and others are exempted because they are already insured on satisfactory terms in say Alberta and are in here for a short while, there are practical day to day reasons. I don't know how many companies this represents in terms of percentage. I agree there appears to be quite a lot of companies making the application but this may be only 20% of the companies which are setting up in business. Perhaps Mr. H.J. Taylor can give ^{you} some background to that, I will, if he can't clear it up for you, sit down and work it out for you.

Mr. Boyd moved, seconded by Mr. Southam, that Mr. Speaker do now resume the Chair.

MOTION CARRIED.

Mr. Speaker resumed his Chair.

Mr. Speaker: I will now call this Council to order and would also like to call the attention of this Council to the presence in the public gallery of a distinguished visitor from the United States, Senator Robert Kennedy. Is it the wish of the House to call a recess at this time?

Mr. Boyd moved that they recess until 2:00 P.M.

Committee recessed until 2:00 P.M.

Thursday, March 25th, 1965.
2:00 o'clock P.M.

It was moved by Councillor Taylor, seconded by Councillor Southam, that Mr. Speaker do now leave the Chair and the Council resolve itself into Committee as a whole to discuss bills, sessional papers and memorandums.

MOTION CARRIED

Mr. Taylor resumed the Chair.

Mr. Chairman: We have Mr. Commissioner with us this afternoon and we have three items which you deferred yesterday for this purpose. These are the new liquor store and warehouse, the matter of daylight saving and the matter of land at Carcross. Would you like to proceed with the new liquor store and warehouse, Sessional Paper #28.

Mr. Shaw: Agreed.

Mr. Watt: Agreed.

Mr. Chairman: Mr. Commissioner, I wonder if you could give us an outline in view of the fact that we have already read the Sessional Paper.

Mr. Commissioner: I don't know that there is very much I can add. I would appreciate some suggestions from Council on the matter as to whether we should build a liquor store ourselves or go to a private enterprise and whether we should lease it on a long term basis of 10 years or more. We went to a private enterprise and asked how much their charges would be in keeping with the Glasgow Commission Report and the tendency of the Department of Northern Affairs and other departments of Government to get away now from the Government building all of these structures themselves. Instead of that, they are going to get private enterprises to build them. This means, of course, that we would not be hiring any further employees to operate the building and the owner of the structure would be responsible for light, heat and janitor services. The one thing that we had to clear in the first instance was that you can hardly permit money for a lease that extends beyond our 5 year fiscal agreement without first obtaining the Treasury Board's approval and our Deputy Minister and the Director of Northern Affairs were both prepared to approach the Treasury Board. They did not think there would be any problem in getting their approval in principle to recognizing this operating and maintenance cost would continue over into another 5 year agreement assuming that they operate on a type of financial arrangement in accordance with the lease.

Mr. Shaw: This figure that we have before us surprises me because I expected that it would be much more than our costs of operation. I don't know whether the figures have been gone into in fine detail or just generally but these people have been asked what they think they can do this matter for. In other words, it is a proposal. These proposals look very sound to me and would certainly justify the report of the Glasgow Commission in the matter of economy, but what assurance have we that if tenders were called would we come up with figures like these or would these figures substantially increase for rental, more than was made out in this first preliminary report?

Mr. Commissioner: We would enter into a contract if it was agreed that this is the way it should go. We would enter into a contract with the private builder and in the contract it would spell out the cost per square foot and the number of years this would involve. If it was agreed by all concerned that we should go to a private enterprise and we approached the low bidder in this case and he said "Well, I was just giving a rough estimate and will have to firm up these figures", then of course the only answer we would have would be "Well, we are sorry but we will have to go to all other individuals again". We would only accept this particular price that we have been looking at if it is firm. If it was not, the other men who had bid on this at a higher price would say "We would like to try it again too", and they would possibly give a lower cost. We are assuming that this is a firm price. It was a difficult query when we asked for these figures but we did point out that it was not established that this was an acceptable thing, to build our own liquor store or go on the economy, and therefore we suggested to them that they should not get involved in great large expenditures of working and building plans which would cost many thousands of dollars, just to give us a square footage price. We asked them to do it by the slide rule with the normal arithmetic and advanced mathematics available to design engineers.

Mr. Shaw: That is what I was getting at. These are more or less tentative proposals and after these people have gone into the matter in more detail, they may of course come up with something significantly different with regard to figures when it comes to a firm contract. In other words, **could** these figures that we have be construed as firm contracts or is it necessary to let these tenders out again with more specified details? Can this be accepted as it is?

Mr. Commissioner: As far as I am concerned, these are the figures that we are accepting as they are submitted now. I might just expand on this a little bit. Time is of the essence in this case. Just to refresh your memories on it, the idea is that a new city hall complex should be established on the ground that it is now partly occupied by the present liquor store, so we would like to have the **present** liquor store out for a bid for removal by February of next year and we would like to have the new liquor store available to move into by the end of this year or by February of next year. In that way, in the early Spring, the old liquor store could be torn down and the city hall complex could be started so that it would be a completed centennial project by 1967.

Mr. Watt: It says here that the figures have been looked over in Ottawa, and on this basis it says that there would be a fairly substantial financial benefit to the Territory with regard to financial arrangements. If the building is adequate and the price is no greater than that suggested on this paper, I would be in agreement with it. Ottawa appears to be of the opinion that we are going to save money. I think we should proceed further with this on account of that together with the incentive it may give private enterprise plus the tax saving. If the rental agreement that is wanted to be entered into exceeds this \$40,400.00, then it should come back to us to have another look at it. In this case, I feel we should go ahead on it.

Mr. Boyd: First of all, Mr. Cameron states that we will save janitor fees. We are not going to save them. We are going to pay for them in this price and I will go so far as to say that whoever builds this building, if it were a private enterprise, will not get janitor service any cheaper than the Territorial Government is getting it. I have figures in here underneath this top table which indicate that the Territorial Government are past masters at getting real cheap janitor service. How can you come up with an argument of that kind. On top of this, Ottawa as you yourself stated states that we are going to make money by putting it into the hands of somebody in private enterprise who is also going to make money. How can we both make money? I don't accept this as being gospel, this \$40,000.00 figure at all. Furthermore, nobody is going to operate at a loss and this is what Mr. Cameron, or whoever suggested this be accepted here, suggested. They are going to operate at a loss so that we can make a profit. This doesn't happen. They are not that crazy. If somebody should get the contract for this, there is nothing to say that it won't be changed before it is finished or immediately after it is finished or one year after, all they have to do is say "We need an elevator or we need another stairway and we'll get the price up". I have seen these things before. Unless somebody can show me where we can't operate a building as cheaply as somebody else and still allow somebody else a profit of what would normally be 12% on the overall, on a basis of 10%, in ten years you have paid for your building. Every ten years you are going to pay for it again. Otherwise these people are not going to put that building up. They are not going to put their money into it. So I don't accept the theory that we are saving money by any means. I am against this proposition.

Mr. Commissioner; I would just like to expand on Mr. Boyd's remarks a little bit. I merely used the term "janitor" in the sense of any individual or any services required to keep such a building who would not be Government personnel and as the Government increases the number of their structures then so much will their employees be increased. This is one of the things that the Glasgow Commission Report has recommended to try and cut down on the number of Government employees. In other words, we would not have to hire a janitor, we would not be taking him on for medical, health and death benefits. Workmen's compensation and all of these things would be done by private enterprise and any other service which was normally done or paid for by Government personnel would in this case be done by private enterprise. I don't want to leave the impression that necessarily a lot of money will be saved by going to private enterprise. These are comparisons as preferring the one to the other, but it is a saving within the project. It is not a case of saying that we in the Territory will save a lot of money or that a private enterprise is going to lose money so that we can make money. I don't think this enters into it. I think the Government spending money has been estimated at \$310,000.00 and the comparison is between this and how much private enterprise would spend and how long it would take the Government on a lease basis to come up to the \$300,000.00 capital expenditure. This is where they have been working a comparison.

Mr. Boyd: If this kind of business was good, nobody would own a home. Everybody would be renting their homes from somebody. It wouldn't pay to own your own home. You can juggle figures. That is what bookkeepers are hired for. You can put these figures down in many, many way. I know where firms hire their own auditors so that they can get the figures down in a manner that will suffice insofar as taxes are concerned. Everything has a meaning behind it. Once again you can put figures down in many different ways. It just depends on how you look at it, but you can't get around the fact that somebody is going to make money out of this and 12% interest on the money and we the Territory are going to pay for it. I might ask you a question. It is going to cost us more money this way. I can't see how you can say that it's not. When you build a building you own it. You pay nothing to anyone. But here we are, we are paying somebody a 12% interest on their investment. Would it be safe to assume that the price of beverages should increase to take care of the extra cost that we are going to be up against?

Mr. Commissioner: Here again, the extra cost referred to by Mr. Boyd is assuming that we were to pay this continual fixed amount for 30 or 40 years and if that was so we would have paid alot more than the \$300,000.00 that we were estimating the cost would be if we built it ourselves. I don't know what this would prove to us. It is to be expected that if you pay rent on something for ever and ever and do not gain an equity on it, then it will be more expensive than if you had borrowed the money in the first place and built your own home, because at the end of the ten year period or whatever it is you have paid \$X and you still have a tangible asset with a certain value left in it. It would cost us more assuming we stayed in the same structure and renewed the contract at the end of ten years.

Mr. Boyd: Would it not be very foolish to build something that we don't figure on occupying say for 40 years? I had the idea that we were looking forward to many many years, not just ten years.

Mr. Commissioner: That is a difficult one to answer. If we were successful in selling liquor or alcoholic beverages to the public in the outlying districts by a private enterprise, I would assume that we would soon be doing the same in the City of Whitehorse. Then your liquor store requirements would merely be warehousing, but you could be perfectly right. It might go on for 40 or 50 years. This is crystal ball gazing and I am afraid I just can't say what will happen. I might say that I am completely open on this. I am not trying to sell private enterprise or ourselves. I would like to have Council come up and help us arrive at a decision." I can see advantages and disadvantages.

Mr. Shaw: There is an old saying that any fool (or Government) can make money but it take s a wise man to save it. It might be applicable in this particular instance. I am assuming these figures are correct and if they are correct as to the actual cost of this building they look to me quite good. The Government has an estimated cost of operation of \$48,000.00. We have a liquor store building here. Have we any information as to the cost of operating that building as far as heat, light, janitor service and probable taxes are concerned? Let us add all those

figures together to ascertain what our existing building is costing. We have \$310,000.00 for building this building. We are building a fancy city hall for \$250,000.00. The liquor store and warehouse seems to be pretty fancy for \$310,000.00. I am wondering how all the costs of this have been taken into consideration with our present costs and the costs of an actual building. \$310,000.00 seems to be a pretty fancy building for a liquor store and warehouse, just for empty space.

Mr. Commissioner: Possibly we could have the Territorial Engineer come up and see how they arrived at this figure. I am inclined to agree with you that the figure is very high. It's a lot of money but it is the figure that was presented by the engineering department. I don't know what the cost of the city hall will be but it will be considerably less than the \$250,000.00 available. I would say it will be more in the neighbourhood of \$175,000.00, but this is just the centennial money that is available and if their plans, which look fairly elaborate to me, call for another \$25,000.00 or \$50,000.00 I am afraid the City is going to have to dig this up. We might get the engineer up here to ask about this.

Mr. Shaw: I think, in view of the \$310,000.00, it would be a good idea, if he was available, to discuss the value of this building with the Territorial Engineer.

Mr. Chairman: I wonder if you would wish Mr. McKenzie at all.

Mr. Shaw: Agreed.

Mr. Boyd: No.

Mr. Chairman: Are you agreed to asking Mr. Baker to join us?

Mr. Shaw: Agreed.

Mr. Chairman: How about Mr. McKenzie? Did you want him here.

Mr. Commissioner: I think that would be a good idea.

Mr. Clerk requested the attendance of Mr. Baker and Mr. McKenzie while a short recess was held. Mr. Baker entered the Council Chamber and Committee was called back to order.

Mr. Shaw: I was enquiring about the fact that this is just a liquor store plus a large space even though it is reinforced and that \$310,000.00 is quite a deal of money for such a building, and I was wondering as to the necessity of an expenditure like that on a building for the use it is intended for.

Mr. Baker: Admittedly it is a lot of money, but it is a lot of space too and in consultation with Mr. Bayers we determined that we required 10,000 sq. ft. of warehouse and 5,000 sq. ft. of retail storage space and office space, and the price of construction being what it is these days then \$310,000.00 is not out of line at all.

Mr. Shaw: 15,000 ft., and how much a foot?

Mr. Baker: \$21.00 a foot.

Mr. Shaw: What I don't quite understand is the cost of these things. \$21.00 a foot, okay. I just completed a building, and that building cost me \$10.00 a foot. Mind you, I superintended the job myself and made sure they put in what I wanted and all the rest but nonetheless, with the exception of the heating system, it included all the plumbing, painting, etc., and I just don't see where this \$21.00 a foot comes in. That is what that building cost. Those are the figures, and I have them to prove it. I didn't do any work myself. That was all done by contractors and so on and so forth. That was excluding the heating system and it was in 1961. Mr. Boyd, I think, was alive at that time.

Mr. McKenzie entered the Council Chambers.

Mr. MacKinnon: You must have used a lot of cheap material.

Mr. Shaw: Some of it came from the Kluane area, the lumber. I thought it was pretty good but if the member from that area says it was cheap material then I suppose it was. It was local material as far as the lumber was concerned.

Mr. Commissioner: I don't think that Mr. Baker, or any of us, would say at this time that there would not definitely be a saving. In other words, it is quite possible that the building when completed, which we are putting at \$310,000.00, might be \$275,000.00. Unfortunately when you look at it in this light it makes the figures that have been worked out on a comparison basis between our \$310,000.00 and the private enterprise commitment appear out of line. In other words, there could be a considerable difference and I think there really is a principle involved here, possibly more than anything else. Do we consider going to a private enterprise at this particular time to build such a structure or do we say "Let's build the structure ourselves".

Mr. Chairman: If the Government were to construct this liquor store, what would the site location be and what if any, would the cost of the land be?

Mr. Commissioner: The cost of the land would be \$1.00 and the site we have in mind is the site of the old post office, which is approximately 100 x 100, on 1st Avenue and Elliott Street.

Mr. Chairman: If we have \$310,000.00, which is the rough figure we are quoting, within our budget even though it wasn't included in the fiscal agreement, we are not too far short then of the five year plan.

Mr. Commissioner: I believe Mr. McKenzie could answer that one.

Mr. McKenzie: I take it that you mean that we are not far short of the total provided in the plan. The answer is that we are not far short but I don't think you understand the position clearly. The \$310,000.00 is allowed for in the \$591,000.00 which I speak of in the preface to this book that you have. In other words, if the \$310,000.00 is not spent on a liquor store then it may be added to 591 which provides funds.

Mr. Boyd: These bids were called, I think, on the basis of what they would lease it for and where they would build the building. Are you prepared to accept the location of the building on the basis of the lowest bidder and are you also prepared to accept the lowest bidder's bid? I asked this question because you are using this lowest bid as a basis for your discussion.

Mr. Commissioner: Yes, the lowest bid happens to be one of the best locations of all of the private bidders.

Mr. Chairman: If Council were to accept the principle of letting private enterprise build this and release it, what would be the basic terms of the lease in regard to the end of the ten year period? If we, at that time, wished to go ahead and construct our own store we would not tie ourselves down beyond that. We would make a provision so that it could be renegotiated if we so desired. Is this correct?

Mr. Commissioner: Yes, there would be a renewal option in there and also a cancellation agreeable to both parties for the termination of the period of that five year contract.

Mr. Shaw: There is one part I noted on this particular thing, on the matter of 15,000 sq. ft. at \$3.00 per foot per annum. I couldn't question the reasonableness of such a proposal because I don't think you can go in any place in any city of Canada and get any office space for less than \$5.00 a foot. Of course, I understand that two-thirds of this is more or less warehouse space but even so it does seem to be a reasonable figure per foot. In fact it actually runs about \$2.75 a sq. foot.

Mr. Watt: When they called the bids did they specify a particular location or could this be a location chosen by a contractor and could they use these funds for helping them to form the basis of a construction of a hotel in another part of the building or an apartment house or something like that. Did you specify that it has to be in such and such a lot and it has to be a building alone with nothing else in it.

Mr. Commissioner: I believe Mr. Baker could correct me on this but I believe we specified within four blocks of the Federal Building.

Mr. Baker: We have the specifications here if you will allow me - "The building must be located within the commercial area of the City, preferably within a few blocks of Main Street". That is the way we described it.

no

Mr. Commissioner: And there is restriction as to what the use of the building is put. For example, this one building that the figures have been taken from, a portion of that structure would be for C.B.C. for a new station they are going to build. So we had no objections, nor did we indicate any as to the size of the building. I think we could build any number of stories and use it for any other purpose.

Mr. Thompson: If it goes to private enterprise, then actually what is involved is the 15,000 sq. ft. space that we will require excluding any other storeys or additions. The reason I ask this is because I think the original tender was a little ambiguous in its proposal. I think if you have six bids then you are going to get six sets of plans and six different approaches to the same problem and you will have six different prices which probably wouldn't relate too closely. I am wondering if you go to a private enterprise and you are going to stay with the same prices, will this be on an equitable basis? I feel that you should make definite proposals as to this. You have already stated the size but a little bit more detail would be helpful so that you will know the cost in relation to the rest of the building if such an extension or addition is going to be placed. Am I right in this assumption?

Mr. Baker: I think that this is quite a reasonable approach. I believe the Commissioner looked at it this way: this was to be a preliminary canter and he therefore advised everybody not to spend too much money preparing their bids simply because he felt that Council may have other things to say about it and we didn't want these people wasting time and money preparing something real firm, because it was quite possible that they may not be approved.

Mr. Commissioner: Yes, this is correct. I am not pretending for one moment that this is an easy subject to throw on your lap. It is a difficult subject as far as the Administration is concerned because the principle we have been going on in the Federal Government study, namely the Glasgow Commission Report, and we felt that we could not just go ahead and continue to construct Government buildings without having some figures of what private enterprise should be prepared to do for us. Then it is a case of do we want to go along with the principle of private enterprise for Government buildings on a lease basis or do we want to stay away from that and continue to build our own for some time. If we did not act as we did, we feel that Ottawa might have come back and said "Well look, you are not even giving this a try" and the Department itself is trying in Ottawa, so I don't feel that we should necessarily be chastised by the Department or by anybody if we decided not to go along with it in view of the figures we have now. At the same time, if we decide to go and try it in this case I think we are perfectly at liberty to do so. That is why, as I say, it seems to be more of a principle involved than the actual figures because these figures can be varied.

Mr. Thompson: I don't think I made myself quite clear or at least I didn't get an answer to what I started out to ask the last time. If we go to private enterprise are we accepting the lowest bid that we received to go ahead on the construction?

Mr. Baker: I think the Commissioner had best answer that.

Mr. Commissioner: Yes, this is what the plans are at the present time, out of was it six bids that we received?

Mr. Baker: Yes, six bids.

Mr. Commissioner: These six bids have all been computed on and the one we have been looking at is the lowest bidder which was Casca Enterprises. We have not considered any of the others.

Mr. Shaw: Perhaps this question is best answered by the Territorial Treasurer and very likely it cannot be. I'll raise it anyway. We pay \$3.50 per foot rental for the space we use in the Federal Building. Would Mr. McKenzie know whether this was the same as the cost to the Federal Government or greater? Would he assume that they made a profit on this particular matter?

Mr. McKenzie: I cannot say how the Federal Government come out I would say it is probably lower. I doubt if they get back what they spend.

Mr. Watt: One of the questions that seems to be in the minds of the Councillors and myself is that there is some profit maybe after this agreement is entered into that could be extras added on. The increases cost from \$40,400 a year to possibly another \$3,000.00 or \$4,000.00 a year. Is there any assurance at all if we go along with this in principle that another \$1,000.00 won't be added on here and another \$1,000.00 there, or is the agreement in such a state now that you've got a basic figure provided as floor space and this is going to provide all the essentials that we will need?

Mr. Commissioner: I would like to be able to answer in the affirmative, in other words that the figures we contracted for will be those ten years from now. However, I am afraid there are weaknesses that show up in such an operation and for some reason or other there could be an additional elevator or some other equipment required or a modification to the building during the term of the lease which would put the original contract in a very bad position. It would be in a position where it would be quite legal to open it and renegotiate the price. I would like to be able to say that hazard does not exist but I think it does. Do you agree Mr. Baker?

Mr. Baker: Yes, this is quite true, but it would also apply if we ask for additional space. We may find, for instance, that the warehousing space is inadequate and if we ask the firm to increase the size of the warehouse space then quite likely we will have to pay more money for it. As you know construction costs are rising every year.

Mr. Boyd: I know there are some people that didn't quote on this because there weren't enough facts and because of the situation in general. Now, if we were to accept this here there might be some contractors not too happy. I am not saying that there would be but it is a thought. Could Mr. Baker tell me if you have a blueprint of what you want for a building? I don't think this has been said. If so, could this be submitted without any ifs and ands to the public to bid on? Could we have the answers in time to get a true figure without any guess work?

Mr. Baker: We don't have a blueprint of the buildings simply because a building can come in many sizes and shapes and all we did was to describe the space that we wanted and we left it entirely up to them to lay it out, and accompanying each proposal was a drawing showing what these people had planned to give us.

Mr. Boyd: Do I take it then that this \$40,000.00 and the building submitted is quite satisfactory and you would accept it as diagramed for this money.

Mr. Baker: Not necessarily. I don't think that Mr. Bayers has had a chance to look at these drawings that have been submitted. He is the person that has to operate this building and he will have to approve the drawings.

Mr. Commissioner: Here again the difficult thing is that we are dealing basically with a principle. The figures we have can be challenged one way or another, and in the final analysis they might not come out the same as they appear at the present time. The reason that the Glasgow Commission came out with the recommendation and suggestion was mainly that it has been proven that private enterprise has been able to operate buildings much more efficiently and economically than the Government. I wouldn't want to see that each time we came up with a new building to have to deal with that particular building. Do we want to try the private enterprises offered or do we want to stick with our own present system?

Mr. Boyd: I wonder if it would suffice to say that Council will go for this proposal providing the rental per square foot does not exceed the figure which you may wish to set. In this case it might be \$3.00. According to this bid it is, roughly speaking, an average of \$3.00 or so for the 15,000 feet which is less than what we are paying our own Government for this building.

Mr. Thompson: You stated that if the \$310,000.00 is not used then this is added to our surplus. What does this do to our five year agreement? Do we have the \$40,000.00 available from other sources to perpetuate this \$400,000.00 that we are going to require in the next ten years if we go to a rental basis?

Mr. McKenzie: The \$330,000.00, if not spent, would be added to the balance of monies available for capital purposes which would increase the figure to \$900,000.00 effective April 1st, 1966. The rent of \$45,000.00 would be would be operating expenses and would come out over the profits which at present are running in the region of \$15,000.00 a year net. It would not have a serious effect on our position because we are carrying a substantial surplus and could easily absorb \$40,000.00 a year for a couple of years. The new agreements will take into account the fact that we have undertaken to pay this \$40,000.00. Ottawa have told us that if we do decide to build in the next five years they will take that fact into account.

Mr. Shaw: The net average figure is \$2.69 a foot according to my calculation which is certainly a reasonable price for a building which has heating and janitor work and so on and so forth. If these figures don't change and the plan can be made so it is complete that when the Government moves in and that is the way it is going to be then it might be worth trying on the basis of a trial balloon to see how it works out for future expenditures. I think the Glasgow Commission recommended this stuff and probably had very good reasons behind it and we could keep very close tabs on what our other buildings are costing us in the future and see how that compares.

Mr. Thompson: Mr. Baker, would you mind reading the specification as it was published in the paper.

Mr. Baker: The advertisement in the paper?

Mr. Thompson: Yes.

Mr. Baker: We don't have it here but I think it went something like this: "Written proposals are invited from interested parties for the provision of office accommodation, retail store area and warehousing space, all for the Department of Liquor Control on a lease basis. This accommodation is to be located in the City of Whitehorse". I think this is the way it ran in the newspaper. We went on then to say that specifications could be obtained from my office and they were further described.

Mr. Thompson: What we are doing is taking their lease figure and applying it against our proposed building costs. This \$310,000.00 is a very nice figure but I don't imagine that it would be anywhere near the private enterprises' figure. I am just trying to relate the \$40,000.00 a year for a lease and I would imagine from these figures that are shown that there would be no question. It would be for a ten year lease. If we built it we would have \$310,000.00 and at \$48,000.00 a year there's approximately \$800,000.00. Using our lease figures it is \$400,000.00 so there is a saving to us of \$400,000.00 over a period of ten years which sounds very nice. Here again I am wondering about the relationship between their proposed costs and our lease price. Is there a relative figure there or have we any way of knowing?

Mr. Baker: We have no way of knowing. The construction cost was not asked for, nor was it given to us.

Mr. Boyd: It seems to me that Eatons or The Bay or some such company endeavoured to get a building put up for them so that they could lease it. They had a set price of so much per square foot that they would pay and nobody put the building up for them. I think it was more than we are talking about here that they were asked for and that was four years ago. We have already got a 15% sales tax added to what it was then plus the cost in labour and so on. As far as I am concerned I don't think this can happen when we get down to the details. If it does happen I wouldn't mind going for it for a ten year lease but I can't see anybody losing money on it and I am afraid that this is what's going to happen. They are certainly not going to put their money in it unless they are going to make money. Mr. Baker would this have an effect on the price? The very fact that

they are intending to have another session of this same building leased to the Government. Would this have a bearing on the cost of rental basis?

Mr. Baker: I would think so, yes.

Mr. Watt: I am in favour of the principle of renting out a building for ten years but by going along with this I don't want it to be interpreted that the Government go ahead and take out a bunch of these right away. By going along with this suggestion we are going along with the principle on a trial basis. We would like to find out how this is going so I wrote out a motion which was seconded by Mr. Southam that the Administration proceed further with the plan to rent liquor store and warehouse space to private enterprise for a ten year period.

He passes the motion to the Chairman.

Mr. Chairman: Is this to proceed further?

Mr. Boyd: Unless that motion is clarified considerably and made more factual, it won't hold water with me. That is not good enough. This just says "Go ahead gentlemen, build it". That is what it means. It doesn't say on what basis or under what conditions.

Mr. Watt: Might I ask Mr. Boyd to offer an amendment to the motion or if he can write a better motion then I will withdraw this one. The motion is asking for approval in principle of this on the basis of the memorandum and the prices that have been submitted for this one project at this time. I think from the conversations in our votes and proceedings that the Administration would not vary too far, if at all, from the prices that have been submitted. I think it is certainly worth a try, particularly when they are doing it in Ottawa on a larger scale and it is proving to be a boon to both private enterprise and Government.

Mr. Thompson: I would just like to make one comment on that last one you made about private enterprise in Ottawa. I think the only reason that they are going to private enterprise in Ottawa is because they are so busy building that they haven't got enough men and equipment to build them fast enough and this is their only alternative. I think this is why Northern Affairs are going to private enterprise. They can't possibly get a new building within ten years so they are going into this one with a ten year lease so that at the end of that time, if they want to move or they want to get D.P.W. to make them one, they probably will, so I don't think that this should have a bearing on our findings.

Mr. Chairman: There has been a motion proposed here. It has also been suggested that possibly the mover may wish to withdraw the motion. Possibly we could call a recess at this time and all parties can get together and draft a motion which would be acceptable or you could let this one stand. I would like your direction on this.

Mr. Commissioner: I am probably out of order, speaking when a motion is being passed, but I would just like to say these few words for what they may be worth. I think I know what Councillor Watt is trying to say. We could probably add a little to the motion by saying that the understanding of the prices placed before us in the memorandum are adhered to. Mr. Baker would then immediately contact these people, Casca Enterprises and find out if they are prepared to firm up a contract with us, giving us what we want at the price they have submitted. Should they say they are not then I feel we would like to come back to this Council table. This can be done within a week, can it not Mr. Baker?

Mr. Baker: Yes.

Mr. Commissioner: In other words, there is no problem in getting it back in time so we can have further discussion. I think this is what you had in mind, isn't it?

Mr. Watt: I would certainly go along with that.

Mr. Boyd: This was the point I was getting at. The moment I mentioned it Mr. Watt clarified it so I think we should just continue on in accordance with the paragraph designated here. The \$40,000.00 per annum or the \$2.70 per foot. This would tie it down and I see no reason why you should not add it to the motion and let us deal with one thing.

Mr. Chairman declared a short recess.

Later.

Committee called to order.

Mr. Chairman: We have a motion proposed by Councillor Watt and seconded by Councillor Southam which reads as follows: That the Administration proceed further with the plan to rent Liquor Store and Warehouse Space from private enterpries for a ten year period providing the overall price does not exceed \$2.75 per square foot. Is there any discussion on this.

Mr. Commissioner: May I comment for just a moment? Is that figure just something that has been considered here, or is it an actual figure, the way it works out? I'm just wondering if you could specify that as a footage amount, instead of saying as per the figure submitted by the Sessional Papers.

Mr. Boyd: \$40,000 works out to \$2.69 a foot, for the overall building.

Mr. Chairman: Any further discussion on the motion, gentlemen?

Mr. Boyd: Question.

Mr. Chairman: The question has been called, are you agreed with the motion.

All: Agreed.

Chairman: Any contrary.

MOTION CARRIED

Mr. Boyd: Might I ask Mr. Baker or Mr. Cameron, providing this runs into any obstacles, if they would know, to let us know, and maybe we could have another shot at something.

Mr. Cameron: This is correct. It is our intention to work on this immediately. Any variation or changes, if there are any, will be brought before Council, because as I pointed out before we are asking for your help on this item.

Mr. Chairman: We have the matter of Carcross land and daylight saving. Do you require either of these two gentlemen here for either of these subjects?

Mr. Boyd: The Carcross land is a very simple one, and we could take, and it wouldn't take us very many minutes. I'd like Mr. Cameron to be here, and probably Mr. Baker who might not be in too much of a hurry. Daylight saving's quite a long talk.

Mr. Chairman: Do you agree to discuss Carcross land with us at this time?

Mr. Cameron: Yes

Mr. Watt: Could we have Mr. Spray here. I don't think we need Mr. MacKenzie, but I would like Mr. Spray to be here.

Mr. Shaw: This is kind of tied up with the school, not the land necessarily, the whole land, but tied up with the school. Isn't that it? A specific piece of land, right?

Mr. Chairman: May Mr. MacKenzie be excused?

All: Agreed.

Mr. MacKenzie withdraws.

Mr. Chairman: Mr. Clerk, would you see if Mr. Spray could be with us.

A short recess was declared pending arrival of Mr. Spray.

Mr. Chairman: Mr. Spray, Councillor Boyd raised a question respecting Carcross land. Will you proceed, Councillor Boyd.

Mr. Boyd: Yesterday we were discussing the school at Carcross. We learned that we were going to have to put it on property that we don't own. Ground by the way, which has sand dunes and is not worth anything. Mr. Cameron knows that ground quite well, it's in Carcross. We are going to have to buy it now, and I was a little concerned about the price we are going to have to pay for it. I have since learned that possibly we might swap some ground, but I think it would be much wiser if we bought this no-good ground and keep our own ground at the same time. I was just wondering if we could have some opinions from the Administration on it.

Mr. Cameron: Well, we are attempting to, we have written to the White Pass people and asked them if they would trade ground with us. As yet we haven't heard back. I don't understand the problem. Why would we buy additional land and keep an eye on it if we've already got it? What's wrong with trading sand dunes?

Mr. Shaw: We'd just have a sand dune at the end of this deal.

Mr. Cameron: I think both parties would have the sand dunes. They'd just be in a different location, that's all.

Mr. Chairman: I wonder if we could, if it would be possible to have an idea where this land is and what land is what in Carcross.

Mr. Spray: It was suggested that Lot 23, which is held by the Crown, be exchanged with Lot 17, which is held by White Pass. (Mr. Spray produces map of Carcross) Lot 17 shows the site for the school.

Mr. Chairman: How much of this land is held by White Pass?

Mr. Spray: All the land shown in red is held by White Pass.

Mr. Chairman: All the red?

A short recess was declared for examination of the map.

Mr. Chairman called committee back to order.

Mr. Boyd: I thought it would be a good idea to buy this land but first find out how much it is worth and so on, rather than monkeying around changing titles and what have you. Being as everybody was of the opinion it wasn't worth much I didn't think White Pass would be too concerned with it at all. They'll probably be glad to get rid of it. It's a thought to leave with the Administration.

Mr. Taylor (with Mr. Boyd in the Chair): After seeing this and finding this is controlled by one organization I can't see any room for community expansion in Carcross, unless someone can make a deal with the White Pass and Yukon route. I certainly feel that if the land is valueless to White Pass, that possibly the Administration could consider a proposal whereby we could buy sufficient land from White Pass to build a community in that area. I don't feel that one company should have control. Either that or re-locate the whole town somewhere where people would be away from this. I knew that they had quite a bit of land up there, but I didn't expect to see something like this, where they control the whole thing. I can't see the sense in trying to put an organized community there for anybody but White Pass, I really can't. And if they've paid substantial taxes, I understand, I heard a figure quoted here a short while ago, and this figure doesn't seem like a great deal, considered from 1900 to 1965. Those are my thoughts on it. As far as the land for the school goes in the interim, I would certainly say that we should have White Pass set a price on the land, and negotiate to purchase the land, rather than swap. I'd be more in favour of that than I would be for swapping lots.

Mr. Cameron: The Government has no requirements for the land. There's been no population explosion in the area, and there has been no demand for property to my knowledge. The White Pass have never said the land was valuable to them, and they have never said they won't sell land. So I don't know why the Territory would want to go and try to negotiate a price to buy it. We've had no complaints from individuals wanting to build in Carcross and not being able to get property, not one, to my knowledge.

Mr. Taylor: There must be a value placed on the land, and I'd like to know at some time or another what value they do place on these lots. As I say, I think that any Government Crown land we have in the area we should hold on to. I think that if they own the land, the Administration rather than swap, should purchase the land, and find out just what value they do place on this land. I really do.

Mr. Boyd: I might mention that the assessment of property taxes in Carcross was \$3,44.00 per year, for last year at lease. I don't know what that includes, whether it includes a bunch of those cabins and so on. Certainly no tax was collected, particularly from a hotel, a store, and that's all. I wonder if White Pass said you could have that ground for \$100.00, wouldn't that be simple, to give them \$100.00 cheque? You're going to have to transfer titles and have it surveyed, I suppose, I don't know.

Mr. Cameron: What I'm getting at is, why are we trying to obtain more land in Carcross? Just because one individual, Joe Smith, happens to own the whole of Carcross why is it we want to take it from him? We have no plans for it, and no use for it that I know of at the present time. The present owner has certainly never indicated to me, or to this Administration that he is not prepared to sell any of it.

Mr. Watt: I think the idea behind it is we are using Government money and we're going in to an area that is owned by a single company. In other words, we are going to have a situation something like we have in Whitehorse, the Federal building down here, and you surround it completely by a company's land. If you put this on a piece of undeveloped property such as up at the hill, or anyplace else, where land could have been available, then other satellite places would not have to open up. Now, you say that this land is available, but I know several people that have tried to purchase land down there, and have taken steps to get land to use in Carcross and I think the same situation is going to happen there as is happening here; you're going to have this community, and we're building all the amenities in the community, such as schools, and then you're going to have, people who want to build a home in the area are going to have to go beyond the town limits. You're going to have another situation such as Porter Creek, Crestview - everything is building up. I don't see how this can be avoided. At this time, and let's look at it realistically, there's a school out at Chooutla, two miles out of Carcross, and quite a few of the students will be using this Chooutla school, quite a few of the students for this new school will be using the Chooutla school, and you've got to have to bus the children back and forth between Chooutla and the Community. Why not let this school, if this land is privately owned, out near the Chooutla, and you're still going to have to bus the children from the Townsite out to the Chooutla, and particularly if that land out there is privately owned, the Government should sub divide it and allow it to be purchased privately, and put it up for sale. Anyone who does want to build out in the area can build, and they'll be close to the school. This is a realistic alternative, because I know the troubles we've had here, and I'd certainly hate to see Carcross wind up in the same way.

Mr. Spray: I'd like to say that this map does not necessarily give you a true picture of the property ownership of Carcross. We have to bring it up -to-date by searching land titles records, and finding out which land is held by White Pass.

Mr. Watt: I'd like to ask Mr. Spray - what about that land around the Chooutla school, in that area, say a mile around there?

Mr. Spray: I couldn't tell you the ownership of that property, we'd have to do a search on it.

Mr. Cameron: I think the airport is still under a lease through Mr. Simonds, I believe he still holds the lease on the airport, which would be about half a mile from the school.
Mr. Taylor: It seems to me that rather than exchange public land for private land in view of the peculiar circumstances here whereby one group or one organization control the Carcross land, there are 300 normal -sized lots involved in this, I

think it would be to the advantage of these people and ourselves to enter into negotiation to purchase a piece of land. Now I'm not saying we should go for any price they want to throw before us, but I am saying negotiate with them, and find out just what they think this land is actually worth, per lot. Secondly, I think in view of the fact they control by property the community of Carcross, and they have a pretty substantial investment I imagine in their White Pass set-up there, possibly they'd be very pleased if we'd build this new school at the taxpayers' expense for the whole Territory. They might be able to give us a very good deal on these lots. In this way we can retain those lots that we have. We also don't have to swap lots and we would know what this ground is worth.

Mr. Cameron: It seems to me we're talking about a subject that none of us know very much about. I would suggest that we have Mr. Spray contact the Company and contact the Registrar of Lands and find out how much exactly is this land we are talking about, how much of it is available, and whether the Company have any plans for it, what they feel about the value of the land, and how many pieces of property are presently available that are not controlled by them but are controlled by the Government. I've certainly no objections to approaching the Company to purchase land, but I think it's rather foolish. You might just as well go out and purchase some at Highgrain Mountain, there's nobody requiring it, there's nobody want to go to Carcross that I know of, or has not moved because the land was not available. The only thing that I have heard over the years that the White Pass have in mind, and the reason it is of value to them, this came to the surface quite predominantly a very few years ago when Tentina looked so active, then the White Pass thought they might, if this became a large mining operation, have to establish large trackage and yardage in the Carcross area, if the mineral would come through and across the Tagish Road Cut-off, and come into Carcross and be taken out by train from there. But I think we should have some of these facts before we argue and discuss such a thing, because obviously we are missing a lot of information.

Mr. Boyd (with Mr. Taylor back in Chair): This is just the real point. I don't think we can deny the fact there will never be a road, or we can say there will never be a road to Skagway. Let's assume there is one. And let's assume there's somebody capable of doing some trucking and so on, and they may need a warehouse for their business, they won't even get close to the boondocks the way the situation is. I know of one chap, he was after me, it's a year or more ago now, and he was trying to buy land and he couldn't get. I don't know why, but the White Pass wouldn't sell it to him. He could get some out quite some distance where it was too far for his kids even to go to school, so to speak. He was on the outskirts of this bunch of red stuff we see here, something like this, is the way he put it to me. We can't just shut our eyes and say "That's no good" to anybody, and that we'll never need it. We will need it. White Pass probably realizes this quite well. Some day there's going to be a road to tidewater.

Mr. Watt: I think that Mr. Commissioner's suggestion was a good one. Let's be willing to hear from the Company, hear what they have to say.

Mr. Commissioner: We can have this information available for you in two or three days. It's not that difficult to find, and if you should so desire, to have the General Manager of the White Pass discuss the subject with you. I'm quite sure he'd be happy to do so.

Mr. Chairman: Would the committee agree to defer this matter at the present time, and await the arrival of further information from the Administration?

All: Agreed.

Mr. Chairman: We then, gentleman, have the matter of Daylight Saving. I wonder if Mr. Spray and Mr. Baker could be excused at this time.

All: Agreed.

Mr. Spray and Mr. Baker withdrew.

Mr. Chairman: I'm afraid, it's just been brought to my attention, that we are booked at 4 o'clock on Bill No. 5.

Mr. Shaw: Proceed. If we are 10 or 15 minutes over, the gentleman will have sufficient patience as to wait insofar as these proceedings are concerned.

Mr. Chairman: Is the Committee agreed.

All: Agreed.

Mr. Chairman: We come then to a memorandum from the Commissioner, which we read the day before yesterday, I believe, respecting Daylight Saving. Mr. Commissioner has asked for an opportunity to discuss this, so will you proceed, Mr. Commissioner.

Mr. Commissioner: Thank you, Mr. Chairman. I believe most of you have read the information we have put into the paper, and it has been bantered back and forth for some time. Now, here again the "good book" says the Administration can change the hours of the day by so designating the change. Well, I am, of course, quite prepared to accept that responsibility providing you gentlemen are with me. I am not prepared to go out on my own and make the change. So far we are in a difficult to say whether its good or bad because we've never had it. Over the past few years there have been a number of discussions on it by different organizations throughout the Territory. The people in the Northern part of the Territory have very little, if any, interest. I can't say that I blame them. They have many more weeks of daylight than is the case down here. People in the Southern end of the Territory on the other hand appear to be very much in favour, so whatever decision we arrive at, it's not going to be satisfactory to all concerned. We are not looking for an

answer that will satisfy everybody, because I don't think we will find it in this case. However, the most work was done in Councillor Taylor's riding. They got sheet after sheet, I guess they went around knocking on doors by the look of it, and getting signatures, and they have presented these. This came out when they had a Chamber of Commerce meeting. I was down there addressing the Chamber of Commerce and Councillor Taylor spoke at that time, and said he would like to know the wishes of the people. If they were wanting to promote this they better get out and hammer at doors and give him this information. They have passed this on. There are 241 for, and 29 against. The complaints we've had don't vary too much, they are mostly people complaining that their children won't be able to sleep because there would be too much sunshine. Another was, that we'd be the laughing-stock of North America, because we have daylight all the time. Now this daylight we have is not all the time. The effect of Daylight Saving Time would be felt mainly as far as the individual is concerned, and the hour of enjoyment for recreational purposes would be felt at this time of the year and in the fall. During the latter part of May, during the month of June and the first half of July, very little change would be felt. The big thing for it, and what everybody has discussed, is that we can phone Vancouver or Edmonton 4 o'clock our time, and it is 4 o'clock their time, and they can in most instances make a special effort to get a particular camp part, or piece of equipment that you'd require on the next day's plane, and you'd receive it the following day. That's about the sum and substance of what I have to say. I would like you to give me the opinions of Council. I would like them to make a recommendation or, just my own personal feeling is, I have no objection to seeing it tried. At least we would say well, we know it's not good. So far it's all on one side of the ledger. We've never had it. We're just guessing, surmizing. Another objection I might say that dis come up, was that it would put us three hours different from the State of Alaska, but the people in the tourist industry say this does not affect them, because they are open 24 hours a day during the tourist business, and the actual construction or mining business that is carried on in the Yukon is practically nil as far as business transactions between the State of Alaska and ourselves, it is a very small amount. Another one was, that the mining companies, if they operate under a union, would be stuck for quite a few thousand dollars in the spring, and again in the Fall, because their union contract says that if they only work 6 hours instead of 8, they must be paid for 8. Then on the changeover back again even if they were working only 8, they would have to be paid for 10. The way they get around this apparently in other parts of the world is to stay on Standard Time. You recall that when war came along in 1939 one of the first things they did was to put the whole of Canada on Daylight Saving the year around, which meant greater hours of daylight for the working crews and greater hours of daylight for your recreational time when everybody was working at fever pitch in the War effort. Now, any of these, if you wish to read the list, as I say, most of them are from Watson Lake, and the Whitehorse Chamber of Commerce has submitted a run-down as to how many for it, and why they are for it. I didn't ask for this, asked for opposition

but they asked "Are you in favour of Daylight Saving Time for the Yukon Territory", and there were 41 said "Yes", and 5 said "no", there was 37 said "Yes" to the year around, 5 said "Summer only", there was 1 said "One hour advance all year", 5 said "Two hours advance all year", 26 said "Two hours summer and 1 hour winter", 5 said "One hour during summer", 4 said "Two hours during summer". This is just an expression of opinion from the Whitehorse Chamber of Commerce. They sent out questionnaires. I think that is about all I have to say at the moment. If you would like to have some discussion on it, I would like to have the feelings and opinion of Council.

Mr. Taylor (Mr. Boyd in Chair): I too possess one of these fine bundles of documents. These were gathered by the Chamber of Commerce in Watson Lake, and cover Swift River and Teslin, which I notice came out fifty-fifty. They indicated whether they wanted a full year, or the first of April, or what it was. I haven't gone through them all to get the statistics out of them. I personally, as you probably know, am opposed, as are many others. However, I must take the stand that my people have asked me to do, and approve the principle of Daylight Saving. However, I might say, in discussing this point of view, that I certainly wish there had been a plebiscite before this matter was brought up. I feel that what you've done - you've split the population to the degree that in presenting this problem at the Council Meeting you have placed the elected representatives in a **very** very untenable position, in the sense that it is such a controversial theme, and it's left to each one of us individually to try and satisfy a mixed group. It certainly affects us to a very big degree. I admit there are pressure groups - the Chamber of Commerce, and so forth. I had thought that if a \$20,000 plebiscite could not be run, then possibly a paper plebiscite in the form of letters sent to each voter in the Territory, with a card enclosed, a pre-stamped card enclosed, asking each voter to indicate his preference, and so forth, to make any notes or comments they wish, and given a reasonable period of time by which to get these returned, we would then have left it up to the people to decide. Now as I say, I have a petition here from the Chamber of Commerce which indicates whole-heartedly they wish Daylight Saving Time. However, there are other people in the Northern end of the Territory I understand who are quite opposed to this sort of thing. I also recall there was a plebiscite held in the Municipality of Whitehorse some years ago, and I believe the difference was not really too great. In other words, there wasn't a whole-hearted majority in favour, and there was a very substantial number of people who were in effect opposed to this. Now whether or not in accepting Daylight Saving in principle we are imposing the wishes of a minority on a majority in terms of population I don't know. It might just be the exact reverse. But I know quite a few people aren't going to be happy about this, at least in the initial stage. However, I just thought that for the record I'd put my thoughts on the record, so that no man will ever get the wrong opinion of what I express at this Table in this regard. That's all I have to say. (Thank you, Mr. Boyd, I'll take the Chair).

Mr. Boyd: The plebiscite you mentioned was taken in October 1962, 417 said "yes" and 365 said "No", 16 spoiled ballots. Since 1962 three years have passed by, or about to pass, and the attitude towards Daylight Saving has changed considerably

in the Whitehorse area, I am safe in saying this, I think. Whitehorse Chamber of Commerce made a survey of business very recently, and for the year around there was 41 said "Yes" and 5 said "no", 37 for "Year around" and 5 for "Summer only", "2 hours in the summer and 1 hour in the winter" - 26 said "Yes", "one hour during summer" - 5 said "Yes", and "two hours during summer" - 4 said "Yes". Here we want 37 out of 41 who want Daylight Saving Time, which is an example of their thinking. I would say that we should give this a try, certainly for one year, and we will soon find out where we stand, and I don't think the people would condemn us too harshly if we have made a mistake, which I don't think we are making. I think we will make a mistake if we don't give it a try.

Mr. Watt: Mr. Boyd has given you the figures from the Whitehorse area. It has been more of a personal thing, and will affect the lives of people personally. I will go along with the wishes of the people. I think that's a fair indication of what the people in my area think, outside the Municipality as well as in the Municipality. There are some that are violently opposed, there are some that are violently for it, and others, I would say almost half, are quite willing to give it a try. Personally I have just spent a little time outside where they do have Daylight Saving Time, and the hours of sunlight, (evening, late afternoon,) do help quite a little bit at this time of year. I would certainly vote for it, and I think I would be justified in doing it. I wouldn't hesitate for one minute to go back to my constituents and say this is what I did, and give them my reasons.

Mr. Shaw: This is my opinion on this matter. We have various figures given to us, one by a group of business men in Whitehorse, that is very much for this particular change. We have also a similar request from the businessmen of Watson Lake. I would feel that this is quite a serious matter, it is no trifling matter when you are changing peoples' lives as to what time they get up in the morning and what time they go to bed. It's fine to say "Well, we need this and we need that", but any time something is instituted there is usually something on the other side of the balance of these scales to try and balance this up, otherwise its lopsided. A plebiscite was taken in Whitehorse some years ago, in which the answer was 417 for and 365 against, and 16 spoiled ballots. Now that to me is pretty well a fifty-fifty split. No one can say to me that that's convincing. When we take any action in a Municipality in most cases that affect the lives of the people, affect their pocket books, we take a two-thirds majority and say most of the people want this. This particular Daylight Saving Time is a very controversial issue. British Columbia has seen fit to have one hour Daylight Saving Time, the Province of Alberta doesn't even want one hour, they keep it at Standard Time. Some people in the Yukon want two hours. Now, apart from the advertising which we put on our licence plates "The Land of the Midnight Sun", it seems quite funny that we want to save daylight when we've got daylight 24 hours a day. In the north end of the Territory, as far as the people coming in from Alaska, from the north end, they become quite confused with this one-hour change. Now, if they had three hours of change, if they start out and want to travel

to Dawson, and they start at 9 o'clock - they're going to get there about supper time, because three hours is a vast difference in just crossing over a border. That's exactly what it's going to be. Now, the people I have spoken to, in the area which I represent, most of them look on it as very ridiculous. Occasionally I find someone who thinks maybe it's a good idea. I honestly feel myself, that before we institute anything like this we must have some form of a plebiscite, with a two-thirds majority, to let us know what the people want. Then when this is instituted we will know it is something they want, the people, it's not something which is organized (something like this can be organized either one way or the other, it depends on how energetic the organizers may be. I honestly feel that before I can accept the principle of Daylight Saving Time, I would feel that the people of the Yukon Territory must definitely give their viewpoint on this matter. This isn't a matter of life or death. We have carried on in this Territory for 65 or 70 years without Daylight Saving Time, and I don't think anybody has suffered by it, but if we just go and plunk! put on two hours difference, it's going to affect a lot of people. I don't think this is something we can lightly enter into, and I feel, in all sincerity, that before we enter into this we must get the voice of the people, on a vote conducted by the Government in some form or other, then we get the true picture. If they say "Yes", I'll take the same attitude as I did with the new flag we have, that was accepted by the majority of the people, and that's it, and I accept it as such. And I'll accept Daylight Saving Time in the same way.

Mr. Thompson: I'd just like to ask Mr. Shaw which way he voted on that plebiscite for the flag.

Mr. Commissioner: I can't say that I agree with Mr. Shaw because I don't feel it is a serious issue. I don't think it makes a darned bit of difference, particularly in this country, as to the number of hours of sunshine, or whether we will be able to sleep or not. I think outside they just accept it every day, it's a very minor issue. I'd like to have the feeling of all the people. But as far as "The Land of the Midnight Sun" is concerned, why, we would be doing the tourist a favour. There isn't any place in the Yukon that you can drive your car and see the midnight sun, but you would with Daylight Saving. Two hours, why the sun would be up at midnight. That's what you want to get, the tourist picture, and that would help them out a lot. The idea of two hours or one hour is simply to stay on the same time as the people we do 90% of our business with, B. C. and Alberta. The reason I suggested one hour the year around is that it would still keep us on B.C. time at least during the winter.

Mr. Shaw: If this is so important how come the Province of Alberta doesn't have any Daylight Saving Time? They seem to get along without it, and they're farmers. They like to get up early in the morning, and they like lots of daylight, they've got lots of work.

Mr. Commissioner: I think the reason for that is that nobody has bothered to make an issue out of it.

Mr. Watt: They have. They have two hours of it, but they don't call it Daylight Saving Time. It's their ordinary time now

Mr. Southam: This seems to be a kind of controversial issue. Up in our neck of the woods if you want to see the morning sun come up you can come up and have a look at it, and you don't have to shove the clock ahead either. Now I don't know whether you've been up there on 21st June, but you'll see it. Now, anybody I've spoken to in my area has asked me what's wrong with my head. I, personally, don't see any need for Daylight Saving. That's my personal opinion. But, if the majority of the people wanted it, and it came to a plebiscite, I think the hinterland would be snowed under. I think we should probably give it a trial, and if you go to try it, you'll have to try it pretty soon or it will be too late, because we only have the sun for two months of the year. We lose it from the 9th of November to the 9th of February, and the rest of the time from February to June is dark, and the rest of the time we get a little of sun alright, about a couple of months. Maybe we should have Daylight Saving, we'd get a little bit more of it. But personally I am against it, and I know the majority of my constituents are against it, I know that. But I do think, for once, we should give it a try and see what happens.

Mr. Commissioner: I hate to change the subject, but I see these people waiting, and I believe you were supposed to meet with them. I don't want to hold this up. We can discuss it further tomorrow, if you wish.

Mr. Chairman: Do you wish to discuss this further with the Committee of the Whole tomorrow morning, gentlemen?

All: Agreed.

Mr. Chairman: Thank you, Mr. Cameron.

Mr. Cameron withdraws.

Mr. Hughes, Mr. R.E. Fairey, (Department of Public Works)
Mr. R. Choate, (of Yukon Electric) and Mr. K. J. Baker,
(Territorial Engineer) enter Council Chamber.

Mr. Chairman: I believe it was your request that witnesses Discussion be present to explain the central reasoning behind the Bill, Bill #5 is this correct, I am speaking of the Engineering Ordinance, Bill No. 5. Mr. Hughes, are the witnesses present who would be willing to sit with the Committee?

Mr. Hughes: Yes. This is Mr. Choate, Mr. Fairey and Mr. Baker. They have made themselves available.

Mr. Chairman: Gentlemen, I wonder if you would proceed with the questions.

Mr. Shaw: If we could just have explained to us the reason for deleting item (ii) under subsection (d) of Section 12.

Mr. Choate: There is only one reason for it, and that is to bring our membership into line with all the provinces of Canada.

Mr. Chairman: I think we should indicate that Mr. Legal Advisor indicated there was a required change or amendment to this Bill

Mr. Hughes: This Bill which is before you, was prepared exactly as requested by the Council of the Association, It has been brought to my attention that it would be illogical to paragraph (b) of Section 12, and subparagraph (b) of paragraph (iii) of subsection (1) (it takes a bit of finding) but it does say, and I'll summarize the effect of it; Council shall admit to membership in the Association a person who applies, is over 23, etc., and establishes to the satisfaction of the Council that he is a duly registered member. Then we come to the part that you are asked to take out; "or that he is a duly registered member in good standing of the Engineering Institute of Canada" etc. "or that he is fully qualified for admission to membership in one of the associations referred to in the subparagraph (i)" or for admission to membership at the grade of 'member' in the Institute referred to in subparagraph (ii)". Well, it would be illogical to take out "membership" as a qualification, but allow the "eligibility for membership" to constitute a qualification. I don't know whether I make the points as clearly as I might in a world that is full of fuss and ponders, but you will see there is no point in keeping in paragraph, heavy lettered (d) if you do away with sub (ii) of para (d) sub (1) Section 12. So there should be no considerations, it would be thought, that the Bill would have to be amended, but it doesn't change the fundamental point - whether the request is justified.

Mr. Thompson: Am I correct in assuming, then that the qualifications for admittance to the Professional Engineering Association are more stringent than those to the Engineering Institute?

Mr. Choate: This is correct.

Mr. Thompson: I take it that up until this time you have admitted the existence or honored the membership of anybody who has -

Mr. Choate: Anybody who has applied with those qualifications has been admitted. I might say that out of a total of 70 some now there has been 2 who have applied through this means.

Mr. Shaw: Would this mean that this would broaden the area in which engineers could join, by agreeing to this and cutting this out, would this broaden the area in which engineers could join your Association, or would it restrict the field in which members could join your Association?

Mr. Choate: I would say that the way it appears it does restrict it, but not in fact. A person who is an engineer in Canada in Canada is a person who is, who has the other qualifications, has a university degree, or has written the necessary examinations under our Ordinance.

Mr. Thompson: I am to assume ~~then that~~ members of the Engineering Institute don't fall under this category?

Mr. Choate: This is correct.

Mr. Thompson: This seems, maybe, rather a stupid question, but are these two characters causing this much trouble?

Mr. Choate: No.

Mr. Thompson: Could I finish my question first. If this is the case, and we agree to this change, what happens to these two characters, or two engineers, or two members. Are they immediately, is their membership terminated in your organization

Mr. Choate: No, they are still, as long as they continue to pay their dues they would be considered members of the Yukon Association of Professional Engineers. It just avoids what could be an embarrassing point with the other provinces at a future date. We are, through an organization called the Canadian Council of Professional Engineers attempting to standardize, in as many ways as possible, the practice of professional engineering in Canada. Such things as transferring from province to province, and from province to territory, and a standard fee schedule.

Mr. Thompson: Might I ask, in your original preparation of this Ordinance, you must have got this section from somewhere, or copied it from somewhere. Did this come from one of the other provinces?

Mr. Choate: Originally. Mr. Baker was here when this was drawn, perhaps he could answer.

Mr. Baker: I believe this is right, that the Ordinance was copied from the other professional associations, and I believe at that time other associations did accept E.I.C. people.

Mr. Shaw: Would this indicate that to become a member of the Engineering Institute of Canada you don't necessarily have to have an Engineering Certificate? In fact, you would really not be an engineer, but still be able to join your Association? Is that correct.

Mr. Baker: This is correct. You don't necessarily have to be an engineer to belong to the Engineering Institute of Canada.

Mr. Chairman: Gentlemen, what is your pleasure in regard to this Bill?

Mr. Boyd: This bring you in line with the rest of the provinces of Canada. Is this so.

Mr. Choate, Mr. Baker and Mr. Fairey agreed that this was so.

Mr. Boyd: I have nothing more to say.

Mr. Thompson: The Legal Advisor intimated that you are preparing an entirely new ordinance. Am I correct in this assumption, and if so, how soon is this Ordinance likely to be presented to us, or are we, is that a stop gap for the next Fall or Spring Session?

Mr. Baker: The Ordinance is under review by the Association now. How long it will take to have it revamped I have no way of knowing. It may take one or two years.

Mr. Hughes: I discussed this with Mr. Collins, and my understanding is that if any changes are thought worth while, those

changes would be timed _ it's not a case of coming back next Session with a brand new Engineering Ordinance, which will bring the Association up-to-date with Canada as it is now. I understand this change puts them on a proper footing, but they are taking a long look at the legislation related to the Association across Canada. I perhaps misunderstood, I thought it would be coming off in the next year. I understand now that it will probably be longer than that now. You know how these things are.

Mr. Chairman: Gentlemen, do you have any more questions on this item:

All: No questions.

Mr. Chairman: Do you then wish Mr. Legal Advisor to draft an amendment that may be further processed at that time?

All: Agreed.

Mr. Chairman: May these gentlemen be excused?

Mr. Choate, Mr. Baker and Mr. Fairey withdrew.

Discussion Mr. Chairman: Would you agree to proceed with Bill No. 7. of Bill #7. We were dealing with it this morning.

All: Agreed.

Mr. Chairman: I had raised the point respecting the list of exemptions in here, to be published in our News Letter, and I was wondering if with the new system, the revision of the Ordinance, or something, could do away with this.

Mr. Taylor: If I remember correctly, Mr. Hughes enlarged on this somewhat, and I would like to because there may be some misunderstanding, as to the Exemption Orders.

Mr. Chairman: Proceed:

Mr. Taylor: The only companies who are granted exemption orders under our Ordinance are companies who have brought men into the Territory from adjoining provinces, who are already covered by their own home jurisdiction. Any men those companies hire in the Yukon Territory they can not get an exemption for. This exemption if they proceed, might cost them \$10. I can't think of any other way you could handle it. A great majority of those companies who do have an Exemption Order also have an insurance policy for men they hire in the Territory. They can't get an Exemption for them.

Mr. Southam: I believe this covers the contractors who come in, is that right.

Mr. Taylor: Yes. Before they must show a letter from the Compensation Board of their own Province, to the effect that their men they have brought in here are covered

Mr. Hughes: May I have the privilege of raising the point, perhaps the Clerk could give us the answer quickly. A man who is imported by his firm, say one with a contracting job here,

and who is say B.C.-covered, I suspect would have a greater degree of insurance cover than the man who is hired on the spot here. His insurance is covered by our standards I think. The incoming man has the advantage. This point has been raised indirectly respecting the increasing coverage of the Yukon. I wonder whether the Clerk would offer comment on this at the present time.

Mr. Taylor: I can only say that that is quite correct. This does happen, but it happens so very seldom I can't remember the last time. But the problem is there.

Mr. Watt: I have heard this complaint fairly often, that we should be covered more extensively. But I have been told we should be covered to the extent of B.C., which is naturally higher than ourselves, I believe. I have been asked to bring this up, and I was going to bring it before we finished with this Ordinance. Mr. Legal Advisor started this subject, and I would like to pursue it a little bit further. I would ask Mr. Clerk, what would be the procedure if we did want to be covered to the extent B.C. is?

Mr. Taylor: The first thing would be to find if we were not covered as much as B. C. in the first place. I don't know just what their coverage is, I'd have to look it up. I have all the figures downstairs. Then it would be a simple matter of amending one or two lines of the Ordinance to bring it up in line with them.

Mr. Southam: I don't know whether I can ask your question or not, but B. C. I think, is 75% of \$6,000, in the Yukon it's 75% of \$4,000.

Mr. Taylor: Thank you very much, Mr. Southam.

Mr. Watt: Mr. Clerk, could you do that. I understand it was something like Mr. Southam said.

Mr. Taylor: I could have these figures for you tomorrow morning.

Mr. Watt: Thank you. Mr. Chairman, could I suggest, unless there is another subject on this Bill, could we defer this until we get these figures? That is my last question on it.

Mr. Shaw: It's nothing to do with the Customer Insurance Coverage.

Mr. Watt: A couple of these amendments are in the Workmens Compensation Ordinance. Am I right, Mr. Legal Advisor.

Mr. Hughes: The answer has just been given. I am sure the Clerk would give the figures, the comparative figures early tomorrow morning. But I think you should try and prepare a slightly more considered subject. There does seem to be room for improvement from the Yukon point of view, but there may be considerations in marginal industries and so on. We could see what we can come up with in the early part of next week.

Mr. Watt: Would this entail the consideration of Workmens Compensation Ordinances.

Mr. Hughes: No, it doesn't pertain to this bill you have before you, Bill No. 7, which is simply this optional thing. But you would have to go back on it to consider other parts of the Workmens Compensation Ordinance. I would ask you if you wouldn't hold up Bill 7 to await the outcome of this question of Councillor Watt. We will try to get you a copy to study by Tuesday or Wednesday of next week.

Mr. Watt: Would the Committee agree then if we did pass this Bill that we could come back and put in a motion concerning the Workmens Compensation Ordinance, Would that be considered the same topic brought up twice? If we pass this Bill without, as it is, ordinarily there is another amendment to the Workmens Compensation Ordinance that is required, then we make an amendment to this Bill and pass this Bill to amend the Workmens Compensation Ordinance, What I am worried about here is if we pass this bill we may not be able to bring the subject up in motion form or Bill form again.

Mr. Chairman: I believe, gentlemen, if you recall the rules, its' quite in order to raise another Bill related to Workmens Compensation, but not in relation to this particular section.

Mr. Shaw: I'm referring just to this piece of paper we have before us. It has nothing to do with the strange matters that have been discussed relative to this Bill. Actually, we were not discussing this Bill, we were discussing many other facets of Workmens Compensation. If we were permitted to gamble in this country I would be prepared to wager, (it isn't so I'm not allowed to,) that this brief of the Mine Mill and Smelter Workers will have considerable proposals in relation to Workmens Compensation, and I think that would be a very good time to give a very look at this, because this has profound meanings, both for the people who receive the benefits, and the people who have to pay for the benefits. But in this respct, in this particular Motion, or Bill, I think it is innocuous in relation to that part of it. I would approve that this bill be reported Out of Committee for Amendment.

Mr. Thompson: I am wondering if in the last section of this Ordinance No. 2, for the purposes of this section, an "Executive Officer" means a person who is employed by a corporation and who has power to guide or control the purposes and policies of that corporation. Now personally, I feel there is quite a margin of laxity in the definition of "guide and control". I feel that an executive officer should control the policies whereby you could probably have an executive officer in name who could guide, and I think to tighten this up slightly, it would be preferable to put in "who has the power to control the policies of purposes of the corporation". Now this is just an observation. I wonder if the Legal Advisor would mind commenting on that.

Mr. Hughes: To make sure that I understand, who has the power to "control"?

Mr. Thompson: This I feel, would define an executive officer, in actual fact.

Mr. Hughes: To come away to the other side of the coin for the moment. Everybody works whose on a payroll is goine to have to be insured, and then there are certain people who don't have to be insured if they ask to be uninsured. This is the real safeguard. When we embark upon a dicsussion of whether a person "guides" or "controls", that is absolute control or just partial control, is this completely"guided!?" I may think that I guide, but if I work in a big corporation I have a voice at the table of directors, the president, in fact I could say that I "guide". In fact there are plenty of corporations in Canada, where the officers, to all intents and purposes "guide and control the policies", but in fact when anything of significance is being decided, they get a hot wire from New York or London or Paris. To a certain extent they "guide" and "control" but when the chips are down they do exactly as they're told. We could go on **trying** to analyze these words, but I think the real strenght is that unless the man himself opts out he is going to be insured.

Mr. Chairman: Any further discussion, gentlemen?

Mr. Boyd: I'll second the motion of Mr. Shaw.

Mr. Chairman: I'm sorry, I didn't bring that to your attention before, gentlemen, at the last discussion. Is there any discussion on the motion? It has been moved that Bill No. 7 be reported Out of Committee without amendment. Are you prepared for the question.

All: Question.

Mr. Chairman: Are you Agreed?

All: Agreed.

MOTION CARRIED

Mr. Chairman: Gentlemen, I shall report progress on Bill No. 5.

It having been regularly moved and seconded, Mr. Shaw resumed the Speaker's Chair and Mr. Hughes left the room.

Mr. Speaker: I will now call the Council to order and hear the Report of the Chairman of Committees.

Chairman of Committees reported as follows:

Committee convened at 11:10 a.m. this morning to discuss Bills, Memorandums, Sessional Papers and Motions. Committee first discussed Bill #5 and then moved on to Bill No. 7. It was moved by Councillor Boyd and 2nd by Councillor Southam that Mr. Speaker do resume the Chair. MOTION CARRIED. Committee re-convened at 2:00 P.M. this afternoon to consider Bills, Sessional Papers, Motions and Memorandums. Commissioner Cameron attended committee to discuss matters related to Liquor Store, Daylight Saving and Carcross land. It was moved by Councillor Watt and 2nd by Councillor Southam that the Administration proceed further with the plan to rent Liquor Store and Warehouse space from Private enterprise for a 10-year period, providing that

the overall price does not exceed \$2.75 per square foot. MOTION CARRIED. Mr. MacKenzie and Mr. Baker attended the foregoing discussions and Mr. Spray attended for discussion respecting Carcross land. Committee then discussed Daylight Saving Time. It was moved by Councillor Shaw and 2nd by Councillor Boyd that Bill No. 7 be reported out of Committee without Amendment. MOTION CARRIED. I can report progress on Bill #5. It was moved by Councillor Boyd and 2nd by Councillor Southam that Mr. Speaker do resume the Chair and hear the Report of the Chairman of Committees. MOTION CARRIED.

Mr. Speaker: You have heard the Report of the Chairman of Committees. Are there any errors or corrections? Are you agreed with the Report?

All agreed with the Report of the Chairman of Committees.

Mr. Speaker: Gentlemen, we have the agenda for tomorrow, and what is has here so far is that after routine in the morning we have the Question Period with Mr. Cameron. It may take him until 12 o'clock.

Mr. Taylor: As you have pointed out we have a Question Period in the morning, but following Orders of the Day we have set up a general Committee discussion with the Commissioner, being Friday, and I am wondering if following that we may continue the debate on Daylight Saving Time. Then we are left with three Motions, one respecting Insurance, on respecting Dust Control, and another the medical situation at Teslin. Other than that I believe all we have is the Supply Bill, so I would suggest we continue with Bills, Memorandums and Sessional Papers

Mr. Watt: With respect to the Agenda, I believe we have a motion No. 10, to set aside time, beginning next week possibly, beginning Monday, concerning a meeting with a couple of members of the Chamber of Commerce, The Commissioner, to appear before Council, with respect to the Robert Service Campground. I would suggest around 4 o'clock Monday or Tuesday afternoon.

Mr. Speaker: This coming Monday?

Mr. Watt: Yes, this coming Monday.

Mr. Speaker: Is that agreeable, that we meet with the Robert Service Campground delegation at Monday at 4 o'clock?

All: Agrred.

Mr. Taylor: I apologize for not noting that item. It was just a matter of bad bookkeeping on my part.

Mr. Speaker: Mr. Clerk, would you please notify these people, and see if you can have them here at 4 o'clock on Monday, -these people in Motion No. 10. I haven't the Motion with me.

Mr. Watt: Two names are open, one is the representative from Chenechee Camping Ground and the other is a member of the Whitehorse Chamber of Commerce. Also there is the Chairman of the Whitehorse Chamber of Commerce campground committee, and the Commissioner. It's pretty well spelt out in the Motion.

Mr. Speaker: Well, to conclude the Agenda for Friday, tomorrow we have a question period, discussion period, and we have the Commissioner, and Daylight Saving, (which will be included in that), this Insurance paper, Dust Control paper, and further to that Bills, Memorandums, and Sessional Papers.

Mr. Taylor: I wonder I could have that Agenda a little more slowly. You wanted dust control tomorrow. Would this not be covered very nicely by Bills, Memorandums, Motions, and Sessional Papers? If not, could I have the items in line so that I'll have them for tomorrow?

Mr. Speaker: Well, this was proposed from the Floor where we discussed this Daylight Saving Time tomorrow, the Insurance and Dust Control, so I wrote that accordingly.

Mr. Taylor: Insurance and Dust Control?

Mr. Speaker: Yes. And following that make sure that the Agenda had some work to do. The suggestion came for Bills Memorandums and Sessional Papers exactly as I have put it down. Now we have on Saturday, and I mention this a day ahead, the reason I bring this to your attention is that on Saturday, if you require any witnesses, this is the day the employees of the Territorial Government will not be at work in this building. I think it would be a good point to endeavour to settle that now, who you would like to see, and if possibly they could be here for Saturday morning.

Mr. Taylor: Mr. Speaker, depending on what progress we make tomorrow and where we wind up, with the amount of items we have before us it seems very difficult to say what we would be doing on Saturday morning until tomorrow night. We could see how far we progress.

Mr. Speaker: I brought it to your attention, and if you do not see your way to doing anything further at this time that's fine. What's your pleasure now?

Mr. H. Taylor: Mr. Speaker, I would like to remind you of your luncheon engagement tomorrow with the Board of Directors and the Chamber of Commerce.

Mr. Speaker: What time is that?

Mr. H. Taylor: At 12 o'clock.

Mr. Speaker: At 12 o'clock.

Council adjourned until 10 o'clock Friday, 26 March, 1965.

Friday, March 26, 1965,
10:00 o'clock a.m.

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

The following correspondence was tabled:

1) Memorandum from the Commissioner dated March 25, 1965 re- Sessional
garding Reference for Advice - New Applications for Liquor Paper
Licences. Set out as Sessional Paper #31. #31

2) Letter from Carmacks Community Club, addressed to
Mr. R. MacKinnon, Member Carmacks-Kluane, Whitehorse, Yukon,
dated March 22, 1965, which reads as follows:

The residents of Carmacks wish you to express their apprecia-
tion to the Commissioner--Councillors and other Officials of
the Territorial Government, who so courteously listened to,
and discussed local problems at the Carmacks Community Club
with us. It was all the more gratifying, when we consider,
the occasion was a Sunday afternoon, and on the delegation's
own time.

We feel this was a wonderful opportunity to bring the people
and the Governing bodies together, and trust it will not be
their last visit to this fastest growing community and maybe
the best producer to the economy of the Yukon.

We sincerely thank you.

Signed Mrs. Vera F. Liden,
Secretary-Treasurer
Carmacks Community Club.

Mr. Watt gave notice of Motion respecting Safety Inspector Notice of
on Construction Jobs in the Yukon Territory. Motion #24

Mr. Watt moved, seconded by Mr. Thompson that it is the opin-
ion of Council that the cemestos at Camp Takhini be withdrawn
from disposal by The Crown Assets Disposal Corporation and Motion #19
that they be offered for sale to the public under an
agreement embodying the following points:

- (1) The purchaser will upgrade and improve the standard of
the building to comply with the minimum set out by C.M.H.C.
within two years from the time it is purchased.
- (2) The lots will be subdivided and the sale of each home
will include the land and other improvements on it.
- (3) Priority of sale will be given to those of low income
and of good credit ratings.
- (4) Priority should be given to those who have children and
who would but for their low incomes be able to finance under
C.M.H.C.
- (5) A price for the homes be established commensurate with
the generally accepted price for a similar home in a similar
area and distance from existing facilities.
- (6) Financing of these homes to be allowed through the
Yukon Low Cost Housing Ordinance and the proper amendments
to the Low Cost Housing Ordinance be prepared for
presentation to Council at this session so the homes can be
sold this spring.

Mr. Watt: Mr. Speaker, I have a request that the Council
refer this to Committee to a time when Mr. Spray and possibly
the Commissioner be here to attend with us, particularly
Mr. Spray, so I ask the Council to defer this.

Mr. Speaker: Is this a motion Mr. Watt.

Mr. Watt: Yes, I would like to move that this be deferred
to Committee to a time when Mr. Spray and the Commissioner
can attend.

Mr. Thompson: I would second that motion Mr. Speaker.

Mr. Taylor: Mr. Speaker, is it within the rules that the Member move his own motion into Committee?

Mr. Thompson: If it is not Mr. Speaker, then I will move that this motion be deferred for discussion in Committee.

Mr. MacKinnon: I will second that motion Mr. Speaker.

Mr. Speaker: A few days ago I had asked you if possible that if you wish a motion discussed in Committee that you include this in your motion, it would facilitate matters, it would prevent questions being raised. In other words it would make it much easier for myself. Now we have a motion put before the House duly moved and seconded, by Mr. Watt and Mr. Thompson, and immediately after we have the same motion put up in a different manner. Once a motion is made whether it is made by mistake or otherwise - once a motion is made and seconded, I have to, under our rules and regulations, ask you if you - it has to be withdrawn with the permission of the seconder and then it has to have unanimous consent of the Council. I have no choice in conducting this in any other manner. The fact that Mr. Watt moved that this be deferred to Committee and Mr. Thompson seconded it, in my opinion wouldn't make a great deal of difference. In other words this could have been put right in the motion itself as a continuation of the actual motion introduced. I feel in this case that this motion is quite in order. So at the present moment I have a motion moved by Mr. Watt, seconded by Mr. Thompson, that Motion #19 be referred to Committee.

Motion #19
Deferred

Motion Carried.

Motion #20 Mr. Watt moved, seconded by Mr. Thompson that it is respectfully requested that the Government of Ottawa be requested to advance the starting date from November 15th to September 15th so that the people north of the 60th parallel can take advantage of this incentive program.

Mr. Watt: This thought embodied in this motion has been discussed in this Council previously with a Mr. Boulger who had been here, and later in Ottawa. It was thought by Mr. Boulger that if the Yukon Territorial Council made a motion such as this and if the Northwest Territories would make a similar motion that not only the Yukon Territory but also the Northwest Territories would be able to make more use of this winter incentive programme. At that time the Clerk was asked to contact the Northwest Territories, I don't know whether he has done this, but I hope he has, and if he has not I hope that they do, to see if they will make a similar motion. In Ottawa they seem to be of the opinion that an exception could be made north of the 60th parallel. There were several houses built here in the late fall last year, they couldn't make use of this programme because they had to start their house about 5 or 6 weeks before the starting date. They just couldn't make use of this \$500.00. It is there, and these people should have been able to make use of it and merely by advancing the starting date for the building then these people could have made use of it and this coming year it may enable more people that are planning homes in the Yukon Territory to make use of this \$500.00. It is actually working outside but it is not working here because of our early freeze-ups because you have to put your basements in before your freeze up or the cost of putting the building up is going to far exceed the \$500.00, but if this could be advanced two

months so that the climate is similar to that of another locality - I would like to have the support of Council on this and if the Council does agree I certainly hope that the Administration contacts the Northwest Territories and ask that they make a similar request so that our joint problems will go to Ottawa together and will receive more consideration than as a single unit.

Motion Carried.

Mr. Shaw, (with Mr. Taylor in the Chair), moved, seconded by Mr. Taylor that the Administration is respectfully requested to approach the Government of Canada with the request that the Yukon Territory be given control of all fresh water fishing as a part of its natural resources; and that the control of fresh water fishing by the Yukon would be administratively simple as a sensible and natural undertaking of the Yukon Game Department; and that the acceptance of this proposal would be a small step forward by the Federal Government of its avowed intention to allow the Yukon Territory more autonomy in the management of its own affairs at no great stress on the Federal Treasury.

Motion
#22

Mr. Shaw: This motion is fairly self-explanatory. It would appear to me, Mr. Speaker, that it would be a logical and sensible action to bring the fish and game department under one heading. It would assist considerably insofar as the manner in which these fishing camps operate would be under the control of our own department of game and they would be able to fairly well assure that the people that came from far away, paid a great deal of money had accommodations which were sanitary and operated in a manner that would provide an incentive to build up the industry. It is also, as stated in the last paragraph a means whereby the Yukon Territory will make a very small step forward, possibly the first for many, many years, in acquiring a part of its natural resources under their direct control. It is something that involves small amounts of revenue, relatively small, and it would indicate the Federal Government's sincerity in trying to get this Territory started off to run another section of their own affairs. I think most Council Members, Mr. Speaker are well aware of this particular operation, and I would certainly appreciate Council's support in this particular motion.

Mr. MacKinnon: Mr. Speaker, I would like to mention that you have got my support.

Motion Carried.

Mr. Shaw moved, seconded by Mr. Southam, that the Administration is respectfully requested to approach the Department of Transport to urge them to hardsurface the Dawson and Mayo Airports to permit the landing of tricycle landing gear aircraft; That without such necessary improvement these northern communities cannot have landings larger than a D.C. 3 type of aircraft with restricted take-off passenger load; That it is accepted that these airports are behind the times and except for minor gravel applications the Dawson runway is identical with what it was thirty years ago without even a shack provided by any government department for any type of shelter or relief.

Motion
#23

Mr. Shaw: For some time I have been endeavouring to get improved facilities in the north for aircraft Mr. Speaker. At the present moment, these two strips, one at Dawson and one at Mayo are gravel strips. The one at Dawson is

relatively short. The only type of aircraft that is practically used or allowed to be used in the Dawson strip - I should say the D.C.3 type what is used in this country - it cannot take off with a full load - possibly in Mayo the same conditions don't exist. However, they do have in both these airports, gravel runways and when you have a gravel runway it is not permissible or practical for any aircraft with tricycle landing gear to land on it. I am talking about big aircraft, DC6, because they need to break with reversing their propellers and that picks up a lot of gravel and digs holes in the aircraft and so on. There is no question that the two areas of Dawson and Mayo are due for expansion and when you expand communities such as this you must have facilities for larger aircraft to land. I have been informed by various and sundry people of C.P.A., that there would be distinct possibilities that if these airports were hard surfaced that they could continue with the route from Whitehorse right through both of these communities, and unless something is done in this line Mr. Speaker, we will never have anything better than a DC 3, something that they are actually going out of business all over the country with because it does not pay to keep one aircraft on hand at all times to make these short runs. I think myself that this would be a tremendous benefit to whole area of the north it would enable many of these aircraft to come from, in the summer time from Alaska, this is quite a very important source of revenue these days and the best they can do is this normal DC 3 or just a larger similar type of aircraft, I think they call them a 46 or something, we can never get that type of landing gear there and I think this is the time it is necessary to improve these facilities. It is a case of what comes first, the chicken or the egg. You may say the traffic doesn't warrant it but I think if you conduct an investigation you will find that these airports get far more passenger and freight traffic than say the airports at **Williams Lake and Queenel which are paved. I think it is just about time that the two airports get a little recognition** from the Department of Transport that they need these facilities and that is why I have introduced this motion which I hope Council will accept.

Mr. Southam: I quite agree with Councillor Shaw, Mr. Speaker, and I think the amount of traffic going in and out of the Mayo airport warrants paving. The amount of dust that is raised up around that country when the airoplanes are landing you can't see Mayo at all for one thing. On the other hand too the airport should be paved because I believe that about 50% of all traffic that comes into the north is pretty well up there and with a labour turn-over like we've got I think we're keeping the C.P.A. going, because I think it is somewhere in the neighbourhood of about 80%.

Mr. Thompson: Mr. Speaker, I whole heartedly concur with the idea of upgrading both these airports, I feel that this is something that is definitely required for the expansion of the north. I don't agree with some of Councillor Shaw's reasoning but the overall need is there and I think that anything we can do to create an interest and stimulate a little spark of action on Ottawa's part would be greatly appreciated by both of those communities.

Motion Carried.

Mr. Thompson moved, seconded by Mr. MacKinnon, that it is respectfully requested that commencing with the issuing of the 1965 automotive licence plates that a block of numbers commencing at number two be set aside each;year for the Members of the Territorial Council. It is further suggested that any person wishing to reserve an automotive licence number be permitted to do so.

Mr. Thompson: I feel that there is a certain amount of prestige connected with being an elected member of this Council and therefore it is only fitting that some form of recognition be awarded members. This is one tangible method of identification. Every province and territory other than this, reserve a block of numbers for their elected representatives so we are not setting any precedent in this manner. I feel that the Commissioner should retain the number 1 licence plate and then each year number 2 should be reserved for the speaker of this legislation and the next six numbers for the remaining members. I also feel that any person who so wishes should be able to reserve a licence number and retain that number yearly. I can't see where it would cause any undue hardship on the licencing department, in fact I think it would facilitate their work a great deal as persons reserving numbers would in all probability repeat for several years so that conceivably the licencing department could have some of their paper work prearranged. This system of reserved licence numbers is in effect at the present time in a small way, so this is merely asking for an extension of an existing service that is required. It should be clearly understood that there should be no added cost for this privilege. I would at this time ask for a concurrence of the other Members in this matter.

Mr. Taylor: Mr. Speaker, this motion surprises me very much in that we ask that we get these licence plates. I admit that in some areas licence plates were given by Administration to Members of their Legislature but I believe this was done as a courtesy of the Administration directed towards the legislature. I wouldn't think that any legislature would ask that it be done. I suppose it would be pretty nice to have a little low licence number plate but my ego hasn't got high enough yet that I would go after such a thing as this - I certainly couldn't support this motion. The whole substance of the motion dictates this - I feel that if the Administration at any time wish to do this, this is fine, but I don't feel it is our place to ask for this. I think it is a little bit foolish.

Mr. Boyd: My comments on this is that certainly there are those who want or desire to have a number that is outstanding or conspicuous. I notice that we have one of our own very Members that rates one of these numbers year to year, no difficulty what ever. I don't know why he does this but it is noticeable. Personally I couldn't care less about what number I have but there is certainly room for thought in this connection. If as Mr. Taylor points out it is a matter of courtesy, this may be a fact I don't know, but we seem to be neither fish nor fowl in the sense of the word - we're doing something for some people including our own members of this Council, and outsiders for some other reason they can have this and that, so it is a question that is certainly fair.

Mr. MacKinnon: Mr. Speaker, as seconder of the motion, I would think it is a very good idea. Somebody must get these numbers and I think that we might as well have them.

Mr. Watt: Mr. Speaker, as Mr. Boyd pointed out, some people like a special number, not only Councillors but other people and this is done in the Provinces I understand. I would like to ask Mr. Clerk if there is any hardship, I don't have any strong feelings on this but if some members want numbers they should have them and other people. I hear of quite a scramble on different occasions down in the licence bureau to try and be in a certain position in a certain line on a certain date to get a certain number. This should avoid

a lot of that where they could make a bit of a remuneration for the Clerk for the trouble, this is what I believe is done in the provinces, and I don't see anything wrong with it being done here and some of us haven't got cars but maybe they could make this applicable for T plates too. My question to the clerk is the amount of book work and trouble involved in this and what do they do in the provinces, I believe there is some remuneration to the issuer of licences for the trouble of going by and picking these plates up for the general public.

Clerk-of-Council (in his capacity of Registrar of Motor Vehicles): Mr. Speaker, as far as the first half of the motion is concerned you all no doubt realize that it has been an established practice for the last twelve years that the first 25 licence plates be reserved for Territorial Administration. I think if Territorial Council wanted a special block of numbers they could get them, but I don't think they should ask for the first 25. This is only a personal feeling, and it strikes me that this is not even the place to discuss the matter. As for the second sentence where the suggestion is that we should make any number available to any person was cut out in nearly all the Provinces years ago. I know in my home Province it was cut out years ago. I do know how much trouble and unnecessary bother and mess it makes in the Motor Vehicle Office. If we were to do it down stairs, and indeed extend it to "T" plates also as Mr. Watt has suggested - I don't know whether you realize it or not but our licence plates come in cartons of 25, 25 pairs of plates, we have one area of the office set aside for storage of these plates and they are used from the top in numerical sequence in each case - this would mean that we would have to have these licence plates spread all over the motor vehicle office and would mean a tremendous job for us to keep track of them and they would never be in any solid sequence for the Treasury Department. I can see utter chaos in office if we were to do that for everybody. Another point which I would like to clear up is the matter of an extra charge for this privilege. I think I have heard, at our Motor Vehicle Conference, of one Province who do let people request and give them certain numbers, but they have a special charge in addition to the licence fee of at least \$5.00 which goes into the Government coffer. We haven't got legislation which would allow us to do that, but I don't think myself that the extra revenue would warrant the bother it would put us to. I would most sincerely request Council to throw this motion out.

Mr. Thompson: Well, Mr. Speaker, I listened with some doubt to our Territorial Secretary as opposed to our Clerk I think he exaggerates a great deal and I don't know which Province he was referring to that levied a \$5.00 additional charge. I may be wrong, but before I left British Columbia I know that this was definitely a practice that at that time the first 3,000 numbers were reserved for anybody who wanted them and it was a case of sending the amount of the licence and mailing it to Victoria and you got the plate back period, no fuss no bother. As far as plates being lying all over his office I think that this is a gross overstatement as well. I feel that if we are going to let anybody have some numbers lets pick a number out of the air - lets say 100 for the first year, maybe there aren't a hundred people who want a licence plate of their own. So this is four boxes so I think Mr. Taylor has a fairly large office down there that he could put four boxes of licence plates without tripping over them every morning when he came in. I feel that this is a legitimate request I can understand the feeling of Administration - they have had this recognition

they have had this honour, they have had this privilege for the last 12 years, they are probably a little reluctant to let go of it but I don't see that there is any undue hardship here in any case.

Mr. Taylor: Mr. Speaker, I think I can see the problems inherent with the possible passage of this motion - as outlined by Mr. Clerk one, and by my own observations for another. I might say that one of the reasons I am very much opposed to this motion is the principle behind it. When we come to this table we come to the work in the common interest of the people of the Yukon Territory and this is the first time since I have been in Council that I can recall ever seeing a motion proposed which was to give us something from which no benefit could accrue to the people of the Territory. I would feel happy on this business of having a nice low licence plate I think it would be quite a privilege indeed if the Administration saw fit to convey this upon us at their own expressed wish but to turn around and ask by motion of Council this sort of thing is absolutely ridiculous and as I say my ego isn't inflated that much that I would even consider this motion.

Mr. Watt: Mr. Speaker, I would like to ask Mr. Clerk - is the first hundred licence plates already reserved?

Clerk-of-Council (in his capacity as Registrar of Motor Vehicles): No Mr. Speaker, only the first 25. From then on the licences are sent out from 26 up to about 400 to Dawson City, the next block of numbers go to Mayo, the next block of numbers go to Watson Lake, the next block of numbers go to Haines Junction, and the balance are sold in our office down stairs. We only start at 1200, 1300 or 1400, I am not sure of the number but we sell the remainder down stairs and there are no more numbers reserved in any case. This was a practice that was set up by the Commissioner back in 1952 and it is still the practice today.

Motion Carried with
Councillor Thompson, Councillor MacKinnon and
Councillor Watt in favour and with
Councillor Taylor opposed
Councillor Boyd and Councillor Southam abstained
from voting.

Mr. Boyd moved, seconded by Mr. Southam, that third reading be given to Bill #7, AN ORDINANCE TO AMEND THE WORKMEN'S COMPENSATION ORDINANCE.

Third
Reading
Bill #7

Motion Carried.

Mr. Speaker: I am informed by the Clerk that we have a **rather** important paper he wishes to read. Is it in agreement with Council to revert back to Orders of the Day to have this read.

Agreed.

A memorandum was tabled regarding Property Tax - Alaska Yukon S.P. Refiners and Distributors Limited - Alaska Yukon Pipe Lines # 32 Limited (Set out as Sessional Paper No. 32)

Mr. Taylor: If it is the desire of Council I can bring this to the attention of Committee of the Whole while the Commissioner is with us this morning.

Mr. Speaker: I think that would be very much in order Mr. Taylor.

Mr. Taylor: I would like to direct a question to Commissioner Cameron. In view of the location of Canada Tungsten Mining Corporation in relation to the Yukon boundary and the difference in the game laws between the two Territories, would the Administration consider affecting a solution to this problem we have at Canada Tungsten which would allow the residents of that community resident hunting privileges in the Yukon Territory.

Commissioner Cameron: Yes, Mr. Speaker, we are quite prepared to do that. May I pass on some information Mr. Speaker?

Mr. Speaker: Proceed.

Commissioner Cameron: You will recall yesterday we were having a discussion regarding the Carcross property and I suggested that the Administration should come up with more information for the members of Council and I just thought I would pass this invitation on which is from the White Pass. If the Council is agreeable they would like to take the Council by train, tomorrow morning, to Carcross and show them around Carcross and the property in question. They will pick you up in Carcross with two vehicles. This invitation was made this morning and I said I would pass it on to you. If the Council so wishes I will inform the White Pass officials and this trip can be laid on for tomorrow morning. They would like to know as soon as possible. The train leaves at either 8:00 or 8:30.

Mr. Speaker: Thank you Mr. Commissioner, what is your pleasure in this respect or would you like to discuss it further?

Council decided to postpone the invitation for a week and go to Carcross next Saturday morning.

Mr. Taylor: In view of the proposed change in the Canadian Pacific Airlines schedule servicing the Yukon affects all areas of the Yukon covered by this service, have the Administration received any amount of protests from any parts of the Territory with regard to this change of schedule?

Commissioner Cameron: No, Mr. Speaker, to my knowledge there has been no official protest. I have heard some verbal complaints indirectly and in fact even from the employees of Canadian Pacific Airlines that are not particularly happy with this schedule. But I don't believe there has been an official complaint come in, to my knowledge. I might say along the same line that they are asking about this Daylight Saving Time because they do go on Daylight Saving wherever it is in effect so they have been concerned about this point.

Mr. Taylor: Mr. Speaker, I would ask some direction at this point. Mr. Commissioner is now sitting with us in Council and wonder if it would be his pleasure at this time to give assent to Bills 1, 2 and 3 in view of the urgency of these bills in relation to the Administration.

Mr. Speaker: That is quite correct. We have three bills Mr. Commissioner they are money bills:

Assent
Bills
1, 2 & 3

- Bill No. 1 - Second Supplementary Appropriation Ordinance 1964/65
- Bill No. 2 - Interim Supply Appropriation Ordinance 1965
- Bill No. 3 - First Appropriation Ordinance 1965-66

and they have been duly passed through this Council and we would ask your **assent**.

Commissioner Cameron: Yes, Mr. Speaker, I am happy to assent to the bills as enumerated by yourself.

Mr. Boyd: moved, seconded by Mr. Southam, 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 other matters of interest.

MOTION CARRIED.

In
Committee

In Committee of the Whole:

Committee proceeded to discuss Sessional Paper #32, Property Tax - Alaska Yukon Refiners and Distributors Limited - Alaska Yukon Pipe Lines Limited, with Commissioner Cameron present.
S.P.#32

Commissioner Cameron: Mr. Chairman, if I might speak on this. The members of the Financial Administration will recall there was a meeting held in Ottawa with Mr. Sparling and one of his business associates and they were quite concerned because we had written them a very final letter saying that we wanted all our money or else we were going to close them down. We didn't feel that what they had to offer was good enough. So we did some horse trading, talked the thing over. There contention was that we would never lose our tax money because there was always enough, the plant itself was worth enough to offset any amount of taxes that were owing. We said we wanted some assurance so they said they would have an assessor or appraiser come up and appraise it. We felt this wasn't good enough and wanted a scrap appraisal. Looking at it from the worst side possible, that if someone bought it as junk and cut it up a blowtorch and a hacksaw we would still be able to recover our taxes and this is what the offer is from this man Berry. He has made a scrap offer and he is saying here that he will buy it for \$50,000 as is-where is until December 31, 1968. We said when we get this information we will place it before the Council and ask for their recommendations on it.

Mr. Shaw: There is an offer to pay on April 30, \$10,000 and on September 30 an amount of \$3,261.00 and \$1,610 and then follow the payments along. I have that correct have I? That's what it would appear and it would appear that they are making an honest effort to pay this and that there is a firm offer that goes until the 1968 time period by this Mr. Berry to purchase the assets for \$50,000 as a guarantee purchase. From the point of legalities would everything be in order in that respect to assure that we were covered.

Commissioner Cameron: I believe, Mr. Chairman that everything is in order. I think Mr. MacKenzie is satisfied with the exception of the errors that they have made in arithmetic in certain places which will have to be brought to their attention. In principle it appears that everything is in order and our main concern, of course, is to get our tax money. We don't want a separation plant on our hands and we would just as soon not have to go to the trouble of selling it or disposing of it. If we can get our money back within the next two or three years and this can become a money making operation, I think we have accomplished something to help out the area of Haines Junction and could be help for the rest of the Territory.

Clerk-of-Council: Mr. Chairman, there is something I would like to say on this if I may. You will notice that the proposition by AYRD is to pay the tax arrears of \$10,000 and then the current taxes at \$3261. plus \$1610. which you will note is only \$4800. The reason for that is that during the last year the assessment on that Yukon Refinery was reduced considerably because of the addition of an obsolescence allowance which the assessors applied to the place because it had been sitting idle and was gathering rust for so many years. If they reactivate that plant this year I cannot guarantee you that that assessment won't go back to where it was before namely \$10,000-\$12,000 a year rather than \$4800. and I think it should go back up once it is reactivated. The figures would be correct for April 30, 1965 and September 30, 1965 but then the next three years may be considerably changed. Of course this would have to be discussed with the Commissioner and Treasurer and whatnot before we make this move. This would seem to me to be the logical move to make.

Mr. Boyd: Does this mean that this tax arrears payment April 30, 1965, September 30, 1965, does this mean that they will pay \$10,000 in between that period of time - between April and September.

Commissioner Cameron: Yes, Mr. Chairman. The first payment of tax arrears will be \$10,000 paid on the 30th of April.

Mr. Boyd: On September the 30th then would be the current tax payment of \$4800. - is that what that means?

Commissioner Cameron: That's right.

Mr. Boyd: How long is it anticipated that this plant will remain open?

Commissioner Cameron: If the company have their way it will remain open indefinitely. They claim they have very good market possibilities in Alaska and they realize they have very poor marketing possibilities in the Yukon at the present time. They hope it will improve. Certainly if there is any agreement reached whereby the highway will be surfaced in any way - asphalt or a bunker oil of any kind they claim they would be in a position to supply it cheaper than anyone else because of their location. So it is their intention to get it back in operation and pay off all its debts. If they fail and at the end of the first year they find it is going to close then we will have received some of our tax money and then we will foreclose again and the thing will be sold on a tax sale.

Mr. Boyd: Mr. Chairman, I think we should go along with this because we may wind up by having them in business here, we will certainly wind up with getting our money over a period of time. The reason I am in favor of this wholeheartedly

is that it could be, if they are capable of supplying Bunker 'C' oil - there is going to be a demand for that from the mining sources I am thinking. I know the Hudson's Bay, if they operate that Quill Creek deal are going to use many millions of gallons and there is no reason to assume that others won't be in the same boat.

Mr. MacKinnon: I think it is very necessary that we go along with this on account of the town itself which needs the revenue.

Mr. Watt: I have my doubts about going along with this suggestion. It puts us in the position where we have endorsed the refinery and its operation. From talking with Mr. Sparling in Ottawa I understand that they will - if we go along with this - go back to their stockholders and possibly arrange for new financing and I think that if this company was sincere, very sincere, in opening this thing and getting it in operation I think that they would soon come up with the arrears in taxes. My basic objection to going along with this is that if anyone else in the Territory comes to us and asks us for a bit of a tax holiday they will get turned down in I think 90% of the cases, probably 100% of the cases. Unless there is some far reaching reason why this should be done I can't see it. If there is something out of the ordinary and these people really needed the money to get going, then I could see going along with this. This seems to be a continual postponement, a new story every year or two, saying that we should be given special exemptions and I feel that if we do this we should go to their competitors and say - we will give you the same consideration. I think what is fair for one is fair for others. I think that special consideration is given to some companies in the northern areas here for a short while on a particular basis before they even start but I don't think this falls into that category. From what I understand the chances of this reopening and operating are very remote and I haven't been convinced at all that we would be assisting anything, we would only be hurting ourselves and maybe hurting some innocent people by going along with this postponement which would, in effect, be an endorsement of the refinery and its future. I think it's wrong in principle. I think that I was wrong before in voting for this tax holiday - I really feel this now. At the time it sounded as if it was just going to be a short time before the refinery was going to open. At that time there was talk of the Alaska Highway being paved in the very near future. But that highway being paved appears to be further in the distance now than it was at that time. It looks as if we could be carrying this thing on our hands for quite a while and all the while we are subject to other tax payers coming to us and saying you are doing this for Alaska-Yukon Refiners why can't you do it for us. They may have just as good an argument. Unless there is some firm proof that this thing is going to open up and stay open right away then I can't go for this. I don't see how the company can keep asking us to give them this tax holiday. The Territory needs money the same as anybody else and the owners of this refinery - they aren't people, I don't think, that cannot scrape up a little bit of money such as \$45,000. in a hurry. They appear to be a large company that if they want to keep the refinery and if there is any chance of it opening up at all - they can certainly scrape up the money, open it and operate it the same as anybody else. I feel that we were wrong in principle in doing this to begin with and I don't want to perpetrate the wrongs that I feel I have done in voting for this in the past.

Mr. Taylor (with Mr. Boyd in the Chair) I can't agree for this reason. When this proposal was first put before us in the old Council, the former Council, the only reason that this so called tax holiday was granted was to offer incentive to an industry and this is a Territory that is desperately in need of an industry of any sort, major or secondary. It was felt at that time, due to the slackness of contracts and the forced closure of this operation by reason of lack of market that we would let it go for a little while and see. The Administration brought this to the attention of Council, I might add, and asked for our direction, and we said we don't want to chase a potential industry out, especially in view of the fact that at that time they were beginning to talk about the paving of the Alaska Highway and future pavement in Whitehorse and in fact they were talking in terms that would indicate new markets being created in the Territory for the product as turned out by this refinery. Now this has gone along a little too long and as Councillor Watt has very properly pointed out, we can't give everybody in the Yukon a tax holiday so why should we give these people a tax holiday. However, I feel that we do have a peculiar circumstance here and in view of the fact that it is the only industry of its kind, really, in the Territory and potentially the thing does have merit, it does make economic sense provided some of these projects do come off. I think that even if they go to partial production this is going to reflect itself not only through the taxes we may collect here but it is going to reflect itself through revenue spent in the community of Haines Junction and in the general area and areas involved here, in employment, in all fields. I think that as long as we have gone along this far and they have to come to us and said we are willing to put this thing into production, have another go at it, we are so close to this factor I feel that we should concur with their request, as discussed in Ottawa. They have given us assurances of a scrape appraisal which is quite acceptable, at least to myself. They have set down payments and so forth, the bargain that they are willing to stick to and if they fail to stick to this bargain well of course we seize the unit. I would say that we would be very wise to go along with these people now that they are just getting started again, they have been dormant for quite some time. Now that they are at this point let's give them an opportunity to see what they can do. If they fail, chop, we will take the refinery but if they go, the benefits which could accrue to both the 1016 area and the Yukon as a whole would be substantial I would think. In closing I would say that I would approve of this arrangement being made, however, I would also note the matters enumerated by Mr. Clerk this morning in relation to future assessments.

Mr. Thompson: I concur with some of Councillor Taylor's remarks but I feel that I more fully concur with Councillor Watt. I feel that if these people have the faith and the courage in their own future that with the backing of American interests that they could quite easily pay these tax arrears and start afresh. I have the feeling where it may be a very good thing to give them this tax relief, I feel that the payments that are being offered are not in any great excess to harm a fully producing plant and therefore I feel that this giving an opportunity to speculators or promoters to further line their own pockets at the express harm of the public. What this will probably mean is that they will be able to go out and sell new shares in a newly formed company and thereby give them considerable extra money for operating this, and whose to say how much of it goes back into the company and we get our little pittance each year or so. I agree that the overall picture may work out but I am inclined to think the principle was wrong in the first place and we should make amends for that now.

Commissioner Cameron: I can see what Councillors Watt and Thompson are getting at. The only thing is that we have to consider that this plant has been closed down, for I believe six years, and it has been looked at each year. It has been felt it is a separation plant and is something that every family doesn't require, it is a very difficult thing to dispose of. So the companies request was accepted that the thing be ^{put} off and we were informed that they wouldn't be able to go into operation until they had come up with the tax money, in some form of agreement with us and if we had come again this year in the same situation I am sure we would all say - we have reached the end of the line now we have to dispose of this. Now that this company, Mr. Sparling has come along, they have worked many many months as he pointed out through a ton or a ton and a half of paper work that was dumped in their laps to sort out from the corporate mess that was established in the first place and they now have it trimmed down to operating size, as far as the shareholders are concerned, and now they are going to try and operate. Now we are saying to them, sorry too late boys you can't operate. We put it up to them the same way as was mentioned here. How about getting the taxes and paying them off right up to date and go ahead and operate. They pointed out the expense they had gone to in trying to sort out the bookkeeping mess and getting the shares straightened around and getting the large shareholders to agree to waiving their interest, etc, etc, in the company until they could get it back on its feet. There was one corporation alone that has \$600,000. invested. We were told that we can get every dollar of our taxes but it will be paid by this larger company and the plant will be moved to Prince George. It would appear a little improper, I would say, at this time after they **now** saying we are going to try to operate this plant and hire some people, produce some oil and gasoline and we say sorry, we have changed our mind now you can pay up your taxes and move the plant out.

Mr. Boyd: First of all we have a year to year basis, they have made a commitment. So the first commitment is \$10,000, we get it - the next one is \$12,000, if we don't get it we still have recourse. On top of this if we should some day find we are going to pave this highway because we were ornery and kicked this thing out of the Territory into B.C. We might find that we are supporting British Columbia and hauling it all the way up the highway. Whereas this way we aren't going to have to with a little luck or patience, which ever way you want to put it. Then again I am wondering what we are concerned with. Are we concerned with getting our money? Are we concerned about how we are going to raise it? We don't care where it comes from, I don't think it is any of our business - we are concerned about getting our taxes, I don't care what pocket it comes out of. People are people. I am in favor with this setup the way it is proposed here.

Mr. Southam: It would appear to me that we haven't got very much to lose anymore than you have lost already. You have a guarantee here, more or less, that the plant is worth far more than the taxes. They have already said that they will pay you so much and more or less signed it and agreed to it. I don't see what we have to lose. The only thing you have to lose, if you lose the plant, you may lose work for quite a few people in the Territory which, as I understand ever since I came to this Council, this is what you are looking for. You are trying to create a better economy, we're trying to do this, we're trying to do that and now we turn around, as has been said, turn around and say well pay up your taxes and then we will go on from there, which is good business I will admit, but it

is also good business not to kick a man when he is down, that is to give him a chance and see if we can get someplace - make another industry in the Territory. It is the same thing with mining - if you go belly up, so to speak, you generally give a man the chance to come back again sooner or later and 9 times out of ten you may get what you want. I think myself we should give these people a chance and see what comes up. As Councillor Boyd has pointed out, if you get the first one and you don't get the second one you still have the plant. What have we to lose.

Mr. Shaw: I think I would like to boil this down to the essentials, first off we will take what is against accepting this. As far as I can see at the present moment the only thing that might be against this is the fact that this is a new method and not quite in line with the existing ordinance in respect to collection of taxes. In that matter, of course, that has had the concurrence of Council in the past and the Administration. That is the part that I would say would be the liability of this particular proposition. Now if we take a look on the assets of this particular matter, what is in favor of it, we have first the money is secured in which they owe us. That money we will get over a period of time. If we don't get it we have the recourse at a subsequent date to get it. The next item, by retaining it here, is that will continue for years, we hope, to be a source of revenue as a taxable piece of property. The third is that this property, if we retain it here, will give jobs for Yukoners, it may only be a few but it will be some whether they are selling their product to the United States or Canada doesn't really make any difference because people that are here will be working in the Territory. So in assessing the fore and against essentials it appears to me that I have no alternative but to accept the proposal as they have given it with the modifications in figures which the Administration has notified us and hope that this plant will get into production and get back into line where it was in the first instance.

Mr. Boyd moved, seconded by Mr. MacKinnon, that in the opinion of Council the Administration be authorized to enter into agreement with Alaska-Yukon Refiners Limited as outlined in Sessional Paper No. 32.

Mr. Watt: With respect to the motion I would just like to say that I hope that this same privilege is extended to other people in the Territory when the need arises. I still think that I was wrong in voting for this a while ago but the story sounded pretty convincing and later on it sounded pretty convincing again. But all good things come to an end and I think that the Council should be fair to everybody and extend this same privilege to competitors in the same field. I would just like to have assurances that if this motion does pass,

I am not going to vote for it, if it does pass that if by the date that the first payment is supposed to be in which is April 30, that if it is not there and the motion comes up again and is no longer considered a further tax problem, I hope we have these assurances from the maker of the motion. ^{That is} my opinion on the matter. I can't see where I or the Council here is justified in voting for a further extension on this. I think we have established a precedence which we are going to be faced with many times in the future particularly in a year where our taxes are raised all through the Territory and a lot of people are hollering about taxes now and rightfully so, and someone else comes in and gets a tax holiday of this size. We have large hotel businesses in town that are pressed for money too and they would like to have the benefit of this type of finance, g.

MOTION CARRIED with
Mr. Watt opposed.

Friday, March 26, 1965
2:00 o'clock P.M.

Committee was called to order.

Mr. Chairman: Gentlemen, we will proceed with the Main Supply Bill, if you are in agreement, which is Bill No. 4, and Bill # 4 I shall proceed with the reading of the Bill.

Mr. Chairman read Bill No. 4

Gentlemen, we will proceed with Vote No. 1, Yukon Council, Vote #1 Operations and Maintenance. Begin on Page 2. The first item is Salaries, in the amount of \$1,200.00. I have noted here, Mr. Clerk, "add staff of one". Is there any change required here?

Mr. Clerk: The Advisory Committee will probably remember that we had, the Advisory Committee and I asked for \$5,000. for the **Supplementary Estimate**.

Mr. Chairman: I believe the problem was here, it states under Primary 52 that "(2) to provide for special stenographer during Council Session", and I believe at that time it was thought that two additional stenographers would be required, and the Budget would have to be increased by \$2,500. Is this correct?

Mr. Clerk: I asked for \$5,000 for stenographic help during Council and I don't see it, so if it is not a Supplementary Estimate it can be put in the Supplementary Estimates at the next Session.

Mr. Chairman: Is it clear with salaries, gentlemen?

All: Clear.

Mr. Chairman "Professional and Special Services - \$3,500."

Mr. Clerk: You will note there there is an item to provide for a special stenographer during Council sessions, there is another \$2,500 there. I think this will carry us over.

Mr. Chairman: Clear?

All: Clear.

Mr. Chairman, The next is Travelling and Living Expense - \$17,100.

Mr. Boyd: I notice that the mileage of my abode is not quite right, it's to Mayo, and it should be to Elsa.

Mr. Clerk: This is an Estimate only, and when you put in your actual expenses you can put in the actual mileage.

Mr. Chairman: Clear?

All: Clear.

Mr. Chairman: Telephone and Telegraph - \$200.

Mr. Chairman: Clear?

All: Clear.

Mr. Chairman: Printing of Ordinances - \$3,000. Clear?

All: Clear.

Mr. Chairman: Advertising - \$150. Clear?

All: Clear.

Mr. Chairman: Stationery and Office Supplies - \$2,000. Clear?

All: Clear.

Mr. Chairman: Purchase of Reports and Publications - \$500.

Mr. Shaw: That seems to be quite a lot of money. Surely there's not this much used. Personally, I just get the Hansard, I think that's just \$3.00 a year, isn't it. Where is the \$500?

Mr. Clerk: This year I expect there will be considerably less spent than there has been in the past, because one of our previous members used to get every publication that was ever published. One or two others had a few other publications and it did come to a considerable amount of money, not quite that much, of course.

Mr. Watt: I'd like to ask Mr. Clerk if he could subscribe for us for this "North" magazine. I think this was received for us at one time, was it not? I think it was done through the Administration here.

Mr. Clerk: Regardless of how you got it we will subscribe for it if you wish.

Mr. Watt: I would like you to do this for me.

Mr. Clerk: Does anybody else? One of you is already receiving it but I will put in a subscription for the rest.

Mr. Chairman: Are clear on this item, gentlemen?

All: Clear.

Mr. Chairman: The next item is Unemployment Insurance in the amount of \$15.00. Clear?

All: Clear.

Mr. Chairman: Sessional Indemnities - \$28,000. Clear?

All: Clear.

Mr. Chairman: In view of the fact that we have Mr. Clerk here, oh, this brings us to the total of - well, I'll leave that open for the moment. Would you care to go to Vote 4 now that we've Mr. Clerk here, Territorial Secretary and Tax Assessor?

Mr. Thompson: I wonder, before we leave this I'd just like to refer back to Primary 54, "Finance Committee Trip to

Ottawa" re return tickets at \$410.00. I went around on this on our Financial Advisory deal and it's all very well to say that this is an estimate, with which I whole-heartedly agree, but I don't whole-heartedly agree when they know a fixed figure and it's different. Invariably all through these estimates they say "This is just an estimate, don't change it, we might have to do some re-typing, we have to change this and we have to change this and it's additional work." Well, this is fine, I'll go along with this to a certain extent. But when we went to Ottawa the amount allowed for travelling was \$324.00, which allows you to travel cattle class, in the steerage or in the hold or in the tourist section, whatever you like, so I think that 3 and four-tenths should be amended to 3 and 3-24.

Mr. Chairman: Do you wish Mr. MacKenzie down on this item?

Mr. Thompson: No, I don't think it's necessary. He knows the amount, he wrote out the purchase orders. He's aware of it. If they're going to put in an estimate, fine, but by the same token if they've got firm prices I don't know why they don't use them.

Mr. Clerk: I can agree that this is a fact. We're only allowed to travel tourist class, and if that's the case then the proper figure should be put in. But if the proper figure had been more than this I would say yes, let's change it. However, it's up to Council.

Mr. Watt: There was four of us went, I believe.

Mr. Clerk: There were only three members of the Financial Advisory Committee.

Mr. Taylor (with Mr. Boyd in Chair): I recall this coming up in Ottawa about the Advisory Committee Meeting and it was pointed out at that time(it was either here or Ottawa I should say) that this was left flexible for good reason, but I can't remember what it was right now. Whether it was the possibility of changing air fares, this that and the other thing, I don't recall what it was but it was explained at a meeting. Mr. MacKenzie had something to say about this, but I just can't remember exactly what it was, but he seemed to have good reason for it.

Mr. Thompson: I think the "good reason" is that \$410.00 is the first-class fare. Regardless of whether you change it or not, I just want to go on record as being opposed to that figure being there.

Mr. Chairman: Well, gentlemen, the totals on all these sections I leave open for final review, of the Budget, so if anything is to be raised again it can be raised.

Mr. Boyd: Why leave it open, we have agreed to what is here, now, as I take it. Why don't we conclude that this is the figure and that we are through with it? Not waste time looking at something twice. I don't quite get this point of yours.

Mr. Chairman: Well, the point that I raise, Councillor Boyd, is that in going through as we have over the past

four years, you recall, we take the items of the Budget and then we say are we clear on vote 1, vote 2, vote 3, vote 4, vote 5, in case something has arisen, it will still leave us open to come back to that, the motion, or any other thought on this Budget. However, if you wish to seal this off at this time -

Mr. Shaw: But before you seal it off, - we have an amount of indemnity - \$28,000 in 1964-65. We have the same in 1965-66. In 1964-65 there was an election, which would utilize two sets of indemnities of \$14,000 apiece. For this coming year it appears that we have a duplication of \$14,000 which should not be in there, according to my calculations. Would you explain that, Mr. Chairman? This is \$28,000, not \$65.

Mr. Thompson: There is \$14,000 for this Spring Session and \$14,000 for the next Spring Session.

Mr. Shaw: Unless there is an election we are not allowed to get more than \$2,000 in one year, so I just can't see how you can reconcile an amount of \$28,000 in one year. This \$28,000 for spring 1966 will come in the 1966-67 estimates, not in the 1965-66 estimates. We cannot by law receive more than \$2,000. How can we possibly have it in the Budget?

Mr. Thompson: I would assume from this that the Spring Session won't start until the next budget becomes available to us, so we have indemnity for this Session, and indemnity for the next Session. There's two different years as far as I can see.

Mr. Watt: This year I don't think we will be getting our indemnity until the Session is all over, and this is assented to. I have heard rumours about a change in our system of indemnity, and I have heard the Administration is going to do this (they don't have to consult us to do this) so maybe we are more fortunate than we hoped for. I think this must be an error, isn't it?

Mr. Clerk: This is strictly not because of a change maybe in the dim dark distant future, this is because you may need the money because, as Mr. Thompson says, you may have twenty days before this fiscal year - that's why it's in here.

Mr. Shaw: I brought the matter up, because this is the first time that this has ever been in there. Look at the previous years - 1960-61, \$13,500.; 1961-62, \$23,000 because there was an election that year; 1962-63, \$11,000 and \$14,000. I mean, I just don't quite see the point in having -

Mr. Thompson: I think this is in keeping with the present trend to have Council meet considerably earlier in the spring, so that matters of Yukon Territorial business can be completed in time for the contractors and what not to get their tenders out, so that we don't waste the good weather that we have in deliberations, shall we say, at this table.

Mr. Clerk: This is true, and we fully intended to have Council start on March 1st this year, but it was held up for the reason which you all know, a member of the Territories Council was in Ottawa. We were delayed until March 15.

Mr. Shaw: I wish to thank very much the person that has helped me out on this. I asked a question and got an answer. It was intended to have the Council Session earlier, and that's fine.

Mr. Chairman: Are we clear on this item, gentlemen?

All: Clear.

Mr. Chairman: Do you wish to seal this off at the present time?

This was consented to.

Mr. Boyd: Well, we're clear on the subject, and this doesn't mean that we are giving the Bill third reading, something special might happen. In the meantime, we are through with it.

Mr. Chairman: Then you will accept the amount of \$55,665. as the expenditure for Vote No. 1.

All: Agreed.

Mr. Chairman: Now, do you wish to go to Vote 4?

All: Agreed.

Vote #4 Mr. Chairman: The first item is salaries in the amount of \$49,138. Clear?

All: Clear.

Mr. Chairman: The next item is Professional and Special Services at \$450.

Mr. Shaw: Was this the cost of the assessors last year?

Mr. Clerk: No, this is just the cost of the members of the Court of Revision.

Mr. Chairman: Clear?

All: Clear.

Mr. Chairman: The next item is Travelling and Living Expense - \$3,635. Clear?

All: Clear.

Mr. Chairman: Freight, Express and Cartage - \$60. Clear?

All: Clear.

Mr. Chairman: Postage - \$100. Clear?

All: Clear.

Mr. Chairman: Telephone and Telegraph - \$1,200. Clear?

All: Clear.

Mr. Chairman: Advertising - \$250. Clear?

All: Clear.

Mr. Chairman: Stationery and Office Supplies - \$5,400. Clear?

All: Clear.

Mr. Chairman: Materials and Supplies - \$6,500.

Mr. Thompson: Could I ask a question? The Territorial Secretary cost of these licence plates, approximately what is per set?

Mr. Clerk: The licence plate themselves, the cost of printing them? It's 40¢ a pair. That doesn't include the freight.

Mr. Boyd: That's done in an institution I take it. Is that correct?

Mr. Clerk: Yes.

Mr. Chairman: We were on Materials and Supplies. Repairs and Upkeep of Equipment - \$100. Clear?

All: Clear.

Mr. Chairman: Rental of Equipment - \$1,200.

Mr. Thompson: Doesn't your Department have a car, Mr. Clerk?

Mr. Clerk: We don't as yet. We haven't felt the need of one, and that's why this item was put in there like this.

Mr. Thompson: Could I ask one further question? Do you feel that the added increase, the duties of the Labour Provisions Officer will warrant an automobile for the Department?

Mr. Clerk: We did, in our Estimates for the next 5-Year Fiscal Agreement enter an automobile for the Department.

Mr. Chairman: Clear?

All: Clear.

Mr. Chairman: Unemployment Insurance - \$400. Clear?

All: Clear.

Mr. Chairman: Employees Superannuation Fund - \$2,850. Clear?

All: Clear.

Mr. Chairman: Death Benefits - \$50. Clear?

All: Clear.

Mr. Chairman: Surgical-Medical Insurance - \$400. Clear?

All: Clear.

Mr. Chairman: That's a total of \$71,733. Clear?

All: Clear.

Mr. Boyd: I would just like to ask one question. I notice we're bringing a boiler inspector in from Vancouver. Is this because no such man with proper qualifications exists in the Yukon?

Mr. Clerk: That is not entirely the reason. I believe there are qualified men in the Yukon, but the reason we bring this man in, is, he has been our boiler inspector for years. He was boiler inspector for British Columbia on a full-time basis when we hired him, and he was allowed two months leave of absence, this is what we wanted, because there's not enough work for a full-time man, and we haven't found anyone in the Territory who could take two months off from their own employment to inspect boilers. That's the reason we bring him in.

Mr. Chairman: Gentlemen, that concludes Vote 1 and Vote 4. What do you wish to do at this time? Do you wish to go back to Daylight Saving?

Mr. Boyd: We've got, I'd say, 25 minutes. If Mr. Cameron is available we could get that Daylight Saving kicked around a little bit, if nothing else.

Mr. Chairman: Mr. Clerk, I wonder if you would ask if Mr. Commissioner would join us at this time.

Committee in Recess awaiting Mr. Cameron's arrival.

Committee called back to order.

Mr. Chairman: We were debating before the noon hour, the matter of Daylight Saving. Will you proceed.

Mr. Shaw: I might as well start this, and give my views on the matter.

A recess was declared until order was restored, when Committee was again called to order.

Mr. Shaw: I have before me factual information that the votes for Daylight Saving Time in the Yukon, as presented by various Members are, in Watson Lake - for it, 225; 20 against; population in that area, well, I won't hazard a guess, possibly 1,200 people. In Whitehorse the evidence for the Council is, for the City of Whitehorse, conducted by the Chamber of Commerce, in which 41 people wished to have Daylight Saving Time; 5 people did not want to have Daylight Saving Time. In other words, we have a total of 299 people wanting this Daylight Saving Time. Out of that 299 there was 46 of them in Whitehorse with a population that runs all the way from 6,000 to 10,000, it depends on whose saying, talking. So that to me does not evidence any group of people, any large segment of the population, wanting this. To me it is not sufficient indication to my agreeing, even for a temporary period, to any Daylight Saving legislation. I honestly feel that this is something that should be given by the people in the form of a plebiscite. When we have that, I think, we will know what the answer is. The story on this particular matter is that a plebiscite costs too much. So, if it costs too much, why the logical thing to do is to get

a few pressure groups going ahead and they put in their voice. It might be only one percent, or one-half of one percent, or one-tenth of one percent of the people. Nonetheless, it is not sufficient to warrant changing it, and I do not believe in a matter such as this, the costs of getting the peoples' viewpoint is either, sufficient reason for saying well we must take it by the viewpoint of a very very small percentage of the people. I can assure you, that there are a lot of people who have very very strong views on this - very strong views both for and against. I would ask that no action be taken at this time until we can ascertain the views of the population, including those people, all the Electoral Districts, not just one or two, but all of them. Get their viewpoint. If they go for it with something like a substantial majority (I would suggest two-thirds, the same as we have in our Legislation, in relation to Municipalities, the same I think applies to any form of plebiscite taken) then, we know what the people want. The majority would then have the say over the minority. Until we get some definite, absolute advice from the people who have to live under this changing-around business I don't think it is advisable to take any step on this. Those are my feelings. I won't say anything further on this. I think I have put forth my views, and will let it go.

Mr. Watt: First of all I'd like to mention that the figures the Member from Dawson City suggested - it's not an opinion of the majority - neither is it the opinion of the majority of the 7 of us here who are sitting at this table. There were probably 2,000 votes cast, and there are probably 16,000 people in the Yukon Territory, counting women and children. This is what you are appearing to be doing when you are considering the vote taken on Daylight Saving Time. If we used your line of reasoning (all these 7 Territorial Councillors shouldn't be here because more people didn't vote than voted. The same with our members of the House of Commons, they shouldn't be there because more people didn't vote than voted, We're basing our whole system here on the Democratic principle of majority rule. A few Sessions ago, I think about two years ago, there was a motion by Councillor MacKinnon, seconded by myself, that we have a plebiscite. The Councillors from the hinterland at that time said no, we shouldn't even have a plebiscite. Now they're asking for a plebiscite. We've had different methods of polling the areas, we've polled Whitehorse for a plebiscite, and a majority were in favour of it and a minority were against it. Those that didn't vote were either too young to vote or they were too old - maybe not too old! So I think the figures you were using are a distortion. You're going by those that don't vote should rule. Anybody that's interested enough to have an opinion on this, particularly in the City of Whitehorse where they had the opportunity - they went out and they voted, and the majority voted in favour of it. I don't see anything wrong with that, so consequently I would go along with that suggestion. Now, you from the hinterland, the Member from Watson Lake came here and said that in his Constituency they were strongly against Daylight Saving Time, so a sampling was taken and there was a little bit of difference of opinion. I don't think a cost of a \$20,000 plebiscite is justified at the moment, and I can't see what the Councillors from the hinterland are objecting to if we give it a try for a year.

I can't see what their objection to giving it a try is. If all else fails, leave it up to the Administration to take a sampling as they did in Watson Lake, when they go up to Dawson City and these other places then act accordingly. I think this would be a fair sampling. I can't see where if the outside Councillors didn't think \$20,000 was justified a couple of years ago, why it is justified now.

Mr. Commissioner: We might just go over the problem or the situation regarding Daylight Saving Time. If the Council or the Administration was approached by the individuals in Watson Lake, groups in Watson Lake and in Whitehorse, over the past few years, asking for it (I think letters were written, certainly quite a bit of newsprint has been written talking about it) there was not a very great reception or response. This was why when we put the piece in the paper within the last six weeks, we asked for the people who had legitimate excuses or reasons why we shouldn't have Daylight Saving Time to write. Now the only thing I can see wrong with Councillor Shaw's figures is that he has only half an equation, he hasn't completed it. I think you used the figure there 300 and some odd people for out of 16,000. Well, I think in order to complete the mathematics you would have to say then, there are only 27 plus 5, that would be 32 people, against it, out of 16,000. What I am getting at is you could look at it either way. If there is only 300 for, there is only 31 or 32 out of 16,000 against it.

Mr. Shaw: I could take a petition around Whitehorse right now. I am sure that I could gather up enough people that would be either for it or against it, and I could say, "Well, how about signing this." "What's it for?" "Oh so and so and so and so." I could talk to them, and pretty soon find out that they were opposite to what I thought. I would say "Oh, well, thank you very much. If you don't care to sign it okay", then on to the next one. And I could produce for you a document which would show these people were in favour of this particular matter. I am certain that I could. It just depends on what group starts a particular thing, who they approach, and just what kind of propaganda they would give to these groups when they are doing this. They are selling something. And when you are selling something it is a different proposition to when people go up to a booth and mark an "X" on something. It's an entirely different situation. It's the old approach of selling, so that whatever you are selling, you can sell it accordingly. You can change a statistic around on something to fit the particular thing. But when the public has something that they can all go up and put their "X" on, then you have a true picture of what people want, for those who are interested enough to get in and produce it. I do not think this small group here is conclusive enough evidence. Now in Whitehorse, where this thing has been mostly publicized, the heat has been engendered. When they had a plebiscite, the plebiscite was 417 to 365, that's just a little bit too close, I think, for something like this. Councillor Watt says that that is the feeling of the people, of this organization, the other people, well they're just not interested, or something, so then we should go for it. But I recollect the same organization having a proposition on something, and other times he's been diametrically opposed to it because they are a pressure group. Now, we've got to get our thinking straight

on just what, on just exactly how this is. To me, it's not conclusive enough proof that it's wanted.

Mr. Thompson: We heard the honourable member out yesterday, and again today, and we know where he stands. I would like to go on record as agreeing with Daylight Saving Time. I think most of us have spoken on it with the exception of myself. I'm a little concerned about the way Councillor Shaw and Councillor Taylor try to change the outcome of questionnaires as you would, plebiscites know. But here are people who have taken the time, who have gone to the trouble to ask a representative faction of the community, and they have come back with something conclusive. Now, my only thinking is that the rest of the Territory aren't concerned. And if they're not concerned enough to oppose it, then they must be willing to go along with it. I feel that it's just this simple. As we have had pointed out to us, this will help not only the business people in these various communities, but it will also help the tourist industry, because these people are coming out of British Columbia, and they're coming out of Alberta into the Territory, so that they are going to be on a standard time, rather than up one and down two, and minus three and plus four. I feel in the long run it will help the Yukon, and for this reason I would make a motion to the effect that this be instigated and given a trial period of a year. If at this time the people of Dawson, Mayo, Elsa or Teslin can come up with another solution, or as Councillor Shaw has said, he can convince anybody which way to go, and I believe him, because he convinces me several times a day. In fact, I seriously thought of asking the Administration to move Porter Creek up to Dawson, as I think our benefits would be manifold greater. But this is beside the point. I think that Daylight Saving Time should be instigated, and that the Administration be given the authority to go ahead, and put it into effect when British Columbia goes on Daylight Saving Time. Am I correct that this is the first of April, or is it the end of April? Whatever this time is, if and when this becomes a reality, or at the proper time. I have a Motion made out to this effect that I would like to submit.

Mr. Commissioner: The only embarrassing point, which I might have mentioned yesterday in our conversation, is that when people ask us why we don't do it, give us some legitimate reasons for not doing it, so far we're stumped. We haven't heard of a real valid reason why not to do it. This is what we have to look at, I feel. If we're saying "no" just because it's something new, because it's never been done before, because it sound silly, because "my husband won't be able to sleep, there's too much daylight", none of this adds up. Unless there is a real legitimate reason why we don't do it, then it's very difficult for the Administration to keep saying "well, we just don't think it's a good idea". This is embarrassing situation, and I have nothing to gain by it personally whether we have daylight saving or not.

Mr. Southam: I wonder if I could ask the Commissioner a question? In your add in the Whitehorse Star you said, if I remember rightly, anyone who had any reasons against it to write to your office, or words to that effect. Did you get any from up around my neck of the woods? Is that too personal a question?

Mr. Commissioner: No, it's not personal at all. I don't think we got any from up around your part of the country.

Mr. Southam: I was just wondering. The ones I have asked have just said "Why do we need it?"

Mr. Chairman: Could you give us the rundown?

Mr. Commissioner: Well, I can read one to you. I can read them all to you. It wouldn't take very long.

Mr. Boyd: It isn't necessary to read them, if we just knew how many objections he had.

Mr. Commissioner: Well, I would like to answer this question of Councillor Boyd's. There's one man from Porter Creek, he just says "I feel we have more than enough hours of daylight in the summer months." Anyone who wants more need only get up a little earlier in the morning. I'm against Daylight Saving Time." There's another one from Whitehorse - I can read the whole thing to you if you want. It's written or signed by somebody by the name of Midget, and he says it would be difficult to get the children to bed. Do you want me to read this letter to you?

Mr. Boyd: No, I was just interested in the -

Mr. Commissioner: I believe there were two others, now I'm not positive, this might be the works.

Mr. Boyd: I would just like to say that Mr. Shaw is misguided in the fact that he's using 1962 figures. As I said a couple of days ago, the situation and attitude in the Whitehorse area, where there are 6,000 people is entirely to what it was in 1962, from what I can gather listening to people. It's this basis I'm going to vote on. There is no such thing as a fifty-fifty split according to the people of Whitehorse any more. I think you'll find that by and large they all want to give it a try, and I think we should look at this. The Watson Lake member doesn't want this, and he's doing his best to engineer the thinking of other Councillors when the Gallop Poll is what you might call it, from his constituents say that they want it. The Gallop Poll is a pretty good deal. It's something to be adhered to, thought of, so whatever Mr. Taylor personally wants or not I think it is beside the point. He should listen to the results of his people, and not be trying to influence others according to his own personal opinion, when he's going to vote "Yes" for it. I would suggest that Mr. Thompson make his motion now.

Mr. Taylor (with Mr. Southam in the Chair): Prior to a motion being made, I'd like to say a few words in answer to that. Mr. Boyd is quite correct, this is a Gallop Poll, galloped around and made a fast poll of who knows who or who know what. As I have stated before, and I'll state it again, I am forced, by reason of these petitions, to vote for this if it comes to a vote. However, I am not trying to mislead anybody, what I am saying is, in answer to the Honourable Member from Whitehorse West, if he states everybody has had an opportunity to vote, this is wrong. I feel,

as the Honourable Member from Dawson feels, that people should have an opportunity to vote. Now the only time that people had an opportunity to vote on this was in one area, that's Whitehorse, when 417 people voted in favour of it, and 365 people voted against it. There is no two-thirds majority there. Consequently that meant that 365 people in the Municipality of Whitehorse didn't want this. It's all well and find to say "I think the situation is changed", but do we know? We're doing something which affects every man, woman and child in the Territory. Secondly, I reiterate that Council, and every individual Councillor at this table has been placed in a very untenable position in this regard. This is something that should be decided by vote, rather than leaving it on our so-called political necks. This just separates our community right up and down the line, those in favour - no matter what you do at this Table, those opposed to your view, all the people in your district, for instance, if you vote for it, that disagreed with this, are going to say, "Well, we don't think too much of this fellow". In my district they're going to say the same thing, and in the district of every member at this Table. This is the position we're put in. I don't feel we should be in this position whatsoever. I think at first that we should have a true representation from the people, and then act as a body on that representation. This we have not got. I just point this out. This business of trying for a year, as I say, if this Motion is proposed, I have to vote for it, though as you know I'm personally opposed to it, on these grounds, that if the people of the Yukon Territory will accept it by a clear-cut plebiscite decision, banko! I'm with them, right up and down the line. But I feel very poorly for this idea of voting for something on which I have no direct, honest, opinion. I have the petition, gathered by one group, who sponsored this thing right along - the Chamber of Commerce - and as I say I stand on it. But I just leave you with those thoughts, that Councillors individually are placed in a very bad position in this regard. I don't feel that this is right.

Mr. Boyd: Well, your remarks - you Banko! I am with it if you have them take a plebiscite, but you're still agin it. Now don't try to kid anybody, you're still agin it, but you're with it. Today you're with it, and at the moment you're trying to ignore the peoples' wishes that are in that envelope, by using the figures that were voted in '62, for one example, and so on. The people have spoken, and let's get this hassling over with and take a motion and win it or lose it.

Mr. Taylor: Just in answer to this, I have the representations of 200 and some odd people out of 1,200 people in my District. Is that representative?

Mr. Thompson: Before I make this Motion, this two-thirds majority figure keeps recurring. My understanding is this is only necessary on a money by-law. For anything else it was just a straight majority; two to one, or three to two, or something of this nature. I may be wrong, but I just mention this in passing. I don't think this two-thirds majority holds any water at all. Anyway, I would like to make a motion respecting Daylight Saving Time. It is moved by myself, and seconded by Mr. Watt that, in the opinion of Council, Daylight Saving Time should be instituted in the Yukon Territory to co-incide with the Province of British Columbia.

Mr. Chairman: Could I have a copy of the motion, please?

Mr. Watt: First of all I would like to answer two statements that have been made, one by the Member from Dawson City, say in that the Councillor from Whitehorse West at one moment is contrary to the opinions of Chamber of Commerce, the next moment he is favourable with the opinions of Chamber of Commerce. I don't think he realizes this plebiscite wasn't held by the Chamber of Commerce, it was held by the town of Whitehorse, the Municipality of Whitehorse. The majority of the people who voted, took the time to go down and exercise their franchise, voted in favour of Daylight Saving Time. Mr. Taylor said that I had said everyone in the Territory had a chance to vote, I never said this, or if I did I didn't mean it, because they haven't had a plebiscite in the Territory. They have had a chance to air their views to the Commissioner by answering this letter in the paper, and as Mr. Commissioner said there was only 5 or 6 who objected to Daylight Saving Time. I can't see why we should go on with this argument for days and days and days. We would still come up with the old proposition, well, what is against it? outside the personal opinions of a few people. I have no choice but to vote for this, and I think I am doing right. If it doesn't work, if something materializes that causes a hardship on the people in my area, or in other peoples' areas then we will soon be informed about it. As Mr. Taylor said, the Administration is bringing something down on their heads that we shouldn't have to do, because a percentage of our population are in favour, some are against it. Well, this is the responsibility we take as the elected representatives here. We have to accept these responsibilities, no matter what comes before us, whether it's a trailer court, or whether it's anything else, some people are in favour of it, and some are against it. This is what we are here for. If we went back to the people in the form of a plebiscite all the liquor outfits in the Territory would be closed. Now, is it our duty to have these places closed down for a day? I think we should take the responsibility of casting a ballot on ourselves, and justify our position when we go back to our constituencies. Therefore, I would vote for the motion.

Mr. Shaw: I have been accused of being dogmatic. It's the first time I've been accused of that. I don't think it's justified. I think I will explain a little further. It takes a lot of explaining, sometimes. The Commissioner has said, "Give me a valid reason." Very well, I think I should give a valid reason, I will give a valid reason. Cordova Airlines have been operating for 4 years now of a 5 year plan to take tourists into Dawson City from Anchorage. The difficulties are that it is hard to get plane boats, except on a weekend, which is a Saturday. They have been building up this business until for the first time las year this Cordova Airlines have broken even on their 5-year plan. That's very good. They've lost money for 3 years solid bringing passengers in. Last year I forget how many they brought in, 700 or 800 people, to Dawson City. However, due to the time element one of the big problems is due to the expense of travelling, how they can make this a reasonable enough package deal and give these people sufficient time to spend, and get their money's worth in looking around the Community.

As it is, the best that they can do due to the time difference, due to the distance involved coming from Anchorage, they do not land in Dawson until around 1 o'clock, 12 or 1 o'clock, somewhere around that time. Now, if the difference is another two hours, which it can be, it will restrict their time further until 3 or 4 o'clock in the afternoon. That is one of the big reasons why I think this thing will be detrimental to the tourist trade, or industry, in Dawson City. That is a very valid reason. That is where we get some of our best tourist dollars from - the State of Alaska. That is where we should look further to get more from there, because that is one of our largest potential markets, it's right next door. That is something we should do everything to build up. Don't put anything in the way to prevent this thing going on. We've had two days, and that's the way the situation is, gentlemen. If we have two hours less, it means two ours less for people to get in there. There, I thin, is a very valid reason for my attitude on this until the people decide otherwise. That's up to them. But I cannot, in all sincerity (I'm not being dogmatic, but truthfull and honest and stating just how I feel.)

Mr. Chairman: I believe the Centennial Committee are here, are they not. So we'll recess for tea and carry on this discussion later.

All: Agreed.

Recess declared for tea.

Later;

The Chairman called the Committee back to order.

Mr. Boyd: I listened to Mr. Shaw's last remarks very attentively but the thing that struck me was there were apparently no complaints received from Dawson City. Either they have ignored the situation or they didn't care so this in itself is something to think about, and I would ask that we call for the question on the motion.

Mr. Chairman: Is there any further discussion on the item.

Mr. Shaw: I would say that the people in Dawson City do not all subscribe to the Whitehorse Star. They subscribe to the Klondyke Corner rather than the Whitehorse Star and that was not in the Klondyke Corner. It was in a Whitehorse newspaper. Just because they publish one up there does not mean to say that everybody has to know about it. That is a silly thing to say, just as ridiculous as the idea of having Daylight Saving.

Mr. Watt: I think that the member from Dawson City had a really good point there and I will certainly take it into consideration when I cast my vote.

Mr. MacKinnon: I think we should hold this thing up for a while.

Mr. Chairman: Order please.

Mr. McKinnon: I think we should hold it up until some of the people from the outer districts get a chance to look this over. It is a thing that I have never discussed in my area with the people and I can't tell just what they think. It is hard to vote on such a thing as this.

Mr. Chairman: Is there any further discussion on this question?

It was moved by Councillor Thompson, seconded by Councillor Watt that, in the opinion of Council, Daylight Saving Time should be instituted in the Yukon Territory to coincide with the Province of British Columbia.

Mr. Boyd, Mr. Thompson, Mr. Watt, Mr. Southam were all in favour of the motion. Mr. MacKinnon and Mr. Shaw were contrary to the motion.

MOTION CARRIED

Mr. Chairman: What do you wish to proceed to at this time. We have some matters for consideration including a Sessional Paper related to the new application for liquor licences. I wonder if you wish to discuss that at this time.

Mr. Thompson: Excellent.

Mr. Chairman reads Sessional Paper #31.

Mr. Chairman: Mr. Commissioner, would you proceed?

Mr. Commissioner: I have very little to add to the Sessional Paper. You will recall that it was the Council's feeling that any additional liquor outlet licences should be looked at very closely, if not withheld, in view of the fact that there are so many outlets presently available in the City. This is not in the City of Whitehorse but it is certainly very close to it. It is in the Whitehorse Metropolitan Area and we are just asking for Council's direction and how they feel about it. Do they consider it as coming under their direction of a year or two ago? In other words, do they consider it to be part of the Whitehorse area they referred to at that time?

Mr. Shaw: I think that one of the things that Council wanted was to have three persons as a committee to investigate these things. That would put it out of the area of the Council and also the Administration. Things like this can be quite embarrassing. Many times you don't know whether it is advisable to give a licence or whether it isn't. I myself just wouldn't have a clue on this particular matter. Perhaps the member who represents this area might have something to add. He is certainly more conversant with it than I am.

Mr. Thompson: The applicant has made representation to me and I feel somewhat as Mr. Shaw says, that there was a request for a committee to be set up to hear these various submissions and applications, and here again I feel that you are putting an onus on Territorial Council as a whole where this is not primarily one of our functions. It is not in the Whitehorse area as such, but as the Commissioner has pointed out it is in the Whitehorse Metropolitan area. There is, I believe, a licence in operation at this time. This is something I was going to try to ascertain. It seems to me that they were closed down for a period of time and it was my understanding that if you had a licence for liquor of any sort it was mandatory, in order to be able to keep the licence, that you would remain open for the 12 months of the year until some of these amendments or suggestions that we had brought forward at the last Council were instituted into law. I don't know whether this is the case or not or whether there was some understanding with the Administration on this point, but this is something that I would like to have clarified beforehand, but inasmuch as he has a licence at this time I can't see too much of a problem in going from one to the other. All it is doing is saying that he can sell beer in a separate part of the building. The other matter that I wanted to ask is what were the terms of reference when the Kopper King got their original licence. This again has to do with whether they have continual operation or whether it has been shut down and they just operate it when they see fit or when the business is good, and in this way circumvent a number of expenses. Along these same lines and with reference to the submissions that we made at the previous Council, I was wondering if any action or progress had been made on them. It doesn't seem very like it. I had hoped that some of these suggestions and recommendations would have been brought forward to us at this time but evidently this is not the case but on the same question of liquor licences, I would like to ask on this recent changeover of ownership of the Whitehorse Inn how do they manage to continually operate it. I understood that there is supposed to be a waiting period or you have to give notice or some such thing but from what I gathered, they just continued operating right through this transition period and this is something else that I would like the Administration to answer for me.

Mr. Commissioner: I think it would be better to have Mr. Bayers but I'm not sure if he will be back to work for a week or two. He is still at home. I don't know just who else we could get. Possibly the Legal Advisor might be able to explain the rules and regulations. I am not that familiar with them. I am wondering what the regulations are that Councillor Thompson referred to that he had hoped would be brought into force at this Session of Council.

Mr. Thompson: One of the matters that was discussed at the Fall Session I remember, was the possible sale of liquor in outlets other than the liquor stores. This is just one. There were many items and I am wondering what action, if any, has been taken on the Liquor Committee's recommendations that preceded the comments of the last Session.

Mr. Commissioner: We are looking into the sale of liquor in the outlying districts and this project is based on the Teslin request, which was made by Councillor Taylor, and we are presently waiting for word back from Mr. Fleming who is the local operator in the area and he informed us he would contact us within 10 days as he would know by then whether he was selling out or not. So far we have not heard from him. Mr. Judd had him in and discussed the situation with him and he said he would be prepared to sell liquor off premises. He wasn't sure of the best way of being paid for it, whether it should be so much a bottle or as a contract employee of the Government, so we are active in this field and looking into it. As I pointed out before, there is no objection to having a committee but so far it is just words. When you really look into it there are several factors to be considered including the establishing of a committee, who you are going to get and on what basis are you going to get it. For example, if we pick three businessmen here in town, who should pick them? Who is to say that they are unbiased? If they are unbiased in this particular application that we have in front of us, how would they feel about the next one? This is an unfortunate situation that we find ourselves in here in the Yukon where we have a very small number of people and everybody knows everybody else. Therefore it is very difficult to get three gentlemen who would sit on an application where the applicant would feel that he was being justly treated. If we can find individuals who would be satisfactory to all concerned then it would be a load off my shoulders and in the meantime, this is why we put it to the Council. The Council, as representatives of the people, could sit as a liquor committee the same as anybody else could.

Mr. Shaw: It would appear to me that any group that would do that would have to have quite a fair knowledge of many facets of this particular business. You would have to know the per capita population, the per capita drinking population, the amount of profit, the amount of liquor and so on. It is a very involved affair and it would still be necessary perhaps to get people who would know all these answers. Let's look at it this way to get down to it basically. I am presented with something to make a decision on and I haven't the first idea about whether this person should or should not be granted a licence. I would not be aware of any of the facts in it and I feel it would be something like voting for Daylight Saving Time. I wouldn't know what answer to give. I am quite prepared to stand up on any question but I do like to be somewhat conversant with the question. If he has a liquor licence on one side I don't suppose it will make much difference if he sells beer on the other side but there may be reasons I don't know about.

Mr. Commissioner: I should point out that the regulations, as far as this man is concerned, cover everything - health, sanitation, building, structure, plumbing facilities and proper sinks and so on. This came to you because of Council's feelings in Whitehorse for future outlets. Now, if the Council did not consider this as part of the City of Whitehorse and treated it as an ordinary application it would be taken from there. If you consider it to be part of what you meant when you said "restrict any liquor outlets in the City of Whitehorse" when you were referring to that extended area then we feel we need a little assistance. We don't want to give the impression that this man is a bad operator. He has run a fine show and we have all the facts and figures that are required to justify and follow up all of the laid down procedure. However, the principle involved is whether he comes under the grey area that we established a year or two ago or not.

Mr. Chairman: Councillor MacKinnon has indicated/to leave. Are Committee agreed?

All: Agreed.

Mr. Thompson: I wonder if Mr. MacKinnon would have anything to say on this matter before he leaves.

Mr. MacKinnon: It looks to me as if this is already an outlet and extending it doesn't really mean too much one way or the other. It is not like having a new one.

Mr. MacKinnon left the Council Chambers.

Mr. Boyd: One of the Liquor Committee's recommendations was that an operator shall designate his hours and they must be continuous and remain in effect for one year. Licensees outside of Whitehorse may choose summer and winter hours. That's one thing. Nothing has been done with that. Two prices for beer to the different operators is another bone of contention and one that I think deserves consideration. To get back to this application, I am not sure that things are being operated strictly according to the wording of the Act or whatever you may call it. First of all, we have run into where licences are being transferred from one organization to another. We don't know why. Then we run into the point where a man can close down in the Fall and open up again in the Spring, and we run into the fact where that same man now wants to obtain a licence to sell beer. He can close in the Fall if he so chooses and open in the Spring. We had a recommendation in the Liquor Brief that there be no further licences issued in the Whitehorse vicinity unless there were 30 rooms to go with it. What is happening out here is that we have a man or a group of people serving nothing but alcohol. We have in this town cafes and rooming houses, virtually. There is only one hotel that has a dining room and we are never going to have any more if we are going to allow people to willy nilly get licences to serve nothing to the public other than this commodity. You can start off right here. You have a cafe (looking out the window) and a large cocktail lounge. You go down to the next one. You've got no cafe, you've got rooms and a cocktail lounge. Go down to the next one. You've got a cafe that will seat about 10 people, a big beer parlour and a few rooms. You go around the town and you've got the same situation - rooms but no dining rooms. Come summertime, you can't get a tour group into any place in Whitehorse, and they are never going to come here. Schoolteachers, nurses, elderly people who

want the service of hotels. They are willing to pay for it and pay well. We could have summer rents and winter rents but nobody is going to invest their money if there is nothing there. They don't get away with this kind of stuff outside. If you want a beer parlour or a tavern or a cocktail lounge they'll tell you you can have it if you put up so many rooms and there's no argument and it is the Liquor Commission that tells them how much they are going to have. They can't run around to Mr. Cameron or their member of Parliament or anybody else. They are it and this is the thinking I am trying to get in Whitehorse. Not to build the town on liquor and rely on liquor for prosperity. There has got to be more to serve the public than that and it is a sad state of affairs when we cannot take a tour group into this town because we have no facilities. Some of these places that call themselves hotels are nothing but rooming houses rented the year round to people that have these rooms rented. They are not serving the travelling public at all. We have got to get past this stage and I am definitely against this licence. All we are doing is setting up an outlet for whoever produces this beer. It's a fine way for them to get rid of their product at our expense. That is what it boils down to.

Mr. Taylor (Mr. Southam in the Chair): I have listened to the discussion on this with great interest. In relation to the granting of this licence, I was suddenly faced with one item and that is that this tavern, the Kopper King Services Limited, are located between Camp Takhini and Porter Creek and would be servicing a fair area insofar as a tavern is concerned because I don't believe there is a tavern anywhere in that general area at the top of the hill. There is one outlet in Porter Creek but I believe there is another one in the Camp Takhini area which is operated by the Department of Public Works. If this is available in Camp Takhini for the general public to come and use and draft beer can be provided I would have second thoughts about this, but if the Department of Public Works' facilities are not available to the residents of the area then I think we must consider something along the lines of granting this tavern providing, of course, that they live up to the Ordinance and that they maintain a year round operation. I agree with Councillor Boyd that this shutting down for two months in the winter is not a good thing. I also concur with Councillor Boyd in the matter of trying to upgrade establishments in Whitehorse. The accomodation is at a premium in this town in the summer. It is very difficult to get a room and it is very difficult to accomodate tourists here let alone ourselves but I think in the granting of this licence you must take this into consideration. It doesn't really affect my area one way or the other. I also feel that it should not even be at this table. It should properly be in the hands of a Liquor Commission but of course we don't have one. This was recommended. No moves have been made with respect to setting it up as yet but I hope that one will be set up in a very short time because, after all, this is a million dollar business and there are many ramifications to the operation and administration of the Liquor Ordinance. These are my only comments at this time.

Mr. Thompson: The Clerk has brought to my attention one of the matters here that I was asking about and that is this reference to closing. It says "The premises have the option to close for any part of the licensee year upon giving notice in writing to the Inspector but may not thereafter reopen the premises during that year for the sale of beer or wine without prior written consent of the Inspector". That means they can open and close pretty much as they like and this is a 1962 Amendment Ordinance and I don't think there has been anything done about that since. I would just like to bring to the attention of the Councillors, Councillor Taylor's remark that there is no tavern in the area. There is a club in Camp Takhini but this is strictly for Highway personnel. There is a cocktail lounge in Porter Creek. There are motel accommodations at the Kopper King but just how extensive they are I don't know. This is probably an oversight on my part and I should have made myself cognizant of this fact. They do have them but I don't know how many are available for the travelling public. They do have a kitchen there and they serve some pretty fair meals so I feel that an application of this sort is within reason and inasmuch as we don't have a liquor commission at the moment I think these matters should be brought before Council and we will act in this capacity until such time as a proper commission is set up.

Mr. Watt: The Commissioner asked us a question which was "How do we want to consider this motion curtailing liquor licences?". The motion was made originally by Mr. Boyd as Chairman of the Liquor Committee. I don't know who seconded it at that time but it involved the whole Yukon Territory and the member from Mayo at the time stood up and said that it should just refer to the Whitehorse area, and the member from Watson Lake seconded the amendment to the motion. I opposed it violently because I thought that the members from outside the Whitehorse area had in effect made a motion that affected the Whitehorse area. I think that the motion as it stands, should be considered as a motion that was requested basically by the operators in Whitehorse and it should be considered to refer to the boundaries of the Municipality of Whitehorse. I think that this is fair and I think that Mr. Taylor had a point when he said that there is quite a large area including Hillcrest, Valleyview, Camp Takhini and there is a part of the Porter Creek area that would like to have services from one of these draught beer outlets. To get a glass of draught beer now, you have to come down the Two Mile Hill and go back up there again and I think the records show that it is a dangerous hill to drive if you've had a couple under the belt and I think that people living up on top of the hill should have an opportunity to partake of a little glass of draught before supper if they wish without having to run down that dangerous Two Mile Hill. My own opinion is that the Administration can take this motion to mean the Municipality of Whitehorse and I think that this particular application should be approved if all the other requirements are met adequately. I think it would be an asset to that part of town.

Mr. Boyd: That motion very definitely did not intend to confine the action to the limits of the Municipality of Whitehorse. It says so and it meant what it said. Stop and think for a minute. You have four outlets at the top of the hill. Who have you got living there? You talk about buying draught beer cheaper. Those people at the outlets on top of the hill can buy it cheaper by the bottle than you

can buy it by the glass in draught.

Mr. Watt: I can't.

Mr. Boyd: Yes you can. With that number of outlets, you can't expect them to stay in business and make money. First of all, the ones that are going to stay in business are those that are Government supported. You can't blame the men for closing down at the Kopper King and the one beyond was closed down before. I don't know whether it closed down last year or not for the want of business. They are going to be in business when everybody else has closed down. What is going to happen is that there will be business on the road for the summer months and then there will be starvation and this is the very thing that those operating the Licence Department are trying to avoid. It is no asset to have something in the summer and then have everyone move out and go south with the birds in the wintertime. We want them to stay here and be of some use to the public in the wintertime as well. We've got to gauge it on a better basis than that. You cannot justify the operation of this new outlet other than by looking at it by reason of the fact that they are in your area and you are going to be for them. If you are going to think of the population and the Municipality and the district as a whole, then you cannot justify this as being warranted under any circumstances.

Mr. Chairman: If the Government sponsored club was shut down would there then be sufficient population to warrant these outlets?

Mr. Boyd: You are talking about the top of the hill. That is the D.P.W. crowd, and I imagine if they didn't have an outlet there where they could get it at cost price then they would probably go over to the Kopper King, but the licences were given to them on a transfer basis much to the anxiety of the citizens of Whitehorse. However, their rumblings meant nothing and the licences and the transfers went through. Here is another thing, can you transfer licences? Mr. Clerk of the Court, you have the book there. Is it possible to transfer a licence from one party to another?

Mr. Clerk: I don't believe it is.

Mr. Boyd: That was my opinion too and it is the opinion of many others. These are questions that a lot of people would like to have answered. I notice for one thing in this recommendation that the public is a little bit vague on the laws and we could make a recommendation that some of these laws should be published so that people know whether they are coming or going. I know that they can come and get a book but a lot of these people are like the people in Dawson: they don't get the Whitehorse Star.

Mr. Watt: As far as this transferring of licences is concerned I think there is a bit of complaint right now about licences having been transferred recently but I think you will find that over the last ten years in Whitehorse every licence has been transferred the same way. It is just a matter that at this time somebody is complaining and complaining pretty loudly and I think that if we look into it we will find that just about every place that has been transferred has been transferred the same way. There has been no shutdown period during the transfer and I don't think there is much hardship there. The Ordinance could be

changed to fill the gap and probably the Legal Advisor could be instructed to do so. I don't think that there is a draught beer outlet anywhere on top of the hill or in upper Whitehorse to service the whole area which could be a couple of thousand people taking in Valleyview, Hillcrest, Camp Takhini and the private areas up there and the Porter Creek area, and the Crestview area. I think that this application is fair and if the members from the hinterland believed a year ago that this motion should include the whole Territory then I don't see why it should include just the Whitehorse area. I think it should include the surrounding areas. If the people in Whitehorse want this motion for curtailing licences to stand within the town then that's fine but I share to a certain extent the feeling of the members from the hinterland at the time that you should control the licensing for the whole Territory. If they want to do it within a restricted area that's fine too. I will certainly go along with this application at this time but I do feel that a committee should be set up as recommended in the Liquor Committee Report if it can be done.

Mr. Chairman: I don't believe that the motion is necessary but I wonder if you could give your direction to the Commissioner as to whether you would concur with the granting of this application or whether you would feel that this application should not be granted. Would those who approve the granting of this application please signify.

Mr. Thompson and Mr. Watt signify their approval.

Mr. Watt: I think Mr. MacKinnon signified that he was in favour of the application being granted.

Mr. Chairman: Yes, this is one reason why I didn't want to put it to the motion.

Mr. Shaw: I really don't know anything about this situation. I don't know what the location is or any of the details about it so I can't be against it. The member from that particular area has advocated that the licence be granted and I would feel that he knows more about his area than I do and I will listen to his advice and go along with it. It is not a matter that involves the people in my particular area or the people outside that particular area. However, I can also very much sympathize Councillor Boyd's points on this matter. If we continually encourage people to take off the cream of the summer business we will never land up with any accommodations because they will spread the business so thin ... they can take off in the winter, they don't have the expense of keeping up the hotel. There is no incentive for any person to build a decent hotel and to operate for 12 months of the year. Though I go along very much with the recommendations of this Committee, I also have to take into consideration the present law which says that these people can do these things. There is nothing to prevent 50 new places in this area. I am against it but there is no law which says that they can't and I think that we will have to have a commission to study this thing. Some means will have to be devised even if it does cost \$3,000.00 or \$4,000.00 a year to investigate thoroughly the whole aspects of this giving out and granting of licences. I think it would be well worth it. This liquor business brings a huge profit into the area and it could well be established. It would only amount to maybe 5¢ a bottle but I think it would be really worth it and they would come up with their findings based on sound knowledge of the whole business of this liquor matter. I would not go against

this motion under the circumstances as I have pointed out but I think myself that it is unfortunate that I, who knows nothing about it, has to cast a decision on it. That is just my opinion.

Mr. Boyd: I am not so sure that they can close down of their own free will. I haven't got any books here and it would maybe take me a while to find out/I am led to believe /but they close down under the pretext of renovations and if you have to renovate you have to close down. I may be wrong but this is what I am led to believe. You fellows will probably vote this in but I am going to vote against it on principle. I have no bones to pick with those people but I want to see a hotel. I'd like to see those fellows build a real hotel. I'd give them a licence and three or five years tax free if they'd build a thirty room hotel out there and make it a hotel where we can serve people but it no not giving the public anything just to convert what was going to be a garage into a tavern and we are going to stay just where we are in the same boat. We'll get another one alongside of them. There is one a mile or so down and that is having a tough time financing. It is just going too far.

Mr. Commissioner: As I have said before, I would like to see a liquor committee. I think liquor commission is not the right term because a liquor commission doesn't cost \$3,000.00 or \$4,000.00. It might be \$300,000.00 or \$400,000.00. You are talking about liquor commissions in provinces involving a few million people. But if the Council would name names as to people. I presume you are talking about 3 or 4 people, maybe 5. Who are they going to be? This is not going to be a permanent position. They are not going to be paid \$6,000.00 or \$7,000.00 a year. Are they going to be businessmen? Where are you going to find three businessmen in here who will satisfy you people and will satisfy the people who are asking for licences? This committee is not the be and end all by any means. They are going to ask under what rules and regulations you wish them to look. We can't crystal ball gaze. If we had a committee right now, how would they handle that particular case? They'd go back to the votes and proceedings and see that Council felt they should look pretty close or restrict any expansion of liquor outlets in the City of Whitehorse. What do you want a committee to sit for? A committee would just say there was no use in them sitting and that they don't want any more liquor. I think Councillor Boyd had a completely valid and legitimate reason for saying what he did. The lack of rooms and accomodation in this town is a very serious situation and he was not spouting idle words when he said that tourists are being diverted from this city. They are, and they have been for some months because there is no place for them to stay. Hotels in this town are booked up and we do need hotels. We also have to decide whether you are going to legislate the liquor business right down to the letter of the law in all respects as to the number of outlets and the amount a man will sell and buy for as some places do, or whether you are going to allow it to operate as any other business would which you have indicated you would like to do in one particular instance. All of these things will have to be solved. There is no star rising in the east for any committee that will sit under the present situation. I will be very happy to hear the names of the people that you care to submit to me to sit as a committee because otherwise it puts me right on the spot. I have sat on these committees before and have had to try and come up with a miracle decision. It is a pretty difficult thing to do.

Mr. Shaw: I can appreciate the difficulties that the Commissioner has. There is no question that it is not as easy as it sounds. I can't name names because I don't know enough people round here but I would suggest a member of the retail outlets in Whitehorse, one member of your executive administration and one member of the general public or it may be a person who is good on facts and figures and so on and so forth. I would suggest that these people are appointed for a term of two years and are given some sort of a small retainer fee. They are given all the information and asked to study it and then when an application comes up they sit on it and they decide whether they should or should not recommend a licence to a particular person. That at least takes it out of the political arena. I think it is only fair that one person who sits on that committee should understand the liquor retail business. You have a person who is one of your executive assistants who should have a knowledge of how the Government operates and so forth. Then the member of the general public could be a person who is adept at figures or maybe has some other qualifications.

Mr. Commissioner: Don't you think you are defeating the purpose of your three-man committee if one of them is from the retail liquor outlet business. He is obviously going to be opposed to any future liquor outlets because they are all opposed to them now and I don't think he would change his opinion, so you could obviously write him off in each instance as far as further applications were concerned.

Mr. Shaw: I would say that a person from a retail liquor outfit would be able to give their side of the story. There is a person who is involved in this business. He could be prejudiced or he could be biased but you have the other two people and this thing will have to be settled on logic as much as possible. Perhaps it requires a larger commission, maybe 5 people so that you don't get an overriding part of it but I do feel in all fairness that someone should be able to present the side of the people who already have a great deal of money invested in these hotels and so forth. They are entitled to some consideration. They may come up with a suggestion that might be very helpful and something that could be put into practical use. I feel very strongly that they should have some say in it because of their knowledge of the particular business. I don't say that they should sway the whole thing but they'll give the logic in relation to their end of it.

Mr. Boyd: We are off on another tangent now and we had better get back to where we started because after you live with this thing for a little while you'll be wrapped up in it like a ball. I would suggest that we dispose of this piece of paper here at another day. You might go to this and spend a little time but dispose of it. That is what we are dealing with, is it not?

Mr. Chairman: I wonder if I could have your concurrence or otherwise with the proposals as set out in Sessional Paper #31. Will you agree to the granting of a tavern as outlined here. Are you agreed?

Mr. Shaw, Mr. Thompson and Mr. Watt were agreed. Mr. Boyd and Mr. Southam were contrary, Mr. MacKinnon being absent.

Mr. Chairman: I will have to then report in Committee that Committee, on division, agrees to the granting of this licence. Where do you wish to proceed from here?

It was moved by Councillor Boyd, seconded by Councillor Southam, that the Speaker do now resume his chair and hear the report of the Chairman of Committees.

MOTION CARRIED

Mr. Chairman: Committee convened at 11:15 a.m. this morning to discuss bills, sessional papers, memorandums and motions. It was moved by Councillor Boyd, seconded by Councillor MacKinnon, that in the opinion of Committee, the Administration be authorized to enter into agreement with Alaska Yukon Refiners Ltd. as outlined in Sessional Paper #32. Motion carried with Councillor Watt and Councillor Thompson opposed. Committee recessed at 12 noon and reconvened at 2 p.m. this afternoon. Committee proceeded with Bill #4, the main supply bill. I can report progress on Bill #4. It was moved by Councillor Thompson, seconded by Councillor Watt, that in the opinion of Council, Daylight Saving Time should be instituted in the Yukon Territory to coincide with the Province of British Columbia. Motion carried with Mr. Shaw and Mr. MacKinnon opposed.

Committee then considered Sessional Paper #31 related to liquor licences. Committee on division agreed to the granting of a tavern licence as outlined in Sessional Paper #31. It was moved by Councillor Boyd, seconded by Councillor Southam, that Mr. Speaker do resume the chair and hear the report of the Chairman of Committees. Motion carried.

Council accepted the report of the Chairman of Committees and adjourned until 10:00 o'clock a.m. on Monday, March 29th, 1965.

Monday, March 29, 1965
10:00 o'clock A.M.

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

The following correspondence was tabled for Council's consideration:

(1) Memorandum from Commissioner Cameron, dated March 26, 1965, regarding Question No. 2 - Taxes - (Set out as Sessional Paper No. 33). Sessional Paper #33

(2) Memorandum from Commissioner Cameron, dated March 26, 1965, regarding Passenger Hazard Coverage on School Buses - (Set out as Sessional Paper No. 34) Sessional Paper #34

Mr. Taylor gave Notice of Motion respecting Basic Minimum Wage. Notices of Motion #25

Mr. Boyd gave Notice of Motion concerning Land Taxes. #26

Mr. MacKinnon gave Notice of Motion respecting Payment of Business Licences. #27

Mr. Watt gave Notice of Motion respecting the Degree of Parliamentary Privilege Extended to Territorial Councillors. #28

Mr. MacKinnon gave Notice of Motion respecting Outfitters and Guides. #29

Mr. MacKinnon gave Notice of Motion regarding Electrical Wiring of Indian Homes. #30

Mr. Boyd gave Notice of Motion for Production of Papers regarding Land Policy, Agriculture, etc. Notice of Motion P.ofP. #5

Mr. Speaker: Have you anything further on your Motion #1, Mr. Southam?

Mr. Southam: Yes, Mr. Speaker, I have received the brief from S.P. the Mine, Mill & Smelter Workers and there is a copy for each Member. I was thinking it should be tabled now. (Set out as Sessional Paper No. 35) #35

Mr. Watt moved, seconded by Mr. Southam, that it is respectfully requested that Mr. A. Oliver and any other member of the Administration be requested to attend Council in Committee to discuss Safety Inspector on Construction Jobs in the Yukon Territory. Motion #24

Mr. Watt: I have had representations made to me concerning safety inspection of construction jobs in the Territory and this is what prompted me to put in this request to have Mr. Oliver, and I believe he is in a position to know if we can be of help and to what extent and anyone else that might assist us in this matter. It is just a simple request to have this discussed in Committee at a time that is convenient for Mr. Oliver and anyone else they wish to have present at that time. It is pretty well self-explanatory.

Mr. Southam: Mr. Speaker, I think, from what I have seen going on around the Territory, especially with the Outside contractors, that this is a good idea although I do understand Mr. Oliver is the Safety Inspector for the whole Territory taking in all industries. I still think we should probably have it clarified so we would know if anything does happen we would know who to go to.

MOTION CARRIED.

...../30

Mr. MacKinnon directed the following questions to the Administration:

- Question #3 (1) Is the U.S. Government paying tax for the pipeline right-of-way extending through the Yukon? If so, how much?
- Question #4 (2) Are U.S. Army vehicles stationed in the Yukon permitted to travel on highways without licences?

Mr. Boyd moved, seconded by Mr. Southam, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing bills, motions, memoranda and anything else that might come up.

MOTION CARRIED.

In Committee In Committee of the Whole:

Committee proceeded to discuss Motion No. 3 regarding Insurance with Mr. MacKenzie, Territorial Treasurer, present. Discussion Motion #3

Mr. Boyd: The motion is self-explanatory. It just seems, when you look at the areas, the vastness of it, and the manner in which our buildings are scattered plus the fact that we do have considerable fire protection that we should start and assume a little responsibility - maybe some of our risk. I cannot see where you can expect to have an overall fire that would be classified as disastrous to the financial structure of the Yukon and this thing is paying out \$50-\$60,000. premium every year, give it ten years and it is half a million dollars. By the time ten years comes along it will be considerably higher than that as the premiums will keep increasing each year. We are going to spend another few million. So, it is getting out of proportion. I would think that this motion is worthy of consideration and I would like to hear Mr. MacKenzie's reaction.

Mr. MacKenzie: In the first place I should like to correct a statement in the motion that we show up a replacement value well we do not, we show it for what it is going to cost us. What cost us a million dollars ten years ago is insured today for a million dollars although the replacement cost is probably a million and a half. So we do carry a certain amount of risk ourselves.

Mr. Boyd: Mr. Chairman, I remember discussing this at the last session and if my memory serves me right Mr. MacKenzie stated that if a building burns down it will be replaced in period, that's the motive and the principle of the insurance we carry. We run no risk. This is what you led us to believe, or led me to believe, last year. You stated, I am sure, that if a building burned down you could shut your eyes. It would be put back there.

Mr. MacKenzie: I think, Mr. Chairman, the intention was to say that we would get back our full insurance coverage, I think so. I do recollect this point Mr. Boyd mentioned and I telephoned Mr. Howard Firth at the time when we were in meeting with the Finance Committee and he confirmed that we get back our full coverage but I don't think that I said the building would be replaced, obviously not.

Mr. Shaw: I haven't seen the policy so I can't say what the terms and conditions are but generally speaking if you have a building insured for a certain amount - \$5-\$20,000., you will get that back if it is completely destroyed, less the

depreciation value from the time it was constructed. They always put in a clause for depreciation value. Now whether it is in this policy or not I couldn't say. I think though rather than - I am not so much concerned with trivialities in this particular matter - I would wonder if we pay \$60,000. every year for fire insurance for our property that it is a pretty large premium and I am wondering if we and Mr. MacKenzie may have these figures, with the objective, my viewpoint is that we carry our own insurance. Now over the last 10-20 years in 20 years how much have we paid in policies and how much have we received in compensation for buildings that have been destroyed by fire. That would be a good yardstick to give us an idea about where we are going. Could Mr. MacKenzie give us some idea of that?

Mr. MacKenzie: I think I can help a little here Mr. Chairman. In the past ten years in fire insurance claims we have received say a \$110,000. Premiums paid now I can't tell you that off hand. It would naturally exceed the money we have received. It is agreed that we should aim at carrying our own risks. It is considered at the present time that we are not yet big enough to do so, but we should eliminate as many small risks as we can by not renewing policies and letting small risks that come up run at our own risk. Fire is the big one and it is I think considered that we are not quite big enough yet to carry that ourselves although we are rapidly reaching that stage. I would say that Mr. Boyd's motion is a very good one and I think I should approach our insurance agent and see what can be done in the way of alternative forms of coverage with the object of reducing the amount of premium we pay. It is a very complex matter and would take time to explore and time on the part of the insurance company. Just imagine their difficulties here in the Yukon we've got a hundred buildings of different types, sizes, different types of heating, some with basements some without, all at different rates and premiums, each building as a separate rate and premium - it would be an enormous job to come up with an alternative proposal.

Mr. Boyd: Mr. Chairman, this is my very point. If I owned a bunch of Cats I wouldn't care if one was black or white or whether it was worth \$5. or \$7.00. I would take the average and say - now this is all I want out of this bunch and I think this is what we should do with our buildings - blanket in effect and I think this is not tough as far as insurance companies are concerned. We have an area, they can size it up, they know what the fire protection is and they can surely put a rate on it and we can surely assume that we are never going to have ten million - we are insured for ten million dollars as I understand it - per year - each year - when we can't possibly have this kind of fires. All we want to do is be able to say we don't want to have to say this is the building it is going to be - put them all in the sack and I don't think you will have any trouble Mr. MacKenzie and I am very glad to hear you say that you will look into this and endeavor to get it down to something.

Mr. Shaw: In ten years we have had \$110,000. loss which was paid. Assuming that we are paying \$60,000 a year on these buildings I don't think in the preceding years that the premium has been very little different to that. Had we insured ourselves we would have almost half a million dollars now in the kitty or at least \$400,000. which would be sitting there to pay for a building that is going to burn up. In another ten years we would have our million dollars right there. Where we have a large installation of one building

that is worth that amount of money we have as a rule that in an area where there is fairly good fire protection. The smaller coverages of \$200,000 would be located in smaller areas in the Yukon. Of course fire risk is always a risk in any event. It appears to me that had we done our own insurance we would be well ahead of the game at the present time. This \$110,000 I believe that would be the Dawson school would it not?

Mr. MacKenzie: \$106,000 for the Dawson School and \$5,000 for a building at Carmacks.

Mr. Shaw: This Dawson School was about as big a fire hazard as you would get anywhere, it has only been there since 1901 and you could almost expect something like that to burn up in one ~~senae~~ because it was so old - the old wiring, etc. They never did determine what set it afire.

Mr. Boyd: This brings to point another thought, you said 1901 - that is 60 years ago. That school has been written off and paid for three different times money wise. If there was no insurance on it at all it wouldn't owe you anything as it has paid for itself three times in the sense of how you work your financial structure to get rid of debts or be exempt from tax and so on. Mr. MacKenzie please report back to us when you can what success you have had.

Mr. MacKenzie: I certainly will Mr. Boyd.

Mr. MacKinnon: I would like to ask Mr. MacKenzie if this fire policy of the Territorial Government goes up for public tender and how many bids have been received.

Mr. MacKenzie: No, it does not Mr. Chairman.

Mr. MacKinnon: What is the purpose for that.

Mr. MacKenzie: There is nothing to be gained I do not think, by going to public tender. This is not an old question I examined it quite carefully and made some notes on it in 1962 and have them here. It might be of interest if I read them out: "On the question of obtaining only quotations from all interested insurance companies for the risks that the Territory takes out, the following points are relevant and should be considered when deciding whether or not to obtain quotations:

1. Only companies represented by agents who are registered and are resident in Yukon Territory should be considered eligible for the reason that it would be most unfair to receive quotations from agents outside the Territory and to find them gaining the business. " I think there is a point to that.
- "2. If this restriction is adopted then it will be found that only two insurance companies are qualified to quote, namely The Royal Insurance Company and Yorkshire Corporation Ltd., other companies would be found to be too small to handle it without considerable reinsurance.
3. Only a non-board company would be in a position to quote substantially lower rates and only one such company operates in the Yukon Territory, namely Wawanesa, and that is too small a company to handle our business."

Another point which is **really** of interest to me "In order to obtain quotations it would be necessary to specify each risk to be insured so that there is no doubt as to what we want. This would be quite a substantial piece of work and would be

risky in that there would be the danger of leaving something out. The comparison of quotations received would also be onerous. It would be the sort of thing for which specialized insurance knowledge would be necessary." That is purely of secondary importance I think. The big thing is that the number of companies who could quote or attend to it are too small or few. You would gain nothing.

Mr. MacKinnon: These notes you are referring to Mr. MacKenzie, does that relate to 1962?

Mr. MacKenzie: No, they are applicable today just as they were then. The question arose in that year and I investigated it.

Mr. Shaw: One point, Mr. Chairman, I think I was informed a number of years ago that the commissions arriving from these premiums are distributed among all the licenced insurance agents in the Yukon. Is that correct?

Mr. MacKenzie: That is correct Mr. Shaw. There are four of them Humme, Rolph Bailey Agency, Firth and McCowan.

MOTION CARRIED

Committee proceeded to discuss Motion #17, with Commissioner Cameron and Mr. MacKenzie, Territorial Treasurer in attendance.

Mr. Taylor (with Mr. Boyd in the Chair): Mr. Chairman this motion was carried in Council and the motion asked that this matter be referred to Committee of the Whole for discussion. While in Ottawa, and prior to going to Ottawa, to discuss this I think it generally agreed by most members and most people in the Territory the taxes levied this year as a result of the reassessment were far, far considerably too high and I know it has been recommended by at least one Chamber of Commerce that nobody pay there taxes at all. This being the Watson Lake Chamber of Commerce until this matter is straightened out. In some cases taxes have doubled and in some cases they have tripled. So when we were in Ottawa I took the matter up and they said in essence this was purely a local matter, for discussion at the local level. So this is why I bring it to the table today. I pointed out that taxes - I know on one of the Hotels in Watson Lake they went from \$1365.00 in 1963, and this year their taxes were \$3044.00 for 1964, the taxes have nearly tripled. A residence has gone from \$145.00 paid in 1963 to \$227.00, 1964. Even a little cottage went up to \$16.00 from \$13.00. It was my understanding that in the reassessment that they would take the reassessed value and they would, in order to arrive at the same amount of revenue required, they would reduce the mill rate to compensate for this sort of business. Still the taxes are far too high and I frankly don't know what to do about it, but I think something has to be done about it because the people of the Territory do strongly feel that the taxes imposed upon them are exorbitant and unnecessary.

Mr. Boyd (with Mr. Taylor in the Chair): Mr. Chairman, I would find it very difficult to believe Mr. Taylor. I have figures here from the Treasury where it shows that the taxes for 1964-65, total taxes \$207,000.00 and also the taxes for the ensuing year supposedly will be \$202,000.00. So maybe Mr. Taylor could be wrong.

Mr. Taylor (with Mr. Southam in the Chair) Mr. Chairman, I can tell you one thing conclusively, and that is these figures don't lie, these are tax notices, and I might also say that throughout the district - I know of no-one whose taxes have reduced and they have doubled, and in some cases tripled. As I say I just grabbed three, a residence, a business - hotel, and a cottage, but I can certainly go back and get lots more to substantiate this and if these assessments do not reduce, they have got to increase and if last year it was 200,000.00 and this year it is to be \$202,000.00 well there is something very wrong here, somebody is very wrong, and I know it isn't the people.

Mr. Boyd: Mr. Chairman, I would just like to ask Mr. MacKenzie if when he was submitting these figures did he take into consideration the new assessment roll, because it is not like the Treasury Department to come up with a decrease when everybody is talking about increase and it doesn't matter where you go the same thing happens.

Commissioner Cameron: Mr. Chairman, I might just say that I think what Mr. Boyd is getting at is that Councillor Taylor has said that if they have increased doubled and tripled which would naturally make one think that our total taxation should be doubled or tripled. This is not the case, there were a lot of places that the taxation was cut down and then on the new assessment this is what happens places that die off or depreciate, then the tax drops, then it is applied and built up to the areas that are more desirable and there

is more activity and I don't think that the amount of money Mr. MacKenzie has taken in has doubled or tripled what we have taken in in the past.

Mr. MacKenzie: This figure of \$202,041.00 is based upon the revised assessed values. In the second place, Mr. Chairman, I should like to say that we did in fact reduce our mill rate by 4 mills and applied the reduced rate of 32 to the revised assessed values. That change produced for the Territory \$1845.00 more than was envisaged. \$805.00 more than would have been produced on the old values, on the old rate, so we tried to produce the same amount of money on the new assessed value as we would have got on the old one, and we did,

Mr. Boyd: This is real good, I remember seeing a whole page of delinquent taxes where the Government was taking the land back so they didn't collect the taxes. Here, Dawson City and elsewhere. It seems to me that those taxes are being charged up to you and I. My thoughts would be that you've got your ground back - do you still want to collect taxes on it too? From us - from the people - there should have been something somewhere in the financial 5-year agreement to allow for this kind of a suit. It's all very well, people don't pay any taxes, and you just add it on to - which appears to be the case - you are going to hold that land regardless of what, but you've got the land and you have got the taxes too even though you still own the land. Is this right?

Mr. MacKenzie: No, Mr. Chairman, this is not so. If any land is sold for delinquent taxes then those taxes are written off. They are not recovered later on by an increase in mill rate or anything of that sort. It is a loss which we sustain.

Mr. Shaw: Taxes are something which we all have to look forward to, I don't look forward to them, but we have to have them. It seems to me where a business down in the area of Watson Lake, pays over \$3,000.00 a year in taxes - I quite realize that this property has the value of so much and so it is taxed accordingly - what I think has to be considered in something like this are the actual facts that that business in Watson Lake, I assume is a 4 or 5 months business, they may operate during the winter and manager to keep going, but I would imagine that their revenue is obtained in just 4 or 5 months. Not a year round business. If they have to pay over \$3,000.00 in taxes - I don't know what the property is - but I do know that that particular building is a fine looking establishment and is a credit to the Yukon and to Watson Lake, but how much can you syphon out of the profits of a business such as that and still operate. These people that come up from Alberta and other places and assess the property of the Yukon Territory they assess on some book which they have which is a yardstick of assessing property in Alberta and British Columbia, However when you get up into the Yukon Territory there are many places, Whitehorse may be the one odd exception, whereby in the Winter time their business is barely enough to keep them in business. However their assessment and their taxes will be based according to these men who come up - on a 12 month period of business. What this person pays in relation to the amount of profit, I don't know but it certainly is a credible establishment, it is a fine building, to improve the standards, but when it is improved, up to this point, then of course the taxes mount up to \$2,000.00, \$3,000.00, \$4,000.00 which is an awful lot to pay, you would have to make a profit to pay that amount. It is not possible for them to be able to afford to pay such a tax. You also have

to consider that these people, according to the assessment now, pay so much for the electric light, so much for the water - if you've got water in there you get charged so much according to the number of bathrooms you have in the place. It might be something to reflect that those bathrooms that are put in this particular place are not serviced by a municipality, or by the Government in any form, and they are taxed on top of what they have provided themselves at no cost to the public whatsoever. It comes to a point where this particular amount seems to be an awful lot to have to pay. Almost \$3,000.00 for a hotel on the Highway where they have 3 or 4 months of possibly full occupancy - the balance of the time I would imagine they can hardly get enough revenue to pay their expenses. It does happen in many, many cases. If I had a building which cost \$10,000.00 to build, approximately what would be the assessed value of that building, and what would the taxes be?

Mr. MacKenzie: If the Assessor decided that the fair value of that building was the same as the cost value, then the taxable value would be 65%.

Mr. Boyd: It costs 100% on the property?

Mr. MacKenzie: On the land, yes.

Mr. MacKinnon: I believe that Mr. Taylor is not too far wrong in what he said. I have a letter here that I read to Council some days ago, outlining the figures of the increase in tax, without any improvement, from \$205.36 to \$503.00.

Clerk of Council represented by Mr. S. Borgundvaag (in his capacity as assistant Tax Assessor): The taxable value would not be 65% because a hamlet allowance is always applied which may vary from 5% up to a maximum of 45% depending on where the building is in the Territory. For example, at Watson Lake the hamlet allowance is 28%.

Mr. Taylor: Apart from this, I still maintain that there has been a general increase and this general increase is going to bring far more revenue. It has to. There seems to be a general increase in land evaluation. I don't think anybody's land could have gone down and I'll tell you why. In those figures I quoted you, the property value in the case of a residence increased from \$3,900.00 to \$6,645.00 without any improvements being made. The land value went from \$385.00 to \$450.00 resulting in a tax payable increase from \$145.00 to \$227.00. Further on this land business, leased land, which the people could not buy and still cannot buy (although I believe they can make application to purchase if they get a survey done), which consisted of a little cottage site on Watson Lake went from \$350.00 to \$450.00 and the land went from \$50.00 to \$60.00. In other words, it seems that everything is going up and I have yet to find one person who can show me where the taxes have dropped. Consequently, I can't understand these figures because here we have everybody with substantial increases in taxation doubling and trebling and I can't understand how these figures can then be realistic. I can understand last year's figure but I certainly cannot understand the proposed figure this year. What is really happening is that we are just taxing people right out of the Territory. You have to find a spot outside to make enough money to come back here and live.

Mr. MacKenzie: I think we must examine individually reductions to offset these individual increases that are mentioned. Overall we are not collecting any more money.

Mr. Taylor: Could you tell me of anyone or any group who has had a reduction in taxes because I have yet to find them.

Mr. Boyd: I was in error. I thought these figures I had were identical but I do see in the 64/65 figures that Dawson City taxes are in there for the tune of \$25,000.00, Whitehorse taxes are \$48,000.00, so there is an increase of \$75,000.00 over last year's taxes.

Mr. Shaw: I don't think that is the case. I think they are referring there to the outskirts of the City of Dawson and the outskirts of the City of Whitehorse. They have been paying taxes on that property for quite some time.

Mr. Taylor: If we consider that the peoples' taxes are doubling and trebling, then obviously that figure of \$200,000.00 should be \$400,000.00 or maybe even \$500,000.00. If we say there have been reductions in taxation to compensate for this somebody must be getting a couple of hundred thousand dollars in tax reductions and they have not made themselves known anywhere in the Territory. Who would these people be? Would it be for instance a corporation?

Mr. Borgundvaag: I can think of a couple offhand. For example, the pipeline between Mile 918 and Haines Junction was lifted and removed. There was a reduction there, an assessed value of \$112,000.00. Then the refinery at Haines Junction, which has depreciated considerably since 1959 and which has also earned a considerable obsolescence factor, also had a considerable reduction in assessment.

Mr. Taylor: This shows over \$100,000.00 reduction this year over last year but why in the heck should the people of the Territory have to pick this up?

Mr. MacKinnon: Did I hear correctly when it was stated that taxes had dropped at Haines Junction? Nobody that I have talked to has told me that. They have increased, nearly double what they were, and as a result along the Highway there are five places up for sale which you might never get your tax on.

Mr. Boyd: Do those figures for this year include the Municipality or is this \$25,000.00 collected at Dawson City from people who are not in the Municipality of Dawson City? Who pays this kind of money? Can we get some figures that are concrete? Can we get something to go by? Who knows of where people have had taxes decreased to offset the amount that we know are increased? There must be some equalizing point here if you are going to use these figures as being correct.

Mr. MacKenzie: These figures do not include the Municipalities at all. They are Territorial property tax.

Mr. Taylor: I have one very basic question to ask on this subject, possibly two. Where, and how, can the people of the Yukon Territory as a result of this assessment find relief in excessive taxation. These people want the answers and they have got to the point where the Watson Lake Chamber

of Commerce has advised everybody not to pay their taxes until this thing is straightened out. Secondly, would the Administration adopt an attitude towards this taxation of "Whether you like it or not, you are going to pay it"?

Mr. MacKenzie: At the present moment we have to enforce the Ordinance as it stands. The Ordinance says that a certain action shall be taken if the taxes are not paid. It shall go up for auction. It shall go down to the Government and so on. We have no choice in the Administration but to carry out the provisions laid down in the Ordinance.

Mr. Taylor: This is one way that Bennett could possibly buy the Yukon because this might be what could just happen because the people just don't have the money. As Councillor Shaw pointed out, winter comes along and in that one establishment you mentioned they have to take out all the phones from the rooms and the switchboard because they can't afford to keep this going. How can they afford to pay double the taxes to boot? I'm just wondering about my first question. Where can we possibly find relief for the general public from these excessive taxes?

Mr. Commissioner: I am interested in Mr. Taylor's last question because this is the question that has been going through my mind. I can't sit here and say that I am satisfied with the taxes. They have been doubled on my own house. However, I would like to clarify one or two points. In the first place, whether your business is for two months or twelve months doesn't enter into it. Taxes are paid for certain services that are given by the Government for 12 months of the year. The Government expenditures are greater during the winter as far as snow removal and freeze ups and so on are concerned than in the summer. The man that puts in his own utility service and is assessed on the number of bathroom facilities he has, is not paying additional tax for that. He has put it in himself. This has nothing to do with it. This is part of the general assessment. If he was using a service that was supplied by a municipality or by the Government, over and above his normal taxation he would pay a frontage tax and he would pay operating costs, so much per month for water and sewer. There are one or two other things that I think we overlooked. In the first place, outside taxes have gone up at a fantastic rate and I don't think there is anybody in the Territory paying taxes equal to what they are paying outside (I am talking about in the larger centres). I understand that in the urban areas they assess the same way as they do up here, and unfortunately the salaries haven't increased in the Yukon Territory to make up for the increase the way they have outside. It used to be that an individual came up to the Yukon Territory and was employed as a truck driver, or a waitress, or a clerk in a store, and could make half again as much as they could outside. This is no longer true. In fact, in some cases they are paying more in the Provinces than they are paying up here. This has come to us in a number of forms over the last few months. It is becoming serious. I don't know what the answer is. It is certainly a nice wide opening for unions to move right in, in all phases of business. Private enterprise is not paying the amount of salary. We have been fooling ourselves that we are now narrowing the gap a lot faster than is actual fact, between the cost of living in the Yukon and the cost of living outside. It is not equal. It still costs considerably more to live here than it does outside and yet we have not upgraded salaries.

I would like to take this back to Ottawa and ask what they would recommend because I know there are a lot of complaints. The unfortunate thing is that an awful lot of these complaints did not even appear at the Court of Revision. I have heard someone say that they didn't even know it was being held and this goes back to the old saying of "Ignorance is the law of no excuse". It is every individual's responsibility to understand why he is paying taxes and how he can deal with his case. We have a number of complaints on record where the people did not even go to the Court of Revision although they knew it was there. They are now complaining. As the Ordinance states, once the tax roll is laid down that is it and that is what we have to follow. I am not trying to justify the present tax structure. As I say, I am personally not happy with it and I think the only way we could answer your question Mr. Taylor, is that I will go to Ottawa with the problem and ask what they suggest. Perhaps we could have another assessment, have somebody else do the assessment. I am not convinced in my own mind that this was done in the best interests of the Territory.

Mr. Taylor: If we do go to Ottawa as Mr. Commissioner has suggested, I think it would be well to point out that taxation outside and taxation inside are two vastly different things. If you pay these high taxes outside at least you get many things for them. Pavement, paid fire protection, mail service to your door, sewer and water, garbage collection, in some cases police services and so on. Property values are generally on the increase in these big urban areas outside, whereas here they are just paying excessively high taxes on wasteland and there is no encouragement. How a young couple can get married in the Territory in this day and age, when faced with this type of thing, and manage to survive I just don't know. I don't see how we can start populating the Yukon and upgrade industry and have nice homes and so on. The more you do, the more you are taxed. There is no incentive for anybody to build or do a thing here. I think something should be done on it and the Ottawa level might be the level to discuss this at although they kicked it right back to us here and said that it was an internal matter. I think however, that something will have to be done and I think that the people are going to have to be notified as to what the situation is, because everybody is up in the air. It is a real bone of contention right now.

Mr. Boyd: I am given to understand that a man with the name of Mr. Hislop was here last summer and stated that there have to be more taxes collected. Out in Vernon for an ordinary 50' lot in an ordinary normal home, you pay \$80.00 in taxes on your property and your lot. So it is obvious that the objective is, and has been, to get as much money as you can without regard for the people of the Yukon. We pay dearly to live here as Mr. Cameron points out. We've been kidding ourselves. We are paying plenty of money to live in this place. It's true that we can get out of here and as Mr. Genesse said "We will soon have to get out of here". For my money, it is just about time that Ottawa started to think in terms of encouragement because if they don't, it will be as people say "I'm going to go". There are shining examples of it now. People moving who are just a little wary of the long, cold winters and taxes galore. It is not only these taxes they are faced with. They are faced with a tax every time they draw a pay cheque. Look at a payroll slip. I think you'll find at least five deductions on it

before the man gets his net amount. I would go further and say that we the Government are just as guilty for some of these low paid wages. There are people working for us who are helpless to help themselves but they are men and they are doing 8 hours work, but because they are in a helpless nature or helpless position they are at the mercy of such as us. If we all have a college education there are not going to be any of these men and I don't feel that some of these college students who walk around here are going to be inclined to do the janitor work or any other kind of work. These people are raising families. They can't raise them this way and I would sincerely hope that we will come up with something that is a little more encouraging to the people.

Mr. Commissioner: I would hope that Mr. Boyd wasn't thinking in his statement that the taxes won't go up. The taxes will go up. They've been going up all over the country, all over the world where they do have such things as taxes, and in our new 5 year agreement where we are going to be negotiating for a considerably larger sum of money we are going to have to show that our intent is to raise more money also. I think we should probably follow this up and find out if we can't come up with some more equitable basis.

Mr. MacKinnon: I would like to point out that, along the Highway, these people are provided with no facilities by the Government. You stake a piece of land, build yourself up a little business and the Government comes along and doubles your taxes. They don't even plough out your yard.

Mr. Watt: Could you give us any more examples of large reductions in the assessed values such as the two that have been given to us. I could leave this as a question with you to see if there are other large areas of reduction in any parts of the Territory over \$50,000.00 or \$60,000.00. This is so that we could get an idea of what areas in the Territory have had reductions and the total assessed value to make up for this. It was a surprise to me that the pipeline had been assessed at such a large amount. When we were in Ottawa it was requested that a graph be made (and this is included in my report) to draw a parallel line between the expenses in the Territory which we know are going to go up and the revenue. The feeling in Ottawa is that if there is a rise in expenses in the Territory then there should be a parallel line to indicate an increase in revenue. At the same time, Ottawa is expecting us, over the next few years, to take over the administration of the hospital here. Instead of the Territory paying \$25.00 a day, we are expected to pay around \$40.00 a day and we are expected to take over the forestry services. We are probably expected to take over the administration of some of the mining services and possibly more of the maintenance of our roads and highways. If we cannot increase the number of taxpayers in the Territory, then the same number of taxpayers are going to be burdened with all this which would put many of us right out of business. I think that if Mr. Cameron is contacting Ottawa, he should start along the line right now that there are an awful lot of people who are objecting to the taxes that they are now paying. If the thought in Ottawa is to carry on as has been indicated, it is going to put us right out of business and I think that the principle behind assessing the cost of living in the Territory with outside ... consider the pay cheque and offset it with the cost of living. I would hate to leave this motion of Mr. Taylor's now because I think it should be pursued further and I think

that the Territorial Council right now should keep making a lot of noise about this so that we are heard in Ottawa. I would like to pursue this and I will stay with it as long as any member here wants to say something about it. I will be glad to spend time on it and I think it will be time well spent. I would like to leave that question with the Administration and find out if there are any other large areas of taxation assessments that have been reduced so that we could have an idea of the slats that had to be picked up by home owners and other property owners. I am particularly wondering about the Camp Takhini area. What assessments have changed in that area? I know there have been quite a few buildings removed from the area. Has that affected the tax structure?

Mr. Borgundvaag: I can answer that last part of it right away. We did not actually assess the Camp Takhini area.

Mr. Shaw: In the matter of these taxes, I think that the philosophy of taxation is a very important point to take into consideration. First of all, so much money has to be collected. So a whole bunch of assessors are brought in and let loose on the Territory and they say "We'll need to reassess this and bring it up to date and we need so much money". It is taken out of the general picture and it shows that it requires so much revenue. If, as happened in the Territory just recently, a large block of \$100,000.00 assessed value has been taken off the rolls, another one of \$50,000.00, that of course if reflected. You get an equal amount through the whole structure and the people that are remaining will have to pay more. If there was a substantial increase it would give it a perfection. However, taxation to me must be based to a certain extent on ability to pay. If it is not based on that then some people will have a very hard time in order to make a living. We in the Territory, for quite some time, knowing how important the tourist business is, have said that we must have better facilities. To get better facilities a considerable amount of money must be expended. To put up a building that is creditable at all requires an expense of possibly \$150,000.00. An expenditure at that amount of money isn't something that you just draw out of a hat. It takes a lot of saving and perhaps a lot of people to put it in and it earns interest at so much per year. If you take that \$150,000.00 and invest it in Vancouver, Edmonton or places like that, the possibilities are that you will have a much larger volume of business. You will have a much greater source of revenue in order to pay the taxes that are there. When you expend or invest this \$150,000.00 in say a hotel such as you might have at Watson Lake, then you are informed that it is worth so much and the ability to invest the money means that you have the ability to pay the taxes each year. If you have four months of business or 12 months of business, it makes no difference. In other words, the philosophy of taxation is not compatible with the actual facts in relation to what it costs to operate at these various places. When somebody has to pay over \$3,000.00 for a building on the Highway, it takes a lot of turnover in order to pay that amount of money for the limited amount of business. They will have to pay quite a large chunk of interest on the money that is invested on it each month apart from other ancillary services that are required. In order to pay all this, they must have a tremendous volume of business. Whether they have it there or not, I don't know but none the

less the facts remain that it is quite possible that, if the taxes are continued at this particular rate, when a business man comes along he will say "In the Yukon Territory, where you pay such high costs, it is not worth putting it in", and we end up with a bunch of old shacks and a bunch of old army buildings, one put on top of the other and those are the hotels. It would appear that, apart from the assessors going around and assessing, which is necessary, there should perhaps be some type of a survey by some economist or some group of people to determine whether these people can pay these kind of taxes. May be they can. I don't know. It looks like a lot to me. I feel that there must be some incentive to something like this if you want to bring something in. I am not saying to give everybody everything. I just ask for some incentive, the same way as when you put a mine into production. The Federal Government recognizes that and takes some steps. I am not saying that those actual steps could be taken but it appear to me that, if we want people to invest \$150,000.00 in a building and are going to charge them \$5,000.00 a year taxes, they'll go somewhere else.

Mr. Watt: What yardstick do they use in the Northwest Territories for assessing private property? Are there many homes in the Northwest Territories. I think one of our problems here in the Yukon Territory is that we have so much Government owned property that there are only a small number of people who are very interested in tax. If everybody who was living in a Government owned home was in a private home then you would find twice as much hollering about taxes as there is now and consequently we might get more tax relief from Ottawa and more consideration from Ottawa when they try to scrape up money through taxation from the residents of the Territory.

Mr. Borgundvaag: I am not quite sure how they assess in the Northwest Territories but I do believe that their ordinances are similar to ours. I also do believe that assessors from the Department of Municipal Affairs do the assessment in the Northwest Territories.

Mr. Commissioner: Yes, I understand that the same assessors do the Northwest Territories. I should point out, in regard to the other part of Councillor Watt's comments, that we receive grants through the Government property to go along to make up our budget. Don't get the idea that when there is a Government structure here, it is tax free. This is where we get additional revenue in the form of grants from the Federal Government.

Mr. Taylor: There is one question that just arose. When employing this new manual which we use as a basis for assessment, I noted that they have shack type dwellings and all these different dwellings itemised and they show pictures of typical buildings and in most cases there is pavement and all those other amenities available. In computing assessments, is the fact that these facilities don't exist such as sewer and water and all the other things, taken into consideration and is there a reduction made on the figures and formulas in that manual?

Mr. Borgundvaag: Yes, there is. In the assessment manual it tells us right there whether there are utilities included and not in the rate. It says in the book that utilities are included in the rate. It also tells us how much to deduct.

Mr. Watt: Has the Government grant gone down in the last year? If the expected Government grant had gone down a couple of hundred thousand dollars then this loss would have to be gathered through an increase in the assessed value in other parts. Has this Government grant gone down so that this can be made up.

Mr. Commissioner: To my knowledge, it hasn't gone down and it is not being made up by taxation. Mr. MacKenzie could enlarge on that.

Mr. MacKenzie: I think that municipalities will be mostly concerned with this grant. All the Federal buildings are in. Frankly, I don't know offhand whether grants in Whitehorse have gone up or down. I would have to look it up.

Mr. Watt: I was not necessarily referring to the Federal Building. There are a lot of buildings outside the Municipality of Whitehorse, such as Camp Takhini, Hillcrest, Valleyview and there must be millions and millions of assessed dollars there. Has the grant for these areas outside the Municipality been decreased at all? If so, by how much?

Mr. MacKenzie: The only grant that we receive from the Federal Government in the way of tax free buildings is this payment at the rate of \$350.00 per year for the education of Federal children in the Territorial schools.

Mr. Watt: The difference in the categories of these two grants is that one is considered a tax that is gathered at the local level and the operational grant is more or less considered a Federal contribution so if there were 150 children from the Federal housing areas then our tax would possibly go down... our revenue would possibly be reduced by \$35,000.00 to \$50,000.00 if these figures were right. Therefore, this money would have to be recovered in the general assessment. Would that line of thought be right?

Mr. MacKenzie: No, it is not so. Income from this \$350.00 has in fact been reduced due to the army leaving but that has had no effect whatsoever on taxation position. It simply means that their income is reduced. There is no attempt to recover the shortage.

Mr. Boyd: I am interested in this pipeline that has now been lifted. I was seeing that these people paid their taxes yearly and they were paid.

Mr. MacKenzie: At the moment arrears to the extent of about \$4,000.00 are outstanding and those arrears are covered in the settlement which was discussed the other day.

Mr. Boyd: I find it rather strange that all this pipe worth \$100,000.00 or so could be bought by the White Pass and shipped out of the country. What did they do with the money they got for the pipeline? Why didn't they pay their taxes?

Mr. MacKenzie: It was bought, I believe, by White Pass from Crown Assets and their normal method of disposal was used.

Mr. Thompson: I am in the same boat as everybody else and so is the majority of people in my constituency. Firstly, like the Commissioner, my taxes have doubled this year and if the phone calls I've got regarding this are any criterion ... everybody else's in the neighbourhood have gone up proportionately. At the Fall Session last year we were led to believe that the last year's Tax Assessment Roll amounted to something like \$5,000,000.00. This was the amount from which our taxes could be received. In other words, the amount of money that we could expect taxes from amounted to \$5,000,000.00 and we, as a Territorial Council, sat here and argued for 3 or 4 days that we did not want the overall revenue from taxes to be increased, and they felt that with an increased amount of taxable revenue this would conceivably be. I can't find it here in front of me but it seems to me that this new taxable amount was something like \$6,000,000.00 or a difference of \$500,000.00 or some such figure in added taxable revenue. In other words, there wasn't a decrease. We should not have had to be required to cover for any decrease so therefore if the amount of money is over and above that of last year, and our mill rate is still down, why are all our taxes doubled? These are the figures that I have in the back of my mind. When you are away from a municipality in 9 times out of 10 you are required to supply your own services. The Commissioner has pointed out that this is not actually taxable because you don't have it, but in the assessment you are taxed one way or the other. You put it in yourself and you have it so you are assessed this much more for it. It may not sound like tax but it is in the assessment and therefore it still comes out as tax. I feel that these are detriments in the long run because in places like this, you can't get Central Mortgage and Housing Loans to build. This detracts from an area. This keeps out a certain amount of people who would otherwise build so here again you are keeping out potential taxpayers instead of stimulating interest.

Mr. MacKenzie: I can comment on this I think. The old assessed values were \$5,500,000.00 and the revised assessed values were \$6,000,003.00 so we have an increase of \$800,000.00. On the old assessed values at the mill rate we would have charged, had there been no revision at all, we would have produced \$200,057.00 in the way of tax profit. We have these revised values and we didn't want as a result of the Fall Session of Council to increase our income beyond this \$200,000.00 so the mill rates were reduced to produce \$201,903.00. What we have gained is \$1,800.00 as I said earlier on and the reason for the gain is that it is so small you cannot arrive at an easily workable mill rate to knock it out.

Mr. Taylor: I think there is one thing that becomes abundantly clear and that is the fact that somehow we have got to come to some arrangement whereby, if somebody wants to go and pick up a pipeline the rest of the Territory have to pick up the tab for this. A thing like this makes too great an impact on a small economy. If it was outside in one of the provinces it would not have that impact. I think that is one point that should be stressed very strongly in your deliberations in Ottawa. We have got to be able to go back to the people in a very short period of time and give them an answer because they are reluctant to pay their taxes and I think they are justified in taking this view at the present time because...

Mr. Shaw: I don't know of any instances where the taxes have increased except what I have heard around the table. However, I just cannot see how we can add up 2 and 2 and get 10. There must have been some huge blocks of property which you would think would have been deleted from some place and yet we could still have an increase in assessed value and we could still have lost 50% of our taxable property because the increase in assessment would have been reflected in the new assessment on a total value and it would appear to me there is a large block of taxes that have either been dropped below or gone out of the tax bill to make up for the balance of the increase from what is remaining with an increased assessment.

Mr. Boyd: Mr. MacKenzie stated that land that was taken back because the taxes were not paid became a straight loss. There is no such thing because if it was a straight loss and you increased the rate of taxation your tax receipts for this year would be down by the amount of people who have disappeared or whose taxes have not been paid. You have charged it back to those of us who are living here and this is where I made the point. There should be something in the 5 year agreement to take care of this kind of a situation. You are not losing the money and we are paying it and I think this is something for Ottawa to consider. They should have had this taken into their 5 year agreement for consideration. We are behind the trend insofar as increase in wages is concerned but we are expected to go above the trend when it comes to taxes and I hope Mr. Cameron will go there and will be prepared to let the people know where we stand in this tax situation.

Mr. Taylor resumes the Chair.

Mr. Commissioner: How is it that they decided to change their method of assessing? What was wrong with the old method?

Mr. Borgundvaag: First of all they changed the manual because the new manual was so much more complete. In the old manual there was one description of a building that could fit a great number of buildings. In the new manual it was broken down. It was easier to get a deeper assessment. Possibly the most important reason was that the old manual was based on 1942 replacement costs so if they used the old manual they would have to add a considerable percentage to bring it up to the 65% which is what is called for. The new manual gave us 1957 replacement costs which were very close to the 1965 costs. There are two good reasons. There is more detail and it is an assessment which is equal to 65%.

Mr. Chairman: Would the taxes of any large corporation have decreased appreciably? I am thinking in view of what Councillor Boyd has said and also the fact that our mill rate is down by a lot which makes this all the more complicated. Have White Pass resulted in a great reduction in taxes?

Mr. MacKenzie: I have been trying to think if there are any explanations for this and I can't think of any large reductions.

Mr. Watt: Wouldn't the change in the method of assessing the land at Carcross count for a building reduction? It would account for some reduction. It astounded me that Mr. Shaw asked whether these increases in taxes throughout the Territory were an actual fact. I know I have had a lot of complaints in my area. Did they take this assessment all over the Territory or just part of the Territory? Do you tax the Haines pipeline and the buildings that go with it, and if so to what extent? Is that considered revenue raised in the Territory?

Mr. Borgundvaag: Yes, we do assess one pipeline that is held by the White Pass. As far as the assessment is concerned the same manual and the same people go all over the Territory. The only difference as I mentioned before, is a certain hamlet allowance which is applied to the improvement depending upon where it is.

Mr. Watt: You gave us the wrong pipeline. I meant the Haines pipeline and the buildings that are attached to it.

Mr. Borgundvaag: I couldn't answer that offhand. I would have to look it up.

Mr. Shaw: I didn't say that I doubted these things. I inferred that I didn't have factual evidence in front of me.

Mr. Chairman: Would Committee be agreed if I noted this in the report that the Administration referred this matter to Ottawa for further advice and consideration? Would this meet with your approval?

Mr. Shaw: Agreed.

Mr. Thompson: We brought this up when we were down there and we got the answer that this was a local problem and they wanted no part of it, so to me this is just a perpetuation of the old merry-go-round. By all means let them become aware of it or know our feelings on it but I don't think that the Commissioner is going to come back with any cut and dried proposal. I feel that if there is any answer to be found, it is going to be have to be done right here.

Mr. Commissioner: I can correct that, because there is nobody here who has any power to change it. It is law now, and what I want to find out is how do we go about correcting it. When it was brought up in Ottawa, we hadn't had a discussion such as this and the fire was still building up as far as irate taxpayers were concerned. There is nothing that we can do here. We can't turn around and say that we will change it all and go back to the old system. I have to have some direction from Ottawa as to ... I would like them to appoint 2 or 3 people to come in and give us an idea how tax assessment should be done. There must be some way out of it but we don't have the answers here.

Mr. Watt: I think that we assess the mill rate at this level here, the Territorial level, and I for one feel that it is better off for the Territory to be broke than everybody in the Territory. If the Territory found itself a bit short of money we could cut down our overhead or increase our grant from Ottawa. I think most of the people in the Territory feel the same way.

Mr. Commissioner: This is all well and good. I wouldn't object to that except under the 5 year agreement which says that we will raise so much money in order to get so much money, so if we turn around and say that we are not prepared to raise that much money, then Ottawa is quite within its rights to say that they are not prepared to honour their side of the agreement so we would be not only bankrupt but doubly bankrupt. It is a little more involved than that. If there was any way that we could lighten the load and if Ottawa can come along and say that we have their permission to allow the tax relief then this is fine. I have no objection to it.

Mr. Chairman: In view of the urgency of the situation, and in view of the fact that we have to be able to let the people of the Yukon know what to do (as I say, many of them are refusing to pay their taxes), how soon do you think we could get a reply from Ottawa and be able to formulate something.

Mr. Commissioner: I am afraid that is the \$64.00 question. I'll dig up what information we have on it and get the information out tomorrow if I can.

Mr. Thompson: If the people do not pay their taxes and it relates back to the Territory, this again will lower your grant so you will be no further ahead.

Mr. MacKenzie: When the question of reducing mill rates was under consideration because of the high increases in assessed values, Ottawa required that the new mill rates produce the same amount of money as would have been produced had there been no revision of values.

Mr. Shaw: I just hope that when the Commissioner goes to Ottawa, he will have the minutes of this committee with him. Perhaps it may give some indication to the economic experts in that area as to some of the thinking. Perhaps the philosophy of taxes in a position such as this might have some merit in view of the existing actual conditions of how much money you have and how much money the people haven't got, the amount of business that is carried on, for what period of time and all these other factors. I think that that is where the start should be made. We should have a real study of the thing to find out ... and come up possibly with some formula that will provide a little incentive for investment in the Territory rather than the opposite which is what is happening right now. There is no question about it.

Mr. Chairman: I wonder if Mr. MacKenzie would like to be excused at this time? I believe the next item is dust control. Would you require Mr. Commissioner for discussion on dust control?

It was decided that Mr. Commissioner would not be required for dust control and he and Mr. MacKenzie left the room.

Committee recessed for lunch.

Monday, March 29th, 1965.
2:00 o'clock P.M.

Mr. Spray and Mr. Baker entered the Council Chambers and the Committee was called to order. Mr. Chairman read Motion #4 respecting dust control.

Mr. Thompson: This is just further to Sessional Paper #11 that you were given, the only difference being that the Administration does not feel that this expenditure is justified at this particular time with which I am inclined to agree to a certain extent. Their dust control programme and my idea of a dust control programme are two different matters. As I mentioned before, I feel that the spraying of these roads should be done with oil but not to the density or concentration that was done last year. It held up very well but you can tell, having travelled the Alaska Highway between the end of pavement and Porter Creek, what it can become like. It breaks up making it very rough for travelling but when I mentioned dust control I had primarily in mind a very light spraying of diesel oil or bunker c or whatever we can get, and if we can get it for less than 25¢ then it would be a good possibility if we are going to be using it in any quantities. Something that could be sprayed on and graded in would be ideal and by working it into the roads say twice a year would be quite sufficient. In this way you could probably do all the roads in the Territory for half the price that is quoted here which is based on what they did last year, and is far more than we require or need. It is very nice but is primarily a dust control and not a road improvement programme.

Mr. Taylor (Mr. Southam in the Chair): This matter of dust control is of great concern to us in Watson Lake as I'm sure it is in other communities and subdivisions. It is a real bugbear where, during the summer months, you have nothing but traffic pouring up and down in many cases residential roads causing a constant boil of dust which never really settled and people have to live and breathe in this. I notice in this Sessional Paper that the streets in Watson Lake which require this dust control are not even mentioned, such as the street which goes by the Post Office where everybody travels. I think I must concur with Councillor Thompson that there must be a cheaper means of doing this dust control than there is right now. I would like to ask Mr. Baker if he can conceive of a system which would be cheaper than this \$20,000.00 post expenditure here in order to at least attempt to combat some of the dust problems in these outlying communities.

Mr. Baker: I think that there are three methods that a person can use to lay dust. You can use water, you can use calcium chloride or you can use some sort of petroleum product. Of the three, I think the petroleum product would probably give us the best result. In Porter Creek they used ¼ gallon of oil to a yard of road and we could perhaps halve that. By making two applications a year it would perhaps make the overall price cheaper. Whether or not it would achieve the desired results is something that I don't know. This we would have to try.

Mr. Thompson: Mr. Baker, I believe you mentioned last summer that there was some kind of experiment going on in the Northwest Territories that you were highly interested in and I am wondering if you have since been able to find out anything further along these lines, as to whether it was successful and how it relates to what we had in mind for the Territory.

Mr. Baker: We did write to the Northwest Territories to find out what they were doing in this connection and found that they were using sulphate and water mixed with a petroleum product. I forget offhand just what the costs were and just how successful the programme was I couldn't really say. I have not followed it up of course and we won't really be able to follow it up until sometime this summer so that they can observe what has happened over one winter's freeze up and break up.

Mr. Thompson: Have you got comparable prices. How does calcium chloride compare with your petroleum products?

Mr. Baker: It has been tried in Whitehorse, calcium chloride mixed with water, but they gave it up because it was too expensive. Just how much more expensive it was, I don't know.

Mr. Taylor: Calcium chloride presents a rust problem which is not too good for your vehicle. In the mining areas in particular we have a silicosis hazard in the form of silicone dust. I know that a mining inspector goes round to all these different mines and mills and takes air samples to find air pollution in the form of this dust and they attempt by regulation, to keep these hazards at a minimum but despite this silicone dust is floating around throughout all our communities in the Territory which have these gravel roads. It seems to me that we should be placing importance on this from a medical standpoint as well as anything else, and I agree with Councillor Thompson that if there is any possibility whatsoever to hauling in some of these petroleum products we should bend over backwards to do so. This is a pretty rough situation and has been for some time.

Mr. Baker: Does Mr. Spray have money in the estimates for such a project?

Mr. Spray: No I don't. Rather than put money in the estimates this year for dust control of any sort, we presented it in the form of a sessional paper.

Mr. Baker: If it is the wish of Council to undertake this programme then the cost of the programme will have to be covered by something else.

Mr. Watt: Can those holes in that Section in Porter Creek on the Alaska Highway be filled easily? The job that they did there seemed to me to be pretty good if it were not for the holes. The majority of the surface seems to be pretty sound but when they put that application on it rained, and I was wondering if that had something to do with the spots that have formed since that time where the water has got in and splashed out and taken a lot of the road with it causing a sharp little hole. Could these holes be filled easily? That seems to be a pretty good type of application and if these holes could be easily filled then you just about have the surface upgraded for the next year.

Mr. Baker: These holes can be patched quite easily by using a hand mixed asphalt and gravel which you would place and compact, and there you have your repair. However, as Councillor Thompson pointed out, if this type of surface is too high a quality and if we reduce the amount of oil per square yard then we won't end up with chuck holes, such as Mr. Watt has just described. With a lighter application you end up with a looser type of surface.

Mr. Boyd: What type of oil did you use, and how much did it cost?

Mr. Baker: We used a fuel oil which was described as bunker c. It isn't really bunker c fuel oil at all. It has another designation which I don't recall. The rate of application was a quarter of a gallon per square yard and the cost at Porter Creek was 25¢ per gallon, so that one gallon of fuel oil will do four square yards of roadway.

Mr. Watt: Having they ever considered putting a double layer of asphalt about 2" just on the roadbed that is already established in an area like Porter Creek. How long would it last and how much would it cost?

Mr. Baker: We have never considered this. I suppose the reason that we have never considered it is that we have never had money in the estimates to cover such a project.

Mr. Watt: I think that was the method that they used around the circle and along the air base ten years ago, and it is still holding up. They just used the old roadbed with little or no upgrading at all and then laid an old bunch of excess asphalt that they had on it. I would have been willing to bet that it wouldn't have lasted two years but we've still got it there and it is still pretty satisfactory after being there for pretty close to ten years. The Territory is a lot better off with it than without it and I would say that the upkeep of that particular piece of the road would be a lot less than any other part of the road close to Whitehorse, both for winter snow removal and for summer upkeep.

Mr. Taylor resumed the Chair.

Mr. Shaw: I think the Administration feels that this cost of \$17,000.00 cannot be justified at this time but I think the motion asked for something that can be justified. Do you think that money can be found for perhaps a smaller programme that will still keep the dust down?

Mr. Spray: In addition to the \$17,000.00, we have the \$16,000.00 for a distributor and vehicle to cover. If it is Committee's wish, we can of course investigate either cutting back to one or two applications instead of the three we have outlined, possibly using less oil per application or a lower priced distributor.

Mr. Shaw: I was thinking that something like an old tank truck could be used. You could shove an old doings on the back with holes in it and just go up and down the road packing it down and grading it. I wasn't thinking of any fancy truck in the region of \$16,000.00 or \$17,000.00. Just some old truck.

Mr. Spray: With that type of outfit, you would not be able to control your application and you may end up using more petroleum product than you set out to do in the first place. In other words, you would never be able to spread a product at a $\frac{1}{4}$ of a gallon per square yard.

Mr. Shaw: Well, we will go a little further on this. The farmers have weed control stuff that they shove on the back of their tractors with pipes sticking out, and they go up and down the road. I'm sure it can't cost \$16,000.00 for their outfits. There must be some simple kind of a method that can be devised for just doing these few miles of roadway that we have here. How do the farmers do it?

Mr. Boyd: Is there such a machine as you talk about within the Northwest Highway System?

Mr. Baker: There is not, but there is only one asphalt distributor in the Whitehorse area and that is owned by Dawson Companies. I don't think this distributor would be available for out of town use.

Mr. Boyd: Are you talking about the plant that lays the asphalt or are you talking about a truck?

Mr. Baker: A truck with a tank on it, with a spray bar and pump mounted on the rear.

Mr. Watt: Does the City have one?

Mr. Thompson: It seems rather unlikely that this truck would be tied up all summer on other jobs. I would think that, just like any other business transaction, you could conceivably ask for a price for doing such and such a job at such and such a time and conceivably make some kind of arrangement with them. We are quoting three applications here. We feel that we might conceivably be able to get away with two or a little less. If cost is a testing factor this year, I would definitely suggest that we go to the least expensive, but I think that if the Administration are thinking in terms of upgrading our area development portions of the Territory, then I apologize. I was of the opinion that this road money was coming out of Roads and Maintenance whereas I see that it is under Area Development. I think there is enough scope between the two to make some funds available even if we do have to go to supplementaries. They don't seem to hesitate to go to supplementaries in a lot of instances and I can't see that this isn't justified.

Mr. Baker: If we are going to get into a dust laying programme then I would certainly recommend that we purchase a proper asphalt distributor, because we will obviously be doing this from year to year and we must have the proper equipment to start with.

Mr. Shaw: Could you put this particular applicator on the existing truck that you have?

Mr. Baker: An asphalt distributor consists of a tank with a heating device inside it, a pump, a spray bar, a meter, and some other bits and pieces. It is a pretty expensive piece of equipment and at the moment we don't have any spare trucks on which this tank could be mounted, so if we were to do the programme with our own equipment then it would be necessary to buy a new truck upon which the tank could be mounted. The Department of Public Works of Canada have mentioned to me that, if we did buy an asphalt distributor, then they would be interested in renting it from us.

Mr. Thompson: I feel then that we could conceivably get back some of our outlay and I would like to make a definite recommendation that the Administration look into this possibility of purchasing a truck for this specific purpose. Being this late, I doubt if anything will come of it this year for it seems to take quite a while for any of these pieces of equipment to appear, and after you have them ordered there may be a strike and you have to start your negotiations all over again. If Council will concur I would like to make a definite suggestion that we look into the possibility of purchasing this vehicle immediately but, at the same time, make some arrangement to cover the Territory adequately this summer in the areas that specifically request dust control.

Mr. Baker: Would a request for dust control come from the Councillor or would it come from the community organization?

Mr. Chairman: It would come from either I would suppose.

Mr. Thompson: I think that the proper procedure would probably be for individual community councils to contact their territorial councillor and have it come through Council, or any individual councillor. I think in this way they will have some idea of who are requesting it in such and such an area and will have some control.

Mr. Boyd: What is detrimental to water spraying? Why do we talk about other expensive deals?

Mr. Baker: The only objection that I have to it is that you are doing something continuously and achieving no result.

Mr. Watt: I think that the motion leaves it open for the Administration to pursue these suggestions that have been made and come up with the best one for these localities, rather than have someone like myself try to pin them down on specific dates to do this. I think the motion is good and I would support it. I think it leaves it up to the Administration to pursue these different methods which would include the different types of oiling and different types of petroleum products and possibly water and anything else they could think of that would help. I would certainly support the motion.

Mr. Thompson: The motion does not specify the purchase of a truck. I am just wondering whether this should be spelt out. What do you feel is the best way to circumvent this? I don't want to ask for my cake and eat it too, sort of thing, but I would not like them to come back next fall and say that they were not bound to provide it as it did not say anything about that. I am just wondering whether we would have any recourse here.

Mr. Chairman: Would the discussions as noted in the Votes and Proceedings in relation to this motion, be given consideration?

Mr. Spray: We will not only take into consideration the motion as such, but all of the discussion that has taken place in Committee.

It was moved by Councillor Thompson, seconded by Councillor Watt, that, in the opinion of Council a dust control program should be instigated this summer in those areas and communities requesting such coverage.

Mr. Chairman: I wonder, in view of the fact that Mr. Baker and Mr. Spray are here, would you care to discuss the motion on cemesto housing at this time?

Mr. Shaw: Agreed.

Mr. Taylor (Mr. Southam in the Chair): We have encompassed a lot of things in this motion but I just want to make things abundantly clear. We are going to try and dispose of these things and ask people to fix them up to the standard that you'll find in the Camp Takhini area. First of all you are just sinking money into a bunch of dead issues as far as I am concerned. These buildings are pretty old and it is going to cost a tremendous amount of money to fix them up. If a person has \$4,000.00 or \$5,000.00 to invest in one of these things they might just as well go and buy a Low Cost Housing Loan and go out to Porter Creek and build a proper, decent type building. I saw some of these old buildings that came from the airport at Watson Lake scattered around the community and they are nothing more than an eye-sore. You can't fix them up or do anything with them and I'd hate like heck for such a situation to appear here when you are trying to upgrade buildings.

Mr. Boyd: I would suggest that if we have the right tenant in it, he will get a beer tavern licence and make quite a go of it, and might find himself well off in one of these buildings.

Mr. Watt: The motion was intended to be a constructive suggestion, not an article to be poked fun at and it was made in all seriousness. I have a building that was built at the same time as that and it was considered in the same light as these present buildings are by the Administration, and I think that the Tax Assessor would agree that the estimated value of this building has gone up considerably and the same thing could happen to the other buildings that were built in the same period. These buildings have sewer and water facilities, are close to schools, are on paved roads and have sidewalks. The objection to this wasn't that the buildings were too old and couldn't be fixed up. Everybody agrees that they could be fixed up and as far as their appearance is concerned I would say that, right now and with very little cost, they would be on a par and equally as good looking as the other buildings in the area right now. As a matter of fact right now I think they are just as attractive. They are well set in a crescent with trees around them and I think their appearance right now, without any fixing up, is equal to the other buildings in the same area. The objection to these buildings being sold to private enterprisedand being fixed up ... and I think it is up to the purchaser to decide whether he wants to spend this money or not and I feel certain that most of these buildings would be sold in a very short time. As a matter of fact, I have had quite a few people ask me about them already. These are the kind of people that would like to build a house and probably intend to do so some day if they can get their down payments scraped up. If they could purchase these homes and finance them under the Home Improvement Ordinance (we would have to amend our Ordinance to fit this in) then they could improve these homes and live in them, become taxpayers and live in a community that is already serviced by the Territory. One of the objections to this

is that the City Council of Whitehorse have decided that this property should not be sold. At these meetings I don't think that they have had any representation from the area or from the councillor of the area or from anybody besides themselves. The second point that Ottawa objected about was that the maintenance and operation of these buildings, particularly the sewer and water supply, was higher than it was in other parts of the Territory, particularly the Whitehorse area. I don't know of any sewer and water pipes that had to be repaired up there this year. I drive through there every day to take my little girls to kindergarten. Down in Lower Whitehorse here you have had a large number of water breakages so I don't think there is any major difficulty in the thought of the upkeep of sewer and water. The difficulty lies with the City of Whitehorse and it is not definite yet whether the City of Whitehorse will have anything to do with that area. There is probably a 75% chance that the City of Whitehorse will absorb the Camp Takhini area in the near future but on the other hand there is also a chance that you may have a larger metropolitan committee formed of the Hillcrest, Valleyview, Camp Takhini, Porter Creek area until such time that the area gets populated enough for the City to want to take it in. I think that the Council here should give this favourable consideration and it would be relooked at in Ottawa. We had discussions on this in Ottawa and I took some time out and had some further discussions with a couple of gentlemen on this area here and it appeared to them that the only problem was with the City Council in Whitehorse and with the Territorial Council. At this time the Territorial Council has stated its intention of trying to make this group of buildings available at the last Session and our motion was given very little consideration. The Commissioner went over on top of our heads and went directly to the City Council without asking for any representation from us and they decided in the City Council that these buildings should be sold to Crown Assets and removed. From what I understand, the people in the surrounding areas do not particularly want these cemestros moved onto land in the subdivisions. If these buildings are moved, I would say they would be worth very little, but at present they are situated in a scenic position, are on land that could be subdivided and sold, are on sewer and water with a school close by, and I think that this Council should support the motion to try and make these things available to the public.

Mr. Taylor: I would like to start off by asking Mr. Baker or Mr. Spray what the lots and the improvements would be worth. I have listed a rough idea of what these lots would sell for to the prospective applicants. I would also like to know what the house would be worth taking into consideration the improvements necessary to conform with the C.M.H.C. standards. In other words, what kind of a figure is the new purchaser looking at in order to acquire this building as outlined here?

Mr. Baker: I must make myself clear here that I am guessing. I would say that the property would be worth, if we used Riverdale for comparison purposes, approximately \$2,000.00. I would say that the building is worth something in the order of \$5,000.00. To bring them up to the required standard, you would have to spend approximately \$300.00 or \$400.00 in wiring and you would also have to do some work to the foundations, the minimum cost of which would run to \$2,000.00.

Mr. Taylor: This is, of course, very rough and just a guesstimate, but even at a guesstimate we are looking at \$9,000.00. It seems to me that, if anybody has \$9,000.00 to invest, they can go out to Porter Creek or Crestview or one of those nice areas. They can purchase a lot for \$300.00 or \$400.00 and that leaves them quite a bit of money which they can use to put in a septic tank and a well if they have to. Don't forget that we are aiming this thing at people in the low income bracket. They could provide themselves with something new, something of their own design under this low cost housing loan for much less money than they would have to pay for one of these. It seems clear to me that possibly the smartest thing we can do with these cemesto huts is have a fire truck go round and invest in a nickel box of matches and go and burn the things down, clean up the mess and offer the land and services for sale so that somebody could possibly build a new home under this low cost housing ordinance on and produce something new that would last for years to come. These old buildings aren't going to last forever. They can't last unless you completely rebuild them. I might say that this would apply to Items 5 and 6 where it states "A price for the homes be established commensurate with the generally accepted price for a similar home in a similar area"...If we are talking in terms of junk, it is pretty hard to place a price on junk... "Financing of these homes to be allowed through the Yukon Low Cost Housing Ordinance". This I am unalterably opposed to because I feel that the Yukon Low Cost Housing Ordinance should not be used for purchasing other buildings, though possibly the amount of money you can borrow could be increased. I feel that it should be left the way it is for new construction, and this is exactly what we are trying to do. We are trying to give the small wage earner or the young married couple, or people of this nature, an opportunity to get out and build something of their own. The minute we start opening up this Low Cost Housing Ordinance to buy old buildings, in many cases junk buildings, we are just asking for trouble and we are certainly not going to upgrade anything.

Mr. Shaw: I might not approve of every one of these motions that we have here, but I certainly agree with the motion in principle. I am interested in providing homes for people. They are always complaining about homes, and as soon as you come up with something like this which I think can be put into effect... In the City of Whitehorse you have some nice homes and there are also some awful looking shacks that require painting and fixing up and are a lot worse than those buildings up on Camp Takhini. Many of these people could move from their existing house in the City of Whitehorse and could go up there as those houses are now and it would be a definite improvement to what some of them are living in down here. We talk about standards - if we all had to have Rolls Royces we would probably all be walking. You have to fit the garment according to the cloth. As Councillor Boyd has brought up, what about the matter of a janitor working around this building and surrounding buildings? The salary he gets... what kind of a home can he possibly buy? He is interested in getting shelter for his family. He can't afford these Central Mortgage and Housing homes. He hasn't got that money and could never make that amount of money, so we must therefore accept the fact that everybody can't live in mansions. Some people have to live in a poorer grade house. I felt right from the start that if it were possible to somehow sell these cemesto homes at as reasonable a price

as possible to some people, rather than tear them down and destroy them, it should be done. They have the services. Maybe the home isn't according to the Central Housing and Mortgage standards but it could be a tremendous improvement on what they have at the present time. Where they are situated is one of the nicest localities in this particular area. It has paved streets and water and sewer facilities. If a man moves into one of those places and has to spend \$300.00 for a tank and \$300.00 or \$400.00 in wiring, so what? The houses are valueless if we are going to tear them down. People won't pay more than a couple of hundred dollars for them so I don't see how it can possibly cost a man \$9,000.00. If he gets the lot and the house for \$3,000.00, then with another \$1,000.00 he can fix up the wiring, paint the house, put in an oil tank, and for \$4,000.00 he's got a home. I think that that's sound thinking. I get very tired of hearing about the standards of buildings, and I reiterate that the area around Whitehorse is the only area in the Territory that I know of that could ever take advantage of the Central Mortgage and Housing Loan. If you are not fortunate enough to live in this area, and you live outside the area, you've got nothing as far as your home is concerned except this \$6,000.00/\$7,000.00 deal which you can't build a home for in the first place, so I think that a little review needs to be made about all these high standards that we're setting up. The quality of the home isn't the standard, it's the cleanliness of the home and there are a lot of poor homes that are quite clean. I think that we are possibly looking at the wrong end of the stick. If people can purchase these homes and if we have certain regulations so that it can't become a slum area, I think that it's a good idea and it would provide 40 or 50 homes for people. There is nothing wrong in that.

Mr. Thompson: As Councillor Taylor said, Mr. Baker's figures were guesstimates and looking at the answers that we received to our original submission on this matter, they said that the lots would be over \$1,000.00 but the house might sell for anywhere between \$500.00 and \$1,000.00. \$500.00 would be needed to upgrade the wiring and there would be added expense for installing individual fuel tanks and fuel system, and the end result would be \$3,000.00. This is more in keeping with what I thought we were talking about originally. We were speaking of adequate housing for low income people in the \$3,000.00 class and this is a far cry from \$6,000.00, \$7,000.00, \$8000.00, \$9,000.00 or even \$5,000.00. Mr. Baker, have these been turned over to Crown Assets for disposal at this time?

Mr. Baker: I could not answer that, I don't know.

Mr. Thompson: As Councillor Watt does, I feel very strongly on this. I feel that there is a possibility, granted not for any long term investment by any means but then \$3,000.00 is not all that much. It certainly might see us over a very difficult and trying situation. Housing is at a premium in this area and it could conceivably be the answer to a lot of small income people's problems. I would make a definite proposal that we ask that this be looked at again and, if necessary, have representation with the Department of Public Works. I feel that we are in a much better position to have a meeting with the Department of Public Works as opposed to the City of Whitehorse because I don't think the City of Whitehorse has entered into anything yet, so until such time as the plebiscite is taken or

they do decide to amalgamate this area, I feel that the Council as a whole should have some say in this and I feel that we should ask the Administration to take another look at this and see if we can't come to some more equitable solution.

Mr. Watt: First of all, I would like to say that we have had our usual contribution from the member from Watson Lake, his usual constructive suggestions take a match and burn everything down. For the suggested cost of these buildings we used the figure of \$2,000.00 for a lot which is the price of a lot in Riverdale. I think that the cost of a lot up there with service and everything could be in that neighbourhood someplace, but I think it is a little high if you are comparing it with Riverdale because in Riverdale you are close to a lot of the services. To put a basement under the house has been estimated at \$2,000.00. I think you could put a whole basement under the house, particularly if you are doing any work yourself. I would consider I could do it for a couple of thousand dollars to a house much larger than that. The cost of the house itself is put at \$5,000.00. If it had to be moved to another site and taken apart, I would give you \$100.00 for every house that is up there. We have been sitting at this table talking about taxes and needing more taxpayers. Here is an opportunity for the Territory to get over a quarter of a million dollars worth of taxpayers in a short time. With the fixing that has to be done in the near future on these 52 houses there is a good chance of there being another \$100,000.00 worth of construction in the Territory this coming year - \$2,000.00 on each house to bring it right up to the standard. I think a lot of people would take advantage of this, I think this money would be spent and I think you would have a very attractive housing area up there already serviced. As for this figure of \$500.00 for the cost of the house: the cost of the house to be removed would be \$200.00 if you were lucky. To buy them in place, they are worth an awful lot more. By the time the purchaser purchased the land and the house and did his wiring and his substructure, he would have a pretty house and I think the price of \$9,000.00 is awfully out of line for a house of that calibre. I think the going rate for a house in an area such as that would be in the neighbourhood of \$5,000.00. Of course the fixing up would be up to the individual. Mr. Taylor said that he could not possibly see how this could be financed with this Low Cost Housing Ordinance. I think there has been very little use made of this Low Cost Housing Ordinance and I think Mr. Spray could probably give us an idea of how much money has been used under that and how much more could be used under that. I think we are missing a real good bet by not making these houses available.

Mr. Spray: From April 1st, 1963 to March 15th, 1965 we had 39 applications under the Low Cost Housing Ordinance. 24 first mortgage applications have been approved, we have refused two, and ten have been cancelled. There are 3 pending. The total amount of money that has been paid out on the first mortgage is \$134,000.00 and we have approved one second mortgage application. The total houses under construction are 13, we've had 8 houses completed, there are still 3 to be started.

Mr. Boyd: If the overall is \$9,000.00, Mr. Baker is pretty safe because nobody in their right mind would be interested in them so they will fall down. Mr. Shaw makes a point of whereby we have some fine homes in Whitehorse and we have some terrible shacks. The reason that people are living in these shacks is that they are only able to live in a shack. That is all their pocket book will stand, and this was the view that I thought we had in mind when we suggested these cements as a cheap home. If you gave those buildings to them for a dollar you wouldn't be owed a nickel. You wouldn't be doing anybody any harm. You'd be getting some of these people out of these shacks and they would proceed to become taxpayers. The tax on the shacks they are living in right now must be pretty paltry. People will leave a shack sitting on their lot for years and years and pay taxes on it. It doesn't worry them one bit if there is nobody living in them so they are certainly not paying very much for the right to live in one of those things. We have a lot of welfare people that we are supplying homes to who can't fend for themselves. It might be better for the Government to own some of them and put them in there rather than rent good homes for them. They are entitled to good homes, I am not belittling them, but it is the man who makes from \$300.00 to \$400.00 (and there are lots of them) that we are trying to protect. I might also say that I know perfectly well that some of these people who live in these shacks are driving Buick cars and they live quite a life. It is a little mixed but there are people that are deserving of these buildings.

Mr. Spray: I would like to correct one of my figures. I said that we had paid out \$134,000.00. This is the amount of the first mortgage loans approved. We have paid out \$93,555.00. I might also point out that the Low Cost Housing Loan is paid for by funds borrowed from the Federal Government and the scheme was originally set up by Cabinet decision. I may be way out but I would say that, before any amendments could be made to the Low Cost Housing Ordinance, we would have to go back to Ottawa.

Mr. Taylor: I don't know whether you would call this a usual contribution or not but I still must take my same stand. I agree, just as the Administration have indicated, that this is a good thing in principle. There is nothing wrong with it and it is an attempt to find low cost housing for some people in the Yukon, but you also have to face facts and I don't care which way you kick this thing around. If these buildings are in a derelict state, which apparently many of them are, you can't avoid it. As I said, possibly a match and a fire truck is the answer. Sell the land and have new houses built on the land and then you have something. If you go and throw good money after bad you're just not getting anywhere. It's pointed out that it was agreed by the engineers from Public Works, the City of Whitehorse, and the Territory, the effect that these buildings are not in good repair and that they would be expensive to maintain. It was pointed out that they were built for temporary use and were not constructed to last any great length of time. Therefore, they will constitute a dubious investment for anyone who puts money into them with the idea of obtaining long term permanent housing. Then the City Council turned around and said that they didn't want to take over such an area of low standard housing. They felt that the area, instead of being an asset to the City of Whitehorse would become an actual liability and this is something we have got to watch. Virtually everyone who participated in the discussions agreed that Council's

proposal was a good one in principle. Unfortunately it would probably not work in practice. It would only serve to worsen the problem of low cost housing rather than improve it, and I think we have to take that into consideration. It's not just throwing a wet blanket on things, it is just the other point of view and it may be the correct one. I would tend to listen to the engineer's evaluation of these buildings and give it some thought in any event. I would never consider amending the Low Cost Housing Ordinance to buy any existing building, no matter what it was, at the present time.

Mr. Watt: If it is too difficult to finance these under the Low Cost Housing Ordinance, I don't see why they couldn't be financed without it by the Government on their ordinary purchase agreement. They do this with any lots that they sell. You put so much down with so long to pay and we could do this same thing here and we would be charging the usual interest on the outstanding portion of the unpaid balance. It is not a matter of us needing money to first of all buy the houses to refinance them, because the houses are going to be turned over to us for a nominal sum. We in turn could do the financing. We wouldn't need the Low Cost Housing Ordinance or the change in the Act in Ottawa.

Mr. Spray: I may have given the wrong impression. I did not say that I didn't feel that the Low Cost Housing Ordinance could be amended to provide for this sort of programme. I just feel that it would have to go to Ottawa before it could be amended. I don't know how they would look at this part of it. As for the Territorial Government selling the houses on a time basis, not through the Low Cost Housing Ordinance but strictly by the individual's credit rating and Mr. MacKenzie would have to speak on this. I know it would be very difficult. We have had a great deal of trouble with the subdivisions on the lots we have sold on a time basis, 40% down and 2 years to pay. In many cases it took stacks and stacks of letter to get a paltry \$100.00. It was far more trouble than it was worth and under the Low Cost Housing Scheme we are not having anywhere near the trouble. People are signing contracts and coming through very well. They realize their obligations so maybe it would be no problem at all to handle it in this way. The larger the amount of money they owe, the easier it is to collect.

Mr. Shaw: For example, we have those houses up there which are worth \$2,000.00 and you say to this person "There is a house!" You put \$500.00 down as an initial payment. Before you can move in, this, that and the next thing has to be done with the cost of \$500.00 or \$600.00. You will put down \$75.00 a month until this is paid." When the people move in they put down the down payment of \$500.00 in good faith. They undertake before they move in to attend to the wiring and the necessary work and then they are allowed to move in and continue with these payments of \$75.00 a month. If they fall down they go out.

The Chairman declared a short recess for tea.

Monday, March 29th, 1965
2:00 o'clock P.M.

Committee was called to order. (Mr. Southam in Chair)

Mr. Watt: As far as the financing of these homes are concerned, I mentioned the part where the financing of low cost housing ordinance in it, in case this type of financing would be needed, but if the Administration sees some other simpler method of financing this leaves it open to them of a motion is passed, it leaves it open to them to pursue the financing of the low cost housing ordinance and direct it themselves. Either way they wanted to do it, if it was agreeable.

Mr. Boyd: I feel we have discussed this at quite some length. I'd like to suggest that we leave it with the thought that the Administration will take the Motion into consideration and give it real serious thought with a view to accomplishing what is in the Motion.

Mr. Chairman: Is there any further discussion on the motion?

Mr. Taylor: Yes, I'd just like to point out too something that I didn't point out earlier in the discussion, and that is the fact that as far as I am concerned these buildings are fire traps in many instances, and I have seen many similar buildings in these towns catch fire and kill people, including firemen. Consequently, I think this should be taken into consideration when you consider what you do with these buildings. They are fire traps.

Mr. Watt: The purpose of the Motion is to try and make these pieces of property available. I don't like to leave it in a position where we just give the Administration, if we pass this motion, just to say "Well, take it into consideration, and if you can do something, do something." I think there appears to be a direct attempt by the Administration to just by-pass Council on this. This has been done in the past. They've gone directly to the City Council, and the area up there has had no representation at any meetings concerning these buildings. I would like to see the Administration take this into consideration within the next few days, and then report back to Council on it right away, in case there is other information that you want from us to help you proceed with this further, either one way or the other. I feel certain that the Members in Council here, if this is not given a fair chance, should be given a real good reason why these buildings aren't used. All of us here are going to answer to a lot of people why these buildings aren't used, and we shouldn't have to, because this should be our job, to make living a little bit easier in the Territory for as many people as possible. We can't discount the fact that it would broaden the tax base for everybody in the Territory and create a lot of taxpayers plus \$100,000 worth of construction in the Whitehorse area this year. In addition, it would make living a lot more comfortable for quite a few people in the Territory. If you have a group of fifty people that have an equity in the home they are going to be more reluctant to pull up their stakes and leave. They want to make themselves part of the permanent community in the Whitehorse area. I would like to leave the thought with the Administration that this area may not be part of the city, at least for quite a number of years. It may be part of another complex outside the City for at least a few years. I think that in the future, when dealing with Camp Takhini or other areas outside the city limits that the members of the area should be consulted too, along with the City.

Mr. MacKinnon: I would like to see this Motion given proper attention. I think it is necessary that people get a chance at it. If it's not workable, tear the houses down some other time, in a year or so, if they can't sell, but give people a chance.

Mr. Boyd: I would just like to ask Mr. Baker if he has, if he can give us any idea as to what is going to happen up on the hill when you take over the highways. I'm thinking of the people that live there now. Of the homes that are being maintained by the Government. Have there been any plans completed as to how you shall carry on? Will these people be given a chance to buy their homes? Will the Government be in the real estate business after they take the highway over?

Mr. Baker: I have thought of this, of course, but I haven't as yet discussed it with the Department of Public Works or with the Commissioner, consequently I would not like to say anything about it at this time. Certainly, however, we will be absorbing people into our organization and I would imagine they would be staying in Government quarters as they are doing now.

Mr. Boyd: The reason I asked this question was, let's assume the City take this top of the hill over and they might take the attitude it's a closed area, nobody lives there, in which case those people living there now would be forced to Porter Creek or down here. If something like this is in the back of their minds, then I can see why they object to seeing Cemestos being occupied.

Mr. Chairman: Any discussion.

Mr. Watt: I think Mr. Boyd brought out a good point that is part of the over-all picture for the development up there. I would like to go on record of agreeing to the principle of if it is possible to sell other of these Government houses up there to employees of the Government, whether it be Federal, Department of Public Works, or Territorial, then if it is possible, feasible, then we should certainly do it. This would just be an extension of the sale of the Cemestos. Once the unit is set up within the Territorial Government they could just include the Cemestos in the same type of agreement for sale as the other homes in the area, if the Administration is going to put these up for sale. I think there is a growing feeling among the people in the Territory, (the ones I have talked to) that this should be done, and the Government should get out of the housing business as much as they possibly can.

Mr. Chairman: Any further discussion?

Mr. Taylor resumes the Chair.

Mr. Chairman: What are your feelings on the motion, gentlemen?

Mr. Watt: I would like to have the Motion, if the Question is called, and it is given support in principle to the idea of having Cemestos put up for sale. I think we can expect a memorandum back from the Administration within the next few days concerning their thoughts on this, at which time we

I hope, are in a position to discuss the developments on this. I don't think the passing of this Motion would eliminate this from being brought up at any further time during this Session.

Mr. Chairman: Do you wish the Question put?

Mr. Southam: Question.

Mr. Chairman: The question has been called. Are you agreed with the Motion.

MOTION CARRIED

Mr. Chairman: Gentlemen, I believe at 4 o'clock there are some people coming in to discuss camp grounds. Do you require Mr. Spray or Mr. Baker any longer?

Mr. Boyd: .No, not on my part.

Mr. Chairman: We have this item and the Safety Inspector and the Tesling Medical Treatment Motions. These are the only three that are left.

Mr. Chairman: May these gentlemen be excused.

Mr. Spray and Mr. Baker withdrew.

Mr. Boyd: If this gathering is going to be here at 4 o'clock I assume it's been laid on and arranged for, and it is going to take place. Personally I am of the opinion that we should have a round table discussion, rather than in Council as Committee, because it's not a simple one, and there's no reason why it should be a long-drawn-out affair that could get into hassles, and possibly heated debate. I don't see why it should, but I hope it won't, but there is determination on two sides. I'm just wondering if this thought would meet with the approval of the rest of the Councillors.

Mr. Watt: I had thought of this, but I thought if there was an area of agreement with the parties concerned, Territorial Council, the Administration, Chenechee and the Chamber of Commerce, that our words would be on record, and if there was an area of agreement it could be referred to later. This was the thought in having it in the Committee of the Whole, but if the Committee wish not to have it this way, they wish to have a more-or-less round table discussion, I assume this would be more of a question period, when we could ask questions of the Chamber of Commerce, and the people from Chenechee, and possibly the Commissioner. I think that the Commissioner should be here for this, because he has been part of the negotiations that have been going on with the Chamber of Commerce. I have informed both the Chamber of Commerce and Chenechee that this was laid on at 4 o'clock, and they both thanked me for the invitation, but I think that the Commissioner should also be here.

Mr. Taylor: (with Mr. Southam in the Chair)

Mr. Taylor: I can't for the life of me, unless these people are coming here asking for money or a grant or something of this nature, I can't for the life of me see why this thing

is coming to this Table at all. Possibly I've missed part of this affair. It seems to me there is an area of discussion between a private enterprise group in the outlying districts of Whitehorse and the Whitehorse Chamber of Commerce. Unless we are asked to place money on this thing I don't see why it should even be at this table. Possibly somebody could explain that one to me. If there's anything to be done in Council, I suggest it be done in Council, and if it has no proper place in being here I suggest it be thrown out, and we get on with something else.

Mr. Watt: I am suggesting there is a basic principle involved here that involves the Territorial Council, and that is using public funds for anything that could be a camp ground on the one hand to a trailer court on the other. If public funds or monies are going to be used and voted to this Council either now or in the future, then I think we should know what this money is going to be used for. I don't want to browbeat anybody into sitting here and listening to this if they don't want to, but I think it is for us to know what we are asked to vote money for. If some solution can be found that will help the community as a whole and eliminate the hard feelings that this thing has created, then I think we should spend this half-hour to do so.

Mr. Shaw: The Commissioner informed me today that he won't be present at this particular meeting, it could quite easily develop into a Donneybrook and I think the point is I can see Councillor Watt wanting these people to be questioned on this subject. I have no objections to that, but before it becomes a three-way battle here and there, it could develop into that, and I can agree with the Administration in not wishing to expose itself to affairs such as this. But if Councillor Watt, as he has stated, wishes to ask these people questions, I think that is quite in order, and I will be quite content to sit here and maybe ask a question and listen to the questions and answers.

Mr. Taylor: All I'm trying to is to determine what - apparently now I understand they're asking for funds, either one or the other of these groups, now I wasn't aware of this. I know that funds were refused to one group in relation to this project at the last session. If they're asking for money naturally we've got to sit and hear them out. I just didn't know the reason for the meeting. I thought that maybe we were just sitting here to watch the Donneybrook, that's why I asked the question.

Mr. Boyd: I am unaware of any funds being asked for, funds today do not come into the picture that were supposedly going to vote on. I know nothing of this. They are going to discuss this City Park, as they call it, being somewhat Government-sponsored, seemingly in opposition to private enterprise. That's all I'm prepared to discuss. It's all I understood they were being asked here for.

Mr. Taylor: Is that right, Mr. Watt?

Mr. Watt: As I understand it, last Fall we did not vote a sum of money because we wanted to find out what this money is going to be used for. I understand it will be asked for again at this Session on the one hand. If the other extreme

is agreed to the Robert Service Camp Ground will become a camp ground. On the one hand it may become a trailer court, on the other hand it may become a campground. If it becomes a camp ground then it could very well involve Territorial Funds now and in the future, because the Territory would be operating and maintaining it, if it is the general agreement that it should fall into the category of a camp ground, then it will be our responsibility. This is it. On the other hand if it falls into the category, or will fall into the category of a trailer court, then we will be using public monies, and we will be requested to use public monies to support a trailer court. This involves us too. No matter what is decided it's going to involve money. Unless there is some line in between that the money that has already been used, without any further request is going to be used and then this is the only situation which would cause more money to be requested. If that is the case a lot of the money that has been used there has been already received through the Territorial Government. This is where money enters into the picture.

Mr. Taylor: I was misled in this. I understand that there is no money being asked for right now but maybe there might be some at a later date. As far as I am concerned this comes down to the Council sitting here and refereeing a private dispute. If this is the case I am unalterably opposed to it. However, if the Committee wish to proceed along this line I'll just sit here, but remember, I'm opposed to it.

Mr. Shaw: In that respect may I point out I was in the Chair at the time in Council so I did not enter into the discussion but I believe that the Council agreed to having a meeting with these gentlemen, Chenechee and the Chamber of Commerce, so whether we disagree or agree with it now, we did agree with it in the first instance, so let's get on with the show and have this committee here, Chenechee and the Whitehorse Chamber of Commerce. As I pointed out the Administration does not wish to become involved at this time, it has had similar meetings which have been most unsatisfactory, so I quite understand they wouldn't want another. I would suggest we have a recess until these gentlemen get here.

Mr. Taylor: Thank you, Mr. Southam, I'll take the Chair again. Gentlemen, we will recess for five minutes or whatever it takes for this committee to get here.

Mr. Chairman introduces Mr. L. Hudson and Mr. E Wienecke of the Chamber of Commerce; Mr. D. Sumanik and Mr. D. Walsh of Chenechee Camping Ground.

Mr. Chairman: We have these gentlemen here to discuss the Discussion Motion respecting the Robert Service Camp Ground. Will you Motion #10 proceed, Mr. Watt.

Mr. Watt: This concerns Motion No, 10 which was moved by myself and seconded by Mr. Thompson and reads: "It is respectfully requested that the Commissioner of the Yukon Territory and the Chairman of the Whitehorse Chamber of Commerce campground committee and another member of the Chamber of Commerce in addition to a representative from Chenechee Camping Ground be invited to appear before Council to discuss the future of Robert Service Campground."

As a result of this you gentlemen have kindly accepted our invitation to try and resolve this. The Commissioner of the Yukon Territory felt as if there might be a Donneybrook so he didn't want to be anywhere in the middle of it. Consequently he didn't turn up. However, I think we're all pretty reasonable individuals. We have a problem on our hands to try and resolve something - the future of the Robert Service Campground, and as there is some Territorial money involved, and there will probably be a request for more Territorial money, I think it is of importance to the Territorial Council that we find out what are the possible solutions for the future of this campground, and how will that affect other people in the business. First of all, when we left at the last Session, the Commissioner of the Territory asked us to try and resolve this thing to the satisfaction of as many people as we possibly can, and he asked us to make suggestions. As a result of that Mr. Wienecke phoned up myself and Mr. Thompson, (I think he phoned up Mr. Boyd, but I don't think Mr. Boyd was in at the time) and a couple of other members of the Chamber of Commerce. We had a dinner meeting at the Edgewater Hotel and we discussed possible solutions to the future of this campground, as far as the point of view of the Chamber of Commerce was concerned. There were several solutions offered - one was to purchase Chenechee, another was to close down the Robert Service Campground, another was to open it up but charge and gradually upgrade it, and other was to try and put it under the Yukon Services Forestry Campground plans. This last suggestion met with the greatest approval of the members of the Chamber of Commerce that were present, and the Territorial Councillors that were present. That way, the Territorial money that was already used, plus the future money that will be requested, will be put under an Act over which we will have some control. I talked with members from Chenechee, and they didn't object to either the Wolf Creek Campground if there was some assurance that the Robert Service Campground would be in direct competition with their own operation, and the objection I didn't think would be too violent from their point of view. I talked with some of the people from Chenechee on this and this was the feeling I received. This is what we had generally agreed upon at this meeting, that this would try to be done, and if the Chamber of Commerce, plus ourselves, plus the Commissioner had all got together, and tried to get an exception made for this Robert Service Campground, and have it put under the Forestry Campground Plans for the Territory, then this could possibly be done. With this in mind I brought this up with Mr. Laing when I was in Ottawa, and I asked his opinion on this. He asked me if I would try and get a more firm result at the Territorial level, then write to him, and he would see what he could do at that end of it. Since this meeting the Commissioner and other members of the Chamber of Commerce, different members of the Chamber of Commerce, have had another meeting, and they came up with a different solution, and that was to re-open the Robert Service Campground, and start charging \$1.00 per camper per night. I have heard dissatisfaction from the members of the Chamber of Commerce on this, because the facilities out there are fairly minimal, they have bathrooms, and a well, a bit of grass and some tables. The feeling was that either this would leave a bad taste in the mouths of the tourists who were travelling through or, secondly, the tourists wouldn't use the campground at all. If they're that close to the dollar they may just pull into the side and pull in to

some back alley and light his fire in the bush and throw his garbage in the bush. This was the idea behind the campground to begin with, to get a lot of these campers off the side roads and these little fires out of the bush and keep them in a restricted area. So now we have two possible solutions. I would like to hear comments from each of our four witnesses on these two proposals, and what your reaction to these proposals is. I don't think the idea of completely closing the Robert Service Campground would gain much support in the Territory now, particularly after the amount of money, both Territorial and private, and the volunteer help that has been spent on it. I would like to start with Mr. Hudson and work across the table. Just have your opinions on this campground.

Mr. Chairman: (Mr. Taylor back in Chair) Gentlemen, it will not be necessary for witnesses to rise during this discussion.

Mr. Hudson: You say there are four propositions, did you?

Mr. Watt: No, two. To to be turned over to the Forestry people or to be closed.

Mr. Hudson: Yes, well dealing with Mr. Watt's remarks, I must apologize to Councillor Watt. I met him by chance at a hockey game last week, when he indicated that there would be such a meeting, and I immediately dropped the matter from my mind, and since I am working in the next door down the hall I am here. I would have delegated the attendance here to the Vice-President. However, I am fortunate to have Mr. Wienecke here the Sponsor. As far as the Chamber is concerned there will certainly be no Donneybrook here. The Chamber, as a result of the meeting held with the Commissioner, as I understand it, wishes that their efforts not be lost. As a matter of fact it feels urgently that they should not be lost and that this facility should be opened. The arrangement whereby it was suggested that \$1.00 charge be made has been approved in principle by the Executive of the Chamber as far as the Chamber's approach to this matter is concerned. The idea of turning it over to the Government, whichever level of Government is concerned, is not an idea that has been approved by the Chamber. I would say that the approval in principle of the dollar charge has been obtained, I may say, over the objections of certain people who commenced this, or who were the driving force behind this at the outset, because this was certainly not the way in which they approached the public in the first instance. It was their idea that this was to be a free facility to the City of Whitehorse and to visitors. However, we do feel that if the Administration or the Council feel that for some reason they would like to see a dollar charge made on facilities which is, it is after all Crown land, and if it will result in the facility staying open, we certainly agree with that. If there is any way, however, that it can be kept open without this charge we would rather see this. It is in keeping with the idea that the public was given initially, and that we started out on when we made the drive to have this campground. I am not familiar, actually, with the ins and outs of the turnover to the Government of the facility. Our aim is to have this facility there for the use of anyone who sees fit to do so. If turning it over to the Government will ensure that this use will continue, why I feel confident that the Chamber will be only too happy

to go along with this. I don't think I have anything else to say.

Mr. Watt: Mr. Wienecke, would you give us your opinion?

Mr. Wienecke: I would like to mention that we have always tried to supply a certain facility without charge to the talking public. It was owned by the Citizens of Whitehorse. I have here a list of all who paid money into this fund, and also there were a hundred others who put their work into this thing. Now we are looking for a certain policy we are to follow not only on the Robert Service Campground, but in the future. There must be one policy for everyone. Those outside Whitehorse may run into this same problem, so they cannot continue the changeover, they have to follow one particular policy. I have brought here a folder for each of you you might pass around. This is a brochure that was sent to people who asked for information about the Yukon, and for outside facilities along the Alaska Highway. If you will look under "Yukon Territory" you will find we are not so outstanding with our Robert Service Campground close to the centre of a City. You could start on Watson Lake, that is only three miles away or Mile 632, Watson Lake 635, then after that all the hotels and the trailer facilities mentioned, you could go to Mile 673 and Mile 687.2, then from 710 to 710.1, then from 777 to 77.7, some of them only one-tenth of a mile away, sometimes seven-tenths of a mile away. Trailer facilities one by private enterprise second by Government control, the Government's own campground. Now all of these campgrounds are not mentioned by the Government but killed completely by the Government. Now in our case, I will beg to state our policy and what I would like to see. Now in our case why should Whitehorse be different? Should we make an exception for Whitehorse? There's Dawson City with all the hotels on the next page, Dawson City, Watson Lake and Haines Junction, and there's Whitehorse - we are something like three miles away. The Wolf Creek Campground is four miles from Chenechee. So we are just one among a thousand. We seem to have a problem. Now to bring this in to one forest, of course the Government should do exactly as they do in the other thirty-two. There are thirty-two campgrounds all owned by the Government, and why shouldn't this be one of them. Now to make it fair to everyone why doesn't the Government re-imburse us for let us say our cash investment, and take over one more campground? This would be equal to everyone else in every community of the Yukon Territory. The difference between campgrounds of this sort and the Robert Service Campground is water, running water, and a flush toilet. This campground has been in existence for over two years, did anyone say a word, no, not until so much work was done, the flush toilet in. But is that the direction in which we are going, to limit our facility to a great amount? Now I am quite sure that the members of the Chamber of Commerce, particularly on our Committee, are quite agreed the Government look after this campground. If this is the solution we definitely would give it our full support, to turn this over and make it the way the Council decides.

Mr. Chairman: What about the dollar charge?

Mr. Wienecke: The dollar charge, as I said at the meeting, I am against, because it would spoil too much the spell of the Yukon, and I can't get that in connection with the dollar charge for a toilet and for clean water.

Mr. Sumanik: Gentlemen, exploring this first possibility that they turn this over to the Yukon Forestry, we are not in agreement with this suggestion whatsoever. Mr. Wienecke has pointed out the nearness of other campgrounds to other competitors. He points out hotels and motels as he mentioned in Dawson City. I would like to bring out right now we are not in the hotel business or the motel business, we are operating a trailer court and a campground, and as I understand it there is no private establishment of this kind in Dawson City. There is a Government one across the river. Turning this over to the Forestry - one point I would like to mention - there will be three Forestry campgrounds within 20 miles of Whitehorse. I understand Carcross has been trying to get a campground for some time, but they haven't been able to. We were advised that Forestry would like to stop at the number of campgrounds they at present, and hope somebody else would take up the slack. Turning this one over in Whitehorse, as Mr. Wienecke points out, they've done a lot of work on it, but I'd like to point out we attempted to stop this before they even got it off the ground, they went around, and people put a lot of money into it. I don't say they were misled, but I would say they weren't fully advised at times how the money was going to be used. Now if the Forestry takes it over Mr. Wienecke is sitting back there, howling for, I believe it's in the neighbourhood of \$6,000, back. This is very nice to start something up and say "Look what we've done, we've really gone ahead and done something", and just nicely back out the door with the \$6,000, and drop the problem in somebody else's lap. The Forestry, no doubt if they do take it over, the traveller is asking for more and better facilities all the time, he's asking for a sewer for his trailer, and showers, and what have you - will the Forestry be prepared to spend this money to go ahead with future development? Are they going to leave it as so, or are they going to upgrade it as the travelling will wish. We can't see why the Government should have to go ahead and provide this facility, when private enterprise in the area is providing it. As far as the dollar charge is concerned, we have checked around in various centres in Canada and we find that some of our Southern cities charge more than a dollar. We were advised by the Commissioner of the Territory that a comparable charge would be put on it. Now we charge without facilities, for a trailer \$2.00, we charge \$2.75 with complete facilities, that is a shower, power, sewage and water. Now \$1.00 is hardly a comparable charge as far as we are concerned. At this time I would like to point out this minimum facility - I'm afraid I can't buy that either, because Wolf Creek, say, is a minimum facility - they provide campfire location, they provide a place to cook in, they provide wood, and there is always water, whether it be from a creek or a lake, there is always good drinking water. Now outside, we have written a letter, and we find one of the cities in Alberta charges \$1.25. Now that's 1600 miles south of us, and they charge this, and they provide minimum facilities, as Mr. Mr. Wieneck points out, which is the same thing, flush toilets. They have electrical outlets for which they charge 25¢. This isn't my idea of minimum facilities. Another thing, if we turn this over to the Forestry we haven't resolved the problem at all. What is to stop the Chamber of Commerce from going ahead and raising \$6,000 or \$8,000, or whatever they are able to raise in the area, and putting something else down there, saying "Look, Forestry, this is our

little old project for the Whitehorse area, and we're going to put in some sewers for you", and before they do this they can put in showers. Before you know it they've duplicated our services just as quick as that, and there would be no way you could stop them. It would be the same as anybody saying "Hey, look here, look what we're going to do for you, we're going to go ahead", and I'm afraid there would be no choice. We're having a very rough go, and this is not an exaggeration, we've counted them, and Mr. Wienecke did the same thing, he came up and drove by our place. I mean, we were concerned, and he was concerned to see if it was hurting us, he wanted to make sure we weren't making any rash statements. The idea that they charge this \$1.00, we're not happy either, the Chamber of Commerce and ourselves, and we're not happy to see it turned over to the Forestry. It's been brought to our attention that we'll never get it closed because of the money that has been spent on it. Gentlemen, if you were digging a hole in the ground for water, and you went down 500 feet, and a fellow came out and he put in \$6,000, and a fellow came along and said "There's no water here, I'm telling you there's no hope of getting water", wouldn't you quit, with your \$5,000 or \$6,000, or are you going to pour more money in to a dry hole? Let's look ahead at the situation, are you going to just put money into this park here, or quit while you've spent ah, I admit it's expensive, but our place was expensive too. There's a lesson to be learned here, as far as that goes, should we carry on and get into the business full time, should we maybe put a couple of gas pumps in there, sewer outlets, what have you, sell ice cream. Or are you going to get out before you've gone too far. Now \$6,000 of public money is a substantial sum, but it's nothing compared to what could develop out of this. If the matching grant business stays in, the Chamber of Commerce, say they charge \$1.00, say they're going to be able to come out at the end of the year with \$500 in the kitty or whatever it is, could they go to the Government, and say "We've got \$500, we want you to match this, we're putting in two showers". This is something to think ahead about. How is it going to go from here? We maintain that there are adequate facilities at Chenechee Trailer Court. We have some of the best facilities, if not the best on the Alaska Highway. We provide everything. Wolf Creek is of no concern to us because it is the minimum facilities. It was there first. I wouldn't ask the Government to take a D.A. and cover it up now, because we've added something since. We still feel the campground should remain a picnic site, which the Provinces of Alberta and British Columbia have, the State of Alaska has. You can stop and make your lunch and it is designated as a picnic site, no overnight camping. There are campgrounds, but they're designated as such. We would like to see this remain as a community park and picnic site. Stop in, wash up, make lunch, do what you like. There are people that are going through Whitehorse. Let's face it, the come maybe, from Teslin in the morning, and Whitehorse just isn't on their agenda. I've travelled a few miles myself, and if I'm heading for Edmonton and somebody says "Let's go to Cassiar" and I'm not interested, I'm not going to drive off the road, that's all there is to it. I'm heading for Edmonton. We've also been confronted with the argument "Oh, your people just come out there, they're not interested a darn bit in Whitehorse, they're going through." We've offered our books to the Chamber of Commerce. We've said "Well look, take our books, we can go down to the White Pass, and ask them if they would be good

enough to open their books and compare names, the number of people who have gone to Skagway, and come back, stayed in the area for a long time". They have stayed because they have found the facilities they want, not just because they have pulled off to the side of the road- they've got everything they want. They'll turn their keys over and say "Check my frig. for me, please, just make sure everything is going, I'm going to keep the propane off, just make sure the propane frig. works, that's all. Turn the power off." We've really tried to give them everything we can in the area, because if they're happy they're going to stay an extra night, and we're going to be happy, and the city's going to be happy, because they're not sitting out there all the time. We've had people over 17 days, and only an idiot would argue that they didn't come into town for 17 days. They've been there, and they go to town, we've called Yukon Motors, Taylor and Drury Motors, Whitehorse Motors, Alcan Tires, Canadian Propane, and sent wires to Calgary for stuff for people. I just wish we had asked people at the beginning of the year to throw in their sales slips from the city, so we could have shown just how much money was spent by our people in the area. These people that are pulling a trailer or driving a \$6,000 truck, contrary to what people think, they have a nickle in their pockets.. You wouldn't start out from here to Bakersfield, California, without two dimes to rub together. The Chamber of Commerce has told us that with the army pulling out of here they have to get after the tourist dollar. "Fine, we're after the same dollar you're after. We've got everything out there, what are you worried about? Can't you apply yourself in another direction? We didn't get anywhere with that argument. They said they were going ahead with it and that's all there was to it, here we are today, sort of. That's about all I have to say.

Mr. Watt: Mr. Walsh, do you have something to add to that?

Mr. Walsh: Mr. Sumanik has fairly covered what I had in mind. I would like to say that regardless of whether the Forestry has it in mind to take it over, or a dollar be charged, it is of little concern to us actually. We both agree it is in opposition to us and we think it is a little unfair. We feel that we provide the services out there for the City of Whitehorse, and we spoke to the Chamber of Commerce last May to that effect. As Don has mentioned, we could prove that. Now the argument is on the part of the Chamber of Commerce, if a tourist passes our place and comes in to town and has no place to stay, where is he going to go? Well, that sounds like a very good argument. But I'll also say that **if there was a campground here on Main Street**, for the same reason, Robert Service Park wouldn't get the business either. For the same reason that if the Robert Service Park, which is close to Whitehorse, would limit our business. It seems very unfair, I think, the fact that we put in our facilities out there, and we abide by all the regulations, and so on, and have something like this come up in opposition to us. Also I would like to add, and I think Don would agree with me, is that whether the Territory or the Chamber of Commerce or Forestry - are they prepared to go ahead and supply the facilities that I think the tourists will need. Ten years ago our place was the laughing-stock of the country, because there was no business. What are we going to have ten years from now? Is the Territory

going to be prepared just to take it over, or prepared to give these tourists what they require? Last year it was noted that people travelling in trailers increased from 8.6% to 11% in one year over previous years. If and when the Alaska Highway is paved I think you would see an even bigger increase each year. I can assure you gentlemen that if we are forced out of business it will be up to the Territorial Government to supply these facilities, especially in the Whitehorse area.

Mr. Chairman: Gentlemen, have you any further questions to ask?

Mr. Shaw: Just one thing; the expression has been batted around (it was my own quaint expression), the Commissioner had stated he had met with these gentlemen on various occasions, and there was a violent difference of opinion engendered by the meetings, and he felt that to be present at this particular meeting might repeat the performance more or less. He didn't say "Donneybrook", that was my expression, so I thought I would qualify that particular word. As far as the campgrounds at Dawson are concerned, I've also noted in the papers about the Government putting money into these campgrounds. That is not entirely correct. The campground they have there was put in by the people themselves. They provided their own money and put in this camping facility. There was no facility except a building for cooking and shelter, open in front, and about six or eight privies. The only time the Government entered into this particular thing was during the Festival of 1962, when they said that campground was a menace to the water supply at Dawson City and it had to be closed down. We put up all the argument we could, that we had to have that facility at this time, we could possibly close it down later but not at this time, so to work out a system whereby it could still operate the Government loaned, for that season, some what they called "Ablution units", which we kept cleaned out and maintained and so forth. At the end of the season they took them out and put them someplace else. That is the amount of assistance the Government gave to the campground at Dawson City. That was all. They loaned us the "ablution units" and took them out again, then turned around and closed it up because they thought it was a menace to the water supply. We went a little further then, and asked them if they would assist us, if Forestry would assist us, and put another site up that would not menace the water supply. We were informed at the time that the policy of the campgrounds in Yukon Territory would not permit any assistance in this respect to municipalities. That was the answer. That meant that we had no campground there. It doesn't make any difference, I just thought I would keep the record straight on this particular campground situation. However, I can see where facilities are required close to a municipality for these people that are coming, otherwise you get them parking on back lanes and leaving their garbage around and so on and so on, and it's a very unsightly affair at times. At the present moment in the City of Dawson around behind the Community Hall they have a flat level spot there, and they have an ablution unit, within a few hundred feet, where this square area is, and people do stay there for a short time because otherwise they would be staying all over the country, but there are no facilities other than this one.

facility. It has shown that there must be some facility within the City, that is the way it has proven. Otherwise they are on a relay, and it means what happened a few years ago - one of the City Council members complained to the police, this was about one o'clock in the morning, they were camping in this location, it was against the by-laws and so forth, so the police went there and they routed these people out in their pyjamas at two o'clock in the morning, and they made them move, I think there were three or four or five campers there. Well, it was the most irate bunch of visitors that you have ever seen in all your life the next day. I heard most of them. They came into the store and gave me the gears and everyone else. There was nothing I could do about it. However, it did point out that there had to be some facility, otherwise they would park all over the country. Now, I can sympathize with the problem you have, I can sympathize with the Chamber of Commerce's problem, I can sympathize with Chenechee. It is a problem that is very difficult to resolve. However, there's no question that something has to be resolved somewhere along the line. There has to be some means whereby people can get together on the matter, and unless that happens here we are, we're in a bad situation. Would it be possible, would it be practical, I don't know to which gentleman I should refer the question - would it be possible to have this campground open and operating during the daytime but closed at night. Then they could take their trailers someplace else, would that be a means of having, say, minimum sanitary facilities at such a place, rather than extend into an actual business?

Mr. Hudson: People that are travelling are day movers, to make any distinction as to day and night usage of this facility I think would be turning a blind eye to the type of people who would, to a large extent, be using it, and by using it remain a little longer within the City of Whitehorse. The other idea I have from Mr. Shaw's remarks is that what is day and night compared with travelling months? It would be hard to enforce it. I think it would be a rather pointless rule to anybody travelling through. If anybody were to be chucked out at 9:30 or something it would make us look, the Yukon tourist situation, a little ridiculous.

Mr. Shaw: I was referring to this more as a picnic ground. Would it be possible? You must remember with Daylight Saving we have more daylight now.

Mr. Hudson: Well referring to it as a picnic ground, it would tend to keep tourists in our area somewhat longer, it would keep them off the highway. To prevent them from using these facilities would be to fly in the face of what we are trying to accomplish here, that is, the expansion, wherever possible, of the tourist industry and the receipt of the tourist dollar where ever possible, and the people of Whitehorse in particular, the people of the surrounding area in general, and the people of the Yukon.

Mr. Chairman: Do you gentlemen have any further questions?

Mr. Shaw: Perhaps I should phrase this question a little differently now; is it possible to have this, with very minimum facilities, that a person who did provide full facilities would be able to operate? Perhaps that is a more specific question.

Mr. Wienecke: Do you ask that we turn back to privy instead of flush toilet? Is that the situation?

Mr. Shaw: I wouldn't go quite that far. You can have a trailer camp that has light and sewer facilities that hook on to these trailers and all that. That is going to the very maximum service. I'm referring to the minimum service, not the minimum sanitation.

Mr. Hudson: We have no electricity, there is no electricity in any particular unit. Anybody that requires electricity in their camper in their trailer, will not find it, this facility, at present. I would suggest that all concerned should try not to take any retrogressive step in the matter of tourist facilities. I also, I should take the opportunity now, if I might, to state to members of Council that those of you who have not seen what is there, I think would serve yourselves, and ourselves very well to take a visit there, perhaps in the near future, and just see what it is we are talking about. I may be mistaken, maybe you all have, but I think that would be one of the first things to do, before you give much further consideration. As far as additional facilities at this time are concerned, I wouldn't permit the Chamber at this time to say we are not going to do anything. Our present plan is just put in place so stools and tables have already been purchased, so that a) we don't see the point or the sense to take out anything that exists there now, and b) we have no plan to turn this into a Coney Island or a spot where people have every comfort that they have at the Chenechee.

Mr. Watt: Probably one of the members of the Chamber of Commerce could answer this. If you did charge for the services that in the Robert Service campground would it be your intention upgrade it and improve it to the position where it would pass sanitation inspection, and possibly provide additional amenities in the future?

Mr. Hudson: These funds will probably go a little further than paying somebody to collect them, and keep clean the area. I wouldn't like to go as far as to say that the expenditure of funds would go as far as to cover this. Just ~~few will have bugabugensfaciliingvand~~ hire somebody to clean up.

Mr. Shaw: I would like to ask about sanitation laws. If this is turned over to the Chamber of Commerce what would they have to abide by, the same regulations that we do? Would they have to provide showers and sewage facilities. If that is the case they going to have to spend more money. They are in business the same as we are, and I don't see how they can. Perhaps Mr. Kinloch has an answer.

Mr. Watt: Possibly we ourselves, or I myself might be able to consult with Mr. Kinloch at a later date to see if you impressed this matter. He may press or he may not press the matter, and make the Robert Service Campground upgrade its facilities even further. Another question I would like to ask - possibly a member of the Chamber of Commerce could answer this- If a charge was levied at the Robert Service Campground do you think that many campers that would ordinarily use it if it were free would not

bother using it, would instead build little fires at the next turnoff this side of the Robert Service Campground, or the other side of the Robert Service Campground, or any place else, and then we'd have garbage fires in the bush. Do you think this would affect, this charge for the Robert Service Campground, do you think this would affect the tourists themselves? Would they still use the Campground, do you think?

Mr. Wienecke: That would be very hard to say, of course, how it will affect. But it is my own opinion, I believe there is a certain type of tourist who would use as you say, any empty space they can get to get out of paying his dollar. I'd like to refer to the question before - it is more a question of definition, what is a campground and what is a trailer court? Here is your whole problem. A campground is just ground with parking space with the minimum facility, then we come to the next definition - what are the minimum facilities? It can be a privy, it can be less, it can be flush toilet. Now in my opinion the Robert Service has the minimum, we're living in 1965, we have the minimum facilities. This is a flush toilet and clean water. We never planned to bring this standard higher by having hot water, showers, this is in my opinion the minimum facility.

Mr. Boyd: In the first place we seem to have gone half way. He says "You can set your trailer down, bring it in, and so on, but we're only going to give you a little bit of service, so you have really neither." Now I would just like to ask Mr. Wienecke, if you had the works there, wouldn't this be a much better looking situation as far as the public is concerned. You're going to serve them wholly and fully, not partially, and you would be quite justified in charging for it. We've gone part way and now we've come to a stop. You say you have no intentions of going further. I understood at one time this was to be, or intended to be, the hub of tourism, as far as where we're going to stop is concerned. It's this point that gets me now. We seem to have changed our attitude a little bit, and we're only going half way with it. You can't have the hub of tourism if you're not going to give them full and genuine service. Now if I'm wrong, alright, I'd like to know this first.

Mr. Wienecke: I would like to answer this question. We don't want to run a real trailer court, a commercial trailer court. The way we feel is that one of the nicest courts around Whitehorse should serve everyone, with no restrictions. Even the man who hasn't got the dollar, he is a Canadian citizen, should have the right to park his car, and not get water out of the river, but get clean healthy water and also the use of a toilet. But for going into showers, and making a business of it, I think you have the right to say "You are coming in to Whitehorse, and we are not here just giving the minimum that we should give."

Mr. Boyd: This is just exactly the point. Would it not be better now to say "We will serve the public, we will give them everything." You say it's against the Board of Trade, but the Board of Trade don't have to operate this thing, do they? The Board of Trade's ambition is to get and give service to the people. The bank manager doesn't have to operate it and neither does the Territorial Government. Let somebody

operate it who is capable, and in that business. Would there be anything wrong with giving private enterprise a 15- or 20-year lease, 10 if you want, 5 if you want, with some understanding that he can renew it as long as things are handled properly, and let private enterprise have it. This would you your desires. You don't want to be in the business. I can understand that, but it would give you the service you're looking for. I think this would be the most satisfactory way out of it for everybody. Would I be wrong there?

Mr. Hudson: Firstly, I wouldn't say we are in the position of providing a service where we are, we hope, we are, our aim was, to **improve** a facility. Whatever use the people make of it is their business. Somebody else referred to this before, that this was going to be turned over to the Chamber and that they would run it with a dollar charge. I don't think it goes that far. I think it was just to the effect that if a dollar charge was to be levied the Chamber, the Committee, would see that this was quite difficult to do. Certainly there was no thought of title issuing to the Chamber, or that any aspect of the operation, profit-making or otherwise, the private enterprise, would take place. In the matter of turning it over to a private individual to operate does not commend itself to me at this time. I find it difficult to speak on behalf of the Chamber as a whole, but there are obvious, practical objections to that since there are some reserves of land, and there are or would be, a pretty large number of people who, I think, would apply for it. Perhaps turning it over to a private individual, for simply the operation, but not the ownership, this might be feasible. But from the Chamber's point of view we wish to see it open, we prefer to see it open, and kept open under some form of Government auspices, and as far as grading it up to a level of providing every facility - well, I am not so sure that this is the desire either. I think that accomplishing the minimum comfort in order that the people stop, stay, for a little while longer is the goal, at the same time, giving the idea, the true impression, that they are campers in the outdoors. They are part of it. Those are my thoughts on your suggestions.

Mr. Walsh: I would like to say a word regarding the trailer park regulations. Mr. Wienecke has stated that they do not wish to upgrade it further than it is now. According to the regulations if it is operated the Chamber of Commerce may not have anything to say about it. Say for example, it is operated the way it is under the present setup, and tourists flocked there in great numbers, and it created unsanitary conditions, what's to be done then? It would automatically have to be graded up or else the Council would have to close it down. According to the Council's regulations you can not operate even a campground without abiding by the regulations. We are also a campground and well as a trailer court, and when we have only one tent spot, according to the regulations we have to provide certain facilities.

Mr. Watt: This has given us more of a feeling that both the Chamber of Commerce and the operators of Chenechee, they're feelings on the future of the Robert Service Campground. I for one have no more questions, and I would certainly like to thank both groups for coming to us and talking

to us today. It will certainly help us to understand the position of both parties a lot better. I'm only sorry that the Commissioner couldn't see fit to take a little time off to come and listen to you too. Thank you very much for myself and everybody else.

Mr. Taylor (With Mr. Southam in the Chair): I have a question and it's one I've been asking all day, and I'll preface it with an observation, having dealt with this last Fall and now again this Spring; in the first instance it seems to me that both these organizations are being operated for a profit, one in the form of providing facilities to the tourist with a view to making a profit (of course any business carries on in this manner), the other is being operated at a profit in relation to the Chamber group in Whitehorse, who all have business. I've heard several different ideas here, the original one that I got at the outset of this game was that the purpose of the trailer court was to get tourists to stay a little longer, and therefore spend more money in Whitehorse. Possibly the answer may lie in reducing this to a picnic area for local residents, and allowing private enterprise to continue. It is I think regrettable, and I think it was pointed out by the Administration, it is regrettable that funds were placed in this Government campground. However, they have been. We got wind of this here last Fall. It was brought to our attention and of course we stopped the flow of funds at that time. Now, we have arrived at some sort of impasse, and I asked earlier, "What is expected of Council in this regard?" In other words, this discussion today, what is expected of Territorial Council at this point from both parties? I think just before we go I would like to hear one representative of each, just give a very brief and quick idea of what each party would expect of the Council at this stage.

Mr. Hudson: Really, I think the reason the Chamber continues to be involved is that there is an outstanding matter of funds which, indications were given, that a matching grant would be made concerning expenditure by the Chamber on this facility. This is, to answer your question, one of the reasons why the Chamber is here. We are here because we were invited, and this is what we were looking to weeks before. I think it can be particularly said we are looking to Council for ideas, we have no satisfaction to hear the complaints, probably from **Chenechee** people, and there is no pleasure in the fact they feel they are being unfairly treated. I would wholeheartedly agree that we would like to assist them as we can and ask the Council, perhaps, to assist in that regard. But we do feel that we have embarked on this for the benefit of the people as a whole in this area, and we want to see it kept open.

Mr. Taylor: Could we have the other point of view?

Mr. Walsh: I would just like to say that we would like to see the Council provide us with a picnic site, and not make it a campground. As we stand now, and it carries on as it is, we will not be able to increase our business to provide for the increase of business that comes along. Consequently I think if this remains as it is, as it was last summer, or last August, we will be forced to close down our business. I think the Chamber of Commerce will, and I say this with all

sincerity that we will, we can, supply the services for all the people, the citizens of Whitehorse, in providing the service for the tourists. I think if we last, I can say we would provide that facility even though we are a few miles out of town. I might say also that it is not our interest to move that far out of town. We tried to get the land closer but with the restrictions on land in this area, we were not able to get any closer, and I might say here that if we had the opportunity then to establish where we liked we would be much, much closer to Whitehorse. This is where our main disappointment and disagreement with the Robert Service Park is, that we took all these things into consideration to establish our business, and then we find we are just getting nicely going, when this comes along. I would like to say we would like to see it retained as a campsite, a picnic ground, but not as a campsite.

Mr. Taylor: Thank you both, gentlemen.

Mr. Boyd: It is the desire of the Chamber of Commerce, I take it, that they shall operate this ground. They would not like to see it leased to private enterprise, even though private enterprise was willing to go ahead and operate it a little bit, they can take care of both camping and picnic, all, if you want. But you would not be in favour of this at all, is this what you said, Mr. Hudson?

Mr. Hudson: No; This is not what I intended to say to Council. Because of the work we have put into it we would like to be consulted. In view of the fact, maybe, that we own the facilities in the park, we would have to be consulted. I certainly can't say that the Chamber would be opposed to private leasing of this for the benefit of the tourist. I don't think that this is the answer that would in any way satisfy the Chenechee folks. I would say that perhaps we would object to a charge, when you consider it inaccessible to the people in Whitehorse and to the average traveller. As a matter of a charge for the sake of profit - if there was a charge in order to obtain a profit on this installation I'm afraid the charge would have to be so high that we would probably end up poto, because the cost I would think of laying out - this has not been laid out, with the idea that a little profit was going to be made and the facilities were going to be upgraded, I think if you tried to lay electrical connection to each of them, we would never recover the cost by these charges. Generally speaking, we want to keep as free a facility as possible.

Mr. Shaw: May I just make one comment on this operation of ours. When we had it going we found that we had to have a person in charge and we charged the people \$1.00 per night to stay there. They paid this couple that were looking after the camp during the summer months, we paid them \$2,000 and out of that we received the revenue from this, and we paid off incidental expenses, moving garbage and so forth, and I think we ended up about \$400 in the hole at the end of the year. That was the way it worked out.

Mr. Chairman: (Mr. Taylor back in Chair) Have you any further questions of these gentlemen?

All: Clear.

Mr. Chairman: On behalf of the Committee I would like to thank you gentlemen for being with us and giving us your point of view, and we hope that whatever arises out of it will be satisfactory to everybody concerned.

The committee from the Chamber of Commerce and Camp Chenechee withdrew.

Mr. Chairman: I will draw your attention to the time, gentlemen.

It having been moved by Mr. Boyd and seconded by Mr. Southam, Mr. Speaker resumed his Chair and prepared to hear the Report of the Chairman of Committees. Mr. Taylor, Chairman of Committees, reported as follows:

Committee convened at 10:25 a.m. this morning to discuss Bills, Sessional Papers, Memos and Motions. Committee first discussed Motion #3 related to Insurance. MOTION #3 CARRIED IN COMMITTEE. Committee then discussed matters related to Motion #17, General Taxation. It was generally agreed that the Administration refer this matter to Ottawa for further advice and consideration. Committee recessed at 12:00 noon and re-convened at 2:00 p.m. this afternoon. Mr. Spray and Mr. Baker attended Committee to discuss Motion #4, which CARRIED IN COMMITTEE. Motion #19 - Cemesto Houses, was CARRIED IN COMMITTEE. Motion #10, related to Robert Service Campground was next discussed with Messrs. Wienecke, Sumanik, Walsh and Hudson in Attendance.

Mr. Speaker: Thank you, Mr. Taylor. Are you agreed with the Report?

All: Agreed.

Mr. Speaker: The next business will be the Agenda for tomorrow. What is your pleasure?

Mr. Taylor: We have had some gentlemen with us this afternoon in relation to this campground. Possibly while everything is fresh in everybody's minds the Committee may, or Council may wish to further discuss this in Committee, I don't know. We have that matter to clear away yet. We have Medical Treatment - Teslin Motion, and we have the matter of the Safety Inspector, and I believe Mr. Oliver would be available tomorrow. Otherwise, we have the Main Supply Bill and certain Sessional Papers which could be discussed.

Mr. Speaker, Shall we in the morning take on the matter of the Motions that are outstanding, then proceed to the Main Supply Bill?

Mr. Boyd: Did you say "matters that were outstanding"?

Mr. Speaker: "Motions that were outstanding", Mr. Boyd. There are two or three motions outstanding to be discussed in Committee, I believe.

Mr. Boyd: That would include those that were partially discussed today and not completed?

Mr. Speaker: That would include any of the Motions that were not completed.

Mr. Taylor: We also have some outstanding Sessional Papers. I would suggest we go to Bills, Memorandums, Sessional Papers and Motions.

Mr. Speaker: That is fine.

Council adjourned until 1:00 a.m. Tuesday, March 30th, 1965.

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Tuesday, March 30th, 1965,
10:00 o'clock a.m.

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

- (1) Memorandum from the Commissioner, dated 29 March, 1965, which reads as follows: -

I am enclosing copies of an article appearing in a recent issue of the Vancouver Province which explains in layman's terms the tasks faced by a modern secondary school. This is being passed on by the Superintendent of Schools in hopes that you might find the information useful in your future deliberations on the subject.
Signed: G.R. Cameron, Commissioner.

- (2) Memorandum from the Commissioner dated March 29th, 1965, re Motion for Production of Papers No. 3 - Engineering Report of Whitehorse, Camp Takhini, Valleyview and Hillcrest: -

As requested in the above Motion for Production of Papers, three copies of the Engineering report are attached. Signed: G.R. Cameron, Commissioner.

- (3) Memorandum from the Commissioner dated March 29th, 1965, re Motion No. 21 - Issuing of Motor Vehicle Licences. Set out as Sessional Paper #36. Sessional Paper #36

- (4) Memorandum from the Commissioner dated March 29th, 1965, re Motion No. 11 - Historical Copies of Hansard. Set out as Sessional Paper #37. Sessional Paper #37

Mr. Boyd, seconded by Mr. Taylor, gave notice of Motion respecting Liquor Licences. Notice of Motion #31

Mr. Boyd moved, seconded by Mr. Thompson, re Land Policy. Motion for Production of Papers #5
What is the land policy in the Yukon with regard to Agriculture, i.e.

- (1) Can land be purchased freely, if not what are the restrictions?
- (2) Is there an established price, if so what is the price and how is it arrived at?
- (3) Is it intended that incentives will be instigated, such as allowance at so much per acre for clearing and breaking, and what consideration is being given to a Yukon Territorial Government owned breaking plow?

Mr. Speaker: The next motion is by Mr. Southam, Brief by Mine, Mill & Smelter Workers Union.

Mr. Southam: Mr. Speaker, I think that we should set a date to meet these gentlemen - may I suggest Friday, April 2nd, at what ever time it is agreeable with Council.

Motion Carried.

Mr. Taylor moved, seconded by Mr. Boyd, that in the opinion Motion #25 of Council the Administration is respectfully requested to provide at the current session now assembled a legislative amendment to the Labour Provisions Ordinance which will provide for the establishment of a basic minimum wage of one dollar per hour but exempting persons employed in private dwellings, hunting, fishing, trapping, etc.

Mr. Taylor: This is designed to place a basic minimum as has been outlined here the exemptions, of course, are standard exemptions, which place no imposition on baby sitting and people employed in cooking and that sort of thing in domestic

dwellings and I believe the motion is quite self-explanatory and this will prevent people having to work for 75¢ and 85¢ an hour as some people are having to do at this present time. I know the Federal Government have adopted nationally \$1.25 basic minimum and I have had some discussions with people involved in this thing - the National Employment Service is one and it was very hard to say whether or not we could ask for \$1.25 in the Yukon at this time until possibly a study is made. This is why I left it at \$1.00.

Mr. Watt: I made a motion almost the same as this two years ago and it got the full support of Council but we received a memorandum back from the Legal Advisor at that time stating how difficult it would be to draft such legislation and include all the exemptions. I will certainly support the motion and I think it is a good motion and I hope it receives more immediate action than the one that was made a couple of years ago. I think the thought behind it is good and it could possibly do quite a bit of good in the Territory.

Mr. MacKinnon: Mr. Speaker, I think that this will have its ups and downs. You take on the highway where you employ help, at the present time it is about a month where you allow so much for room and board, and if they pay an ordinary girl that isn't qualified at all \$150.00 a month room and board. If you set a basic minimum of \$1.00 then you are going to give the employer the opportunity of levying room and board against this type of ordinance which might just might take about all a persons wage.

Mr. Taylor: Mr. Speaker, this is the basic intent of this amendment and I think we've got to face it - we cannot have slave labour in the Yukon.

Mr. Southam: Mr. Speaker, I think if Councillor MacKinnon has paid \$150.00 a month including room and board, then you are paying \$1.00 an hour, or thereabouts. As I understand a working month is considered 25 days, except when you are something like I am, and it is 31 days and 24 hours a day. We consider 25 days a working month now \$1.00 an hour is what we pay around the camp for any employee we have do any kind of house work, and in some cases we pay more than that. What I am talking about now is a girl of school age who is willing to come out and help with housework, etc. We do not pay less than that, and I think that we are going to have to face it as Councillor Taylor says - we are going to be asked for more than \$1.00 per hour and I read in the paper not so long ago where the Department of Northern Affairs was hoping that the Councils of the Northwest Territories and Yukon would do something in the Labour Legislations at these sessions, that there would be a basic rate set some time in the near future. Now they didn't say what the set - but it has to do with \$1.25 an hour which the Federal Government have set for the rest of the Provinces. I know we are going to have to face this and we might as well make up our minds to it.

Motion Carried.

Motion
#26

Mr. Boyd moved, seconded by Mr. Thompson, that in the opinion of Council land purchased for agriculture be exempt from taxes for a period of three years providing a genuine effort is being made to bring the land into production.

Mr. Boyd: It appears that we like to sell the land, sometimes reluctantly, but when we do sell it we like better to slap the taxes on. We have an instance in Carcross where an organization own supposedly a figure of 360 acres . . .

in one of the most likely areas to become important and they are paying something like \$40.00 a year taxes. Now we have a man who buys 160 acres of land for \$1.00 an acre and he immediately receives a tax notice for \$10.00 an acre or \$113.00. He's got to spend at least \$50.00 an acre before he can get any production. How can you expect to sell something for a dollar an acre and charge \$10.00 an acre - base it on \$10.00 an acre as far as taxation is concerned. I can see it if the man had improved and broke the ground and was into production, this is another story. But he hasn't reached this stage, and won't reach it for some time, with the equipment we've got in the Yukon. I have been talking for some time on this angle in the past - I am talking about incentives to give some people a chance to see what can be done - don't put them out of business before they start. If land was taxed on the basis of its productivity it would be a different story. I just can't find out who makes these rules when it comes to taxing, whose brains is behind the arrangement? It's not mine, and I never heard of them. When a man buys from you, the Government, you have to pay to have the land surveyed - they'll sell it to you and they'll tax you, but you pay to have it surveyed - and if you are not on the main highway you will pay more to have it surveyed because it is a little difficult to get to. There is no consideration for people in this Yukon when it comes to regimenting, making nothing but soldiers working for the Government in order that the Government sit around and send men up and down like flies flying to and froe buzzing on your window making regulations and setting out all kinds of ideas that don't coincide with those of us who are living in the Yukon. We know what we can get away with here and what we can accomplish, but we can't accomplish it for ~~interference~~ in lots of cases. Gentlemen I would like to see this motion supported.

Mr. Watt: I would like to ask Mr. Boyd if the intent of the motion is to - anybody with an agricultural lease or property now be given the next three years exempt from taxes, or just new leases. Are you discriminating against these that are already established?

Mr. Boyd: I had the thought in mind that what has happened, you can't undo but from here on lets give the man a chance and I would be very ~~happy~~ if some consideration could be given to these people who are already being assessed for ground that they won't even take a nickel off - they will do nothing but spend money - and spend it the hard way because we don't have anything here in this Yukon with which to aid them with. I am told that a man recently, I would say within the last six weeks who was agricultural minded living in Alberta had quite some thousands of dollars, he wrote up here and wanted to know if it would advisable for him to come up here - were there any incentives? Incentives - they have them all over - land clearance - costs you \$50.00 to break and clear land - other Provinces will allow you up to \$26.00 an acre. This is done to get the man in business. Not break him before he gets into business. We wrote him back and said no - no incentives no nothing. We could do with some of these fellows who are agricultural minded and know some know-how. There is lots of talk about this gentleman out here on the Mayo Road when it first started out - by remarks within the Administration here - they got the impression the man didn't know too much but he is doing alright, and he is going to do alright. I wonder how much he is paying per acre on his land. I haven't gone to the trouble of finding out. He is paying \$10.00 anyway. He hasn't got himself going yet but he is spending

money and he is working hard, he is entitled to consideration.

Mr. Taylor: Mr. Speaker, I concur with this motion. I might point out that when we were in Ottawa that the Senior Officials of Administration Branch pointed out quite clearly, that they wished to discourage anyone from coming into the Yukon Territory and attempting anything to do with agriculture and of course I can't agree. This is another reason why I think we should be starting on our way towards atonomy, so that we can get away from this Ottawa thinking and start doing our thinking right here at home. There certainly appears to be, in view of modern agricultural development good possibilities for agriculture, for cattle raising, they are even feeding cattle on poplar trees now - poplar bark and they have new methods or enzymes I believe they are called, that they mix with this poplar bark and the cattle prefer it to mash. This is the way they do it in the Peace River Country which is that far south of us. They found new methods of clearing land, economical methods. Our experimental farms are continually doing research aimed at agricultural development in the north, finding new methods -hardier types of plants and things - meanwhile back in Ottawa they sit there telling us well we are going to discourage this. This is a situation I deplore. I think that Councillor Boyd's motion is a good one. I think in principle it is good and that is what we are here to do is to legislate principle and I most wholeheartedly concur with the motion. I agree with Mr. Boyd when he says we've got so many restrictions and no incentives that possibly what we should do is start lifting restrictions and exercise a few controls and create a few incentives so we can get this country humming again.

Clerk-of-Council (in his capacity as Territorial Tax Assessor): As Tax Assessor, not speaking against the motion, for the purposes of clarification only, I heard Mr. Boyd say that he expected this man on the Mayo Road for instance, would be paying \$10.00 an acre, I don't believe that is what he meant - it may be assessed at \$10.00 an acre for his land but when you figure that the mill rate today is under 40 mills - even if the mill rate were 40 mills, that is only 4%, and his taxes would be 40¢ a year on an acre and not \$10.00. I wanted to make sure that this was understood.

Mr. Boyd: I would like a little more clarification. **Would** the same tax rate and mill rate apply to land on the 160 acres I was mentioning on the Alaska Highway? I have the tax notice here for \$113.00 on 160 acres. Is this the same basis as the man on the Mayo Road is on?

Clerk-of-Council (in his capacity as Territorial Tax Assessor): Yes, that is the same basis. If he has 160 acres and is assessed at \$10.00 an acre, that is \$1600.00. 4% of that is \$64.00.

Mr. Boyd: Well in this case I am not sure of the **acreage** ~~the~~ man has tax notice reads \$113.00, it is just about equivalent to what he paid for the land.

Mr. Watt: With respect to the statement made by Mr. Taylor, I don't think Ottawa - I didn't interpret their discussions there as saying that we are discouraging agriculture but I think what they were trying to get across was that we shouldn't entice people up here to start agriculture that wouldn't ordinarily come, because if we entice people here and tell them how good it is for agriculture, we know this isn't good agriculture country, otherwise there would be more agriculture - if we entice them up here and entice them

on to a piece of land and entice them to start agriculture and they wind up belly-up then we have a responsibility to help bail them out, and get them started on something else that they can make a living on. This would be the thought I interpreted Ottawa was trying to get across. Mr. Taylor has a motion in respecting a agricultural survey by National Research Council which I think will be a benefit to Council and Mr. Taylor has a motion in requesting this document be brought to us. I am reluctant to vote on motions giving tax holidays, we have done it in 1916, now we are doing it for agricultural lands, now motels are going to be hardup pretty soon for making ends meet, I think they should be given consideration too. I think that when Council has put motions in like this they should think of more than just the tax incentive for just a little group, they should start thinking of the Territory as a whole. Other types of industries should get similar releases. I am against the principle of people holding land, we have had too much of that we've had land held here for years and years in different parts of the Territory, mostly within a 10 mile radius of Whitehorse - they have held land and not paid taxes. I think that even if they paid a little bit of taxes - the way it is now if somebody has staked a piece of land for agriculture they can get up and walk away from it and come back and say well I am going to make a genuine effort I'll get a D-8 in on the last month of the three year period consequently they are holding 160 acres of land or 10 acres of land or 300 acres, and pay no taxes for three years. If they were paying some taxes even if it is a nominal sum, and they walked away and forgot about it, which is what happened in Whitehorse, there would be no taxes levied, and they have held that land for as much as 30,40,50 years paying no taxes. If they'd had to pay \$1.00 a year taxes on that and gone away and forgotten about it and this land reverted back to the Government and somebody else would have been using it 10,15,20 years ago. I can see the point of the motion, I would like to ask Mr. Boyd if he believes that people should be able to hold land without paying taxes on it - we've had this for agricultural purposes, we had a big piece out at Porter Creek that was held for 50 years - no taxes were paid on it, not a cent, nobody else could use it. Do you believe that this is right? This just tied up land, nobody paid taxes on it, nobody was interested in it until all of a sudden it did become of interest to somebody. We've had this in different areas of the Yukon, and a lot of areas around Whitehorse here.

Mr. Boyd: This is not what I am asking for at all Mr. Watt. What has happened in the past is not too much of my concern. It is the opinion of Council that land purchased for agricultural purposes be exempt from taxes for a period of three years provided a genuine effort is being made to bring the land into production. I think it is very clear as to where the purchaser stands.

Mr. Taylor: Mr. Speaker, I can only agree. The motion is quite self-explanatory - it says provided that a genuine effort is being made to bring the land into production. The Honourable Member from Whitehorse West sat here yesterday afternoon and cried about tax basis and this sort of thing and how we have to get more revenue, more tax payers by getting people developed and settled in these houses and homes and we're talking about settling the land. We're talking about trying to create a new industry - we're talking about settling the land, another means of diversified resource development industry in the Yukon Territory. I

think if the Honourable Gentleman would sit down and give just five minutes consideration to this I think he will have to concur to that degree. At no time have I asked, by motion or otherwise something which is a product of the National Research Council respecting agriculture in the Yukon Territory. I do have a motion for the Production of Papers respecting a document from Alaska and I also have one on a Committee formed in Northern Administration to look into agriculture but I have nothing coming from the National Research Council and didn't have any idea there was anything available. On this matter of discouraging agriculture, I repeat, and I repeat quite clearly because I am one Member of that Advisory Committee that was at all meetings and at that time I was told quite clearly and distinctly that no chance for placing any other interpretation on it that Ottawa wish to discourage agriculture in the Yukon Territory. The reasoning I was given for this is because apparently they have a very bad problem in resettlement in the Provinces, and they have a programme known as Arda. I just wanted to make these points clear, I seem to be getting blamed for a lot of things which aren't so, and I think if people would do a little more thinking about these things they might come up with the answers themselves.

Mr. Southam: Mr. Speaker, I don't see that it is anymore unreasonable to give a farmer or a new settler a three year hoist of taxes providing as it says in the motion that he makes a legitimate effort to try to farm, than it is to give a mine a three year hoist in taxes and you know exactly as well as I do what the mine does when they start to produce, they highgrade it. I think the farmer or the settler is entitled to the same privilege.

Motion Carried.

Motion
#27

Mr. MacKinnon moved, seconded by Mr. Watt, that in the opinion of Council it is requested that time for payment of business licences be extended to July 1st.

Mr. MacKinnon: Many people I have talked to along the Alaska Highway feel that this is a very difficult time of year to raise money. The general opinion of the people is that if this payment could be extended to say July 1st, when money is more available it would help small businesses throughout the Territory.

Mr. Taylor: Mr. Speaker, I am just wondering, what is the present time, is it March 31st? Secondly, why has this all of a sudden become a problem?

Clerk-of-Council (in his capacity as Territorial Secretary): The licences expire on March 31st.

Mr. MacKinnon: Mr. Speaker, in answer to Mr. Taylor's last question, why has it now become a problem, there seems to have become quite a slump throughout the Territory and a lot of businesses have closed up a lot are about to close up, I think this is about the reason for it.

Mr. Boyd: I am beginning to feel sad, Mr. Speaker, I think Mr. MacKinnon's constituents are in dire shape the way he explains their deal. I would like to know from Mr. Clerk - assuming the licences are due on the 31st, what happens if they don't pay them till July? Anything?

Clerk-of-Council: (In his capacity as Territorial Secretary): Some action would be taken Mr. Speaker, they are supposed to be paid within a reasonable time.

Mr. Boyd: Let us assume that I am one of these delinquents and I come to the people to whom I owe the money and I say now look could you give me 60 days on this - what would your answer be, would you say no?

Clerk-of-Council (in his capacity as Territorial Secretary); I can only say, Mr. Speaker, that if the matter was brought to the Commissioner's attention that the applicant for the licence had some hardship, I have no doubt whatsoever that the Commissioner would give him an extension so that he could pay.

Mr. Speaker: However, the law does state that you have to pay by the 31st of March.

Clerk-of-Council (in his capacity as Territorial Secretary): Yes, that is correct Mr. Speaker.

Mr. MacKinnon: Mr. Speaker, I might point out that if you don't pay your business licence by 31st March you are out of business.

Mr. Southam: Mr. Speaker, it seems to me that if I was running a business I would make provision for paying this business licence. I would know the licence was coming due on the 31st of March, it is the same thing as a car licence and insurance - surely this is what it is. A man makes provisions - there are I admit times when you may be up against the wall, and I am sure in that case that if it was laid on the table that there would be allowances made I would think. But I certainly think it is poor business if you don't make allowances for what you really owe and if you are paying insurance or income tax or your car licence, what ever the case might be, you set a little bit aside for that, at least I would think so.

Mr. MacKinnon: Mr. Speaker, this is just a simple request from the opinion of the general public as to meet their requirements, and it is not going to do the Government out of any money in any way and I don't see a thing wrong with the idea in principle.

Mr. Boyd: I would like to know what Mr. Clerk's opinion would be to extending this to July.

Clerk-of-Council (in his capacity as Territorial Secretary): I don't believe I would have any comment to make Mr. Speaker. It is strictly a matter of policy.

Mr. Taylor: Mr. Speaker, I certainly can't see if there is a problem on the north highway I am certainly not aware of it. There certainly is no problem in my area. As Councillor Southam has pointed out we all budget, and if we can't keep our financial house in order - if we are business people and a person must be if applying for business licences and we can't save enough money to pay for our licences well we've got no business being in business. As it was pointed out here, December or January is a very bad time because you've got the burden of Christmas and all that goes with it and you've got a very slack period but certainly in March and April anyone should be able to provide for a business licence.

Mr. Watt: Mr. Speaker, in seconding this motion I thought it was just - it had been pointed out to me by the member who represents a large part of the Alaska Highway that there is some difficulty at that time of the year in scraping up additional money to pay for their licences and if it would

cause no hardship as far as the Administration is concerned, I see no reason why this collection couldn't be made a couple of months later when it is easier for people to get it paid. I see no objection to the motion, and happy to second it if it is going to help a segment of the population that we get a lot of our revenue from through gasoline taxes and this type of tax. We have just finished passing a motion saying that one segment of the population should have a complete tax release for three years for agriculture, so another part of the population is asking for a postponment of the collection of that years taxes for a couple of months so I don't see anything unreasonable so therefore I will vote for the motion. If when it comes to the Administration they are going to come to big problems in collecting this then they will take it into consideration and advise us accordingly. I think the motion is well thought out and will probably help a lot of people.

Mr. Boyd: Mr. Speaker, I don't want to disturb what is already in effect and as we have already learned that if a man is having difficulties the management is very reasonable and all by any means do not have difficulties, a few possibly do but from my point of view they're not that serious. If their difficulties are honest and so on there is consideration given. I would vote that we leave things alone.

MOTION DEFEATED with
Mr. Southam, Mr. Boyd and Mr. Taylor
contrary and Mr. Thompson abstained
from voting.
Mr. MacKinnon and Mr. Watt voted for
the motion.

Mr. Watt moved, seconded by Mr. Southam that Whereas there is some question about the extent of privilege the members of the Yukon Legislative Council enjoy, and Whereas the publicity that has been given to this stand has encouraged actions against Councillors, It is respectfully requested that the Administration contact the Justice Department and request a decision on the degree of immunity from legal action that we can expect. Motion #28

Mr. Watt: As all of us know we are in this Council, at this session alone we have discussed about 30 different sessional papers and motions, many of them involving companies, some of them large and some small, and some discussion on licences and individuals and lots of these things involve the day to day living of a lot of us and the members of the community and a lot of companies and we say things here at this Council to help influence the - or determine the way legislation is passed for the Territorial Council and if we could be held for anything that we say - if we say something that isn't complimentary to a large company there is nothing to stop them, from what the Commissioner has said, from them suing us. Whether they are right or wrong we still have to go to court, hire a lawyer and go through the process of defending ourselves. If this is what the Administration want I think that the people, if they do get to represent the Territory after this will have to be large companies such as the White Pass, anybody with a battery of lawyers behind them to help defend the Territorial Council that they have to represent their company and the Council as a whole. Up until a few months ago I thought we were extended the privileges of a legislative body of a province or similar body but the Commissioner has said that we do not have this parliamentary privilege and we can be sued for what we have said. I think that the publicity that the Commissioner has given this has encouraged people to look at our Votes and Proceedings closer to see if they can't sue us on different things. I know I have had heard comments on this. I think that the only people that could run as a Territorial Councillor after this would be someone that had a battery of lawyers behind them or someone that had nothing to sue for. If a person has a home and spent 15-20 years in the Yukon and built up an equity in his home and a bit of property he doesn't want to have to fight a big company lawyer or anybody else that wants to sue for the protection of his own home for something that he may have said here in the heat of debate. We are already responsible for what we say here and any member of the public can get up and they can say you said such and such in Council now stand up for what you have said but if the Commissioner's stand is correct and we not only have to answer in public or anywhere else for what we have said but we also have to answer in the Court House then I think this being a Territorial Councillor is going to be a pretty risky business. I brought this question up in Ottawa and I got very little satisfaction there and I firmly believe that you just have to have one action against one Territorial Councillor and thereafter the number of people that will let their name stand as a Territorial Councillor will be very very restricted. The things that would be said in Territorial Council would be very restricted - we would be afraid to open our mouth.

Mr. Taylor: This is one that I have been working at for some time and as the Honourable Member said the question was raised in Ottawa. I think we should straighten out a couple of things. One is that the Commissioner does not necessarily

agree that we are liable for anything, it is Justice Department that said this - the Federal Department of Justice. He wrote them a letter and got a reply back to this effect from them to straighten this position out. Secondly I have never heard of any actions against Councillors as has been stated here. I know of none and have had no actions against myself and know of no member, since I have been in this Council that has had any action against him for anything he has said in the House.

Mr. Watt: I never said that.

Mr. Speaker: Order, order.

Mr. Taylor: The next item is that this can only be determined really by finding out what our true constitutional position is and this is something I attempted to do at the last session of course the members would not see fit to do this, however, a study is being made. We were told in Ottawa by the Justice Department, the Commissioner was informed some time ago, that we had in effect partial privilege, we didn't have privileges as vested in members of the House of Commons but I think it would be well at this point, for the record and edification of members to bring your attention, Mr. Speaker and Honourable Members to one section, Section 117 of Beauchesne and I think it would be well to write it into the record for all concerned. It states: The privilege of freedom of speech enjoyed by members of Parliament is in truth the privilege of their constituents. It is secured to members not for their personal benefit, but to enable them to discharge the functions of their office without fear of prosecution, civil or criminal. The privileges of Parliament, as the Commons has declared in their protestations of 1621, are the birthright and inheritance of the subject. "Parliaments without parliamentary liberty, says Pym, are but a fair and plausible way into bondage. Freedom of debate being once foreclosed, the essence of the liberty of Parliament is withal dissolved."-Committee Report in Sandys Case, U.K. 1939. (2) Freedom of speech is declared by the Bill of Rights in the following terms: "That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any Court or place out of Parliament." "This, as the Right Hon. Sir Donald B. Somervell, D.B.E., K.C., M.P., said before the committee in the Sandys Case, in 1939, is not necessarily an exhaustive definition of the cognate privileges." But even assuming that it is, the privilege is not confined to words spoken in debate or to spoken words, but extends to all proceedings in Parliament. While the term "proceedings in Parliament" has never been construed by the Courts, it covers both the asking of a question and the giving written notice of such questions, and includes everything said or done by a member in the exercise of his functions as a member in a Committee in either House, as well as everything said or done in either House in the transaction of parliamentary business. This I think best explains the situation that if, in effect, we at this table have only partial or reserve privileges then in effect our true position in relation to our constitutional position is much in doubt and in jeopardy. If we have not the freedom of debate, we have muzzled the Council virtually speaking. However, this was the decision of this same Federal Justice Department and I bring it to your attention that in effect this is a most serious matter and in my opinion it will not be resolved until the true constitutional position of the Yukon Territory, in relation to the Federal Government and Confederation of Canada has been determined. We won't get the answer until then.

Mr. Watt: Mr. Speaker, now that we have had - if I go to Court I would like to have Mr. Taylor act for me. I would like to get the Legal Advisor's opinion on this. From what I understand the basis of this is some question about our standing as a Legislative body and this appears to be my area of doubt if we are a Legislative body then Beauchesne would apply and if not it would.

Mr. Hughes: Mr. Speaker, I don't think that I can add anything which would carry the matter usefully forward at the moment. I think that, it as Councillor Taylor has said, a matter which is inextricably interwoven into the exact constitutional status of the Territorial Council but I should point out sir, that in the provinces where there status is established they nevertheless, those legislative bodies, did provide themselves with a shield. You will find, I think, in all the provincial legislation provision giving them immunity. They have had to write it in whereas in the Parliament of Canada the matter is an inherited privilege. It is the assertion that the Canadian Federal Parliament is a full stature like the one in Westminster and the Members of that House have the parliamentary privilege. They didn't find it necessary to pass an act but in the provinces they all have, somewhere or another, provision which protects their members. They felt they had to go out of their way and write it and this suggests to me that they have doubts that even though they were a wholly constituted legislative body they have doubts that they have an inherited immunity. They must have felt that there was something lacking and they took this precaution an insurance provision, if you like. Now with regard to yourselves you don't have an insurance provision, therefore, it might be argued that you are on the same footing as ^{say} a County Council in England or indeed in some respects, without relegating from the position of this Chamber, on the same footing as the City Council. Now the City Council, nobody is deterred from running for City Council because there is no special privilege. The business of the City apparently is conducted within the self imposed limits. I suggest to you and again the matter is one of my view, it has never been tested in the court, we have had no pronouncement by a Judge, who after all is the deciding figure, as to what your protection is. I would suggest to you that until legislation is devised or until there is a clear statement by a Judge, that you should proceed on the assumption that you have a privilege but it is a qualified one. In parliament a member can get up and he can tell the most clearly and unfair untruths about someone he is attacking and while he does this service to his own position and to the House he is immune and if he does it with the most vicious motives he is still immune. Now if your motives could not be impuned then you would be protected. If it was a case of honest misinformation, that if you were guilty of malice I do think that your present position is you would lose your privilege. So it is not a question that your freedom to debate is limited but your motives must always be unassailable. You see there is Mr. Speaker that you have a freedom to debate and people have the right to a good name. Exactly which way the balance of equities would be tipped as a result of the Bill of Rights I don't know, it hasn't been tested. It may be, on investigation, the Bill of Rights almost begins to erode on parliamentary privilege. I don't know, it has not been tested but Councillor Watt has said that this matter was raised in Ottawa and the Commissioner has been in communication and we have asked whether the Department of Justice or somebody better qualified than I, can come up with a more useful set of guidelines. What I am suggesting is that you follow the course of reasonable caution, don't feel limited in your debate, but do examine your motives

if you are being carried away. You will find life isn't impossible. I sympathize with the suggestion you either have to have a battery of lawyers or be a person that has nothing to sue for. I suggest that anybody who has a battery of lawyers are going to have nothing to sue for/^{very}quickly. But this wouldn't help the Councillor overcome his problem. I can't, any more than the Councillor could, separate the final statement - what is the exact constitutional position of the Yukon Council in relation to the Federal Government. Have we arrived at that point beyond the Colonial Governorship or call it whatever you will, seize upon it as an example of that or describe it by some other means. If you have, and indeed if you haven't and want absolute privilege then I think you are going to have to legislate for it. This is what they have done in the provinces and even then, until the matter is tested in the court I am not prepared to say that while you have sought to confer absolute privilege on yourself that you will have succeeded. So often one passes a law which fails in its objective but I can't really add any more. I realize that I haven't carried the matter to a positive position but that really is as far as I can go at the moment.

Mr. Watt: I think that helps quite a little bit and possibly by the passing of the motion it would help even further possibly the Justice Department would go a little further in explaining this and if the answers/^{that}come back from Justice Department warrant us to draft an ordinance later on to help protect ourselves from frivolous litigation then I think possibly we should do this. I realize that in the provinces that it is no absolute privilege but they have taken steps further than we have to protect themselves. I recall one case, I think it was 1947, Tucker versus Douglas, where Mr. Tucker in Saskatchewan, the leader of the opposition, sued Mr. Douglas for \$100,000 for calling him, I think the words were a big fat bull, something along this line, and the case went through the courts for about three years and hit the Supreme Court and Mr. Tucker, I believe was successful after a big long legal battle that lasted a couple of years and then I believe he was awarded nominal damages of \$1.00. I think the fight was - the problem here is going to be the problem with us. If such a situation arises and this would be the matter of having to go through the court to protect what one has said here even if he has said it in good faith. We often get heated during our deliberations here and I would urge the Council to support this to see if this could further clarify our position so that maybe sometime in the future we could take action by way of passing legislation to protect ourselves.

Mr. Taylor: I still would like to clarify that in order to make up my mind as to whether or not the motion - I proposed that last spring and the Honourable Member that just proposed this one is doing it over again but he opposed mine and he has got one of his own here. I would like clarification on this point that "Whereas the publicity that has been given to this stand has encouraged actions against Councillors". This is one thing I am not clear on. What actions were instituted against the Councillors if any and what publicity do you speak of.

Mr. Watt: Well Mr. Speaker, previous to the last six months we were of the opinion that we enjoyed an extended parliamentary immunity. I was first informed that we didn't by the Commissioner and I was informed several times by others that had been talking to the Commissioner. If most people in the Territory had thought that we had enjoyed parliamentary privilege, or

some extent of it, then we would be less likely to be hauled into Court. I am not saying that we have been hauled in or threatened but I believed it has increased our chances of being taken into Court unless this is resolved to some extent and I think the Member from Watson Lake is trying to put words in my mouth. He tried to put words in the motion that are not there and this is a statement explaining the need for the motion and explaining my concern in having to go through Court to explain something that I have said here, done or wrote. It is a simple request that this be turned into Justice Department to see if the position can be clarified to see if further action would be necessary in the future. I think that Mr. Hughes has added quite a bit to this. I think the motion that Mr. Taylor is talking about that was refused last fall involved a lot more than this and I believed at that time it was getting more into the class of personal grudges than be of any help to the Territorial Council. That was my belief at that time and why I voted the way I did and if I was wrong, then I was wrong, but that is what I believed at that time.

Mr. Taylor: Mr. Speaker, then in fact there was no publicity and there was no actions against Councillors. I would suggest then that in order to make this motion proper that having been no publicity and no actions that I would propose the motion be amended to remove all the words beginning with and, the words that read "and Whereas the publicity that has been given to this stand has encouraged actions against Councillors" be deleted and then the motion would be quite in order.

Mr. Watt: Mr. Speaker, if the Member from Watson Lake wants to take some words out or put some words in, I don't care, it is his privilege. If the other Councillors want to go along with it that is okay but I would like the basic thought of the motion to pass. If the Member from Watson Lake wants to haggle over a few words, I don't mind this at all, he is perfectly willing to do so then I will certainly go along with it but the basic thought of the motion is there and I would urge that it not be removed. It is a simple motion to get a request, a decision from Justice Department in Ottawa. I was afraid that if I didn't have a bit of an explanation in there they may say well why has this come up or what has caused it to come up and the fact is that this has come up because of statements made by the Commissioner to myself and then later on at meetings at which the Commissioner was present and there has been quite a bit of publicity given to this. I am not saying that any action has been taken or will be taken, I certainly hope that it doesn't, but the more we jump up and holler about our susceptibility to legal action the more chances are that we will be hauled into Court to answer for anything that we have said here. Whether the action in taking us to Court is right or wrong we are still going to have to hire lawyers to defend ourselves and I don't relish the position. If there is some preventive action we can take before we have to go to Court, now is the time.

Mr. Speaker: For the benefit of this Council I would like to direct a question to the Legal Advisor as to the fact that I understand that an answer has been received from the Justice Department in relation to the last paragraph of this motion, or am I wrong in that.

Mr. Hughes: No, not obviously on the motion, but this matter was discussed and as I indicated I formed a view that there was a danger the Councillors didn't have, what I would call, absolute

parliamentary privilege. The Department of Justice, at this stage, I emphasize that, at this stage, pointed out that the matter hasn't been tested in the Courts and really the only advice that can be given to the Council at this time is that they should assume their privilege is no better than qualified. But the question that now arises from this motion, which I am noting, is that consideration should be given to preparation of legislation if thought necessary to confer protection for Councillors along the lines found in the provinces and also as an adjunct to that, giving the thought to clarification of the constitutional status. I've got those notes which I was proposing to bring to the attention of the Commissioner and which would be forwarded in the usual channels. This must be the eventual result of the motion. Justice hasn't given any reply beyond what I have just noted and I thought the Councillor was aware of that reply because of his trip to Ottawa, I thought that had been discussed there. My observations further on were my observations plus the note from Justice. They really support the view that I have formed and I have nothing to add to that.

Mr. Boyd: In view of what the Legal Advisor has stated in his answer to the questions, I think that you have gone as far as need be. I don't think you are going to get a better answer. You are not going to get satisfaction from the answer you get, in my opinion, and I would rather see, with all due respect to the motion, I would rather see this motion defeated on the basis that I don't feel we are going to get a better answer than you have now and that as Mr. Hughes has suggested, we should proceed with something to protect ourselves. If we accomplish this fact we know where we stand and if we don't accomplish it we will then know where we stand too. I would rather have a motion that we proceed to get a motion through the same as the provinces have done to protect themselves. I think this would be more beneficial in the long run to the end result.

Mr. Watt: Mr. Speaker, I am easy. I would like to ask Mr. Hughes if he thinks that, as Legal Advisor, if he thinks the better procedure is to offer a direction to the Justice Department or Legal Advisor to start drafting legislation to protect ourselves. Or does he think this motion, if passed, will assist him in either drafting legislation or getting a clearer picture of what we have here.

Mr. Hughes: If we get into the constitutional examination and the theorists, with their long paper and at the end of it they give a cautious evaluation of what they think the position is and later on, relying on that, you seek to defend yourself on the grounds that the constitutional expert thought that you were of a status equivalent to the Federal House, and the Courts disagree with the constitutional expert it is going to be too bad from your point of view. It is much better and cleaner if you do have a piece of legislation but I would be quite content to rely on the motion preferably in the interests of accuracy the motion as amended on the lines suggested by Councillor Taylor or a clear cut direction to justify Councillor Boyd. I wasn't aware that there had been any publicity about this matter and I think the Commissioner probably only brought it to the attention of the Council so it could be discussed among you and then brought forward for examination. I wasn't aware that it was being published at all. There may have been a former Speaker who may have disagreed violently with this advice that I am giving to you today but it is a qualified privilege. I will proceed to ask the Department to arrange for legislation either following Mr. Watt's motion or as a result of Councillor Boyd's motion. I am going to press for this

because I think your protection, at the moment, isn't as clear cut as it should be.

Mr. Taylor: I would agree and I think that possibly the best way of dealing with this subject is removing the section which has no application here in the motion. So therefore I would move, Mr. Speaker, that Motion No. 28 be amended by deleting the words "and Whereas the publicity that has been given to this stand has encouraged actions against Councillors". Mr. Speaker I can only say I am in agreement with the motion if someone would second the amendment, which apparently they did not do. I wish to make it known before the vote is taken that I will have to vote to the contrary on this motion as long as this untrue statement remains in the motion.

Mr. Watt: The member said an untrue statement was in the motion. I would say that publicity has been given to this and I would say as a result of that, that there has been several people that has met me and talked to me and asked about it. I would say that the publicity that has been given to it has encouraged actions and may in effect result in an action some day to a member of Council. I don't think there is an untrue statement there. If the Member from Watson Lake thinks that there is that is his opinion. He found an excuse to vote against the motion, if it hadn't been that it would have been another excuse, there would have been a period in the wrong place or something wrong because this has been a general trend of the member from Watson Lake during this whole session and I have no reason to expect him to be any different on any motion that is made by the Councillor from Whitehorse West. I would like to have the support of the Council on this motion because I think it would help to clarify our position in Council and I think it certainly needs to be clarified if our immunity isn't as great as we believe at this time and all I ask is that it be cleared up so we know before we make the statement. If we have no immunity at all, this is all I ask to let us know and then we can judge our actions here accordingly. This is all I ask.

Mr. Taylor: Mr. Speaker, it seems that the general trend that the Honourable Member refers to is my attempt at correcting the errors that he makes in his motions. And as I say as long as this untruth remains in the motion I cannot vote for it.

Mr. Boyd: I am going to vote against this motion because we are asking for something that I don't think we can get. I think the Legal Advisor pointed out that we would be well to advise to proceed to protect ourselves and this is my stand. Let's proceed through some medium to protect ourselves and the Legal Advisor went further, he said that he would go ahead and try and get the protection we desire. If this is what he will do I will accept this and will probably come up with something the next session.

Mr. Watt: Mr. Speaker, I think that this is the first step in protecting ourselves. If Mr. Boyd had a motion before the Council asking that we immediately draft legislation to protect ourselves, I would have gone along with that. But at the moment Mr. Boyd didn't put the motion in, this is the motion we have before us, this is the one we are considering at the moment and I feel that it is the first step. If Mr. Boyd wants to vote against it, that is his opinion and if he wants to put another one in, Mr. Taylor might get up and say they have already discussed it once before this session so we can't discuss it again. I don't know if he would or not he

has done this before. But in a way we have this motion in front of us, it is motion that I think is deserving of support and it would help relieve us of the doubt that we have in our minds. This is all that it asks and therefore once again I ask that the motion be supported.

Mr. Boyd: I rise on my last time to say that it appears to me that you have already taken the subject up in Ottawa and we have a letter, it was indicated, and you have had virtually your answer. It seems to me you are asking for the same thing again. This is the part that is confusing me with all due respect to you and your motion Mr. Watt. If it wasn't for these answers you have already received to this question, which seems to me to be answering it already, then I could vote for it but I think we aren't going to get anywhere with this motion.

Mr. Watt: The idea is to get the present view in writing, this is the idea, from the Justice Department in writing so we can decide what immunity we have. If Mr. Boyd doesn't want that, vote against it, Mr. Taylor doesn't want it, vote against it. It is a simple request and I think if anybody wants information such as this, I know in any motion in the past, that if Mr. Boyd wanted information about agriculture or anything else, I certainly went along with him getting that information. Mr. Taylor or any of the others wanted information about a particular thing, I certainly went along with the motion to help them get that information.

Mr. Southam: As seconder of the motion I think, in my own mind, after listening to the pros and cons and the answer from Mr. Legal Advisor I think that we pretty well have our answer. I think the motion in itself was a good thing or I wouldn't have seconded it. I think that it has cleared up quite a lot of the points. It was instigated with the idea of finding out where we stood and now I think that Mr. Legal Advisor has told us pretty well where we stand. Now I just don't know what to think of it. As it is worded there is probably something there that shouldn't be there but at the time that I seconded the motion I believed it. I still believe it to a certain extent. Mr. Legal Advisor has cleared a lot of that up for us and I as seconder of the motion, don't know whether I can actually vote for it. I think that when the motion was put that the idea behind it was good and I still think the idea was good because we are going to find out what we want to know, which I didn't know before.

MOTION CARRIED

Motion
#29

Mr. MacKinnon moved, seconded by Mr. Watt that because of the uncertainty of obtaining suitable guides in the Yukon, it is respectfully requested that Yukon outfitters be given the privilege of hiring guides from the Provinces.

Mr. MacKinnon: Gentlemen, as you are maybe not aware, when hunting season rolls around and our Yukon outfitters require a lot of guides to get their hunters in the field, they must obtain them in the Yukon only. They cannot bring a guide in from the provinces and have them licenced here. Now this has been very difficult to obtain the necessary amount of guides that are needed. You might have a hunting party ready to go out and you're local guide won't go, maybe he is in the beer parlor, in a case like this the outfitters are requesting that they be able to bring a guide from the provinces and have him licenced here under the outfitters advisement.

Mr. Boyd: They have had trouble lately, bad troubles in this respect. The only way it is going to be overcome is to allow guides to be brought in from Alberta or B.C., if there are any wranglers. I would take it of course that when they permit this a thorough understanding of what the guides qualifications are, this is very important. This is not new and it has been thought of by the Game Department and it has been worked out as to what the wording could be and so on. It is becoming a necessity otherwise we are going to send away a lot of these dude hunters that come in here in a very much dissatisfied frame of mind. I am in favor with the motion.

Mr. Taylor: I've taken this up with Mr. Fitzgerald and talked to at least two of the outfitters and we were going to discuss this when the Game Estimates came up however I am full accord and need say no more.

Mr. Hughes: Could I have a sense of direction on this because by the time the Council sits again the hunting season will be over. Does the Council view this change as a matter of urgency which might be made the subject of a members bill at this time.

Mr. MacKinnon: **Yes**, this is a matter of urgency.

MOTION CARRIED.

Council recessed until 2:00 P.M.

Tuesday, March 30th, 1965
2:00 o'clock P.M.

Mr. Speaker called Council to order.

Mr. Speaker: We will continue with the business we were Motion discussing prior to recess. We have Motion #30, Mr. MacKin- #30 non, Electric Wiring of Indian Homes.

Mr. MacKinnon: I beg leave to introduce Motion #30, moved by Mr. MacKinnon and seconded by Mr. Watt, re Electric Wiring of Indian Homes. Mr. MacKinnon read Motion #30. As you are all aware, we had some discussion about this at Carmacks. I have talked to several other people since, and they feel that this is a very necessary thing. We have a lot of eye doctors and things like this, taking care of the Indians, mainly caused by reading with candles. In some of these areas, where the power lines already extend through the Indian villages, I think it would be very essential to discuss this matter with the Indian Department and see if they are not in favour of some combination wiring project.

Mr. Boyd: I am not so certain that discussing it with the Department of Indian Affairs here in Whitehorse would result in too much. I think if the Motion were made with a firm recommendation by any Councillor that wants to make one this would be equally as good as a discussion at this time, and we could see what their re-action would be.

Mr. Taylor: I have two questions I would like to ask the Honourable Member from Carmacks-Kluane. One is; has he discussed this matter at all with the Indian Agency, and if so, what was his reply? Two is; what type of a joint programme does he suggest? Would it be involving Territorial finances?

Mr. MacKinnon: Even though the Indian Department supposedly takes care of the native people, when it comes time to vote for the Territorial Council we seem to be involved with the Indian vote, therefore I feel that the native people are entitled to some of our support. If it involves the Territorial Government I say by all means, let's do it.

Mr. Taylor: The reason I asked these questions first, I don't think there's any need for the motion. I think if the individual members that have problems with Indian Affairs would go down and see the Indian Agency on it they would generally resolve these things. Motions are not required. It's when they fail to do anything about a certain situation, it seems to me, anyway, or when they absolutely refuse to do something, that is the time these things should come before Council. In the matter of the electrical wiring situation, as I stated before, the funds for this would have to come out of Federal funds, as it is beyond our financial realm to break into a Federal situation unfortunately. But I do heartily concur with the Honourable Member, these people they have to vote for us, and in those matters which are Territorial we must certainly represent them. But as I say, I don't think this is the proper way of going about it, really. I don't know whether we will effect anything by this.

Mr. Watt: I don't know if it is the proper way of going about it, or if it is the odd word that's wrong, or if it should be invented, but the thought behind it I agree with. When we were in Carmacks we were told there that if they did

have power in some of these houses across the river up there, it would help some of the children with their studies and their education. It is not a request for money, it is a request for the Administration here to discuss this with the Indian Department to see if this thing is possible and feasible. It is certainly hoped, and I think the Administration would take into consideration this Motion, and report to us by way of a memorandum from the Commissioner on the results of this. As far as the Territorial Councillors here going to everybody if they've got a question, or if they want support for a motion, to ask a Territorial Councillor to go and ask by himself instead of asking the Council, I think it is kind of a bad custom. This has been said before this Talbe hundreds of times. It will be said another hundred times any time a Member disagrees with a motion, for some little reason, he doesn't agree with the motion itself but he disagrees with some part of it, either the maker of the motion, or the seconder of the motion, or some other reason, then he can always go and say "Well why didn't you go yourself and talk to a member of the Administration in person." But anyway, I think that the thought behind the motion is good. If these things are possible and feasible, and easy to do, then I think that the Council should support the motion and the maker of the motion. Therefore, in seconding the Motion, I think it is a pretty simple request that doesn't involve much money, and it's not a request for funds. It is simply a request to have this problem looked into, an official request to have Administration and Indian Affairs look into this thing, then they can send us back a memorandum to find out what they can resolve.

Mr. Taylor: I would certainly vote in favour of the Motion, but I bring these remarks to the Table to point out to the Members that there is much that can be done in the Federal Building to save the time of Council. I trot over here on behalf of my District at 8:30 in the morning and I'm here until 7:00, when Council sits in this building working. In matters such as this are generally resolved. The Indian Affairs have never really turned me down on anything, and if they have I would bring it to the Table. I just cite this as a point for consideration of all Members of the Council, particularly those from Whitehorse here. By going around to these offices you can often resolve these things outside of Council.

Mr. MacKinnon: Just who is taking up the time of this matter?

Mr. Taylor: The people that bring these things up.

Mr. Speaker: Is there any further discussion on the matter, Motion #30? Are you ready for the question?

MOTION CARRIED

Mr. Speaker: I note the next business on the agenda is Bill No. 5 for third reading. I believe that is an error at this time, Bill No. 5 has not received third reading, there is an amendment to it. It will have to go before Committee before we proceed with that. What is your pleasure now, gentlemen?

Mr. Southam moved, seconded by Mr. Boyd, that Mr. Speaker do now leave the Chair and Council resolve into Committee of the Whole for the purpose of discussing Bills, Motions, Memoranda and anything else that might come up.

MOTION CARRIED.

In Committee of the Whole:

In
Committee

Committee proceeded to discuss Motion No. 10 regarding the Robert Service Campground. Discussion Motion #10

Mr. Watt: There are several possibilities as to what the future of Chenechee, and possibly other trailer courts within a short distance of fairly large settled communities is going to be. With respect to this at this time, I would like to just, we will be coming to, in the Budget we have an item on Travel and Publicity, and I would like it deferred until that time, when Mr. Gibson is here. I wouldn't like to ask Mr. Gibson to come down for this at this time, because it is going to involve money, the decision that is made here is going to involve money, and if we could defer this until such time as Mr. Gibson is here discussing this and other publicity problems in the Territory. I am sure it can be resolved one way or the other then. This is if the Committee is agreed upon this.

Mr. Chairman: Gentlemen, there is no Motion to defer. The Motion has been carried, so that the subject can be raised again, I would suppose, in the discussion on the Budget, if there is money involved. Does the Committee agree?

All: Agreed.

Mr. Chairman: We also have one item outstanding respecting Discussion Motion No. 24, Safety Inspector. Motion #24

Mr. Watt read Motion No. 24. The reason that a request was made to have this deferred to Committee was so Mr. Oliver could attend. If Mr. Oliver is available I would certainly like to proceed with this.

Mr. Chairman: I wonder if I could first have your concurrence with the Motion. The Motion asks that it is respectfully requested that Mr. A. Oliver and any other member of the Administration be requested to attend Council in Committee to discuss Safety Inspector on Construction Jobs in the Yukon Territory. It seems to me this was never carried.

Mr. Clerk: The Motion was carried.

Mr. Chairman: In Council?

Mr. Clerk: Yes.

Mr. Chairman: Very good. I failed to note that. Well, do you wish Mr. Oliver at this time?

All: Agreed.

Mr. Oliver enters Council Chambers.

Mr. Chairman: I will call Committee to order at this time. We have a matter related to Safety Inspector on Construction Jobs in the Yukon Territory, as referred to in Motion No. 24. Would you proceed, Mr. Watt.

Mr. Watt: This was prompted by a request from the United Brotherhood of Carpenters & Joiners, and I will just read the letter out. It is a request for consideration of a Construction Inspector. The letter reads: "Dear Mr. Watt: For a number of years Local 2499 has been concerned about the lack of a 'Safety Inspector' on construction jobs in the Yukon Territory. We are aware that there is a Safety Inspector for mining and feel that the time has come when there should be one for the construction industry. We are of the opinion that the appointment of a Safety Inspector is under the authority of the Commissioner as outlined in the 'Regulations Governing Accident Prevention in the Yukon Territory'. If all reports are accurate the work situation for the Yukon is much brighter than it has been for a number of years. It would be our fondest hope a reasonably active construction year should not be marred by an accident due to faulty construction practices. It is with this point in mind that Local 2499 of the United Brotherhood of Carpenters and Joiners of America request that without further delay that the appointment of a Safety Inspector be dealt with." It is in regard to this I would like to have the position of a Safety Inspector for Construction clarified if at all possible. I understand that this could partly fall into the responsibilities of Mr. Oliver's sphere of duties. Could I have Mr. Oliver elaborate on this for the benefit of Council.

Mr. Oliver: As you know, the Accident Prevention Regulations were brought in in 1962. Since that time I have been appointed Inspector under the Regulations, and at present my Assistant, Gerry Needham, is appointed Inspector under the Regulations. Unfortunately, last year I did not have an Assistant up until October, and the plans for initiating Construction Inspection on individual projects were not, I was not able to carry them out. This coming summer I certainly hope to do something on Construction Inspection on large-scale projects.

Mr. Watt: I would like to ask Mr. Oliver, will these inspections be done at the request of somebody, or will the Administration be taking it upon themselves to look for building permits and to find out which job may warrant an inspection? What procedure would an individual use if he thought that the job he was working on warranted an inspection?

Mr. Oliver: He would write to either myself or the Commissioner. I would be pleased if the Carpenters' Union would notify me. If they would write myself or the Commissioner on any particular problem we would go in and investigate. We have regular inspections. We inspect the United Kingdom Building underground operations four times a year. We inspect the placer operations at Dawson twice a year. We inspect the individual placer operations perhaps once a season, we may not be able to get in to all the placer operators every year, but we try to cover them within two years.

Mr. Watt: One more question. When you start inspection of the construction field would you also be inspecting private construction, not only government construction? Private construction contracts, say somebody put up a \$100,000 apartment house?

Mr. Oliver: I would think this would come under at least one inspection during the construction period. These are what we call "spot checks". We go on a construction site, we go over the entire building, it may be a basement, it may be a building being constructed, or work on the roof. We would do one. At that time we could contact the carpenters, or the head carpenter, or the head foreman. We generally deal through the foreman.

Mr. Southam: I would like to ask Mr. Oliver when you are doing one of these inspections for anyplace, I should say, I would assume that this would take in anything like the sewers, digging the ditches, you've got to have shoring and so on - the whole thing as I understand it, comes under your jurisdiction?

Mr. Oliver: Yes.

Southam: Again, I would assume also that the Carpenters' Union would probably have a Safety Committee of their own. (If they haven't it's very funny.) I would also assume if there is anything wrong they would contact the Inspector, providing they knew who was the Inspector, and there's no reason they shouldn't know, then, in that case, these things would be looked into.

Mr. Oliver: Yes. The Safety Regulations specifically spell out a Safety Committee.

Mr. Southam: Once again, I think if these people haven't got the Safety Regulations it is about time they got them. They have been in effect now for going on two years, at least we've had them, the Surface Regulations, which does cover all construction, as well as anything on the surface. It covers the whole works.

Mr. Shaw: I would ask Mr. Watt if this group that he's getting representation from, have they a Safety Committee amongst themselves?

Mr. Watt: This Committee does appoint a shop steward on every job, any type of job outside of a job where one or two men are hired for a day or so, or a few days, but any job of any size, and if there are any number of carpenters hired at all - they do appoint a member of the Union to act as a shop steward for that particular job. This shop steward reports back to the Union about the conditions on the job. The Executive of the Union, I believe, act as a Safety Committee. This work has been done pretty conscientiously. They do have copies of our Safety Regulations. This is what prompted them, I think there are regulations in the Regulations for inspections, and these provisions couldn't be complied with unless we had an Inspector. As Mr. Oliver said, with the new help that has been taken on there is a possibility of an inspection. I will inform these people if they do have a complaint and wish an inspection on it, on the job, and they're worried about something, they should come to Mr. Oliver and ask for an inspection so that the Regulations that have been passed through this Council can be complied with as closely as possible. I would like to thank Mr. Oliver for coming. This is one motion during this Session that we are able to pass on information that can help not only the Carpenter's Union, but other parts of the Territory as well.

Mr. Boyd: I have one question. What about a Building Inspector, does he ignore Safety Regulations entirely? In other words if you had a scaffold up and the building inspector walked around and found it was unsafe, would this be part of his responsibility - to say so? Or would it be strictly left to an inspector, a safety inspector?

Mr. Oliver: That would be his responsibility as well.

Mr. Boyd: Then are we talking about a dual effort here, a safety inspector. I take it that a building inspector also falls into this category. Do we have two men doing a safety inspection job?

Mr. Oliver: I think you've raised a good point there. As I say we had planned to go in with the major projects. A building inspector will also inspect smaller projects, housing, and so forth. He should be appointed Safety Inspector as well. If he runs into problems that are too large for him along the safety lines, he can always tell the Safety Inspector. I think you've raised a good point there.

Mr. Southam: I understand that a building inspector is a man that goes around and looks at the wiring, looks at what kind of material is going in, and so on and so forth. He has nothing to do with the construction - that is, in the way you put up your ~~stagns~~ or anything like that. Now, I may be wrong in this, but my interpretation of a building inspector is somebody that goes around and looks at the work that has been done. Now I may be quite wrong in that but that is my interpretation. At the same time I agree with you, he could do both jobs.

Mr. Oliver: He certainly could be on the job, and anything that was brought to his attention he could refer to ourselves, or act on it himself. I think that is a very good point.

Mr. Chairman: Any further discussion on this item?

Mr. Boyd: Yes. I hope to see something done about this. It's alright to tell me it is a very good point, but I do resent the expenses that we keep creating. The Inspector didn't have a man, and wasn't able to do this and do that - his assistant - now he has one. But I don't want to see that Assistant going around looking at scaffolding and a ditch being dug out here when we are paying a very good, supposedly competent Building Inspector, to see that these things are performed as they should be. I know what his duties are, and you have your point. But his duties go beyond that. He is there to see that things are done right. We can get too many of these men following one another around on a race track - one looking for this and one looking for that - when one of them could very well do the whole thing.

Mr. Oliver: I agree to an extent. Of course, we cover more than construction. We cover lumbering and mining, and I think - I don't know if you've been presented with the Placer Mining Safety, I don't know if they've been presented to Council- they've just brought in new Placer Mining Safety Regulations.

Mr. Boyd: I wasn't condemning safety at all, except that I don't want to see duplication. We have duplication in the

Indian Affairs, (we were just talking about electric lights here). You talk about Indians - we have people that are not Indians of Indian status, they are just as entitled to lights as not, but because we have three Departments running it they're all overlapping each other, and nobody seems to realize who's who or which is which. This is the point I'm trying to make. Get away from something.

Mr. Chairman: Is there any further discussion?

Mr. Watt: Yes, Mr. Chairman. Mr. Boyd did raise a good question. My Motion there is asking for a discussion of a Safety Inspector. If our Building Inspectors are also supposed to act as Safety Inspectors it is new to me. I don't think they've acted in this capacity. If they have it has not been to my knowledge, but if they are supposed to I suggest that we get a building inspector in here to ask him if this is within their field, and ask him what they are doing? They should be doing their job.

Mr. Oliver: I would like to beg leave of Council to contact the Area Development Officer, Mr. Spray, to discuss this problem. My whole concept of Safety business is that we are too darn small to have a Safety Inspector for everything in the Yukon Territory. Our whole objective is to try and keep it under one roof, and save on secretarial costs, administrative costs, and so on. The services of Building Inspector might very well fit in to the type of operation. They are going around and can see to Safety Regulations. It would also help us.

Mr. Shaw: I think this is a very good suggestion that Mr. Boyd has brought up, and I would move, Mr. Chairman, that this Committee recommends that the Building Inspector in the course of his duties co-operate with the Safety Inspector in matters of workmen's safety on the projects he is assigned to.

Mr. Boyd: I'll second the motion. I'm not quite sure of the wording on it, but it sounds reasonable and fair. I want to say also at the same time that I know of a building inspector who required a contractor to dismantle his scaffolding and put it up again. This clarifies my point.

Mr. Shaw: Speaking on the Motion - the reason I said "co-operate" is the fact that perhaps the building inspector does not understand all the facets of safety, so in co-operating it will be necessary for him to get some instruction, perhaps take a certain course, under the Safety Inspector, to carry out these duties. So I put "co-operate" as a very broad term.

Mr. Southam: I agree with Mr. Boyd's idea. I also agree with the Motion. I didn't infer, at least I didn't intend to infer, that the Building Inspector couldn't do the Safety work, and I was of the opinion, on which Mr. Boyd has more or less put me right, that it wasn't part of his job. Therefore he wouldn't probably pay the attention to it that he should do. This is the point I was trying to make. Also, I would think that on any big construction job the firm itself would have a man, or the foreman should take the responsibility (if he doesn't, then there's something wrong with the foreman). Now, I don't know too much about Safety, but

there's one thing I know is, that if the people that are running the job don't look after safety themselves, then you have no Safety.

Mr. Watt: I was going to ask Mr. Oliver to get in touch with Mr. Spray, and find out what the areas of responsibility were before it came back to us, but now we have a Motion on the Floor, which in effect, if the Building Inspectors aren't also Safety Inspectors, then this in effect makes them such. I would like to know what the effect of the Motion is, now. Are we going to have somebody, (it appears that a little while ago we had somebody) we could go to, and say "There's a problem on such and such a job." Now we have several people, maybe half-a-dozen people, one pointing to the other like this, and say well this is such and such's responsibility, and such and such and such and such. It is too bad we didn't take Mr. Oliver up on his offer before the Motion was made. I'm sorry to see it made so fast, but I'm certainly not going to vote against the Motion because it may, if I vote against the Motion it is going to nullify any effect that we may have had here. I guess we're discussing the Motion and not what we're here for right now.

Mr. Shaw: I merely brought this Motion up to have something valid coming from this Committee. They have a recommendation or they do not have a recommendation. This way it is something that is concrete. Remember, Mr. Watt wants safety. I am trying to co-operate to get him safety, what he wants, along with, I think, the other Members. I think a blast like that is strictly out of line.

Mr. Southam: I don't think there is anything really to worry about. The Motion, as I understand it, is in co-operation with Mr. Oliver who, according to my interpretation, is the Chief Inspector for the Yukon Territory. Am I right, Mr. Oliver?

Mr. Chairman: I will re-read the motion so that everyone has it clear: "This Committee recommends that the Building Inspector in the course of his duties, co-operate with the Safety Inspector on matters of Safety on the projects he is assigned to." Is there any further discussion of the Motion?

MOTION CARRIED.

Mr. Chairman: Have you any further discussion with Mr. Oliver or may he be excused at this time?

Mr. Oliver left Council Chambers.

Mr. Chairman: We have before us now several items of Sessional Papers that we could leave. I don't think there's any urgency on them. Then we have the Main Supply Bill and Bill No. 5, the Amendment to Bill No. 5, to discuss. What is your pleasure?

Mr. Boyd: Should we discuss the Amendment to Bill No. 5 and then go on with the Main Estimates.

Mr. Chairman: Agreed.

All: Agreed.

Mr. Chairman: We will proceed with the discussion related to Discussion ~~the Amendment~~ to Bill No. 5. Will you wish Mr. Hughes here, Amendment I believe he's in Court at the present time. to Bill #5.

Mr. Boyd: There is very little change. The changes that were going to be made were self-explanatory, in fact he explained them before he left. I would be prepared to go along without him in this case. Also, it could well be he is not in court at the present time, he could be through.

Mr. Shaw: Could we ascertain if Mr. Legal Advisor is not able to be present.

Mr. Chairman: Yes, Mr. Clerk, would you do so.

Mr. Chairman proceeded to read ~~the Amendment~~ to Bill No. 5, An Ordinance to Amend the Engineering Profession Ordinance.

Mr. Chairman: I have one question from the Chair. I would ask Mr. Hughes. Is this Subsection 5 a new Subsection, or a re-hash of an old one?

Mr. Hughes: No, that's the old Subsection 6. What was done here, I thought it was beginning to look rather chewed over, the whole thing. I had little arrows and bits of paper stuck on in my book, and I thought the kind thing to do was to take it all out, and take out the bit that the Engineering Association wanted and package it up again. That's all we've done, taken the whole thing, so that anybody who wants to refer to it now doesn't have to take all different books to do it.

Mr. Chairman: Is there any discussion, gentlemen?

Mr. Shaw: Well, I think it is a wonderful idea. I was trying to track it up right now and I had to give up.

Mr. Boyd: I would move that this Bill #5, An Ordinance to Amend the Engineering Profession Ordinance, be passed out of Committee as amended. Bill #5 Passed Out of Committee as Amended.

Mr. Southam seconded Motion.

MOTION CARRIED.

Chairman declared a recess for tea.

Mr. Chairman: We are now on Bill #4, the Main Supply Bill. The first item is salaries in the amount of \$199, 213.00.

Mr. Boyd: I think we are up \$50,000.00 over last year. What I cannot figure out is who is going to pay for this. Is it the taxpayer? I assume we are going to be charged our share, that is the people in the Yukon Territory. Can we afford it? Can we get any more out of the people of the Territory? Could we not cut down somewhere on some of these terrific added salaries only. For instance, we have got 4 principal clerks in one department, 3 accountants and a chief accountant. We have senior clerks, payroll supervisors, all what you might call pretty substantial types of people moneywise, and I think we will have to start and take a look at the cost of administration that has been going up and up and up. I know there are added things but I think that with a little effort we should be able to hold it somewhere along the line. The population is not any greater, nothing is any greater. People don't really get any more as they live here from year to year except more administration. To be quite frank with you, I am getting alarmed at the cost we are building up to control and guide the destiny of 15,000 people in the Yukon. Do we need all this administration? I am lost. I don't believe it. I think there should be something here. We should have a look to see if we can't stop and curtail some of these expenses.

Mr. MacKenzie: I must admit that the increased expenditure that appears year by year must create alarm in the minds of members of Council. They are not in touch with the day to day problems. I would assure you that this money we are spending is necessary. It may be that the people are not getting anything more than they had years ago but I wonder if that is true. Look at the projects that have been undertaken. You have got the Yukon Hospital Insurance Service for one. You've got the Vocational Training School for another. We have instituted this pension scheme, group surgical medical. We've started up the Public Administrator's Department and we've got this low cost housing scheme. Look at the agreements we have to administer. The Financial Relations Agreement is not by any means easy to administer. A lot of work has to be done to keep in touch with expenditures and make sure they don't exceed the provisions. The Engineering Services Agreement, by which we do work for the Federal Government, has to be controlled most rigidly. I can assure you that this is necessary and furthermore, it was foreseen in the 5 year agreement that the operating deficit grant that we shall receive in respect of these estimates will cover our expected deficit. In other words, the salaries we are looking at are covered by the Federal Deficit Grant that we are going to receive. You see an increase there on page 1 of \$49,934.00. \$28,500.00 of that represents provision for six new positions. At this moment I cannot say precisely what we are going to do or whether they are going to be needed but I have to provide it for expansion. It is going to come. How great it will be I don't know, but it may turn out that this \$28,000.00 is not all required and I hope it won't be. Annual increments account for \$9,000.00 approximately of this \$49,000.00. These things are not automatic, they are on merit. \$9,000.00 is in respect of positions which were new in 1964/65 for the current fiscal year, and for which we have to provide a full year. In other words, positions which were started up during the current fiscal year. Then we have this business of overlap, leaving and taking away a

pay cheque with them, and in the meantime we fill their place and double salary for a short time, perhaps a week or ten days. That is \$2,600.00. I think that is all I have to say at the moment on that particular point.

Mr. Shaw: The point I don't quite understand is that in 1962 we had hospital insurance that was well established at that time and the annuity was not in effect. I am not sure whether the Vocational School was just starting at that time or not. Since 1962, which is only two years ago, the salaries have more than doubled in one department. It is hard to understand just what work would be necessary to double a department in two years. It seems a tremendous increase whereas the other departments, except education, have stayed fairly static.

Mr. MacKenzie: It certainly seems a very substantial increase, but it is true to say that nothing ever stays the same. There are always increases in the way of work. There is always something to improve on. It costs money.

Mr. Boyd: Mr. MacKenzie mentioned the overlap. That is nothing. It has always been there from year to year so it follows that the overlap doesn't change too much. You mentioned low cost housing, area development. This area development seemed to be doing certain work concerning the sale of certain lands. Then one day we are asked for a clerk to go into Mr. McCall's office to write out the receipts for money for the sale of this land. I would take it that between area development and Mr. McCall's office with their adequate staff, it should be possible to do all that is necessary insofar as detail is concerned. I don't think this would affect your department at all and this is just the point. This girl to take the money for the sale of land - why doesn't one of your staff take it? Why don't we let that girl go. You've got people with lots of time to write out a receipt for money. These are the things that we are getting at. I am serious. We are overlapping too much somewhere along the line.

Mr. MacKenzie: This situation between Area Development and Mr. McCall's office is most unusual, and I wouldn't like to comment upon it. I am not concerned with it directly. As regards low cost housing, I would like you to know that nothing is paid out unless I sign the requisition and I don't sign it until I know that it's all right. In the case of low cost housing, I have submitted to me the approval from the Board granting a loan. I have submitted to me the ledger sheet recording the situation of the man's account. Then I prepare to sign. Furthermore, we audit the records of the low cost housing which are maintained in Mr. Spray's office. Treasury is concerned with this because it is money, and no matter what the department, I am personally responsible for every dollar spent.

Mr. Boyd: I appreciate your point but you are also responsible for more than that in my thinking. You don't wish to comment on this situation. I am the first one that does want to comment on it because I just did not see it in the first place and I don't see it today. We could have this right straight through the building in many many cases. You will never convince me that we can't cut down on this somewhere along the line here.

Mr. MacKenzie: This McCall situation is one with which I do not sympathize and did not at the very beginning. I don't want to speak on it and any comment on that should be addressed to the Commissioner.

Mr. Boyd: Could we have the Commissioner down here?

Mr. Commissioner was called to the Council Chambers and entered after a short recess had been called.

Mr. Boyd: We are on Vote #2 and we notice that the salaries in this department are up by \$50,000.00 this year and in two years they have doubled. We note \$28,000.00 for positions to be appointed. Area Development comes into it, where it is costing ... and the time it takes. Immediately I recalled where Area Development have a staff of their own and they do certain work and sell the ground and prepare the paper and do the details. Then we were asked to vote money for a clerk in Mr. McCall's office to do nothing more than collect the money from the people who bought the ground. She is to write a receipt for them. This was the job. I maintain that in the first place there is somebody in Mr. MacKenzie's office who could well receipt this money. All she has to do is write a receipt. All the paper work is done in Area Development so why do we keep a girl sitting there. Every year that I have sat here, the increases in the costs of administration have been quite something. We are doing a lot of talk about the increased cost of taxes, or the increase in taxes. I can understand why the Government expect us to pay more taxes but is our ability to pay there? I don't think it is. I don't think we have the ability to pay for this kind of stuff. I am wondering who is going to pay for it. I know that we are going to be charged with out portion of it by hook or by crook. They are going to get it from us somehow even though we can't afford it. Do you think that we can go on the way we are? Do you not think that we are being a little extravagant here? Do you think we could find ways and means where we might cut out, for instance, that girl or charge some of her work up to Federal offices or Mr. McCall's mining department? What would you suggest?

Mr. Commissioner: I would certainly want to hear from Mr. McCall or somebody who has this girl just sitting writing a receipt because I am surprised to hear that we have such a girl. As far as the costs are concerned, I hope that the increased costs in administration will continue to go up because we are increasing our expenditures in all respects which is a healthy sign as far as the economy is concerned. You were commenting on the increased cost of administration. We touched lightly the other day on the fact that private enterprise over the past few years has had its head in the sand as far as paying salaries is concerned and the Government also has. It has been pointed out to us that throughout the Provinces and the other parts of Canada employees in similar positions to our employees are getting considerably higher salaries. Where it first came to our attention was with regard to school teachers. You will recall that it was only a few years ago when school teachers were the oppressed and received very low salaries and of course the hue and cry went up. School teachers today are making quite a good salary and school teachers in the Yukon Territory come under the Yukon Teachers' Association who sit and bargain with us each year on new salaries. In so doing, in the last few years we find that our school

teachers are way out of line with the rest of the Government employees and this is what first brought it to our attention. We hope that salaries will level off. The indications from the teachers are that they will level off in the next year or two. We certainly hope so. We feel that, in the Territorial Service, our salaries are coming up closer to being in line with the rest of the Government employees of Canada. We are still not in line. Federal Civil Service employees in similar positions are receiving considerably more money than our employees. I would like to be able to say that we cannot cut back at all. I am not sure that I can say that but I would like to think that we do not have any employees who are just sitting around signing receipts who could be done away with. I would suggest that the department involved should appear and possibly justify this bill's existence. I don't know exactly how it came about that she was hired. I know I have heard about it but I can't recall it offhand. I don't know that I can add anything more directly to that

Mr. Shaw: We will take some of these other departments. For example, the Territorial Secretary. That has stayed just about the same for years and years. The increase has been very little and I'm sure that that department has had a few new hats in the last number of years. This particular department has increased by double in two years and this year there is an increase of almost \$50,000.00. Every nickel that is spent has to go through the Territorial Treasury Department. That is quite understandable. It would appear that a lot of these other receipts and so on that go through these other departments could be transferred to the Treasury Department and these people would tend to the whole system of doing these things as has been mentioned, instead of having 2 or 3 people doing the same job. It is certainly increasing by a tremendous amount. I would not be a position to say that this is warranted, there may be various and sundry reasons why it is as high as it is. On the other hand there may be quite a number of ways in which economies can be instituted, perhaps by a little more mechanization. It is costing almost \$250,000.00 just for the handling of the money. There may be a way of installing certain equipment, office machine equipment, which would be a much more economical operation.

Mr. MacKenzie: It is a little misleading to compare the slight increase for Vote #4 as compared with Vote #2 because I have taken out of Vote #4 quite a lot of the surplus which was formally in there, both salaries and wages, and general expenses now shown in Vote #8, the general vote.

Mr. Commissioner: We are taking into consideration the mechanization of particularly the Treasury Department, and I believe that Mr. MacKenzie is keeping on top of that. The facts and figures are available from the machine operators and from industry as to what volume of business is required in order to establish a certain size of machine or to go to a certain stage in automation. We have not reached that stage yet. We are starting. We have one small machine that Mr. MacKenzie has in his department which he is working with. I don't believe he has had sufficient time to give us a true evaluation of it, but as the business increases we will go more and more to machine work. I think you pretty well have to look on both sides of the ledger. In the first place, the expenditures and the required expenditures over the next few years are going to be drawn very

heavily upon and I think that our next 5 year agreement is going to be an entirely different agreement, certainly dollarwise, than the present one. It is my hope that we can assist private enterprise and expend the money wisely over the next two years so that we don't find ourselves in a bottomless pit facing the wrath of the Federal Government when we come to negotiate the new agreement. At the same time, we have had to give substantial salary increases and I don't see any particular way around it. We did, for a number of years, lie dormant and unfortunately this is no longer realistic. The Eastern and Western Provinces, who we rub shoulders with, are the worst people to compare ourselves with. We are in an entirely different situation. We are not a great buoyant entity like the Province of British Columbia or the Province of Alberta, but we do eat the same food and we actually make bed fellows. We should probably compare ourselves more with New Brunswick and Nova Scotia but that is 4,000 miles away. People that we hire can nip out of here today and go down and work in British Columbia or Alberta and this is what we are faced with, making them happy so that they will produce the work. We try to get the best people we can but we are not offering salaries today to draw the best people on. Private enterprises are paying a much greater amount of money outside. I do not think that it is an unhealthy situation to see the increase in the cost of administration because we have to enlarge and I think this is good. I sincerely hope that we won't overexpand and go beyond what is a normal point of reason.

Mr. Boyd: Mr. Cameron is talking about salaries. I am glad to hear him talking about them. That's fine, but I am wondering if you are really taking into consideration all your employees, the lower bracketed people. Have there been instructions to up those lower paid people or are they just forgotten about? Are they in this increased salary thinking?

Mr. Commissioner: They are not considered in the same terms as the department heads and principal clerk type of individual simply because we have a terrific rate of turnover of the lower salaried people, and even at the lowest salary we pay (which I believe is \$3,000.00 per year), I have received complaints from private enterprise which started coming in about 2½ years ago and from business firms in Whitehorse saying that they were quite put out at the salaries we are paying. They were referring to clerks, typists and general handymen because they maintain that they can only hold an employee long enough for them to get the job, even the lowest job, with the Territorial Government which brings out the point that I mentioned the other day, that they have obviously not been keeping their salary increases up. I had professional people come to me 2 or 3 months ago who were quite annoyed because they felt that the salaries that the Government of the Yukon Territory were paying were out of range and too high. They said they had considered paying a girl \$250.00 a month as a stenographer and had her for as long as they wanted. Now they can't even get away with \$300.00. If she is really good, the Territorial or the Federal Government will take her from them.

Mr. Shaw: I think you can take this pretty well for a fact that the City of Edmonton pays around \$235.00 for a clerk/typist or stenographer if they are really good. They are getting well paid here. There is no question about it.

Mr. Boyd: I am against this from one phase. I think we are possibly going a bit too high but I also think that we are too low on the other side. You have virtually admitted that you are only concerned about one certain type of people. These other people are people living too. Can a man live for \$3,000.00? Do you expect him to night hawk? How do you expect him to raise a family when you are quite prepared to pay somebody \$8,000.00 for a stenographer's job or a clerk's job of some kind. They get very well paid but this other man does a job too. Don't you think he deserves some consideration?

Mr. Commissioner: The answer is that we expect them to go and work for private enterprise. This has been standard procedure throughout the country. The Government should always pay a little less, particularly for the lower grade jobs, than private enterprise. Then we are not accused of creating a situation where private enterprise has to charge such a price for their product that it makes it unpalatable to the public. Over the years it has always been a fact that a person starting out to work for the Government started below what he could normally start at with private enterprise and people have come to the Government more and more. It is becoming a situation where high school or university students start out to make a career in the Civil Service. I believe this has only come into effect to any great extent within the last 20 years, since the last war but we would still like to feel that a person coming in as a janitor or a typist will get experience but they will not get the best pay. If they wish to sacrifice some of that pay there is an additional factor of certain securities that you receive from the Government. This is mainly why the salaries on the low end of the stick have been kept down. It is not that we don't feel that the people are worth any more. If they do stay then they have the first opportunity of bidding up over and above anybody from outside. They get the opportunity within the department to bid up to the next position and if they don't stay ... and as I say our greatest turnover is in the low bracket. You must have good department heads and good senior personnel because you are expected to accomplish a certain amount of work and they are expected to train these lower grade employees and try to bring them along so that they can be productive. I am just passing on this information as I understand it.

Mr. Boyd: I want to raise this for the last time. It is all right for some of these stores to holler to the Government. Do they want to pay starvation wages too? It has been admitted that we in the Yukon have not kept pace. Why have we not kept pace? Because the Government elected to stay below what was considered, shall we say, a normal wage. They stayed below and this is why you have the turnover you have. They are only here today and gone tomorrow if they can get out of here. But everybody can't work in the Yukon for private enterprise and work 12 months of the year. He is only going to be working part of the time and on relief the other half.

Mr. MacKenzie: I might add that even with these seemingly high salaries it is extremely difficult to obtain satisfactory staff from outside the Territory, staff with the necessary qualifications. It is extremely difficult. I sought staff on this last trip to Ottawa, in Toronto and Edmonton. I advertised in the Press but the replies were most unsatisfactory. From Toronto there was nothing. Nobody was interested, nobody of any use I mean and the salary range was \$7,000.00/\$8,000.00 with housing provided and fare paid up. They were not interested. I recollect that last June I interviewed some people in Toronto for a similar job with a salary range of \$6,500.00/\$7,500.00 and one fellow said to me "I've got an offer in my pocket starting at \$8,000.00!" These are not at all high.

Mr. Shaw: One thing I don't understand. We have over 2,000 children going to school in the Yukon Territory. Our school bill is getting close to \$2,000,000.00 a year. Can we not produce out of this school system that is costing such a fabulous amount, sufficient graduates to stay on and take on some jobs. Don't they qualify them sufficiently out of these schools? It seems peculiar that we have to go outside the Territory. What is lacking, that there are not enough of these graduates to take over some of these jobs.

Mr. MacKenzie: I have approached the Education on this matter and I actually have in my employment now a boy who came straight to me from Whitehorse High School who is doing very well. I am very satisfied with him. He has been with me now for three years and is very good but it is rare that Education is able to recommend anyone.

Mr. Shaw: My daughter went to High School here and went out and took a business course and immediately went to work. There are lots of other children who do exactly the same thing. She went to work for different employers and had no problems and there are dozens and dozens of other children who do the same. Have we not got the right system to try and get some of these children working in the Territory right from our schools. We have the business course and we have everything in the form of education that it is almost possible to have.

Mr. Commissioner: We do hire High School graduates in the Territory but we have very few apply. Mr. Taylor has had one now for two years who came right out of High School and applied for a job. He started at the bottom and worked up and is coming along very well. There are no doubt numerous other ones because all of the department heads have been informed to hire where they can. At the present time there is a Federal position open in Mr. McCall's office and it is our intention to hire casually and we are attempting to get this position filled from the Vocational Training School. This young fellow will work as a casual for up to six months and it is our hope that we will be able to select him. He has his home here. We have girls that have graduated from the Nurses' Aid course who are working in the Whitehorse Hospital. They started in as soon as they graduated. It is not that we are not prepared to give these people the opportunity but we have very few applications. I would say Mr. Shaw that, had your daughter applied to the Government for a job, she would certainly have received every consideration and would no doubt have got the job. We are not turning them away. If they graduate in commerce we give them an opportunity at the first opening.

Mr. Shaw: I don't want it to be construed that ... I was just using that personal matter as an illustration. She had never applied to the Government so I am not blaming anybody for a thing. I am just wondering if we could not get a whole lot of these children after business college. We have very strict civil service applications and so on and so forth. Perhaps you could have a system whereby they could be in temporary employment until they had proved what they could do before entering into the full Civil Service. It may make it easier for these students to enter into this. In other words, a system whereby they could start without being a part of the Civil Service, without having to write an examination that is possibly a little difficult to start until they became acquainted with the particular business. Perhaps I should not have brought that example up.

Mr. Commissioner: No, this is all right. I was just trying to point out that an awful lot of them do leave and go outside and work. They don't come back. It isn't as if we had turned them down. I would be happy to have them apply for any of these jobs. The Civil Service Commission is for Federal positions. In other words, we do not hire. We recommend and we can hire on a temporary basis under a clause in the Civil Service Act. The rest of this is done in Edmonton and they have examinations. We do not. We have a six month probationary period and we can hire them in the Territorial Service. For six months they can be relieved at a moment's notice if they are unsatisfactory and after six months, if their work is satisfactory, they become permanent employees. We have no Civil Service examinations as such.

Mr. Shaw: Does the Department of Education inform these children? Are there leaflets or something pointing out when there would be jobs available in the Territory so that the students are well aware of the fact that there is a chance here to get employment?

Mr. Commissioner: I am not clear to what extent the Department of Education points this out. However, they have just completed a programme of vocational opportunities in the High School where they had all the main vocations in the area discussed. For example, the forestry people discussed the chances of going into forestry and there have been Government and civilian speakers discuss with all the High School students their particular vocations and point out the possibilities in them. I am sure Mr. Thompson could expand on that further.

Mr. Boyd: We are reaching an awful degree of finesse in administration here in the Yukon. I think they have the same degree in Ottawa and probably more so, but how does this finesse in the case of our administration, which is Federal in the long run, compare with say provincial? In other words, do we have the same number of civil servants and so on to manage per capita as there are in the Provinces? Are we not over serviced - 16,000 people. Doesn't it seem kind of odd that we should have to have so much Government?

Mr. Commissioner: I would say we were certainly out of line with the Provinces on a per capita basis, but so are we out of line on a per capita basis with the amount of Federal money expended in the area and where you are involved in large expenditures of Federal money, naturally the Federal Government is very concerned about every dollar that is spent, whether it is theirs or whether it is ours. We have agreed in the 5 year agreement that we will earn and produce so much revenue and upon that agreement they have said "All right, we will allow you so much Federal money in the form of grants and loans". That is how this agreement works. It is a cooperative arrangement. Naturally, where there are large amounts of Government money spent ... There is a much greater amount of Government money, be it Territorial or Federal, per capita in the Yukon than there is in the Provinces and I think, because of this, it puts our employee ratio also out of proportion. I might say that in the recent trip to Ottawa the Deputy Minister was passing out bouquets to our Treasurer and his Department for doing an excellent job and, believe me, they don't pass out too many bouquets. He was passing it on behalf of the Auditor General and the Auditor General usually swings a fairly big axe but he was very satisfied and I think it is more of a responsibility on us to be able to answer for every dollar when we are handling some of our own money and some of somebody else.

Mr. Shaw: At no time would I infer that Mr. MacKenzie and his Department are doing a bad job. I think they are doing an excellent job. There is no question about that but I am still concerned about several things such as our recent discussion on taxes which people have to pay in various areas. It is a very small amount in the finances of the Territory and when one Department goes up \$50,000.00 in one year, I think it does permit an area of questioning. Why should it go it up \$50,000.00 in one year and why should it more than double itself in a couple of years? Apparently it appears to be necessary. On the other hand, there may be some ways of economizing on this particular thing. Perhaps getting more automation. It is an increase that is going up and up and increases by about 25% every year. If it continues this way, then in another four or five years it will be terrific. There is some point where it must level off I would think.

Mr. MacKenzie: It will not level off because we are taking on greater responsibilities. We are talking now of taking over the hospital. We are going to take over the Alaska Highway. Sooner or later we are going to take over the Public Health Section of the health services here. There is no end to it.

Mr. Commissioner: I believe that the last time Government spending levelled off and decreased was in 1929 and I would hate to think that that would happen again. I certainly appreciate the remarks of Councillor Shaw. Everytime we hire somebody 4 or 5 people are involved. We have also had a study made on the personnel situation in the Yukon Territorial Government and we have had a book submitted on this study by the Chief of the Personnel Division in Ottawa. His recommendation is the setting up of a personnel department. I am not convinced in my own mind that this would be the answer because here again we are creating another department.

I would like to feel first that we are heading for a great deal of inefficiency beyond what I can see now in our present method of hiring personnel. However, this day is no doubt coming. They have also suggested a purchasing department. This I believe we will have to do and the purchasing would be done by one individual department. As it is now, each department does its own. This does not involve a full time individual in any department except engineering, which does, I believe, 85% of the purchasing in the Territory. It is our thinking that possibly we could have the Engineering Department do the purchasing for all other departments. I am just thinking out loud now and passing on some of the things that we have discussed and the way we are looking at them. If there is any department head that has individuals sitting there doing very little, or a duplicate service to other departments, we would be quite happy to see that this is combined. Here again however, one office is Territorial and the next is Federal, one works under a combined Territorial/Federal engineering agreement, and the other works under another. It is the same as the holidays. When there is a special holiday it creates nothing but problems because there are cases where it should be just Territorial employees that get the holiday which is not realistic in practice, because if we took all of the Territorial employees out of the building we would just leave people sitting around twiddling their thumbs. So these are the situations that we are faced with and we hope we are watching these loopholes. We are spending more money and making more money and we are growing and I feel that we are heading in the right direction and am not disappointed with it.

Mr. Thompson: We have a payroll cost of \$50,000.00 for this year. \$28,500.00 of that is for six appointments to be made. You mentioned previously that you didn't know whether they were going to be required or not, so I am wondering how at this time these six new positions could be justified. My feelings in this respect are that any money that was deleted from the budget for any reason would revert back to Territorial funds and would be available again next year, or if the occasion did arise and one or two positions were required then you have your supplementary estimates to fall back on to cover yourself, but it seems an odd way of estimating to put in an arbitrary figure, or put in any figure over and above what can conceivably be justified.

Mr. MacKenzie: It is quite customary to put in these estimates. It is money which you are pretty sure is going to be used although you cannot pinpoint it at the time of preparation. It is quite customary. The inclusion of these six positions is partly justified by the fact that I have created a new position of Assistant Chief Accountant and that will draw upon part of the amount. At the time these estimates were prepared, I had no idea of creating the position of Assistant Chief Accountant but it is necessary and advisable to do so. It has been done and that forms some justification for the amount. I have no doubt that, mostly, it will be absorbed as the year progresses.

Mr. Thompson: This may be a good point but, as you say, you did not have any idea of creating an assistant chief accountant but you did have an idea of appointing a principal clerk, a senior clerk, two general clerks, and two clerk typists. I can't see where the validity of your argument is. You say that this is quite a common practice and is done all the time. This may be so, but I don't think it gives us a realistic picture. If we went through this book here I think we could probably find that a lot of these estimates are entirely on the high side. This may be all right but, as I say, I don't think it gives us a realistic picture and I feel that any money that we don't have in this budget will be available for next year. We keep harping on the fact that the next two years are going to be the most difficult because we won't have any money left. I am of the opinion that some sort of stand should be taken on items such as these. If they are not in existence and they don't appear to be then I feel that we should definitely delete them.

Mr. MacKenzie: The fact that we are providing money in the estimates for these positions does not necessarily mean that it will be spent. It won't be spent if it is not necessary. I think it might very probably be necessary but if it is not spent it will come to be available next year. As I mentioned earlier on, the Operating Deficit Grant which we are going to receive from the Federal Government is going to be more than sufficient to absorb the operation and maintenance which are in these assessments including treasury salaries. In other words, the salaries have been provided for in the 5 year agreement.

Mr. Commissioner: In further comment to Councillor Thompson's suggestion, this present submission has basically been the same for many years and nothing has been changed this year. We find it a very workable situation during the year and the Federal Government has no objection to it. If you cut out these positions on each programme then there would be no advantage in receiving a phone call or a letter from you to act on behalf of your constituents for somethings that comes up during the year because there would be nothing to work on as far as a cushion was concerned in our estimates. It would all show up in supplementary estimates with the result that the supplementary estimates would end up being in larger form than you mean it. Then Ottawa is going to come along and say "This is a pretty poor type of Government budget", and this is why the cushion was put in. The cushion, in each case is to be kept within the framework of our finances available each year for the duration of the 5 year agreement. What money is not spent is used the following year. It is allowed to build up as a capital surplus or an operating and maintenance cost and there is money which we will spend this coming year for situations which do not exist at the present time but which could well arise. I don't know what they are, there are none of us who know that yet. If we have a cushion on all of these projects then we can transfer funds within the vote. This is the only power we have. To transfer money out of the vote, or from one vote to another requires Treasury Board approval so we intend in every way to steer clear of that. This additional money is used for the benefit of any situation in the Territory or else it can be used again next year. It is not lost money nor is it frivolously thrown around because every dollar has to be accounted for.

From it
Mr. Watt: / what has been said/ seems to be a growing department and it has multiplied and doubled in about three years. Can we expect that it will be doubled again in the next three years?

Mr. Commissioner: I would be quite happy for it to be recorded that I doubt very much that it will be doubled in next ~~tw~~ years. I say two because in three years we will be in another 5 year agreement and all these things may possibly land up in our lap. During the period from 1967 to 1972 we could have an entirely different situation. For example, the Alaska Highway alone will increase the personnel by anywhere between 125 and 200 people. The reason why it has made such a jump recently is that in the last year and a half there have been some substantial salary increases. The salaries were not put up gradually every year. We used comparative figures over the other parts of Canada and found that this was true.

Mr. Shaw: I certainly hope that there will be no more internal departments because if we have a personnel department we will probably have to end up with another one to look after the personnel and so on. We have to look into the different departments and economise as much as possible and automate as much as possible. I must say that these estimates are excellent. They put the picture in front of you and personally I don't like to see a lot of things in the supplementary. I feel that is something that should just be kept for emergencies.

Mr. Commissioner: We are just following Parkinson's Law to the best of our ability.

Mr. Commissioner left the Council Chambers.

Mr. Watt: A lot of the staff in this department is related to the book work that is directed at Ottawa. I have here a breakdown of the personnel in the Northern Administration Branch and here we have an item/under the Commissioner of the /that Yukon Territory there is a field staff of 62. What part of this field staff of 62 would be in the Accounting Department? Is part of that staff of 62 within the budget that we are talking about here now or is this besides this?

Mr. MacKenzie: The 62 figure will be Federal staff. In other words, the Executive Council which is Mr. Fraser and his assistants together with Federal staff throughout the Territory.

Mr. Thompson: We have just argued about the increase in our taxes and then we sit here blithely and say that there is a difference between Territorial and Federal participation. It still boils down to the fact that the more we approve, and the more we spend here, the more will come from Ottawa and the higher our taxes go. I'll just leave that with you.

Mr. Boyd: In connection with these taxes, I understand there is going to be an effort made to see what can be done about it. I wonder if anything will be done about the reduction in taxes back to a point that sounds more reasonable. They might take the attitude "It's money, you can't do anything, and you have no say in it". We don't have much say in this either. If we could say that we will leave this until we find out where we stand on our taxes, if we can get something that makes us happy taxwise, then we can maybe make

somebody else happy this way. It looks as if we might get caught in the mousetrap.

Mr. MacKenzie: From the Administration's point of view, it is intended to try and do something to reduce property taxes. We are not the onl ones involved in this. We have to take Ottawa into account and I intend to prepare a paper to send to them. What the reduction will be, I could not say at the moment. I have not tried to work it out but something will be done as far as the Administration is concerned, and I think and hope that Ottawa will go along with us. We have to consult them because we don't want to do anything that is contrary to our 5 year agreement.

Mr. Chairman: Did we not go against our 5 year agreement when we changed our tax structure?

Mr. MacKenzie: I don't think so. This matter again was referred to Ottawa and their approval received.

Mr. MacKenzie left the Council Chambers.

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

MOTION CARRIED

Mr. Taylor: Committee convened at 2:10 p.m. this afternoon to discuss bills, memorandums, sessional papers and motions. Committee further discussed Motion #10, then discussed matters raised in Motion #24 with Mr. Oliver in attendance. It was moved by Councillor Shaw, seconded by Councillor Boyd, that this Committee recommends that the Building Inspector in the course of his duties, co-operate with the Safety Inceptor in matters of workman safety on the projects he is assigned to. Motion carried.

It was moved by Councillor Boyd, seconded by Councillor Southam, that Bill #5 be reported out of Committee as amended. Motion carried.

Committee then proceeded to Bill #4, the Main Supply Bill, with Mr. MacKenzie in attendance. Mr. Commissioner also attended to discuss Vote 2. I can report progress on Bill #4. It was moved by Councillor Boyd, seconded by Councillor Southam, that Mr. Speaker do now resume the Chair and hear the Report of the Chairman of Committees. Motion carried.

Council accepted the Report of the Chairman of Committees and adjourned until 10:00 a.m. on Wednesday, March 31st, 1965.